



ADUR & WORTHING COUNCILS

2 October 2017

Joint Strategic Committee

Date: 10 October 2017

Time: 6:30pm

Venue: Gordon Room, Town Hall, Worthing

Adur Executive: Councillors Neil Parkin (Leader), Angus Dunn (Deputy Leader), Carson Albury, Brian Boggis, Emma Evans and David Simmons

Worthing Executive: Councillors Daniel Humphreys (Leader), Kevin Jenkins (Deputy Leader), Edward Crouch, Diane Guest, Heather Mercer and Val Turner

Agenda

Part A

1. Declarations of Interest

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

2. Minutes

To approve the minutes of the Joint Strategic Committee meeting held on 12 September 2017, copies of which have been previously circulated.

3. Public Question Time

To receive any questions from members of the public.

4. Items Raised Under Urgency Provisions

To consider any items the Chairman of the meeting considers to be urgent.

5. 100% Business Rate Retention

To consider a report from the Director for Digital & Resources, a copy is attached as item 5.

6. Our growing regional economy - the Greater Brighton Economic Board

To consider a report from the Director for the Economy, a copy is attached as item 6.

7. Annual Treasury Management Report 2016/17 Adur District Council and Worthing Borough Council

To consider a report from the Director for Digital & Resources, a copy is attached as item 7.

8. West Sussex Waste Management Memorandum of Understanding

To consider a report from the Chief Executive, a copy is attached as item 8.

9. Private Sector Housing Enforcement Policy - update for new legislation

To consider a report from the Director for Communities, a copy is attached as item 9.

10. Joint Overview & Scrutiny Committee - Youth Engagement Review

To consider a report from the Director for Digital & Resources, a copy is attached as item 10.

11. Proposed Submission Shoreham Harbour Joint Area Action Plan

To consider a report from the Director for the Economy, a copy is attached as item 11.

12. Health Related Development on Worthing Town Hall Car Park

To consider a report from the Director for the Economy, a copy is attached as item 12.

Part B - Not for Publication – Exempt Information Reports

None.

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

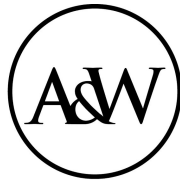
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ADUR & WORTHING
COUNCILS

Joint Strategic Committee
10 October 2017
Agenda Item 5

Key Decision [~~Yes~~/No]
Ward(s) Affected: All

100% Business Rate Retention

Report by the Director for Digital and Resources

Executive Summary

1. Purpose

- 1.1 In the current financial year the government is trialling 100% rate retention scheme in unitary council areas, as a precursor to fulfilling their policy intention to fully localise business rates. On 2nd September 2017 the Department of Communities and Local Government (DCLG) invited further bids for pilot areas, this time specifically encouraging bids from two tier and rural authorities.
- 1.2 Councils wishing to be considered for pilot status in 2018-2019 must have submitted their bid to DCLG by 27th October 2017. It is likely that there will be a competitive process and not all bids will be successful. DCLG intends to announce the outcome of the bidding process in December 2017.
- 1.3 The purpose of the report is to request a delegated authority to bid in line with the timescales set out by DCLG. The West Sussex finance officers have already commenced preparatory work, which will be reviewed by the chief executives.
- 1.4 A successful bid should generate additional revenue for the West Sussex authorities, and help local government shape the future roll out of fully localised business rates.

2. Recommendations

- 2.1 The Joint Strategic Committee is recommended to delegate authority to the Chief Executive and Chief Financial Officer following consultation with the Executive Members for Resources, to determine whether to submit a bid to the Department of Communities and Local Government (DCLG) for Adur District Council and Worthing Borough Council to take part in the 2018-2019 pilot for 100% business rate retention.

3. Context

- 3.1 Under the current business rate retention scheme, business rate income is subject to a complex sharing arrangement involving initial shares of the income generated (40% to the Council, 10% to the County Council, 50% to the Treasury), tariff payments to the Treasury, and a 50% levy payments on any surplus rates. As a result of these arrangements neither Council keeps a significant share of the income generated, with the majority of the income going back to Treasury.

2017/18 business rate forecast:	Adur £'000	Worthing £'000
Baseline funding	1,650	2,514
Retained surplus rates	736	506
Business rate income retained locally	<u>2,386</u>	<u>3,020</u>
Net business rate income	17,563	31,133
Percentage retained locally	13.59%	9.70%

- 3.2 The Chancellor announced in the Autumn Statement 2015, the intention to allow Local Government to retain 100% of business rate income. However, such a reform is to be fiscally neutral with Councils assuming financial responsibility for services which had previously been funded by government grant.
- 3.3 The Government are currently trialling 100% retention in unitary council areas, as a precursor to fulfilling their intention to fully localise business rates. The Government invited on the 2nd September 2017 further bids for pilot areas, this time specifically encouraging bids from two tier and rural authorities.

4. Issues For Consideration

- 4.1 Officers are preparing a West Sussex county-wide bid to become one of the pilot areas for the 100% business rate retention scheme. Detailed financial modelling will be required to ensure pilot status will be financially beneficial to all authorities. If the initial modelling indicates that being a pilot is not financially advantageous, or is significantly risky a bid would not be submitted.
- 4.2 Other matters that will need to be worked up as part of a bid include:
- i) Tier splits ie how much growth will be retained by county and district Councils respectively.
 - ii) Which additional responsibilities, or loss of existing grants, would be rolled in to make the scheme fiscally neutral.
 - iii) How gains will be used. DCLG have indicated that they expect at least some of the gain to be used to generate economic growth.
 - iv) How risks will be mitigated.
- 4.3 Experience of having operated a business rate pool in the county means that much of the existing risk mitigation and governance arrangements can be built upon as part of this submission.
- 4.4 Finance officers are currently modelling different scenarios, with the aim of reporting these to the chief executives to consider on 6th October 2017 at their regular meeting. Following that meeting a bid submission can be refined in time for the 27th October 2017 deadline. The Executive Members for Resources will be consulted on the bid to be made.
- 4.5 DCLG will announce successful submissions in December and depending on the deadline for acceptance it is intended that the final decision be reported back to Council for final sign off. If, however, DCLG deadlines means that it is not possible to take the matter back to full council, urgency provisions may need to be exercised in accordance with the constitution.
- 4.6 The Councils could continue to operate with the West Sussex business rate pool for 2018/19 as is the current case. This enables more of the income growth to be retained locally than would be the case without a pool (30%). However a successful pilot bid would enable all growth to be retained within the pilot area..
- 4.7 The timescale set for submission of a bid, and the relatively short notice period means that it would not be practicable to take a draft scheme

through committee in the normal way. Hence it is essential to obtain delegated authority.

5. Engagement and Communication

- 5.1 All district, borough and county councils in West Sussex will need to collaborate on a scheme for a bid to be successful. Finance officers and chief executives are therefore collaborating to enable a bid to be drafted. Each authority will need to consult their members according to their own constitutional requirements.

6. Financial Implications

- 6.1 The submission of a bid does not require additional resources, the cost of any consultancy is being met from the current Business Rate Pool. However, if successful, the bid should benefit the Councils' financially as more of the business rate growth would be retained in 2018/19.

7. Legal Implications

- 7.1 To be accepted as a pilot for 2018/19, agreement must be secured locally from all relevant authorities to be designated as a pool for 2018/19 (in accordance with Part 9 of Schedule 7B to the Local Government Finance Act 1988) and to put in place local arrangements to pool their additional business rates income.
- 7.2 The S.151 officer of each authority participating in the Pool must sign off the proposal before it is submitted. In Adur and Worthing Council, this Officer is the Chief Financial Officer.

Background Papers

DCLG's invitation for pilots:

Invitation to Local Authorities in England to pilot 100% Business Rates Retention in 2018/19 and to pioneer new pooling and tier-split models.

<https://www.gov.uk/government/publications/100-business-rates-retention-pilots-2018-to-2019-prospectus>

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SUSTAINABILITY AND RISK ASSESSMENT

1. ECONOMIC

- 1.1 The government expects that some retained income from growth to be invested to encourage further growth across the area.

2. SOCIAL

2.1 Social Value

If successful, the bid will generate additional resources for the Council supporting a wide range of services which benefit the local community.

2.2 Equality Issues

Matter considered and no issue identified

2.3 Community Safety Issues (Section 17)

Matter considered and no issue identified

2.4 Human Rights Issues

Matter considered and no issue identified

3. ENVIRONMENTAL

Matter considered and no issue identified

4. GOVERNANCE

- 4.1 A governance agreement will be developed as part of the bid This will include details of:

- i) how any additional business rates income is to be used;
- ii) how risk is to be managed; and
- iii) how residual benefits/liabilities would be dealt with once the pilot ends;

The agreement will also include an indication of how the pool will work in the longer term and the proposals for sharing additional growth.

- 4.2 There is a potential risk that taxation receipts do not grow as fast as spending on the additional responsibilities. It is therefore essential that financial modelling is undertaken to establish which additional responsibilities are requested, and the risk is mitigated as far as possible.



ADUR & WORTHING
COUNCILS

Key Decision [~~Yes~~/No]

Ward(s) Affected: All

Our growing regional economy - the Greater Brighton Economic Board

Report by the Director for the Economy

Executive Summary

1. Purpose

- 1.1. This report provides Joint Strategic Committee an update on benefits Adur and Worthing have gained from the Councils' membership of the Greater Brighton Economic Board, this includes:
- securing funding through the Local Growth Fund,
 - advocating for local infrastructure issues at regional and national level,
 - promoting economic development as part of the City Region.
- 1.2. The report also seeks Joint Strategic Committee's agreement to recommend to meetings of the full Councils to Crawley Borough Councils membership of the Economic Board. This expanded membership, along with Gatwick Airport will further strengthen the Board's position as a voice for economic development, advocating for the City Region locally, nationally and internationally.

2. Recommendations

- 2.1. Note the contents of the report and the ongoing benefits gained from Adur and Worthing Councils membership of the Greater Brighton Economic Board.
- 2.2. Agree to recommend to Adur District Council, and Worthing Borough Council respectively to ratify Crawley Borough Council's membership of the Greater Brighton Economic Joint Committee (which meets with the Greater Brighton Business Partnership as the Greater Brighton Economic Board), subject to the decision of other constituents

authorities, and delegate authority to the Solicitor to the Council to make consequential changes to the Joint Committee Agreement and the Councils' Constitutions.

- 2.3. Note Gatwick Airport is a new member of the Greater Brighton Business Partnership.

3. Context

- 3.1. The Greater Brighton Economic Board was founded in April 2014 as part of the Greater Brighton City Region City Deal proposal to Government.
- 3.2. Formally the Board comprises of the Greater Brighton Economic Joint Committee ("GBEJC"), on which the local authorities are represented; and the Greater Brighton Business Partnership ("GBBP"), on which the Cost to Capital Local Enterprise Partnership, business, university and further education sectors, and South Downs National Park Authority are situated (full list of current and proposed members set out in paragraph 5.1 of [Attachment A](#)).
- 3.3. The functions of the Board are as follows:
1. To make long term strategic decisions concerning regional economic development and growth;
 2. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
 3. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a coordinated approach to economic growth across the region;
 4. To secure funding and investment for the Region;
 5. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
 6. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
 7. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes.
- 3.4. The Boards current areas of focus are set out in the Board's 2017/18 Operational Arrangements ([Attachment B](#)).

4. Issues for consideration

4.1. Benefits of Adur & Worthing Councils members of the Greater Brighton Economic Board

- 4.1.1. Working in partnership, the Greater Brighton City Region has brought significant benefits to the partner Local Authorities and agencies. Together the partnership has secured around £150 million of Growth Deal funding held by the Coast to Capital Local Enterprise Partnership.
- 4.1.2. Of this sum Adur and Worthing have secured £28.2 million to support project such as:
- Adur Tidal Wall (£6 million)
 - Union Place (£2.4 million)
 - Teville Gate (£3.3 million)
 - Decoy Farm (£4.84 million)
 - New Monks Farm and Airport Business Estate (£5.7 million)
 - Western Shoreham Harbour Arm (£3.5 million)
 - Adur Civic Centre (£1.7 million)
- 4.1.3. Greater Brighton has also provided a platform to highlight local issues at a regional and national level. The Chair of Greater Brighton issued a press release supporting the Councils' position on the proposed improvements to the A27. The Board are also taking action to highlight the importance of rail infrastructure to the City Region, in particular upgrades to the Brighton Main Line.
- 4.1.4. Providing opportunities to promote the Adur and Worthing economies at to a national audience, most recently at a two-day workshops held for senior Government Officials to identify opportunities associated with the Industrial Strategy.

4.2. Expanding membership of the Greater Brighton Economic Board

- 4.2.1. The London-Gatwick- Brighton Growth Corridor has been recognised as one of nine corridors in England that have been at the heart of growth over the last decade one and are likely to maintain a pivotal role in shaping growth in the future. The

Corridor, which stretches along the Brighton Main Line and M23/A23 routes, creates key strategic linkages between Crawley, Gatwick and Brighton – with benefits cascading across the City Region. The inclusion of Crawley Borough Council and Gatwick Airport Limited on the Greater Brighton Economic Board presents a range of opportunities for the City Region.

4.2.2. Greater Brighton can more clearly articulate how the City Region economy can benefit from both its links to the M23/A23 Corridor and to London.

4.2.3. Crawley and Gatwick's membership will strengthening Greater Brighton's voice to Government:

- Bringing together one of the Coast to Capital Local Enterprise Partnership's economic 'power houses' into the City Region's footprint. Crawley generates over £4.5 billion GVA. The City Region has a current combined GVA of just over £19 billion (all GVA data is from 2014).
- Crawley is home to 110,900 people. The City Region has a current combined population of just over 700,000. The new population total, of just under 811,000 people, would increase the scale and profile of Greater Brighton.
- Similarly, Crawley is home to over 3,000 active businesses – including Gatwick Airport Limited. There are currently just over 35,000 active business units in the City Region.
- Gatwick is one of the South East's most high profile and important anchor businesses. It has 24,000 direct employees (and 13,000 indirect employees) from across the region. It is a major investor in growth – having invested £1.3 billion since 2009 with plans to invest a further £1.2 billion before 2021 – and attractor for inward investment, providing access to markets for business as well as supporting the ongoing growth of tourism. The inclusion of an international airport within the City Region will bring Greater Brighton's profile in line other City Region's that are high on Government's radar –Manchester, Birmingham and Newcastle.

4.2.4. Enabling joint-work on strategic priorities, including:

- Articulating the economic case for continued investment in infrastructure, with an immediate focus on influencing investment in the Brighton Main Line.

- Developing a proactive Inward Investment and Trade strategy (encompassing supply chain development), working with the Department for International Trade and the Coast to Capital Local Enterprise Partnership.
- Strengthened links to London, coupled with an international airport, would increase investor confidence in Greater Brighton. Gatwick has Europe’s fastest growing long haul network, now servicing more than 50 long haul destinations. It plays an important role in supply chain development – £74m of Gatwick’s expenditure is already with local businesses.
- Supporting the work of the West Sussex and Greater Brighton Strategic Planning Board in developing the Local Strategic Statement 3; a process to support better integration and alignment of strategic spatial and investment priorities and deliver a spatial framework for the area that brings together in one place the housing and employment space required over the next ten years linked to the long term strategic infrastructure and other transport plans.

5. Engagement and Communication

- 5.1. This report has been developed from advice on from Brighton & Hove City Council as lead authority for the Greater Brighton Economic Joint Committee.
- 5.2. Any media engagement the expansion of the Board’s membership will be coordinated by the Adur & Worthing Communications team, who currently hold the contract for the Board’s communications and media engagement.

6. Financial Implication

- 6.1. The proposed contributions from Adur and Worthing Councils for 2017/18 are included within the Councils’ budget. These remain unchanged from 2016/17 at:

	2016/17 £	2017/18 £
Adur	12,345	12,345

Worthing	19,215	19,215
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- 6.2. It is proposed that interim contributions are sought from Gatwick and Crawley for 2017/18 based on the current calculations for partner contributions and pro rata based on the remaining months within the financial year following ratification.
- 6.3. A guide to how the contribution from Crawley Borough Council will be calculated is contained in Appendix 3.

Finance Officer: Sarah Gobey

Date: 29th September 2017

7. Legal Implications

- 7.1. The GBEJC is a joint committee established pursuant to section 102 of the Local Government Act 1972. The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 require the constituent authorities of a joint committee to decide the membership of that committee and it is therefore necessary for each Council to take the decisions outlined in this report in order for Crawley Borough Council to become a member of GBEJC. This decision to alter the membership of the joint committee is one which must be taken by Full Council by virtue of section 102 of the Local Government Act 1972, and in accordance with the provisions of Adur District Council and Worthing Borough Council's constitutions.

Background Papers

- Greater Brighton City Deal & Greater Brighton Economic Board Report to the Joint Strategic Committee - 6 February 2014

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Sustainability & Risk Assessment

1. Economic

Engagement with the Greater Brighton City Region provides Adur and Worthing and opportunity to engage with our function economic area and assist in facilitating economic development at a local level.

2. Social

2.1 Social Value

In addition to engaging on economic development the Board is discussing the issues of housing, infrastructure and employment to improve economic participation and the quality of life of our communities.

2.2 Equality Issues

Issue considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Issue considered and no issues identified.

2.4 Human Rights Issues

Issue considered and no issues identified.

3. Environmental

As part of the Boards work programme it intends to examine the energy and water needs of the City Region, and ensure that sustainable management of the these resources can occur.

4. Governance

Adur and Worthing Councils membership of the Greater Brighton Economic Board aligns with our intent to strengthen our financial economics and develop the leadership of our places through partnership.

The Governance arrangements of the Board function as a Joint Committee, with Brighton & Hove City Council acting as lead authority. Accountability for our participation in the Board is through the Leaders of the Councils as the Councils representatives on the Board.

Membership of the Board represents the Councils willingness to address issues of economic development at regional level and to advocate for and promote Adur and Worthing at a regional and national level.

Attachment A: Heads of Terms, Greater Brighton Economic Board

1. Establishment, Purpose and Form

- 1.1. The Greater Brighton Economic Board (“The Board”) shall be established from the Commencement Date
- 1.2. The over-arching purpose of the board is to bring about sustainable economic development and growth across Greater Brighton (‘the City Region’). To achieve this, the principal role of the Board is to co-ordinate economic development activities and investment at the regional level.
- 1.3. The Board comprises the Greater Brighton Economic Joint Committee (“GBEJC”), on which the local authorities will be represented; and the Greater Brighton Business Partnership (“GBBP”), on which the Coast to Capital Local Enterprise Partnership, business, university and further education sectors will be separated.
- 1.4. Meetings of the Board comprise concurrent meetings of GBEJC and GBBP.
- 1.5. GBEJC shall be a joint committee appointed by two or more local authorities represented on the Board, in accordance with section 120(1)(b) of the Local Government Act 1972.
- 1.6. The Board may appoint one or more sub-committees.
- 1.7. For the two years starting with the Commencement Date, the lead authority for the Board shall be Brighton & Hove City Council (“BHCC”), whose functions in that capacity shall include the provision of scrutiny (see paragraph 4.3), management of the call-in and review process (see paragraph 8), and the support detailed in paragraph 12.
- 1.8. Unless the Board resolves otherwise, before the start of the third year following the Commencement Date, and every two years thereafter, the Board shall review the lead authority arrangements and, subject to paragraph 1.9, invite each of the local authorities represented on the Board to submit an expression of interest in fulfilling the role of lead authority for the subsequent two year period. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.
- 1.9. Notwithstanding the appointment of a successor lead authority pursuant to paragraph 1.8, the incumbent lead authority may retain such of their Accountable Body functions as are necessary to enable that local

authority to comply with its on-going commitments and liabilities associated with its Accountable Body status.

2. Interpretation

2.1. In these Heads of Terms –

- i. 'Commencement Date' means 1st April 2014.
- ii. 'City Region' means the area encompassing the administrative boundaries of BHCC, Adur District Council, Worthing Borough Council, Lewes District Council and Mid Sussex District Council as lie within the Coast to Capital Local Enterprise Partnership area; and 'regional' shall be construed accordingly;
- iii. 'economic development' shall bear its natural meaning but with particular emphasis given to :
 - Employment and skills;
 - Infrastructure and transport
 - Housing;
 - Utilisation of property assets;
 - Strategic planning;
 - Economic growth.
- iv. 'Accountable Body' means the local authority represented on the Board carrying out the function set out in paragraph 12.2.

3. Functions

3.1. The Functions of the Board are specified in paragraph 3.2 below and may be exercised only in respect of the Region.

3.2. The functions referred to in paragraph 3.1 are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the region;
- iv. To secure funding and investment for the Region;

- v. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes; and for the avoidance of doubt, no other expenditure shall be incurred unless due authority has been given by each body represented on the Board.

3.3. In discharging its function specified in paragraph 3.2 (viii) above, the Board shall-

- i. (save in exceptional circumstances) seek to invest funding on the basis of-
 - a Proportionality, by reference to the economically active demographic of each administrative area within the city Region;
 - b Deliverability;
 - c Value for money and return on investment / cost benefit ratio; and
 - d Economic impact to the City Region as a whole.
- ii. Delegate implementation of that function to the lead authority, who shall also act as Accountable Body in relation to any matters failing within that function.

4. Reporting and Accountability

- 4.1. The Board shall submit an annual report to each of the bodies represented on the Board.
- 4.2. The Greater Brighton Officer Programme Board shall report to the Board and may refer matters to it for consideration and determination.
- 4.3. The work of the Board is subject to review by an ad hoc joint local authority scrutiny panel set up and managed by the lead authority.

5. Membership

5.1. The following bodies shall be members of the Board:

- i. Brighton & Hove City Council

- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. University of Sussex
- vii. University of Brighton
- viii. Further Education Representative¹
- ix. Coast to Capital Local Enterprise Partnership
- x. Brighton & Hove Economic Partnership
- xi. Adur & Worthing Business Partnership
- xii. Coastal West Sussex Partnership
- xiii. South Downs National Park Authority

5.2. GBEJC shall comprise the bodies specified in paragraphs 5.1(i) to (v); and GBBP shall comprise the bodies specified in paragraphs 5(vi) to (xiii).

5.3. Each of the bodies listed in paragraph 5.1 shall be represented at the Board by one person , save that BHCC shall, by reason of it being a unitary authority, be represented by two persons (as further specified in paragraph 5.4).

5.4. Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.

5.5. Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.

5.6. Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.

5.7. Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

6. Chair

6.1. The Chair of GBEJC shall, by virtue of his/her democratic mandate, be Chair of the Board

6.2. If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.

¹ Currently represented by the Greater Brighton Metropolitan College

- 6.3. The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 6.4. Following GBEJC's first year in operation, its Chair shall rotate annually between its members, with the new Chair being appointed at the first meeting of the Board in the new municipal year.
- 6.5. GBEJC shall decide the order in which their members shall chair that body.

7. Voting

- 7.1. Each person represents a member of GBEJC, and each person representing a member of the GBBP, shall be entitled to vote at their respective meetings.
- 7.2. Voting at each of the concurrent meetings of GBEJC and GBBP shall be by show of hands or, at the discretion of the chair, by any other means permitted by law, and voting outcomes reached at those meetings shall be on a simple majority of votes cast.
- 7.3. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the Chair of GBEJC shall have a casting vote.
- 7.4. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the motion/proposal/recommendation under consideration shall fall in relation of GBBP.
- 7.5. Where the respective voting outcomes of GBEJC and GBBC are the same, that shall be taken as the agreed Board decision and the Board may pass a resolution accordingly.
- 7.6. Where the respective voting outcomes of GBEJC and GBBP differ, the Board –
 - i. May not pass a resolution relating to that matter; and
 - ii. May refer the matter to the Chief Executive of the lead authority, who may consult with members of the Board or such other persons as are appropriate, with a view to achieving agreement on the matter between GBEJC and GBBP by discussion and negotiation.
- 7.7. Where, pursuant to paragraph 7.6(ii), agreement is reached the matter at issue shall be remitted to, and voted upon at, the next meeting of the Board.
- 7.8. Where, pursuant to paragraph 7.6(ii), no agreement is reached the motion/proposal/recommendation at issue shall fall.

8. Review of decision

- 8.1. Decisions of the Board will be subject to call-in and review in the following circumstances:
- i. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was to agree the recommendation.
 - ii. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or
 - iii. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
 - iv. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.
- 8.2. The procedure for Requesting, validation, and implementing a call-in and review is specified in Schedule 1.
- 8.3. Where a request for call-in is accepted, the Board decision to which it relates shall be stayed pending the outcome of the call-in
- 8.4. Following call-in, the panel convened to review a Board decision may refer the decision back to the Board for re-consideration. Following referral, the Board shall, either at its next scheduled meeting or at a special meeting called for the purpose, consider the panel's concerns over the original decision.
- 8.5. Having considered the panel's concerns, the Board may alter its original decision or re-affirm it. Paragraph 8.1 shall not apply to the Board's follow-up decision. In consequence, the latter decision may be implemented without further delay.

9. Substitution

- 9.1. Subject to paragraph 9.2, where a representative of a member of the Board is unable to attend a Board meeting, a substitute representative of that member may attend, speak and vote, in their place for that meeting.
- 9.2. A substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Board at the start of each municipal year.

10. Quorum

- 10.1. No business shall be transacted at any meeting of the Board unless at least one third of all member bodies are present, and both GBEJC and GPBBP are quorate.
- 10.2. Quorum for GBEJC meetings shall be three member bodies.
- 10.3. Quorum for GBBP meetings shall be three member bodies.

11. Time and Venue of Meetings

- 11.1. Ordinary meetings of the Board shall be convened by the lead authority and normally take place in the geographical area of that authority.
- 11.2. The Chair of the Board may call a special meeting of the Board at any time, subject to providing members with minimum notice of two working days.

12. Administrative, financial and legal support

- 12.1. The lead authority shall provide the following support services to the Board:
 - i. Administrative, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13;
 - ii. Financial (including the Accountable body function specified in paragraph 12.2); and
 - iii. Legal, comprising Monitoring Officer and Proper Officer functions in relation to GBEJC meetings.
- 12.2. The function of the Accountable Body is to take responsibility for the financial management and administration of external grants and funds provided to the Board, and of financial contributions by each member of the Board, as more particularly specified in the Memorandum of Understanding Pursuant to paragraph 13. In fulfilling its role as Accountable Body, the lead authority shall remain independent of the Board.
- 12.3. Other members of the Board shall contribute to the reasonable costs incurred by the lead authority in connection with the activities described in paragraphs 12.1 and 12.2, at such time and manner as the Memorandum of Understanding shall specify.

13. Memorandum of Understanding

- 13.1. Members of the Board may enter into a memorandum of understanding setting out administrative and financial arrangements as between themselves relating to the functioning of the Board.
- 13.2. The memorandum may, in particular, provide for –
- i. Arrangements as to the financial contributions by each member towards the work of the Board, including:
 - a The process by which total financial contributions are calculated;
 - b The process for determining the contribution to be paid by each member;
 - c The dates on which contribution are payable;
 - d How the Accountable Body shall administer and account for such contributions;
 - ii. Functions of the Accountable Body; and
 - iii. The terms of reference for the Greater Brighton Officer Programme Board.

14. Review and Variation of Heads of Terms

- 14.1. The Board shall keep these Heads of Terms under review to ensure that the Board's purpose is given full effect.
- 14.2. These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board.

Attachment B: Greater Brighton Economic Board Operational Arrangements 2017/18

FOR GENERAL RELEASE

1. PURPOSE OF REPORT:

1.1 This report outlines the preparatory steps needed to support the operational aspects of the Greater Brighton Economic Board ('the Board') in 2017/18.

1.2 This report should be read in conjunction with the Heads of Terms ('HoTs') for the Board. The latest version of the Heads of Terms, as agreed by the Board on 21 April 2015, is attached as Appendix 1.

2. RECOMMENDATIONS:

2.1 The Board is asked to:

- (1) Agree and secure the budgetary contributions sought to fund the cost of running the Board and delivering its workplan in 2017/18;
- (2) Note the current workplan and agree the projects/activities prioritised for funding;
- (3) Agree that Brighton & Hove City Council shall continue to act as Lead Authority for the Board in 2017/18;
- (4) Agree to formally invite Crawley Borough Council and Gatwick Airport Limited to become constituent members of the Board, joining the Greater Brighton Joint Committee and the Greater Brighton Business Partnership respectively, subject to both their agreement and formal ratification from the Board's member organisations;
- (5) Agree the process by which the Chair of the Board shall be nominated for 2017/18;
- (6) Note the date by which the Lead Authority must be notified of all named substitutes and instruct any necessary actions within their respective organisations;
- (7) Note the date by which the lead authority must be notified of all nominations to the Greater Brighton Call-In Panel and instruct any necessary actions within their respective organisations, and;
- (8) Note that the Annual Report will be drafted for presentation to the Board at its first meeting in the new municipal year.

3. CONTEXT AND BACKGROUND INFORMATION:

- 3.1 The budget to support the running costs of the Board in 2016/17 was £190,010 (inclusive of the 2015/16 roll-over of £28,576). The actual spend as at 17 March 2017 is £95,838.46. This underspend is due mainly to significantly lower than forecast consultancy and salary costs (no appointment was made to the Greater Brighton Policy & Projects Manager post). A breakdown of the 2016/17 forecast, budgetary contributions and spend is attached as Appendix 2.
- 3.2 It is proposed that the underspend, which totals £94,171.54, be rolled-over into 2017/18; with £3,655.81 reserved as a contingency fund and the remaining £90,515.73 used towards the cost of running the Board and the delivery of its workplan.
- 3.3 The workplan has grown significantly since the Board's inception in March 2014. The current workplan is attached as Appendix 3. In a bid to ensure that costs for contributing member organisations are kept to an acceptable level, it is proposed that the 2017/18 contributions sought by Brighton & Hove City Council, as Lead Authority, be the same as in 2016/17 and that projects/activities be prioritised accordingly.
- 3.4 In line with sections 12 and 13 of the HoTs, Brighton & Hove City Council is seeking the following contributions from the Board's member organisations:

Organisation	2017/18 Contribution Sought
Coast to Capital Local Enterprise Partnership	£12,500.00
South Downs National Park Authority	£7,500.00
University of Sussex	£7,500.00
University of Brighton	£7,500.00
Greater Brighton Metropolitan College	£7,500.00
Adur District Council	£12,345.00
Brighton & Hove City Council	£53,406.00
Worthing Borough Council	£19,215.00
Lewes District Council	£17,734.00
Mid Sussex District Council	£11,234.00
Total:	£156,434.00

3.5 Appendix 4 outlines the approach used in 2016/17 to develop the contributions that are being sought.

3.6 The budget to support the running costs of the Board in 2017/18 therefore totals £250,605.54. It is proposed that this be allocated as follows:

Running Costs	
Salary costs (including on-costs) and expenses (inclusive of 1% inflationary rise) <i>The increase in salary costs is due to the need for additional staffing resource to support the delivery of Board's ambitious workplan. It is proposed that the staffing complement comprise: 1 full time Business Manager, 1 part time (3 days per week) Business Manager and 1 part time (2.5 days per week) Project Support Officer. It is proposed that appointments be made on a 3-year fixed-term contract</i>	£101,000.00
Finance support (inclusive of 1% inflationary rise)	£7,060.91
Legal support (inclusive of 1% inflationary rise)	£9,671.51
Communications support (inclusive of 1% inflationary rise) <i>It is proposed that the communications function rotate with the Chair, as opposed to being fulfilled by the Lead Authority</i>	£8,596.51
Annual report and other materials	£1,500.00
Democratic Services support (administrative) (inclusive of 1% inflationary rise)	£4,120.80
Scrutiny (charged £500 (excluding venue) on a 'pay as you go' basis)	£2,000.00
Venue hire and refreshments	£3,000.00
<i>Total</i>	<i>£136,949.73</i>

Workplan	
<p>Inward Investment & Export</p> <p><i>Development of a proactive Greater Brighton Inward Investment & Export Strategy and supporting materials and processes, working in partnership with the Coast to Capital Local Enterprise Partnership and the Department for International Trade</i></p>	£40,000.00
<p>Transport Infrastructure</p> <p><i>Analysis and articulation of Greater Brighton's transport priorities, to inform the development of Transport for the South East's Transport Strategy</i></p>	£10,000.00
<p>Digital Infrastructure</p> <p><i>Development of a Greater Brighton Digital Connectivity Delivery Plan, to include the drafting of a bid to the Department for Culture, Media & Sport's 'full-fibre' broadband initiatives fund</i></p>	£10,000.00
<p>Water & Energy Plan</p> <p><i>Development of a Greater Brighton Water & Energy Plan, linked to the Investment Programme/Pipeline and Local Plans, working in partnership with the Brighton & Lewes Downs Biosphere Board, Southern and South East Water and UK Power Networks and other local suppliers</i></p>	£10,000.00
<p>Skills & Employment</p> <p><i>Development of a Greater Brighton Skills & Employment Plan, including to support the City Region to secure Adult Education Budget from 2018/19</i></p>	£10,000.00
<p>ESIF Business Support Bid</p> <p><i>One-off contribution towards the 100% match-fund requirement (totalling £6m) for the region's European Regional Development Fund Business Support bid</i></p>	£30,000.00
Total	£110,000.00
Contingency	£3,655.81
Total	£250,605.54

3.7 It should be noted that a Smart Specialisation proposal is currently being developed by the University of Brighton and the University of Sussex, for presentation to the Board at its July 2017 meeting. This work would both build a City Region intelligence function and improve engagement activities with business. The proposed budget allocation to the various workplan projects and activities outlined above is, therefore, indicative and will be reviewed in line with the Smart Specialisation proposal.

LEAD AUTHORITY

3.8 On 19 April 2016, the Board agreed that Brighton & Hove City Council continue to act as Lead Authority. As outlined in section 1.8 of the HoTs, lead authority arrangements are reviewed every two years and it is therefore proposed that this arrangement be maintained in 2017/18.

3.9 In October 2017, each local authority represented on the Board will be invited to submit an expression of interest in fulfilling the role for 2018/19 – 2019/20. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.

2017/18 BOARD MEETING DATES:

3.10 The Board meeting dates for the new municipal year have been set as follows:

- 18 July 2017
- 07 November 2017
- 06 February 2018
- 17 April 2018

3.11 As in 2016/17, it is proposed that all meetings will commence at 10:00 and be held in alternating locations across the City Region.

MEMBERSHIP AND CHAIRPERSON:

3.12 No elections are due to take place in the City Region's local authority areas in May 2017 and so the existing representatives on the Greater Brighton Economic Joint Committee ('the Joint Committee') will remain unchanged in 2017/18.

3.13 On 31 March 2017, City College Brighton and Hove and Northbrook College merged to form the Greater Brighton Metropolitan College (GBMet). The City Region now comprises three further education colleges; Plumpton College, Sussex Downs College and GBMet. The Chief Executive Officers/Principals

of these colleges have confirmed that Nick Juba, Chief Executive Officer of GBMet, will represent their sector on the Board in 2017/18.

3.14 2017/18 will see two changes in the existing Greater Brighton Business Partnership ('the Business Partnership') representation; Steve Allen will represent the Coast to Capital Local Enterprise Partnership and Peter Webb the Coastal West Sussex Partnership. It is anticipated all other existing representatives will remain unchanged in 2017/18.

3.15 The Board is asked to extend its geographical remit and membership; formally inviting Crawley Borough Council and Gatwick Airport Limited to become constituent members of the Joint Committee and the Business Partnership respectively. This is subject to the approval of both Crawley Borough Council and Gatwick Airport Limited. It would also trigger a variance in the Board's Heads of Terms that will require the formal ratification of all Joint Committee members. A report detailing the full practical implications of Crawley Borough Council and Gatwick Airport Limited joining the Board will be represented to the Board in due course.

3.16 The London-Gatwick-Brighton Growth Corridor has been recognised as one of nine corridors in England that have been at the heart of growth over the last decade² and are likely to maintain a pivotal role in shaping growth in the future. The Corridor, which stretches along the Brighton Main Line and M23/A23 routes, creates key strategic linkages between Crawley, Gatwick and Brighton & Hove – the benefits of which will cascade across the City Region. The inclusion of Crawley Borough Council and Gatwick Airport Limited on the Greater Brighton Economic Board presents the following related opportunities:

3.16.1 Enabling Greater Brighton to clearly articulate how the City Region economy can benefit from both its links to the M23/A23 Corridor and to London.

3.16.2 Strengthening Greater Brighton's voice to Government:

- Bringing together two of the Coast to Capital Local Enterprise Partnership's economic 'power houses'. Crawley and Brighton & Hove generate over £4.5bn and £6.7bn GVA respectively. The City Region has a current combined GVA of just over £19bn (all GVA data is from 2014).
- Crawley is home to 110,900 people. The City Region has a current combined population of just over 700,000. The new population total, of

2

<http://www.grantthornton.co.uk/globalassets/1.-member-firms/united-kingdom/pdf/publication/2014/where-growth-happens-the-high-growth-index-of-places.pdf>

just under 811,000 people, would increase the scale and profile of Greater Brighton.

- Similarly, Crawley is home to over 3,000 active businesses – including Gatwick Airport Limited. There are currently just over 35,000 active business units in the City Region.
- Gatwick is one of the South East’s most high profile and important anchor businesses. It has 24,000 direct employees (and 13,000 indirect employees) from across the region. It is a major investor in growth – having invested £1.3bn since 2009 with plans to invest a further £1.2bn before 2021 – and attractor for inward investment, providing access to markets for business as well as supporting the ongoing growth of tourism. The inclusion of an international airport within the City Region will bring Greater Brighton’s profile in line other City Region’s that are high on Government’s radar –Manchester, Birmingham and Newcastle.

3.16.3 Enabling joint-work on strategic priorities, including:

- Articulating the economic case for continued investment in infrastructure, with an immediate focus on influencing investment in the Brighton Main Line.
- Developing a proactive Inward Investment and Trade strategy (encompassing supply chain development), working with the Department for International Trade and the Coast to Capital Local Enterprise Partnership. Strengthened links to London, coupled with an international airport, would increase investor confidence in Greater Brighton. Gatwick has Europe’s fastest growing long haul network, now servicing more than 50 long haul destinations. It plays an important role in supply chain development – £74m of Gatwick’s expenditure is already with local businesses.
- Supporting the work of the West Sussex and Greater Brighton Strategic Planning Board in developing the Local Strategic Statement 3; a process to support better integration and alignment of strategic spatial and investment priorities and deliver a spatial framework for the area that brings together in one place the housing and employment space required over the next ten years linked to the long term strategic infrastructure and other transport plans.

3.17 As outlined in section 6 of the HoTs, the role of Chair shall rotate annually between the Joint Committee members. The Chair of the Joint Committee shall, by virtue of his/her democratic mandate, be the Chair of the Board. It is for the Joint Committee to determine the order in which their members shall chair.

3.18 The new Chair must be formally appointed at the Board's first meeting in the new municipal year. It is proposed that nominations be sought in advance and that the following process be adopted:

- (1) On 22 May 2017, Brighton & Hove City Council's Democratic Services team will issue an e-mail to the local authority Leaders to ask if they would like to put themselves forward as Chair.
- (2) Those local authority Leaders choosing to put themselves forward must notify Brighton & Hove City Council's Democratic Services of their decision by 02 June 2017.
- (3) On 05 June 2017, Brighton & Hove City Council's Democratic Services will issue an e-mail to all local authority Leaders, advising of the nominations and asking them to cast a vote for their preferred nominee. Each Greater Brighton Economic Joint Committee member will have one vote, save for Brighton & Hove City Council where the Leader of the Opposition will also have a vote. Voting will be completed in confidence. The deadline for votes will be 23 June 2017.
- (4) On 19 June 2016, Brighton & Hove City Council Democratic Services will issue an e-mail to all members of the Board to advise them of the new Chair.
- (5) On 18 July 2017, members of the Greater Brighton Joint Committee will formally appoint the new Chair (this will be the first item of business).

3.19 In the event that the vote is tied, Brighton & Hove City Council's Democratic Services will issue an e-mail to all local authority Leaders, informing that the first round has been tied and asking them to vote again on the preferred nominees.

3.20 All member organisations are required to inform Brighton & Hove City Council's Democratic Services of their substitute representatives by 26 June 2017. In line with section 9 of the HoTs, the list of substitutes will be approved by the Board at its first meeting in the new municipal year.

3.21 As stated in section 4.3 of the HoTs, the work of the Board shall be subject to review by an ad hoc joint local authority scrutiny panel that is managed by the Lead Authority. It is proposed that the current Call-In Protocol remains unchanged for 2017/18. The Protocol is attached as Appendix 5. Members of the Board are required to inform Brighton & Hove City Council's Democratic Services of their Greater Brighton Call-In Panel representatives by 19 June 2017.

ANNUAL REPORT:

- 3.22 As outlined in section 4.1 of the HoTs, the Board shall submit an annual report to each of the bodies represented on the Board.
- 3.23 It is proposed that the 2016/17 Annual Report be presented to the Board for approval at its first meeting in the new municipal year, scheduled for 18 July 2017.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The proposals are in accordance with the governance arrangements agreed by the Board.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Not applicable.

6. CONCLUSION:

- 6.1 To ensure that the Board transitions smoothly into the new municipal year, Board members are asked to:
- (1) Agree the budgetary contributions that are being sought to fund the costs of running the Board and delivering its workplan in 2017/18;
 - (2) Note the current workplan and agree the projects/activities prioritised for funding;
 - (3) Agree that Brighton & Hove City Council shall continue to act as Lead Authority for the Board in 2017/18;
 - (4) Agree to formally invite Crawley Borough Council and Gatwick Airport Limited to become constituent members of the Board, joining the Joint Committee and the Business Partnership respectively, subject to both their agreement and formal ratification from the Board's member organisations;
 - (5) Agree the process by which the Chair of the Board shall be nominated for 2017/18, and;
 - (6) Note the requirement, and instruct the necessary actions within their respective organisations, to:
 - a. Notify the lead authority of their named substitutes by 26 June 2017, and ;
 - b. Notify the lead authority of their nominations to the Greater Brighton Call-In Panel by 26 June 2017, and;

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The Greater Brighton Economic Board assists with delivering economic development across the region. The Board seeks to secure government and private sector funding and investment in order to deliver this economic development. An annual operating budget is agreed with the Board for the forthcoming financial year to enable the Accountable Body to provide legal, financial, communications and administrative support to allow the Board to deliver its workplan. Annual contributions are made from member authorities to the Accountable Body toward this budget. The contributions from member authorities are detailed within paragraph 3.4 of this report. The apportionment of contributions from unitary, district and borough councils are based upon the size of their working age populations and are detailed within Appendix 4. The budget for the financial year 2017/18 will reflect anticipated spend for the workstreams ahead including a provision for contingency. The estimated spend of £250,606 for the year is detailed in paragraph 3.6 and includes running costs as well as financial support to deliver the Greater Brighton Workplan for the activities, projects and programmes detailed in appendix 3.

Finance Officer Consulted: Rob Allen, Principal Accountant, BHCC

Date: 21 March 2017

Legal Implications:

- 7.2 The Board is a Joint Committee established pursuant to 120(1)(b) of the Local Government Act 1972. A decision to change the Terms of Reference (in this case the membership) of the Joint Committee requires a decision of each body represented on the Board in accordance with their respective governance arrangements.

Lawyer Consulted: Elizabeth Culbert, Head of Legal Services BHCC

Date: 11 April 2017

Equalities Implications:

- 7.2 None

Sustainability Implications:

- 8.5 None

Any Other Significant Implications:

- 8.6 None

Appendix Three: Approach to Calculating 2017/18 Funding Contributions

Greater Brighton Business Partnership:

- Due to their being largely local authority funded, no contributions will be sought from the Brighton & Hove Economic Partnership, the Adur & Worthing Business Partnership and the Coastal West Sussex Partnership.
- All remaining Business Partnership members will be charged a ‘flat fee’ of £7,500. The Coast to Capital Local Enterprise Partnership will be charged an additional £5,000, as the Board forms a part of its governance and delivery framework.
- For 2017/18 the Board will seek a contribution from Gatwick Airport Ltd of £7,500 pro rata based on the remaining months within the financial year following ratification.

Greater Brighton Economic Joint Committee:

- The contributions sought from the unitary, district and borough councils for the total remaining funding requirement have been apportioned in relation to the size of their working age populations. Please see calculations below.
- As a large proportion of Mid Sussex District Council’s working age population is based in East Grinstead – an area this is currently outside of the scope of the Investment Programme – it is proposed that they pay 50% of their original contribution calculation and that the remaining 50% be divided equally amongst the remaining members.

Organisation	% of Working Age population	Original 2017/18 Contribution Calculation	Actual 17/18 Contribution Sought (rounded up)	2016/17 Contribution Paid (inc towards City Region’s Devolution Bid)
Adur District Council	8.37%	£9,536.27	£12,345	£17,422
Brighton & Hove City Council	44.41%	£50,598.10	£53,406	£83,834
Worthing Borough Council	14.40%	£16,406.50	£19,215	£20,784
Lewes District Council	13.10%	£14,925.35	£17,734	£20,067
Mid Sussex District Council	19.72%	£22,467.78	£11,234	£16,864
Total	100%	£113,934	£113,934	£158,971



ANNUAL TREASURY MANAGEMENT REPORT 2016-17 ADUR DISTRICT COUNCIL AND WORTHING BOROUGH COUNCIL

REPORT BY THE DIRECTOR FOR DIGITAL AND RESOURCES

EXECUTIVE SUMMARY

1. PURPOSE

- 1.1 This report asks Members to note the Treasury Management performance for Adur and Worthing Councils for 2016/17 as required by regulations issued under the Local Government Act 2003.
- 1.2 This report asks Members to note that Worthing Borough Council was in breach of its counterparty limit with Lloyds Bank from 1st to 4th September 2017 (over a weekend). The Councils' Treasury Management Strategy Statement permits a maximum balance of £4m with Lloyds, but £5,807,500 was received after 3pm on 1st September in respect of the sale of the Aquarena site. £3m was transferred to another bank used for liquidity, but it was too late in the day to transfer the balance to the money market funds. There was no loss of Council funds due to the breach, but it is necessary to report the issue to Members.

2. RECOMMENDATIONS

2.1 Recommendation One

The Joint Governance Committee is recommended to note this report and refer any comments or suggestions to the next meeting of the Joint Strategic Committee on 10th October 2017.

2.2 Recommendation Two

The Joint Strategic Committee is recommended to note this report.

2.3 Recommendation Three

Both Joint Governance Committee and Joint Strategic Committee are asked to note the temporary breach of the Lloyds Bank counterparty limit.

3. CONTEXT

- 3.1 This report presents the treasury management activities and portfolio position for the 2016/17 financial year for both Adur District Council and Worthing Borough Council.
- 3.2 This is one of three treasury management reports that are required to be presented during the financial year (see Para. 4.1).
- 3.3 The presentation of the Annual Report is required through regulations issued under the Local Government Act 2003 to review the treasury management activities, the actual prudential indicators and the treasury related indicators for 2016/17. This report also meets the requirements of both the Treasury Management Code of Practice (The Code) and the Prudential Code for Capital Finance in Local Authorities (the Prudential Code), both of which are issued by The Chartered Institute of Public Finance and Accountancy (CIPFA).
- 3.4 To put the report in context, Treasury Management is defined by CIPFA as:
“The management of the local authority’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.
- 3.5 The Councils’ Treasury Management Strategy and Annual Investment Strategy place the security of investments as foremost in considering all treasury management dealing. By so doing it contributes towards the Council priorities set out in Platforms for our Places.

4. ISSUES FOR CONSIDERATION

- 4.1 For 2016/17 the minimum reporting requirements specified within the treasury management policy is that the Councils should receive the following:

The Annual Treasury Management Strategy (TMSS) in advance of the financial year – this was submitted to the meeting of the Joint Strategic Committee (JSC) on 2nd February 2016 and to the Joint Governance Committee (JGC) on 22nd March 2016.

A mid-year treasury update report – a joint in-house operations report for both Councils was submitted to the meeting of JSC on the 6th December 2016 and JGC on 22nd January 2017.

The Annual Report (this report) - to be submitted by 30th September after the year end, which compares the actual activity with the planned strategy.

- 4.2 The regulatory environment places a significant onus on members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury management activities and highlights compliance with the Councils’ policies previously approved by members.

4. ISSUES FOR CONSIDERATION

4.3 The Annual Report also confirms that the Councils have complied with the requirement under the Code to give scrutiny to all of the above treasury management reports by the Joint Governance Committee.

4.4 This report summarises for both Councils the:

- Capital activity during the year (Appendices 2 and 3) and the impact on the Councils' underlying indebtedness (the Capital Financing Requirement) (Section 7)
- Overall treasury position (Section 6) identifying how the Councils have borrowed in relation to this indebtedness (Section 8), and the Councils' investment activity (Section 9 and Appendices 4 and 5)
- Reporting of the required prudential and treasury management indicators (Appendices 2 and 3)
- The treasury management strategy compared to the economic and interest rate environment (Section 5)

5. THE STRATEGY FOR 2016/2017

5.1 The expectation for interest rates within the Treasury Management Strategy for 2016/17 anticipated that Bank Rate would remain at 0.5%, before starting to rise from quarter 3 of 2016. Borrowing rates were expected to rise gradually for medium and longer term fixed rate borrowing. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period. Continued uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

5.2 Against this background and the risks within the economic forecast, the strategy adopted by the Councils at JSC on 2 February 2016 was to be cautious with the 2016/17 treasury operations. The Chief Financial Officer would monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances. When borrowing, rates available from the PWLB would be reviewed, but advantage should be taken of very low short term borrowing rates in the market, to reduce the amount of interest payable.

5.3 This strategy was followed during the year and no amendments were required for either Adur District Council or Worthing Borough Council.

6. OVERALL TREASURY POSITION AS AT 31 MARCH 2017

6.1 Adur District Council's position at the beginning and end of year was as follows:-

	Principal at 31.03.16 £m	Average Rate of Return	Average Life in Years	Principal at 31.03.17 £m	Average Rate of Return	Average Life in Years
<u>Borrowing</u>						
PWLB	(56.315)	3.8%	28.1	(56.609)	3.7%	26.4
Other Borrowing	(17.953)	5.2%	50.0	(17.943)	5.2%	49.0
TOTAL BORROWING	(74.268)			(74.552)		
CFR	76.822			75.012		
(Over)/under borrowing	2.554			0.460		
<u>Investments:</u>						
Bonds	0.075	n/a	n/a	0.075	n/a	n/a
Long Term	2.000	1.90%	2.67	2.000	1.90%	1.67
Short Term	11.000	0.80%	< 1 year	13.350	0.59%	< 1 year
TOTAL INVESTMENTS	13.075			15.425		
NET INVESTMENTS	(61.193)			(59.127)		

6.2 Worthing Borough Council's position at the beginning and end of year was as follows:-

	Principal at 31.03.16 £m	Average Rate of Return	Average Life in Years	Principal at 31.03.17 £m	Average Rate of Return	Average Life in Years
<u>Borrowing</u>						
PWLB	(6.100)	2.09%	8.54	(9.300)	1.86%	9.47
Other Borrowing	(13.036)	0.79%	0.96	(13.009)	0.78%	0.63
TOTAL BORROWING	(19.136)			(22.309)		
CFR	23.361			22.384		
(Over)/under borrowing	4.225			0.075		
<u>Investments:</u>						
Bonds	0.075	n/a	n/a	0.075	n/a	n/a
Long Term	-	-	-	-	-	-
Short Term	8.050	0.72%	< 1 year	11.450	0.54%	< 1 year
TOTAL INVESTMENTS	8.125			11.525		
NET INVESTMENTS	(11.011)			(10.784)		

7. THE BORROWING REQUIREMENT and DEBT

7.1 The Councils undertake capital expenditure on long-term assets. These activities may be financed in one of two ways:

- financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Councils' borrowing need; or
- if insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

7.2 The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement. The tables below compare the Gross Debt against the underlying need to borrow (the Capital Financing Requirement, CFR) thereby highlighting any over or under borrowing. This comparison is one of the Prudential Indicators of affordability under the Prudential Code to show that borrowing levels are prudent over the medium term, and sustained for capital investment purposes – i.e that the Council is not borrowing to support revenue expenditure.

7.3 Accordingly, the amount of gross debt should not exceed the CFR for 2016/17 (plus any expected changes to the CFR over 2017/18 and 2018/19) except in the short term.

Adur District Council

7.4 The introduction of HRA self-financing resulted in a revision to the CIPFA Code of Practice, recommending the inclusion of a separate HRA Treasury Management Strategy for the HRA. This recommendation was adopted and reported as part of the overall Treasury Management Strategy to the JSC in 2011, and is updated each year as part of the HRA Budget Report.

7.5 The formulation of a separate Treasury Management Strategy is important because The Code requires transparency to be given to the relative positions of the General Fund and HRA so that decisions may be considered separately for treasury management purposes. Thus, the relative borrowing and CFR position at the end of the year is analysed between General Fund and HRA as follows:

CFR v Long Term Debt Position at 31 March 2017	ADUR DISTRICT COUNCIL		
	General Fund £000s	HRA £000s	Total £000s
Actual Long term Debt 01/04/16	12,978	61,290	74,268
New Long term Debt Raised in year	2,000	-	2,000
Long Term Debt Repaid in Year	(7)	(1,709)	(1,716)

7. THE BORROWING REQUIREMENT and DEBT

Adur District Council

CFR v Long Term Debt Position at 31 March 2017	ADUR DISTRICT COUNCIL		
	General Fund £000s	HRA £000s	Total £000s
Capital Financing Requirement	14,909	60,103	75,012
(Over)/Under Borrowing	(62)	522	460
HRA Debt Limit	N/A	68,912	68,912
HRA Borrowing Headroom (Debt Limit – Actual Debt)	N/A	9,331	N/A

7.6 For Adur District Council, the HRA is under borrowed by £522k. The General Fund is over borrowed by £62k because a £2m loan from the PWLB was taken when the rates dropped in March, in order to fund planned capital expenditure in early 2017/18.

Adur District Council	31 March 2016 Actual	31 March 2017 Original Estimate	31 March 2017 Actual
CFR (£m)	76.822	79.384	75.012
External Debt	(74.268)	(72.549)	(74.552)
(Over)/under borrowing	2.554	6.835	0.460

Worthing Borough Council

7.7 Worthing Borough Council was under-borrowed by £75k at 31 March 2017.

Worthing Borough Council	31 March 2016 Actual	31 March 2017 Original Estimate	31 March 2017 Actual
CFR (£m)	23.361	42.944	22.384
External Debt	(19.136)	(28.350)	(22.309)
(Over)/under borrowing	4.225	14.594	0.075

8. BORROWING OUTTURN for 2016/17

The following loans were taken during the year:

8.1 Adur General Fund (no borrowing was undertaken for the HRA)

This loan was taken early to fund expenditure in 2017/18 due to the low rates available in March 2017.

Lender	Principal	Type	Interest Rate	Maturity
PWLB	£2m	Fixed interest rate	0.96%	20/03/2022

Adur also held precepts of up to £282k on behalf of Lancing Parish Council for most of the year as temporary borrowing.

8.2 Worthing Borough Council

Short term borrowing was used due to the low interest rates available in the market and the anticipated capital receipt from the sale of the Aquarena site. Some long term PWLB borrowing was taken to offset potential interest rate rises in the next few years.

Lender	Principal	Type	Interest Rate	Maturity
PWLB	£2m	Fixed interest rate	2.16%	13/06/2036
PWLB	£2m	Fixed interest rate	0.96%	20/03/2022
Barnsley Doncaster Council	£2m	Fixed interest rate	0.60%	03/04/2017
London Borough of Ealing	£2m	Fixed interest rate	0.62%	05/06/2017
Hertfordshire CC	£5m	Fixed interest rate	0.55%	10/07/2017
Mid Sussex DC	£2m	Fixed interest rate	0.60%	02/05/2017

8.3 No debt was rescheduled during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

8. BORROWING OUTTURN for 2016/17

8.4 Adur District Council's debt repayments were as follows:-

Lender	Principal £000s	Type	Interest Rate %	Period Lent	Duration
Lancing PC	282	Variable	LA 7 day notice	Apr 2016 - Mar 2017	Variable
PWLB - HRA	1,706	Fixed Principal and Interest	3.03%	March '12 – March'42	30 Years
Salix Finance	10	Variable Profile	0%	Various	4 Years

8.5 Worthing Borough Council's debt repayments were as follows:-

Lender	Principal £000	Type	Interest Rate	Period Lent	Duration
Islington Finance	5,000	Fixed Principal & Interest	0.75%	May 2015 - Nov 2016	18 months
London Borough of Ealing	2,000	Fixed Principal & Interest	0.58%	May 2015 - May 2016	< 1 year
Hyndburn Council	2,000	Fixed Principal & Interest	0.48%	July 2015 - July 2016	< 1 year
West Yorkshire P & CC	2,000	Fixed Principal & Interest	0.50%	June 2015 - June 2016	< 1 year
PWLB	200	Fixed Principal & Interest	2.32%	Oct 2014 – Oct 2024	10 years
PWLB	200	Fixed Principal & Interest	1.62%	Dec 2014 – Dec 2019	5 years
PWLB	350	Fixed Principal & Interest	2.07%	Dec 2015 – Dec 2015	10 years
Salix Finance	26	Fixed Principal	0%	Feb 2013 – Sept 2017	4 years

9. INVESTMENT OUTTURN FOR 2016/17

9.1 **Investment Policy** – the Councils' investment policy is governed by CLG guidance, which has been implemented in the Annual Investment Strategy approved by the Council on 2 February 2016. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.). The investment activity during the year conformed to the approved strategy, and the Councils had no liquidity difficulties.

9.2 **Investments held by Adur District Council:**

Adur District Council maintained an average balance of £19.125m of internally managed funds, which earned an average rate of return of 0.83%. The comparable performance indicator is the average 3 month LIBID rate, which was 0.315%. This compares with a budget assumption of £23.981m investment balances earning an average rate of 1.25%. The Treasury investment returns included in the reported income of the Council for 2016/17 amount to £160,144. The Weighted Average Rate of Return of the Council's investments at 31 March 2017, as benchmarked by the Shared Service advisors (Capita) was 0.76%, which compares favourably to the benchmark group of 87 Non-Metropolitan Districts which had a Weighted Average Rate of Return of 0.57%.

9.3 **Investments held by Worthing Borough Council:**

Worthing Borough Council maintained an average balance of £15.456m of internally managed funds, which earned an average rate of return of 0.56%. The comparable performance indicator is the average 3 month LIBID rate, which was 0.315%. This compares with a budget assumption of £12.391m investment balances earning an average rate of 1.0%. The Treasury investment returns included in the reported income of the Council for 2016/17 amount to £88,484. The Weighted Average Rate of Return of the Council's investments at 31 March 2017, as benchmarked by the Shared Service advisors (Capita) was 0.54%. This is slightly lower than the benchmark group of 87 Non-Metropolitan Districts which had a Weighted Average Rate of Return of 0.57%. However Worthing's relatively low investment balance means that a higher proportion of the funds needs to be kept liquid to cover operating expenditure.

Authority	Average Investments During 2016/17	Interest Returned on all Investments	Interest Rate Achieved %
Adur	£19.1m	£160k	0.83%
Worthing	£15.5m	£88k	0.54%

10. MINIMUM REVENUE PROVISIONS (MRP) FOR REPAYMENT OF DEBT

10.1 The Councils, in accordance with legislation, make a provision from revenue to enable the repayment of borrowing that has been undertaken to fund the capital programme. This provision is known as the Minimum Revenue Provision (MRP) and is charged to the General Fund Revenue Account each year.

10. MINIMUM REVENUE PROVISIONS (MRP) FOR REPAYMENT OF DEBT

10.2 For 2016/17 an amount of £889k has been provided in the Adur District Council General Fund and a voluntary amount of £1.717m has been set aside for the HRA.

10.3 For 2016/17 an amount of £977k has been provided in the Worthing Borough Council revenue accounts.

11. CURRENT PERIOD TREASURY MATTERS – Worthing Borough Council

11.1 The sale of the Aquarena site was due to complete on 31 August 2017. However there was a delay in finalising the conditions and the purchase proceeds were not transferred to the Council until after 3pm on the afternoon of Friday 1st September. Given the uncertainty around the completion of the sale, the decision was made not to place the funds until the Council had confirmed receipt of the sum, thereby avoiding the risk of a considerable unauthorised overdraft.

11.2 There is an early cut off time for placing funds in money markets so it was not possible to invest the full amount of nearly £6m before close of business. Consequently Worthing Borough Council was in breach of its counterparty limit of £4m with Lloyds Bank from 1st to 4th September, because it held £5.5m in Lloyds accounts. The purpose of the policy is to limit the Council's exposure in the event of the failure of a counterparty. In this instance there was no loss of funds, but it is a requirement of the Treasury Management Strategy that Members must be notified of any breach.

12. ENGAGEMENT AND COMMUNICATION

12.1 The Adur and Worthing Councils' treasury management team provides treasury services to Mid Sussex District Council through a shared services arrangement (SSA). The SSA is provided under a Service Level Agreement that was renewed from 18th October 2016, and which defines the respective roles of the client and provider authorities for a period of three years.

12.2 Information and advice is supplied throughout the year by Capita Asset Services Ltd, the professional consultants for the Councils' shared treasury management service.

13. FINANCIAL IMPLICATIONS

- 13.1 This report has no quantifiable additional financial implications to those outlined above. Interest payable and interest receivable arising from treasury management operations, and annual revenue provisions for repayment of debt, form part of the revenue budget.

Finance Officer: Sarah Gobey

Date: 8th September 2017

14. LEGAL IMPLICATIONS

- 14.1 The presentation of the Annual Report is required by regulations issued under the Local Government Act 2003 to review the treasury management activities, the actual prudential indicators and the treasury related indicators for 2016/17.

Legal Officer: Susan Sale

Date: 12th September 2017

Background Papers

Joint Treasury Management Strategy Statement and Annual Investment Strategy Report 2016/17 to 2018/19 – Joint Strategic Committee 2 February 2016, and Joint Governance Committee, 22 March 2016

Joint Half-Year In-House Treasury Management Operations Report 1 April – 30 September 2016 for Adur District Council and Worthing Borough Council – Joint Strategic Committee, 6 December 2016 and Joint Governance Committee, 22 January 2017

Capita Asset Services Ltd Annual Report Template 2016/17

Capita Benchmarking Club Reports

Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes (CIPFA, November 2011)

The Prudential Code for Capital Finance in Local Authorities (CIPFA, May 2013)

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SUSTAINABILITY & RISK ASSESSMENT

1. ECONOMIC

The treasury management function ensures that the Councils have sufficient liquidity to finance their day to day operations. Borrowing is arranged as required to fund the capital programmes. Available funds are invested according to the specified criteria to ensure security of the funds, liquidity and, after these considerations, to maximise the rate of return.

2. SOCIAL

2.1 Social Value

Matter considered and no issues identified.

2.2 Equality Issues

Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified.

2.4 Human Rights Issues

Matter considered and no issues identified.

3. ENVIRONMENTAL

Matter considered and no issues identified.

4. GOVERNANCE

4.1 The Councils' Treasury Management Strategy and Annual Investment Strategy place the security of investments as foremost in considering all treasury management dealing. By so doing it contributes towards the Council priorities contained in Platforms for our Places.

4.2 The operation of the treasury management function is as approved by the Councils' Treasury Management Strategy and Annual Investment Strategy 2016/17 - 2018/19, submitted and approved before the commencement of the 2016/17 financial year.

4.3 In the current economic climate the security of investments is paramount, the management of which includes regular monitoring of the credit ratings and other incidental information relating to credit worthiness of the Councils' investment counterparties.

THE ECONOMY AND INTEREST RATES

The following commentary has been supplied by Capita Asset Services Ltd, the professional consultants for the Council's shared treasury management services provider. The context is significant as it describes the backdrop against which treasury management activity has been undertaken during the year.

The two major landmark events that had a significant influence on financial markets in the 2016-17 financial year were the UK EU referendum on 23 June and the election of President Trump in the USA on 9 November. The first event had an immediate impact in terms of market expectations of when the first increase in Bank Rate would happen, pushing it back from quarter 3 2018 to quarter 4 2019. At its 4 August meeting, the Monetary Policy Committee (MPC) cut Bank Rate from 0.5% to 0.25% and the Bank of England's Inflation Report produced forecasts warning of a major shock to economic activity in the UK, which would cause economic growth to fall almost to zero in the second half of 2016.

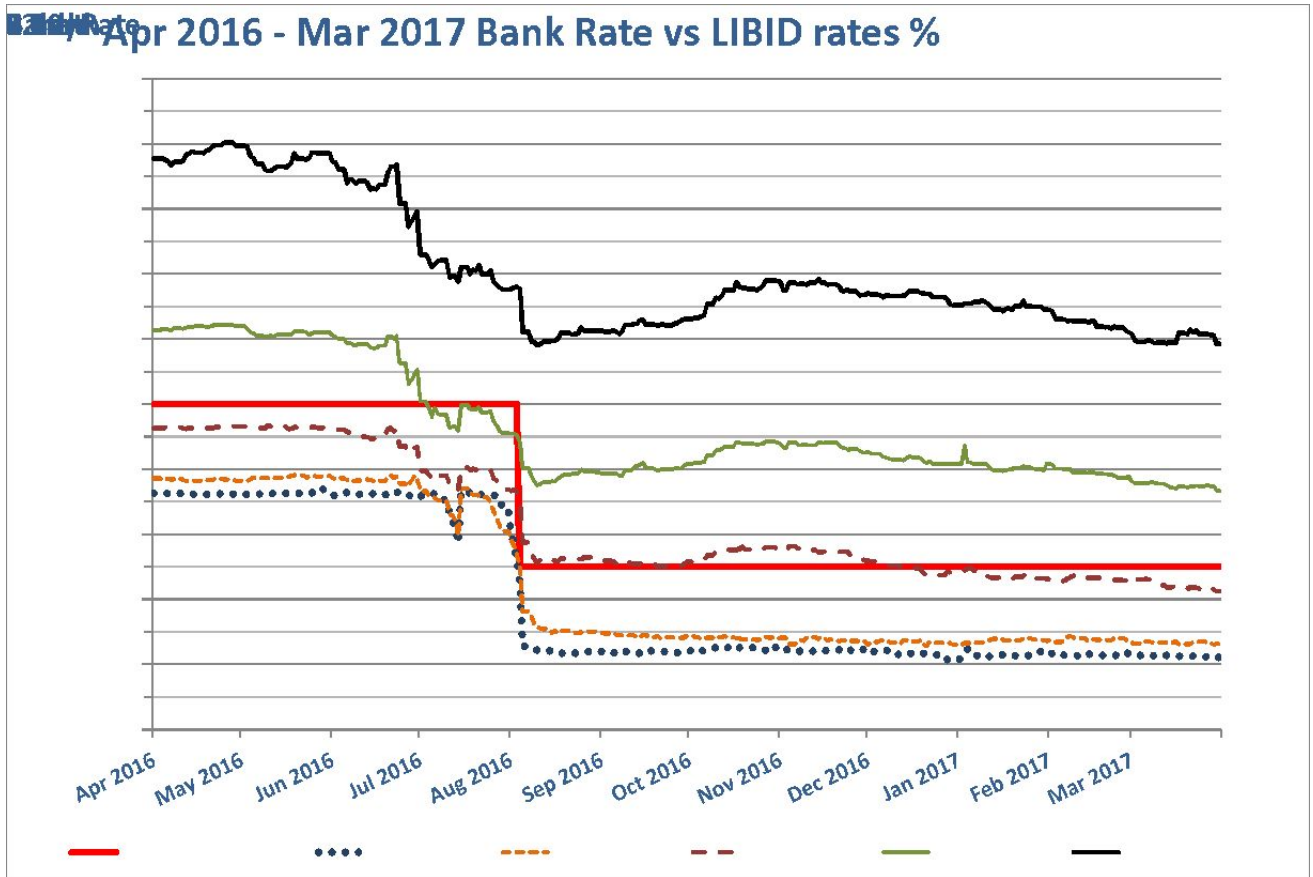
The MPC also warned that it would be considering cutting Bank Rate again towards the end of 2016 in order to support growth. In addition, it restarted quantitative easing with purchases of £60bn of gilts and £10bn of corporate bonds, and also introduced the Term Funding Scheme whereby potentially £100bn of cheap financing was made available to banks.

In the second half of 2016, the UK economy confounded the Bank's pessimistic forecasts of August. After a disappointing quarter 1 of only +0.2% GDP growth, the three subsequent quarters of 2016 came in at +0.6%, +0.5% and +0.7% to produce an annual growth for 2016 overall, compared to 2015, of no less than 1.8%, which was very nearly the fastest rate of growth of any of the G7 countries. Needless to say, this meant that the MPC did not cut Bank Rate again after August but, since then, inflation has risen rapidly due to the effects of the sharp devaluation of sterling after the referendum.

INVESTMENT RATES IN 2016/17

After the EU referendum, Bank Rate was cut from 0.5% to 0.25% on 4 August and remained at that level for the rest of the year. Market expectations as to the timing of the start of monetary tightening started the year at quarter 3 2018, but then moved back to around the end of 2019 in early August before finishing the year back at quarter 3 2018. Deposit rates continued into the start of 2016/17 at previous depressed levels but then fell during the first two quarters and fell even further after the 4 August MPC meeting resulted in a large tranche of cheap financing being made available to the banking sector by the Bank of England. Rates made a weak recovery towards the end of 2016 but then fell to fresh lows in March 2017

INVESTMENT RATES IN 2016/17





ADUR & WORTHING
COUNCILS

Joint Strategic Committee
10 October 2017
Agenda Item 8

Key Decision ~~Yes~~/No

Ward(s) Affected: All

West Sussex Waste Management Memorandum of Understanding

Report by the Chief Executive

Executive Summary

1. Purpose

- 1.1 The purpose of this report is to seek approval to the refreshed and updated Memorandum of Understanding that exists between the various stakeholders responsible for delivering waste management services in West Sussex. The stakeholders include all Waste Collection Authorities, the Waste Disposal Authority and Contractors. The MoU documents have been significantly refreshed to take account of changing circumstances and technological changes since the original MoU was approved in 2005.
- 1.2 The MoU is not a legally binding document but outlines how the relationships between the stakeholders work in practical terms. The MoU provides a set of guidelines that manages various aspects of waste services including facilities opening times, financial and governance arrangements and areas of common interest such as waste education. It will also be used as the starting point for a refreshed waste strategy document which is due to be published in 2018.
- 1.3 This report also seeks agreement to delegate the annually approved figures under the new MoU as set out in the recommendation and this approach has already been endorsed by Council Portfolio Holders at the West Sussex Inter Authority Waste Group.

2. Recommendations

The Joint Strategic Committee is recommended to:-

- 2.1 Approve the revised and refreshed Memorandum of Understanding (MoU);
- 2.2 Delegate the approval of the annual income distribution under the MoU which arises as a result of the fluctuations detailed in schedule 6, to the Head of Waste Management and Cleansing Services in consultation with the Chief Finance Officer and the Executive Members for the Environment and Resources.

3. Context

- 3.1 Adur and Worthing has benefited from being part of the West Sussex Waste Partnership in terms of a harmonised waste collection and disposal service that ensure waste is dealt with in an integrated way across the county. For example, we were able to launch a very simple and effective commingled recycling service as the infrastructure was being built to accommodate the processing of commingled recycle.
- 3.2 Two major contracts have been let by West Sussex County Council following agreement to the Joint Strategy and its binding arrangements on Districts and Borough Councils who have signed up to the long term action plans;
 - The Recycling and Waste Handling Contract (RWHC)
 - The Materials Resource Management Contract (MRMC)
- 3.3 Following the implementation of those two contracts; two significant waste facilities have been built, including the Material Recycling Facility (MRF) at Ford, Littlehampton which opened in 2009 along with refurbished waste transfer stations and bulking facilities across West Sussex. Secondly, the Mechanical and Biological Treatment (MBT) plant was constructed at Brookhurst Wood near Horsham, which opened in 2015.
- 3.4 There are additional minor contracts as part of the wider Waste Partnership, these include:-
 - Clinical Collection and Disposal contract
 - Abandoned Vehicle removal contract
 - Wastebuster school education contract
- 3.5 Underpinning the West Sussex Waste Partnership are two “MoU’s”. These set out the relationships and interfaces between waste collection authorities (WCAs), of which Adur and Worthing Councils are two of the seven authorities, the Waste Disposal Authority (WDA) (West Sussex County

Council) and their appointed contractors (Viridor and Biffa). This is a set of operational guidelines that outlines how certain issues relating to working practices, financial arrangements and governance issues are handled. The MoU is not intended to be a strategic document that outlines policies or any vision for future challenges, opportunities or threats.

3.6 These have been reviewed and combined over the last year and one of the more detailed aspects of this has been the financial payments made by the Waste Partnership to each District and Borough for recycling. This report also seeks agreement to delegate the annually approved figures under the new MoU as set out in the recommendation and this approach has already been endorsed by Council Portfolio Holders at the West Sussex Inter Authority Waste Group.

3.7 The MoU outlines a number of key issues that are designed to frame the way the different partners do business with each other:

- Schedule 1 deals with the RWHC (Operation and Processes) - specifications, opening hours, processing arrangements and the network of household waste sites.
- Schedule 2 deals with the MRMC (Operations and Processes) - specifications, opening hours, network of buildings designed to receive waste and other practical arrangements
- Schedule 3 deals with service requirement plans and performance monitoring - this largely covers any potential changes to service eg extensions to garden waste services, large new housing developments etc
- Schedule 4 deals with waste communications, education and waste minimisation activities - a more integrated approach to how these matters are dealt with enables greater efficiencies and offers opportunities for joint funding bids etc.
- Schedule 5 deals with minor contracts such as abandoned vehicles and clinical waste
- Schedule 6 deals with financial arrangements and process including how recycling income is shared between the partners
- Schedule 7 deals with governance arrangements between the various partners dealing with waste management

4. Issues for consideration

4.1 One of major changes to the new arrangement have been to renegotiate the terms of the recycling payment mechanism, which is embedded into the way the partnership has operated for the last ten years. The early mechanism was based on old and historic arrangements and despite reviews in 2007 and 2011 still had some inequalities in the approach.

- 4.2 However, following a series of negotiations during 2015, agreement has been reached across the West Sussex Waste Partnership which enables recycling performance to be incentivised both by increasing dry recycling tonnage collected and by quality of the dry recycling and the new mechanism is set out in Schedule 6.
- 4.3 This mechanism has been reviewed and approved by the Waste and Finance officers working groups and by Council portfolio holders attending the Inter Authority Waste Group.
- 4.4 The key principles for the new recycling payment mechanism are as follows:-
- Waste Collection Authorities will have a payment based on a number of sets of performance data and will have the data updated on an annual basis.
 - The payment will be based the number of properties within the service, the tonnage of dry recycling collected, the payment will also reflect the recycling “lost” through contamination either at the transfer stations due to serious contamination or through poor quality reaching the MRF and being considered out of the approved specification.
 - The mechanism has been projected forward for 5 years and will see a move away from household numbers to greater emphasis on performance and tonnage by 2020.
- 4.5 This report also seeks agreement to delegate the annually approved figures under the new MoU as set out in the recommendation and this approach has already been endorsed by Council Portfolio Holders at the West Sussex Inter Authority Waste Group.
- 4.6 Each major waste contract had a “MoU” signed by the Waste partnership first in 2005 and the second in 2009. The West Sussex Waste Partnership put governance arrangements in place with a Member led “Inter Authority Waste Group” (IAWG) supported by a Strategic Waste Officers Group (SWOG) which in turn were supported by operational input by the Waste Operations Services Group (WOSG) and a waste communications group.
- 4.7 The governance arrangements for the West Sussex Waste Partnership at Member, lead officer and operations & waste communications groups have been reviewed.
- 4.8 A summary of the structure of the “MoU” is set out in Appendix A to this report.

5. Engagement and Communication

- 5.1 The general principles of the MoU have been agreed with members through the Inter-Authority Waste Group, the West Sussex Finance Officers Group, the Chief Executives Group and with the contractors operating the RWHC and MRMC. It has been referred back to each of the authorities that make up the West Sussex Waste Partnership for them to individually ratify the agreement.
- 5.2 Since the MoU merely sets out the working relationships between each of the stakeholders in the management of waste in West Sussex it has not been consulted publicly.

6. Financial Implications

- 6.1 The financial implications of the proposed MoU are as detailed above and in schedule 6.
- 6.2 The five year model that assumes housing growth and recycling rates shows growth in income by approximately £40,000 between 2016/17 and 2020/21. The financial settlement for 2016/17 was £1.02m and this will rise to £1.06m by 2020/21. The likely income from recycling payments has already been built into the revenue budget.
- 6.3 There are factors that may alter these projections including the speed of delivery of new housing stock, Adur and Worthing's recycling performance compared to other waste collection authorities and the resale value of collected material. Any activities that reduce general waste will also have an indirect impact. Reducing general waste has the effect of increasing the recycling rate without collecting any more recycling.
- 6.4 Members should be aware that the financial arrangements for the distribution of income from recycling are periodically reviewed. If any substantial change is made then this will be the subject of a further consultation.

7. Legal Implications

- 7.1 Adur District and Worthing Borough Council each have a responsibility to act as a Waste Collection Authority under s30 Environment Protection Act 1990
- 7.2 Section 111 of the Local Government Act 1972, provides a power for the Council to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.

- 7.3 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 7.4 s1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation
- 7.5 The MoU which the Members are being asked to approve is expressed to be a non legally binding agreement which sets out the statement of understanding or intent between the parties for waste management, and creates a collaborative rather contractual relationship.

Background Papers

Memorandum of Understanding

The two existing “Memorandum of Understanding” were reviewed and combined into one simpler document at the direction of the Inter Authority Waste Group.

The new document has been laid out in a simpler format and includes the following elements:-

- Main body and executive summary
- Schedule 1 (Recycling) with the details of the Recycling Waste Handling Contract.
- Schedule 2 (Residual / Landfill) with details of the Materials Resource Management Contract.
- Schedule 3 Service Requirements Planning process and mechanism for change.
- Schedule 4 Communications.
- Schedule 5 Minor contacts.
- Schedule 6 Payment mechanisms within the waste partnership.
- Schedule 7 Governance arrangements

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Sustainability & Risk Assessment

1. Economic

The partnership arrangements that exist between all the stakeholders in West Sussex are inter-dependent and the MoU sets out arrangements that benefit all parties to ensure that each part of the overall system works efficiently and to the maximum benefit of Council taxpayers

2. Social

2.1 Social Value

The value of community education is critical to ensure that the maximum economic and environmental value is derived from collected waste in West Sussex. This partnership with our communities to achieve the best outcomes underpin the relationships that exist between stakeholders in the County.

2.2 Equality Issues

There are no equality issues relating to the MoU

2.3 Community Safety Issues (Section 17)

There are no community safety issues relating to the MoU

2.4 Human Rights Issues

There are no human rights issues relating to the MoU

3. Environmental

Environmental factors are key to the success of the MoU especially in relation to avoidance of landfill, deriving the maximum possible value of waste collected and ensuring that residual waste is managed to minimise its impact. These issues underpin the MoU and are referred to in each of the schedules.

4. Governance

Governance is specifically dealt with in schedule 7 of the MoU. The agenda for partnership work is set by the Inter-Authority Waste Group (IAWG), which acts as the group responsible for political leadership of waste management in West Sussex. IAWG is formed of portfolio holders from each of the WCAs and WDA. The chair is normally the portfolio holder from West Sussex County Council.

The Strategic Waste Officer's Group (SWOG) is responsible for delivering the work programme set by IAWG and further delegates communication and operational matters to sub groups.

A Draft Memorandum of Understanding to Underpin the Statutory, Strategic and Operational Relationship between West Sussex Waste Authorities.

1. Definitions.

For the purposes of this document the following definitions will apply:

'JMRMS' meaning the Joint Materials Resource Management Strategy

'MoU' meaning this revised Memorandum of Understanding, its Schedules and Appendices.

'MRMC' meaning the Materials Resource Management Contract.

'RWHC' meaning the Recycling and Waste Handling Contract.

'Waste Collection Authority' ('WCA') meaning the District or Borough Council carrying out the statutory duty of waste collection as defined in legislation.

'Waste Disposal Authority' ('WDA') meaning the West Sussex County Council carrying out the statutory duty of waste disposal as defined in legislation.

'MoU Partners' and 'Partners' meaning West Sussex County Council, Adur & Worthing Councils, Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid-Sussex District Council.

2. Background and Context.

2.1. In 1998 the WDA in partnership with the WCAs, made a strategic decision to procure two contracts for the handling, treatment and disposal of waste. The first, known as the Recycling and Waste Handling Contract (RWHC) deals with the provision of waste infrastructure in the county and includes all Waste Transfer Stations, Household Waste Recycling Sites and the provision of a Materials Recycling Facility. The second, known as the Materials Resource Management Contract (MRMC), provides facilities for the treatment and disposal of the waste not handled under the RWHC. This

treatment being in the form of further extraction of resource in the form of recycle, composting, heat and electricity via either biological or thermal treatment processes.

- 2.2. The West Sussex WDA and WCAs have a long history of successful partnership working which is crucial to moving the waste agenda forward. The procurement and commissioning of new waste infrastructure in the county has led to a significant increase in the tonnage of wastes being recycled and also diverted from disposal by other means. The progression of the infrastructure and associated management contracts also created the need for two separate but co-dependent Memoranda of Understanding between the County and the constituent boroughs and districts and this revised document seeks to combine these documents into this one inclusive document.
- 2.3. The Partners to this MoU recognise that they are part of the rapid change process in waste management which will become much more expensive and tightly regulated whilst being more professional and specialised and achieving higher environmental standards and that they will work together in the spirit of gaining greater efficiencies and 'Best Value' for the community and council tax payers of West Sussex.
- 2.4. The key issues recognised by the Partners in relation to this MOU include:
 - The recognition that greater emphasis needs to be placed on waste education, minimisation and reduction.
 - The need to comply with existing and new legislation and achieving the current and future statutory and strategic performance targets for recycling, recovery and diversion of wastes from landfill.
 - Funding the significantly increased costs involved in moving to recycling and recovery based strategies against the backdrop of on-going austerity.
 - The logistics involved in implementing the necessary collection and processing infrastructures (e.g. securing sites and planning consents).
 - Ensuring the availability of markets for recyclables and other products in the face of increasing competition nationally and globally.
 - Gaining and maintaining the public participation that is vital for the success of new recycling and composting and recovery based strategies.
- 2.5. Such partnership working can potentially enhance both WCA and WDA activities and result in new solutions to issues, economies of scale and

increased efficiency.

- 2.6. The ongoing development of the waste contracts offer potential benefits in adding value to WCA and WDA activities and a means to advance both WCA and WDA objectives in line with Best Value principles through the common understanding and agreement of what is needed to deliver the requirements of the Joint Materials Resource Management Strategy (JMRMS).

3. Purpose and Status.

This MoU is between the WCAs (both jointly and severally) and the WDA. It shall be considered as the pivotal working arrangement between the WCAs and the WDA in the development and delivery of the Countywide JMRMS.

- 3.1. The purpose of this MoU is to clarify the aims, objectives and commitments of the WCAs and WDA to ensure that the respective activities provide Best Value in discharging their relevant responsibilities under the Environmental Protection Act 1990 (EPA) and all other relevant and associated legislation.
- 3.2. The parties acknowledge that: -
 - This MoU is intended as an operational document and not a formal contract and that they will use all authorised efforts to comply with its terms. No signatories shall be obliged to undertake expenditure or activities that they would not have otherwise undertaken in compliance with their duties as a WCA or WDA without this being agreed between the parties.
 - Notwithstanding this MoU, the WCAs and WDA will each retain their respective statutory powers, responsibilities and duties.
 - This revised and combined MoU document shall replace the existing 'MoU Schedule' in the MRM and RWH contract documents which may trigger the 'change of service' mechanism in each contract depending on the changes in this document and its associated Schedules and Appendices.
- 3.3. There are a number of Schedules (and appendices relating to specific Schedules) attached to this MoU, which will require agreement with the MRM and RWH Contractors. It is possible that these schedules will require ongoing revision (as the services dictate) post agreement of this MoU but can be revised independently as required.
- 3.4. These schedules are drawn from the previous two independent MoU's, revised and expanded upon to fully demonstrate the growth of the specific work areas resulting from the requirements of the MoU and

the current management, recording and reporting mechanisms in place in each case.

3.5. Current schedules include;

Schedule 1 – Recycling Waste Handling Contract (Operation and Processes).

Schedule 2 – Materials Resource Management Contract (Operation and Processes).

Schedule 3 – Service Requirement Plans/Performance Management

Schedule 4 – Waste communication, education and minimisation activities.

Schedule 5 – Other waste contracts relating to the partnership.

Schedule 6 – Financial information and processes.

Schedule 7 – Memorandum of Understanding Governance.

4. Guiding Principles.

4.1. The WCAs and WDA acknowledge the following:

- The MoU will form the basis for mutual support and co-operation between the Partners for managing the MRMC and the RWHC, which, with other joint working will deliver the JMRMS.
- In determining the viability of, and continuation or otherwise of, any activity or process regard should be given to all implications and amongst other things, the effect of the decision upon the council tax payers of West Sussex as a whole and the impact upon the desire for an integrated waste management approach in delivering the JMRMS. (The purpose of this approach is to ensure that all aspects of the service provision are costed and taken into account when changes in services are being considered)
- Matters requiring decisions where the principles above apply may be referred, by any member of the Strategic Waste Officers Group (SWOG) to the Inter Authority Waste Group and any associated groups for consideration and/or determination.
- When determining matters, regard should be had to the principles of sustainability from both the environmental, political, social and economic perspectives, and the fact that all parties are constrained by finite resources.

4.2. This MoU is a non binding statement of the understanding between the WDA and the WCAs.

4.3. Although not a binding contract, this MoU is intended to provide a measure of reassurance and comfort, not only between the parties,

but also between the WDA and its MRM and RWH Contractors.

- 4.4. This MoU provides a protocol for how the WDA and WCAs will work and communicate with each other to co-ordinate their activities in respect of waste management functions and responsibilities in West Sussex to successfully underpin the operational arrangements with the MRM and RWH Contractors. This is supported by the Communications Matrix and information detailed in Schedule 4.

5. Responsibilities of the Parties.

West Sussex County Council shall;

- Carry out its statutory responsibilities, duties and function as defined in S51 of the Environmental Protection Act 1990 and associated legislation.
- Consult with the WCAs on any proposed changes to reception and processing arrangements for wastes and recycling.
- Arrange for the reception of commercial and industrial waste collected by the WCAs or their contractors, subject to the WCAs obtaining the written approval of the WDA prior to entering into arrangements for the collection of commercial and industrial wastes.
- Involve representatives of the relevant WCAs in matters relating to contract management, where such matters relate to the functions and activities of a WCA.
- Make payments to the WCAs for residual waste diversion (as set out in Schedule 6) and a net income payment to WCAs for collected recyclables (as set out in Schedule 6) using approved payment mechanisms.
- Endeavour to give the WCA's 12 months' notice in writing of its intention or any proposal to introduce, change or discontinue any aspect of its current statutory and non-statutory service offering (as detailed in Schedules 1 and 2).
- Work with the WCAs on joint wastes promotion and education exercises subject to the availability of finance on joint promotional activities to raise awareness of integrated waste management in West Sussex (as detailed in Schedule 4).
- Adhere to the agreed MoU Governance arrangements detailed in Schedule 7.

The Boroughs and Districts shall either individually or collectively;

- Carry out its statutory responsibilities, duties and function as defined in S48 of the Environmental Protection Act 1990 (*"Duties of waste collection authorities as respects disposal of waste collected"*) and associated legislation.
- In general deliver all collected wastes and agreed recyclables to reception and processing facilities agreed between the WCAs and the WDA (as detailed in Schedules 1 and 2).
- Consult with the WDA concerning any proposed changes to the collection of wastes or recyclables (as detailed in Schedules 1, 2 and 3).
- Endeavour to give the WDA 12 months' notice in writing of its intention or any proposal to introduce, change or discontinue any aspect of its current statutory and non-statutory service offering (as detailed in Schedules 1 and 2 and 3).
- Collect wastes and recyclables in accordance with the SRPs and shall deliver them to the facility as agreed between the WCAs and the WDA (as detailed in Schedule 1, 2 and 3).
- Ensure that collected wastes and recyclables comply with the input specifications of the respective contracts (as detailed in Schedules 1 and 2).
- Notify the WDA annually as part of the SRP, the tonnage and types of materials expected to qualify for recycling support payments (as detailed in Schedules 3 and 6).
- Prepare a draft five-year Service Requirement Plan (SRP) setting out projected waste arisings, projected recycling tonnages and composting tonnages (as detailed in Schedule 3).
- Update its SRP annually by rolling it forward by one year (as detailed in Schedule 3).
- Work with the WDA on joint wastes promotion and education exercises subject to the availability of finance on joint promotional activities to raise awareness of integrated waste management in West Sussex (as detailed in Schedule 4).
- Adhere to the agreed MoU Governance arrangements detailed in Schedule 7.

6. Duration.

- 6.1. The term of the MoU needs to reflect the duration of any associated contractual or strategic arrangements (known to be 25 - 30 years) unless the MoU is terminated or amended by the mutual agreement of all parties and signatories. If the authorities represented in this MoU are subject of any authority reorganisations or statutory change in governance, the commitment shall transfer to any new authority.

7. Review Periods.

- 7.1. This MOU, its separate Schedules and all appendices relating to those Schedules shall be reviewed on an annual basis as a minimum.
- 7.2. Each annual review shall be directed by and reported to the SWOG for recording and adoption.
- 7.3. Any significant change to the content or processes that is either required or desired by the WDA or the WCAs shall be reported to SWOG for discussion and agreement. If agreement cannot be made at this meeting, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.
- 7.4. Any agreed change to the financial arrangements, processes, mechanisms or narrative of this MoU shall then be made and submitted to SWOG no later than the July (in each given year) SWOG meeting for approval in readiness for the budget setting cycle in each Borough and District. Further agreement and approval may also be required from the Senior Finance Officer Group, IAWG, the RWH and MRM contractors and other representative groups depending on the nature of the change.

Schedule 1 – Recycling Waste Handling Contract (Operation and Processes).

1. Preamble.

- 1.1 This schedule forms part of the Memorandum of Understanding between the Waste Collection Authorities (WCAs) and West Sussex County Council (WSCC) as the Waste Disposal Authority (WDA).
- 1.2 This schedule specifically relates to the Recycling and Waste Handling Contract (RWHC) with Viridor (West Sussex) Ltd.
- 1.3 It sets out the agreed service provision for the WCAs provided by WSCC through the RWHC.

2. Purpose and Status.

- 2.1 This Memorandum of Understanding (MoU) shall be considered as the pivotal working arrangement between the WCAs and the WDA in the development and delivery of the Joint Materials Resources Management Strategy (JMRMS).

3. Guiding Principles.

- 3.1. The guiding Principles of the MoU are set out in the Main Body of the MoU document.

4. Service Requirement Plans. (Refer to Schedule 3).

- 4.1. On an annual basis the WCAs and the WDA will prepare Service Requirement Plans (SRP).
- 4.2. The RWHC Contractor will be required to prepare its own SRP and to verify that it has the infrastructure and resources to accommodate the anticipated volumes and material types to be delivered into the Household Waste & Recycling Sites (HWRS) as well as the volumes and material types delivered by the WCAs and the WDA planned for the following years.
- 4.3. The current SRP requirements, procedures and annual timescales are fully detailed in Schedule 3 of the MoU document.

5. Waste Deliveries.

- 5.1. The WDA has a statutory duty to provide reasonably accessible and available facilities for the receipt of wastes collected by the WCAs. Where the WDA fails to provide such facilities or directs any WCA that any waste shall be delivered and deposited at a location deemed to be unreasonable in terms of distance or accessibility, then the WDA shall reimburse the actual, additional, reasonable, and justified costs and or losses directly attributable to waste haulage in using an alternative facility identified by any individual WCA. Any payments will be calculated in line with the agreed Tipping Away Protocol developed as part of Schedule 6 of this MoU.

- 5.2. The WCAs shall in general deliver all collected residual wastes and agreed recyclables to reception / processing facilities agreed between the WCAs and the WDA. Exceptions shall be agreed between the parties and may comprise:
- any specific materials retained by the WCA (either through their own services or through private contractors) for recycling.
 - any specific materials collected by voluntary, charitable and school groups as part of schemes supported by WCAs or WDA; and
 - home composted material (including material composted as a result of home composting initiatives initiated and or supported by the WCAs or WDA).
- 5.3. Changes to the types and quantities of waste to be excluded under the above provisions shall be implemented via the Service Requirement Planning arrangements. (Refer to Schedule 3).
- 5.4. The WCAs shall consult with the WDA concerning any proposed changes to the collection of wastes or recyclables (e.g. new collection contracts) that could have an impact on this MoU. Similarly, the WDA will consult with the WCAs on any proposed changes to reception and processing arrangements for wastes and recycling.

6. Reception of Commercial and Industrial Wastes.

- 6.1. The WDA shall arrange for the reception of commercial and industrial waste collected by the WCAs or their contractors, subject to the WCAs obtaining the written approval of the WDA prior to entering into arrangements for the collection of industrial waste (as required under the EPA).
- 6.2. Under this section, waste generated by the WDA and WCAs from their own land, premises or administrative operations shall be classified as commercial waste.
- 6.3. Commercial and, where agreed in writing, industrial waste collected by the WCAs or their contractors shall be accepted at facilities nominated by the WDA. The WCAs shall be charged for the disposal costs incurred by the WDA. The rate for general commercial and industrial waste will be set annually by the WDA.
- 6.4. The WCAs shall give the WDA 12 months notice in writing of its intention or any proposal to discontinue commercial and industrial waste collections (i.e. not individual collections, but the whole service) including privatisation or disposal of these services. This requirement will also be detailed within any current (by revision) and future SRP documentation (Refer to Schedule 3).
- 6.5. Similar arrangements would also apply to the reception of other non-household waste within the scope of the RWHC.

7. Waste Collected by WCAs under The Controlled Waste (England and Wales) Regulations 2012, Schedule 1, Paragraph 4. Household waste for which collection and disposal charges may be made.

- 7.1. The WDA shall arrange for the reception of Household Waste for which collection and disposal charges may be made collected by the WCAs or their contractors.
- 7.2. Under this section, waste generated by the County, District and Borough councils shall be classified as Commercial Waste.
- 7.3. Household waste for which collection and disposal charges may be made, collected by the WCAs or their contractors shall be accepted at facilities nominated by the WDA. The WCAs shall be charged for the disposal costs incurred by the WDA. The rate for general commercial waste will be set annually as part of WSCC's 'fees and charges' regime. (Refer to Schedule 6).
- 7.4. Similar arrangements would also apply to the reception of other non-household waste following within the scope of the RWHC.

8. Wastes Management Facilities.

- 8.1. The WDA have procured through the RWH and MRM (Schedule 2) contracts, the provision of a network of waste management transfer and treatment facilities as detailed in this MoU.
- 8.2. In the unlikely event that a facility is not provided (e.g. through failure to secure a suitable site or the necessary consents but excluding force majeure) by the Contractor or that a facility is not available (e.g. through planned or unplanned maintenance) for the reception of delivery vehicles, the WDA shall reimburse the actual additional reasonable and justified costs and losses directly attributable to waste haulage in using an alternative facility in accordance with the contingency plan as required under the RWHC. Reimbursement of costs shall not apply where alternative facilities are provided within the area of a WCA or within an agreed distance of the boundary of the WCA. Any payment made will be in line with the Tipping Away Protocol detailed in Schedule 6 of this MoU document.

9. Opening Hours.

- 9.1. The WDA shall require that waste management facilities provided through the RWHC shall be available as a minimum during the currently available opening times as set down in in the table below for the receipt of authorised waste delivered by the WCA.

Site	Days of Operation	Operating times
Burgess Hill	Monday - Friday	08:30 - 16:30
	Saturday	By prior notification and agreement
	Sunday	By prior notification and agreement
	Bank Holidays	By prior notification and agreement

Crawley	Monday - Friday	08:30 - 16:30
	Saturday	By prior notification and agreement
	Sunday	By prior notification and agreement
	Bank Holidays	By prior notification and agreement
Lancing	Monday - Friday	08:30 - 16:30
	Saturday	08:30 - 11:30
	Sunday	Closed
	Bank Holidays	By prior notification and agreement
East Grinstead	Monday - Friday	08:00 - 16:00
	Saturday	Closed
	Sunday	Closed
	Bank Holidays	Closed
Westhampnett	Monday - Friday	07:30 - 17:00
	Saturday	07:30 - 13:00
	Sunday	Closed
	Bank Holidays	By prior notification and agreement
Ford MRF	Monday - Friday	07:30 - 16:30
	Saturday	By prior notification and agreement
	Sunday	By prior notification and agreement
	Bank Holidays	By prior notification and agreement
<u>Olus (Green waste)</u>	Monday - Friday	07:30 - 17:00
	Saturday	08:00 - 12:00
	Sunday	Closed
	Bank Holidays	Closed
<u>Woodhorn (Green waste)</u>	Monday - Friday (Winter hours)	08:00 - 16:00
	Monday - Friday (Summer hours)	08:00 - 18:00
	Saturday	08:00 - 13:00
	Sunday	Closed
	Bank Holidays	Closed

- 9.2. The WDA shall also require through its contracts (subject to planning and licence restrictions) that the facilities are available to the WCA for the reception of waste during additional hours at weekends and Bank Holidays (which reflect the historic custom and practice for the WCA).
- 9.3. Facilities may be made available during further additional hours (subject to planning and licence restrictions) subject to notice provisions and the WCA

bearing the costs, based on prices submitted by the RWHC contractor. (Refer to Schedule 6).

10. Collection of Recyclables.

- 10.1. The WCA shall collect recyclables in accordance with current legislative requirements and the SRP (refer to Schedule 3), and shall deliver them to the facilities as agreed between the WCAs and the WDA. Any changes in collection system(s) practice, or quantities or types of materials in so far as they affect the input specification or contract conditions of the RWHC shall be agreed with the WDA via the SRP process. The WCA shall meet costs associated with any agreed changes the collection and delivery of materials to the agreed facilities.
- 10.2. The WDA may, after consultation and subsequent agreement with the WCAs, request that the collection of particular recyclables be terminated or suspended where there is no market for those materials and the situation is unlikely to change for the foreseeable future. In such circumstances, the WCA(s) shall have the option of providing financial support (where available), to allow collections to continue.
- 10.3. In the event that the collection or processing of recyclables becomes unaffordable as a result of external influences beyond the control of the WCA and WDA, the WCA may, after consultation with the WDA via SWOG, arrange for separate collection to be suspended. In such circumstances the WDA shall have the option of providing financial support (based on a rate per tonne) to allow collections to continue.

11. Specifications for Collected Recyclables.

- 11.1. The parties recognise that the ability of processing contractors to meet their contractual obligations and produce materials and products of marketable quality can be very dependent on delivered materials meeting minimum quality standards.
- 11.2. Simple specifications for each collected type of shall be agreed between the WDA, RWHC contractor and the WCAs, and shall have regard to practice, costs and experience gained since household collections were introduced in West Sussex and the requirements of the reprocessing markets.
- 11.3. The WCA shall ensure that collected recyclables comply with the specifications. In circumstances where loads fail to meet the input specification, the WCA shall use reasonable endeavours to ensure that corrective action is taken. If, for any reason, loads repeatedly fail to meet the specification, the WCA and WDA can agree to request that such loads are processed, subject to the WCA agreeing to meet any reasonable additional processing costs involved, at rates submitted by the RWHC contractor. Where this is impracticable, the WCA shall meet any additional costs involved in disposing of the material.
- 11.4. The WCAs shall incorporate the need to comply with the input specifications in any future conditions associated with their collection contracts.
- 11.5. The RWHC contractor shall use all reasonable endeavours to immediately contact the WCA to ensure the WCA is given the opportunity to inspect any rejected loads within an agreed period of time, and to notify the WDA of the event.

12. Processing, storage and Marketing of Collected Recyclables.

- 12.1. The WDA shall, through contractual arrangements, arrange for the processing of collected recyclables, including dry recyclables and green garden waste as set out in the agreed SRP.
- 12.2. The WDA shall agree a protocol between the RWHC Contractor and jointly with the WCAs for the marketing of recyclables. The protocol includes actions to be followed when no markets are available for recyclables. In assessing the adequacy of proposed arrangements, the aim shall be to seek a balance between maximising waste recovery / recycling, income/cost and the ability to meet market specifications and achieving security and stability of markets
- 12.3. In the event that the processing of collected recyclables becomes unaffordable as a result of external influences beyond the control of the WCAs or WDA (e.g. there being no markets or high costs being incurred in securing outlets for collected recyclables) the WDA may, after consultation with the WCAs concerning the lack of markets, arrange for processing to be suspended and the materials sent for disposal. The Strategic Waste Officers group and the inter-Authority Waste Group shall agree such arrangements.
- 12.4. The WDA shall make available to the WCAs facilities for the reception and storage of collected recyclables, either to be handled through materials recovery or composting facilities provided under the RWHC contract, or to be sent direct to reprocessors / end markets. The sites and materials handled shall be set out in the relevant schedule of the contract.
- 12.5. A WCA shall be able to compensate the RWHC contractor or the WDA where it has decided to make alternative collection arrangements to those stated on the SRP. This would only apply to the under utilisation of infrastructure as a result of the WCA's decision. The WCA may make other alternatives marketing arrangements if agreed under the Marketing Protocol. A WCA may, at its discretion, make other arrangements that are not included in the SRP and bear all the consequential costs of those arrangements.
- 12.6. The marketing and sale of collected recyclables is a key issue given that the major investment in collection and processing systems would be negated if secure markets are not available for the recovered materials. This is likely to become an increasing issue over time with the pressure on local authorities nationally to increase recycling against a background of finite markets. In such circumstances those organisations able to guarantee high quality standards and offer significant volumes of materials are likely to benefit, as are those able to access wider marketing networks, for example in relation to exports. The private sector is likely to be best placed to secure the best arrangements in such circumstances.
- 12.7. All income and payment issues relating the sale of recyclables are detailed in Schedule 6 of this MoU document.

13. Household Waste Recycling Sites (HWRSS).

- 13.1. The WDA will provide a network of HWRSSs across the area of the WDA in accordance with Section 51 (2) of the Environmental Protection Act 1990. These facilities are primarily for the receipt of recyclables and household waste

not collected by the WCAs refuse collection service (i.e. bulky items and garden waste).

- 13.2. The WDA will seek as far as practicable to achieve integration of the HWRS service with special household collections provided by the WCAs. In particular, the WDA will maximise opportunities for the processing of special household collections via the HWRS service in order to maximise the recycling of such wastes.

14. Voluntary Groups Protocol.

- 14.1. The Partners shall accept the design and implementation of all necessary policies and procedures that ensures that household wastes collected by voluntary, charitable and community groups in the County are collected, transferred and disposed of in compliance with all Health and Safety, transport and waste legislation.
- 14.2. The Partners shall work together in accordance and compliance with any formal protocol, policy or procedure established.
- 14.3. The current protocol is detailed in Appendix 1 of this Schedule.

15. Schedule Review Mechanism.

- 15.1. The review of this Schedule and its Appendices shall form an agenda point at the March SWOG meeting each year.
- 15.2. Any significant change to the content or processes that is either required or desired by the WDA or the WCAs shall be brought to this meeting for discussion and agreement. If agreement cannot be made at this meeting, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.
- 15.3. Any agreed change to the financial arrangements, processes, mechanisms or narrative of this Schedule shall then be made and submitted to SWOG no later than the May (in each given year) SWOG meeting for approval in readiness for the budget setting cycle in each Borough and District. Further agreement and approval may also be required from the Senior Finance Officer Group and the IAWG depending on the nature of the change.
- 15.4. Any in-year change to the content or processes that is necessitated by changes in law, commodity markets or contractual arrangements that affects the ability to deliver the requirements of this Schedule and its Appendices shall be reported to the SWOG as soon as known. Under such circumstances, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.

Appendix 1 - Voluntary Groups Protocol.

The purpose of this procedure is to ensure that the county council, as Waste Disposal Authority has a formalised process in place to ensure that household wastes collected and produced by approved voluntary, charitable and community groups in West Sussex are collected, transferred and disposed of in compliance with all relevant legislation, guidance, permitting, planning and site rules associated with this function.

Communication.

This protocol will be communicated by the WDA and the WCA's to all new and existing voluntary groups known to the WCA's. All voluntary groups responding to the communication will be reviewed by the Partners and included on a list of 'Approved' voluntary groups.

Types of Scheme.

This protocol will apply to any approved voluntary, charity and community group undertaking;

- Participating in Nation Spring Clean, Environment Day and other national and local environment events associated with the cleansing and/or waste removal operations within any locality in the County.
- Beach and foreshore cleansing.
- Litter picks.
- Household and garden clean ups.

Protocol.

- 1.1. Partners will agree to maintain an 'approved' list of voluntary, charity and community group known or likely to operate within the County boundary. This list will be developed on the basis of the groups that apply to support the Partners in their respective duties and responsibilities in respect of waste, litter and the environment.
- 1.2. All approved groups wishing to assist the Partners in 'clean up' operations will be required to submit their intentions in writing to the relevant Partner organisation, with a minimum of 1 month's notice for approval, to enable the Partner to be aware of the location, type and quantity of waste likely to be collected.
- 1.3. All approved groups shall be provided with information relating to its responsibility in regards to waste collection, handling and transfer. Health and Safety information will also be provided regarding the identification and handling of potentially hazardous waste types.
- 1.4. All wastes collected or generated by the activities of an approved group shall be properly contained and deposited and an agreed collection point for collection by the WCA.
- 1.5. The requirements of this protocol do not apply to approved voluntary, charity and community groups delivering this waste directly to any existing WDA provided waste facility. In this instance they need to be registered under the WDA's charity waste service.

Schedule 2 - Materials Resource Management Contract (Operation and Processes).

1. Preamble.

- 1.1 This schedule forms part of the Memorandum of Understanding between the Waste Collection Authorities (WCAs) and West Sussex County Council (WSCC) as the Waste Disposal Authority (WDA).
- 1.2 This schedule specifically relates to the Materials Resource Management Contract (MRMC) with Biffa Ltd.
- 1.3 It sets out the agreed service provision for the WCAs provided by WSCC through the MRMC.

2. Purpose and Status.

- 2.1 This Memorandum of Understanding (MoU) shall be considered as the pivotal working arrangement between the WCAs and the WDA in the development and delivery of the Joint Materials Resources Management Strategy (JMRMS).

3. Guiding Principles.

- 3.1. The Guiding Principles of the MoU are set out in the Main Body of the MoU document.

4. Service Requirement Plans. (Refer to Schedule 3).

- 4.1. On an annual basis the WCAs and the WDA will prepare Service Requirement Plans (SRP).
- 4.2. The MRMC Contractor will be required to prepare its own SRP and to verify that it has the infrastructure and resources to accommodate the anticipated volumes and material types to be delivered into its facility(ies) as well as the volumes and material types delivered by the WCAs and the WDA planned for the following years.
- 4.3. The current SRP requirements, procedures and annual timescales are fully detailed in Schedule 3 of the MoU document.

5. Waste Deliveries.

- 5.1. The WDA has a statutory duty to provide reasonably accessible and available facilities for the receipt of wastes collected by the WCAs. Where the WDA fails to provide such facilities or directs any WCA that any waste shall be delivered and deposited at a location deemed to be unreasonable in terms of distance or accessibility, then the WDA shall reimburse the

actual, additional, reasonable, and justified costs and or losses directly attributable to waste haulage in using an alternative facility identified by any individual WCA. Any payments will be calculated in line with the agreed Tipping Away Protocol developed as part of Schedule 6 of this MoU.

- 5.2. The WCAs shall in general deliver all collected residual wastes to reception or treatment facilities agreed between the WCAs and the WDA. Exceptions shall be agreed between the parties and may comprise:
- any specific materials retained by the WCA (either through their own services or through private contractors) for recycling.
 - any specific materials collected by voluntary, charitable and school groups as part of schemes supported by WCAs or WDA.
- 5.3. Changes to the types and quantities of waste to be excluded under the above provisions shall be implemented via the Service Requirement Planning arrangements. (Refer to Schedule 3).
- 5.4. The WCAs shall consult with the WDA concerning any proposed changes to the collection of wastes that could have an impact on this MoU. Similarly, the WDA will consult with the WCAs on any proposed changes to reception and processing arrangements for wastes.
- 5.5. In the event that the WDA or WCAs (subject to a business case and contract limitations that will include input specifications for materials) requires the MRM Contractor to make available bulking facilities for either recyclables or green waste (not both) the WDA will require the MRM Contractor to do so.
- 5.6. Any deliveries of waste to the MRMC facility shall meet the input specifications as stated in Appendix 1.

6. Reception of Commercial, Industrial, Clinical, and Special/Hazardous Waste for Disposal.

- 6.1. Subject to an acceptable business case (which shall include issues relating to contract change and the ability to obtain regulatory consents) the WDA shall arrange for the reception of commercial and industrial waste collected by the WCAs or their contractors, subject to the WCAs obtaining the written approval of the WDA prior to entering into arrangements for the collection of industrial waste (as required under the EPA).
- 6.2. Under this section, waste generated by the WDA and WCAs from their own land, premises or administrative operations shall be classified as commercial waste.
- 6.3. Commercial and, where agreed in writing, industrial waste collected by the WCAs or their contractors shall be accepted at facilities nominated by the WDA. The WCAs shall be charged for the disposal costs incurred by the WDA. The rate for general commercial and industrial waste will be set

annually by the WDA

- 6.4. The WCAs shall give the WDA 12 months notice in writing of its intention or any proposal to discontinue commercial and industrial waste collections (i.e. not individual collections, but the whole service) including privatisation or disposal of these services. This requirement will also be detailed within any current (by revision) and future SRP documentation (Refer to Schedule 3).
- 6.5. Similar arrangements would also apply to the reception of other non-household waste within the scope of the MRMC.
- 6.6. Invoicing arrangements for these materials will be in line with those arrangements in place under the RWHC and detailed within Schedule 6 of this MoU and based upon the 'fees and charges' published by WSCC in February of each year.

7. Contract Management.

- 7.1. The WDA shall involve representatives of the relevant WCAs in matters relating to contract management, specifically where such matters relate to the functions and activities of a WCA, including the matters subject to this MoU but shall also seek views and comments in relation to the contract as a whole. Contract management shall be a standing agenda item at the SWOG meetings, any meetings of associated groups of the SWOG and implemented as set down in Schedule 7 of this MoU document.
- 7.2. As part of the ongoing co-operation and participation of the WCAs in the operation of the waste management services under the MRM and RWH Contracts, the Strategic Waste Officers Group will, from time to time, nominate members of the WCAs to sit on the MRMC Liaison Panel, established under the terms of the MRM Contract. The role of the MRMC Liaison Panel will be to provide a forum for joint strategic discussion between the Authority, the WCAs and the Contractor, in respect of the contract operations. It will review and propose changes to the service specification and method of operation of the MRM Contract, to take account of changing market conditions and practices, where appropriate, and provide a means of dispute resolution, if required.

8. Wastes Management Facilities.

- 8.1. The WDA have procured through the MRM and RWH (Schedule 1) contracts, the provision of a network of waste management transfer and treatment facilities as detailed in this MoU.
- 8.2. In the unlikely event that a facility is not provided (e.g. through failure to secure a suitable site or the necessary consents but excluding force majeure) by the Contractor or that a facility is not available (e.g. through planned or unplanned maintenance) for the reception of delivery vehicles, the WDA shall reimburse the actual additional reasonable and justified costs and losses directly attributable to waste haulage in using an alternative facility in accordance with the contingency plan as required

under the MRMC. Reimbursement of costs shall not apply where alternative facilities are provided within the area of a WCA or within an agreed distance of the boundary of the WCA. Any payment made will be in line with the Tipping Away Protocol detailed in Schedule 6 of this MoU document.

9. Opening Hours.

- 9.1. As at time of writing, the only Partners to deliver collected wastes directly to the MBT facility are Crawley Borough and Horsham District Councils. Adur and Worthing Council Services and Mid Sussex District Council along with Crawley Borough and Horsham District Council deliver some material direct to Landfill. The WDA shall require that waste management facilities provided through the MRM Contract at Brookhurst Wood shall be available as a minimum during the currently available opening times as shown below;

Site	Days of Operation	Operating times
Warnham MBT facility	Monday - Friday	07.00 - 16.30
	Saturday	07.00 - 12.00
	1 st Saturday following a public holiday	07.00 - 15.00
	Sunday	Closed
	Bank Holidays	07.00 - 10.00
Warnham Landfill facility	Monday - Friday	07.30 - 16.30
	Saturday	07.30 - 11.30
	Sunday	Closed
	Bank Holidays	Closed

- 9.2. The WDA shall also require through the MRMC (subject to planning and licence restrictions) that the facilities are available to the WCA for the reception of waste during additional hours at weekends and Bank Holidays (which reflect the historic custom and practice for the WCA).
- 9.3. Facilities may be made available during further additional hours (subject to planning and licence restrictions) subject to notice provisions and the WCA and WDA equally sharing costs, based on prices submitted by the MRM Contractor. (Refer to Schedule 6).
- 9.4. For the WCA's not delivering residual or other wastes directly to the MRMC location, the disposal locations stated in the RWHC and represented below shall be available on the days and at the times stated.

Site	Days of Operation	Operating times
Burgess Hill	Monday - Friday	08:30 - 16:30
	Saturday	By prior notification and

		agreement
	Sunday	By prior notification and agreement
	Bank Holidays	By prior notification and agreement
Crawley	Monday - Friday	08:30 - 16:30
	Saturday	By prior notification and agreement
	Sunday	By prior notification and agreement
	Bank Holidays	By prior notification and agreement
Lancing	Monday - Friday	08:30 - 16:30
	Saturday	08:30 - 11:30
	Sunday	Closed
	Bank Holidays	By prior notification and agreement
East Grinstead	Monday - Friday	08:30 - 16:00
	Saturday	Closed
	Sunday	Closed
	Bank Holidays	Closed
Westhampnett	Monday - Friday	07:30 - 17:00
	Saturday	07:30 - 13:00
	Sunday	Closed
	Bank Holidays	By prior notification and agreement
Ford MRF	Monday - Friday	07:30 - 16:30
	Saturday	By prior notification and agreement
	Sunday	By prior notification and agreement
	Bank Holidays	By prior notification and agreement
Olus (Green waste)	Monday - Friday	07:30 - 17:00
Last tip 30 mins before close	Saturday	08:00 - 12:00
	Sunday	Closed
	Bank Holidays	Closed
Woodhorn (Green waste)	Monday - Friday (Winter hours GMT)	08:00 - 16:00
Last tip 30 mins before close	Monday - Friday (Summer hours BST)	08:00 - 18:00
	Saturday	08:00 - 13:00
	Sunday	Closed
	Bank Holidays	Closed

10. Recovered Resources.

- 10.1. Recovered resources arise where WCAs collect or carry out preliminary processing at their own cost, and those that the MRM Contractor recovers from the residual waste via the use of processing at a cost to the WDA.
- 10.2. Where the WCA delivers residual waste, and resource is recovered via the MRM Contract processes, no revenue return will be made to the WCAs, unless there is agreement in future that WCAs process waste in some way (for example to enhance the materials presented to MRM contractor and where this creates a net market value over and above untreated residual materials then WCAs should share in benefit. Such agreement shall be subject to an acceptable business case.
- 10.3. It is noted that the WCAs have previously agreed that no separate kerbside collection of bio waste will be undertaken, as a result, under the current arrangements; to separately collect bio waste would require a Contract Change. Future arrangements do not rule out changes to operations and material streams, such that may be required to fulfil legal and statutory obligations. However, such changes may require separate procurement processes, variation to existing contracts or modifications to the proposed technologies and therefore be subject to an acceptable business case.
- 10.4. Any business case shall include whether payments should be made by or to the WDA, and if so the formula to be used. It is recognised that any agreement may impact on recycling credits and recycling floors which will need to be reviewed as part of any such agreement. Any such agreement (if required or enacted) shall be detailed in and form part of Schedule 6 of this MoU document.

11. Recycling Credits.

- 11.1. Recycling Credits will not be paid to WCAs under the MRMC arrangements.

12. Processing, Storage and Marketing of Recovered Resources.

- 12.1. The WDA shall, through the MRM Contractual arrangements, arrange for the processing and or treatment of waste to recover resource such as heat, power, waste derived products and residual recyclables.
- 12.2. In line with the spirit of Partnership arrangements, The WDA shall agree a protocol between the MRM Contractor and jointly with the WCAs for the marketing of recovered resources.
- 12.3. In the event that the processing of recovered resources becomes unaffordable as a result of external influences beyond the control of the Partners (e.g. there being no markets or high costs being incurred in securing outlets for recovered resources) the WDA may, after consultation with the WCAs concerning the lack of markets, arrange for recovery to be suspended. Any instances of suspension shall be

accompanied with a plan that shall include an expected end-date or time period for the given suspension. The Strategic Waste Officers group and the inter-Authority Waste Group shall agree such arrangements.

13. Promotional Activities and Communications.

- 13.1. The WDA and the WCAs shall work together on joint wastes promotion and education exercises subject to the availability of finance on joint promotional activities to raise awareness of integrated waste management in West Sussex as detailed in Schedule 4 of this MoU.

14. Schedule Review Mechanism

- 14.1. The review of this Schedule and its Appendices shall form an agenda point at the March SWOG meeting each year.
- 14.2. Any significant change to the content or processes that is either required or desired by the WDA or the WCAs shall be brought to this meeting for discussion and agreement. If agreement cannot be made at this meeting, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.
- 14.3. Any agreed change to the financial arrangements, processes, mechanisms or narrative of this Schedule shall then be made and submitted to SWOG no later than the May (in each given year) SWOG meeting for approval in readiness for the budget setting cycle in each Borough and District. Further agreement and approval may also be required from the Senior Finance Officer Group and the IAWG depending on the nature of the change.
- 14.4. Any in-year change to the content or processes that is necessitated by changes in law, commodity markets or contractual arrangements that affects the ability to deliver the requirements of this Schedule and its Appendices shall be reported to the SWOG as soon as known. Under such circumstances, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.
- 14.5.

Appendix 1. Input specification for wastes delivered to MRMC facilities.

This specification will relate to the type and composition of waste delivered but not the volume of waste.

The Input Specification will be reviewed annually and amended from time to time by agreement of the WCAs, the WDA and the MRM Contractor.

This may include

- Input specification for dry recyclables which shall be bulked and forwarded either to a MRF or other recycling process as directed by the WDA.
- Separately collected bio waste which shall be either treated by MRM Contractor or directed to alternative treatment processes by the WDA.

Where input specifications for specific categories of waste (such as dry recyclables or separately collected bio waste) are agreed and the composition of waste delivered by the WCAs deviates materially from this specification, the WDA may be required to adjust the payment to the MRM Contractor to take account of any increase or decrease in costs which the Contractor incurs as a result.

The responsibility for meeting any resultant increase in the payment to the MRM Contractor shall be subject to discussion and agreement through SWOG.

Schedule 3 - Service Requirement Plans/Performance Management

Service Requirement Plans

An important feature of more integrated working between the Waste Collection Authorities (WCAs) and the Waste Disposal Authority (WDA) is the need for shared planning and decision making and the need for effective communication to agree and co-ordinate joint activities. For example, the expansion of WCA recycling must be matched to the provision and availability of MRF and waste processing capacity. Similarly the design and layout of all work and recyclable reception arrangements must take into account decisions of the WCAs. A formalised approach to forward planning is therefore vital and the key stages of the process are outlined in the mechanism below.

Each WCA shall prepare a draft five-year Service Requirement Plan (SRP) setting out the following:

- Projected waste arisings, projected recycling tonnages and composting tonnages using the agreed format attached as Appendix 1.

The parties to this MOU recognise that the provision of infrastructure under the contract will depend upon the agreement and delivery of the SRP.

Aspirations in each draft SRP shall be subject to discussion and agreement between the WDA and each WCA in consultation with the Contractor. In agreeing final SRPs, each authority shall, amongst other things, take into account the following:

- The variation between projected and previous tonnages.
- Physical capacities and constraints (e.g. opening hours) on delivery points and processing facilities.
- Costs associated with processing additional quantities/materials and the
- Lead in time associated with providing/modifying the necessary facilities.

In considering the overall impact of any WCA's aspirations as set out in its SRP, account should be taken of the cumulative impact of the SRPs of other WCAs considered both on a local and countywide basis. Where any conflicts may arise this shall be escalated to the Strategic Waste Officers Group (SWOG) for discussion and resolution in accordance with Schedule 7 (Governance) as appropriate.

The WDA and the WCAs shall use their reasonable endeavours, to ensure that the objectives and targets of the County-wide MWMS and any Statutory Performance standards are individually and collectively met having regard to the availability of finance, practical considerations and the guiding principles

set out in the Memorandum of Understanding, to ensure that the aspirations of SRPs are achieved.

Each WCA shall update its SRP annually by rolling it forward by one year. This shall be completed in accordance with a programme to be set out in this Schedule.

Service Requirement Planning Mechanism

In order to ensure the successful provision of waste management facilities within the county, it is essential to develop an auditable annual service plan by each party signing up to the MOU, which can be agreed by the signatories as an accurate estimate of waste arisings.

Each plan developed by the parties will be for a period of 5 years. The service plan mechanism for updating these figures is set down below and will be carried out annually to ensure that the information and tonnage given to the contractors are accurate.

Service Planning Mechanism Annual Schedule -The agreed sequence of planning and providing the required information for service and delivery planning is set out in table 1 below:

Table 1

August	<ul style="list-style-type: none"> WDA sends out agreed Service Requirement Plan template. See Appendices 1 and 2.
	<ul style="list-style-type: none"> WCA complete and return templates including any proposed changes to service.
September	<p>The WDA will:</p> <ul style="list-style-type: none"> Undertake a sense check on SRPs to review any significant changes. Review previous years actuals against WCAs projections. Review service requests – major/ minor operational requests.
October/ November	<ul style="list-style-type: none"> Draft SRPs sent to contractors by the 1st October with provisional service requests. See Appendices 3 and 4. SWOG discuss key implications/ findings and Countywide initiatives for the forthcoming year. SWOG agree initiatives/ cost. SRP meetings with all WCAs to discuss plans.
December	<ul style="list-style-type: none"> Final SRP agreed and sent to contractors by 31st or the last working day of the month.

	<ul style="list-style-type: none"> • Communications plan developed to facilitate delivery of changes.
January/ February	<ul style="list-style-type: none"> • Contractors to respond by 31st January of any expected implications to service. • Agree programme for service changes.
March onwards	<ul style="list-style-type: none"> • Implement change programme

Note:

- Schemes may span more than one financial year to implement.
- Some schemes may be minor and could (if agreed by the contractor be implemented via contract review meetings).
- Some major schemes may require urgent implementation that can be actioned without the need to comply with the SRP (If it has the agreement of SWOG).

SRP Performance Management Mechanism.

Active management is required to monitor the projected waste tonnage arisings against actual waste arisings. This will ensure that the WDA and WCA can monitor and report progress against expected performance and take action when this deviates significantly.

Performance reviews shall incorporate the following:

- Baseline Countywide performance for residual waste and recycling streams.
- Highlight key trends for specific material streams.
- WCA individual performance trends.
- Highlight areas for action.

Quarterly and Annual reviews of the service plan projections shall be undertaken collectively by the WDA and individually by each WCA. A formalised approach to monitoring performance is therefore vital and the key stages of this process are outlined below.

Please see Appendix 5 for an example of the annual report format and Appendix 6 for an example of the quarterly report format.

The performance shall be formally reviewed by SWOG and IAWG.

Performance Management Annual Plan

Table 2

Month	Annual report	Quarterly Reviews

April - June	End of year review drafted (includes 4 th quarter review).	This Schedule and its Appendices to be reviewed by SWOG, all updates and amendments agreed by SWOG and in place in time for August each year.
July - Sept	End of year report circulated for discussion/agreement via SWOG. Communication Lines to take drafted and agreed.	1 st Quarter Review period (Apr – Jun). Report to SWOG
Oct- Dec	National recycling rates released. Baseline review of WDA and WCA performance against national rates.	2 nd Quarter Review period (Jul – Sept) Report to SWOG
Jan - Mar		3 rd Quarter Review period (Oct – Dec). Report to SWOG

Schedule Review Mechanism

The review of this Schedule and its Appendices shall form an agenda point at the March SWOG meeting each year.

Any significant change to the SRP content, processes and timetables that is either required or desired by the WDA or the WCAs shall be brought to this meeting for discussion and agreement.

Any agreed change to the SRP content, processes or timetables shall be made and submitted to SWOG no later than the June SWOG meeting for approval in readiness for the SRP cycle to commence in August of that calendar year as detailed in Table 1.

Attachments to this Schedule

- Appendix 1 – WCA SRP Template x 7.
- Appendix 2 – Service Change Assumptions Template.
- Appendix 3 – MRMC SRP Template.
- Appendix 4 – RWHC SRP Template.
- Appendix 5 – End of Year Report.
- Appendix 6 – Quarterly Performance Report.
- Appendix 7 – Service Change request.

Schedule 4: Waste Communications – Education and Minimisation Activities.

With challenging European targets of 50% recycling rates across West Sussex to be met by 2020 and 2030, the importance of an effective communications programme delivered through an integrated way of working between the Waste Collection Authorities (WCAs) and the Waste Disposal Authority (WDA) is essential.

Shared planning, decision making and the need for effective communication between parties to agree and co-ordinate joint activities to provide a single, coherent narrative regarding waste minimisation and recycling across West Sussex is required.

At an operational level projects are being developed to provide insight and options to help deliver the business objectives of WCAs and the WDA, and ultimately this strategy will support the outputs of these projects and utilise the insights provided.

Principles.

- Through partnership working across WCAs and the WDA, using the principles of this Schedule and the West Sussex Communications Group (Appendix 1) and WSOG (Appendix 2), and partners will work together to deliver clear, consistent, compelling, timely and targeted proactive and reactive messages across all partners at district, borough and county level.
- An annual proactive communication Annual Plan (Appendix 4) which maps the key overarching campaigns will be used by all parties to determine key communication messages on a monthly/quarterly basis.
- The Annual Plan will be discussed and updated on a monthly basis at the Comms Group by all attendees.
- WCAs will – where possible – align their local activity to the overarching messaging strategy.
- WCAs and the WDA will input to the Annual Communications plan and share their activity - messaging, channels, and timings.
- It is recognised that there is a variation in resource and budget for communications across the WCAs and WDA. To successfully plan and create proactive communications across the partnership, transparency of available budget and resource for communication activity is essential. As such WCAs and the WDA will share with the West Sussex Communications Group their communications budget allocation where possible.
It is recognised that the ability to provide this information may prove difficult for some WDAs.
- Annually there will be a review of the communications budget at the March SWOG review of this Schedule, to ensure there is an equitable amount of money spent on communications across the partnership. A wider discussion is needed to determine what is deemed 'equitable' by the partnership and what information can be provided for the purposes of communications planning.
- The WDA will continue to bid for available external funding bids and utilise for the benefit of the partnership.
- All parties will aim to utilise economies of scale regarding media buying and resource – this can best be achieved through an integrated approach to communications and sharing of information through the West Sussex Communications Group.
- Creative design developed by WCAs and the WDA where appropriate will be shared via the Knowledge Hub and Communications Group, and utilised to the benefit of the partnership objectives.

Resources.

- The WDA will continue to coordinate countywide activities in line with seasonal messaging and national campaigns working in close partnership with WCAs and Contractors.
- The Communications and Engagement Officer will provide support and continuity to the WSOG and Communications Group, facilitating integration of communications and operations on relevant projects.
- The WDA will continue to manage the schools education programme in partnership with WasteBuster, receiving direction from and reporting to SWOG.

Monitoring and Evaluation Measures.

Monitoring and evaluation of communication activity is important to determine the impact activity may be having on business objectives. Learning's and insights are essential to further develop communication activity across the partnership.

A 'test and learn' approach will be taken to communications activity during Year 1 (2016) with new approaches to partnership working, messaging and channels being trialled, with learning's reviewed and implemented accordingly in Year 2 (2017).

Schedule 4: Waste Communications – Education and Minimisation Activities.

- A robust approach to proactive campaign planning will be implemented at County level WCAs and WDA will aim to evaluate and measure all communications activity.
- Through the monthly Communications Group, WCAs and WDAs will share their online and offline evaluation, measurement and monitoring. The learning's will be used to inform future activity and spend.

Communications Governance (Appendix 3).

Communications Group:

Detailed Terms of Reference can be found in Appendix 1.

In summary, the Communications Group exists to strategically coordinate Waste recycling and minimisation communication key messages in West Sussex.

The attendees communicate and steer strategic decisions through a number of working groups which ultimately feed into an Inter-Authority Waste (Members) Group (IAWG).

The group provide feedback / updates / management, as necessary, on projects commissioned by the Strategic Waste Officers Group (SWOG).

Schedule Review Mechanism.

The review of this Schedule and its Appendices shall form an agenda point at the March SWOG meeting every year.

Any significant change to the content or processes that is either required or desired by the WDA or the WCAs shall be brought to this meeting for discussion and agreement.

Any agreed change to the content, processes or timetables shall be made and submitted to SWOG no later than the April SWOG meeting for approval.

Attachments to this Schedule.

Appendix 1 – West Sussex Waste Communications Group – Terms of Reference

Appendix 2 – West Sussex Operations Group – Terms of Reference

Appendix 3 – Annual Communications Plan 2015/2016 DRAFT

Appendix 4 – Communications Governance

Appendix 1 : West Sussex Waste Communications Group – Terms of Reference.

Schedule 4: Waste Communications – Education and Minimisation Activities.

Constitution:

The group represents all District and Borough Councils in West Sussex. It does not require attendance of an Officer from all District & Boroughs at all meetings, however it is expected that all District & Boroughs will have an input to the group. Representatives from WSCC, Viridor and Biffa. Other contractors to be included as needed.

Background:

The authorities responsible for 'Waste in West Sussex' maintain communication and steer strategic decisions through a number of working groups (SWOG/Comms/WSOG) which ultimately feed into an Inter-Authority Waste (Members) Group (IAWG).

The purpose of which is assist in the delivery of the core objectives outlined and set within the Joint Materials Resource Management Strategy (JMRMS) for West Sussex (2005-2035).

The group will provide feedback / updates / management, as necessary, on projects commissioned by the Strategic Waste Officers Group (SWOG).

Purpose:

To strategically coordinate 'Waste in West Sussex' key messages.

Scope:

Design, develop and deliver educational messages for use in the education rooms and trailer.

Agree waste prevention messages to be delivered.

Agree recycling messages to be delivered – including RQF messages.

Agree recovery messages to be delivered in support of the MRMC and RDF.

Agree residual waste messages to be delivered.

Design, develop and implement a coordinated annual Communications Plan.

Scope, scale and deliver 'value for money' projects to support the strategic aims and objectives of 'Waste in West Sussex'.

Report on, and make recommendations to SWOG on commissioned projects.

Discuss potential initiatives and best practice amongst District & Boroughs.

Outcome:

Delivery of coordinated strategic key messages to encourage the residents of West Sussex to reduce their waste and to put the 'right waste in the right bin'.

With the allocation of 'equitable' resource and budget for communications activity across the partnership – an improved 'buying power' across the partnership in relation to print and media buying.

Output:

Schedule 4: Waste Communications – Education and Minimisation Activities.

Annual Communications Plan.

Communication campaigns and materials.

Timescale:

The group shall meet monthly. Working groups to meet as required.

File:

Date: January 2016

Appendix 2 : Waste Operational Services Group (WOSG) – Terms of Reference.

Group Membership

The group shall be made up of one or two representatives from the following local authorities in West Sussex:

Adur District, Arun District, Chichester District, Crawley Borough, Horsham District, Mid Sussex District, Worthing Borough and West Sussex County Councils.

A representative from Viridor shall also attend the meeting when available and when appropriate a representative from the Environment Agency

Each of the representatives shall have the authority to speak on behalf of their authority at the meeting, and be sufficiently empowered to deliver and implement work resulting from the group and that from the Inter-Authority Waste Members Group and Strategic Waste (IAWG/SWOG) Groups.

The Chair of the Group will be drawn from a Borough or District representative and shall be expected to attend the SWOG meeting each month.

Schedule 4: Waste Communications – Education and Minimisation Activities.

The Secretary of the Group shall rotate to coincide with the member authority that is hosting the meeting, or otherwise agreed by the Chair.

Background

From the 1st April 2005, The West Sussex Waste Collection & Disposal Officers Forum was replaced by the Inter-Authority Waste Operational Services Group (IAWOSG). These Terms of Reference shall replace the West Sussex Waste Collection & Disposal Officers Forum Terms of Reference (v.0.4) dated 23.09.03.

Purpose

The main aims and purpose of the Waste Operational Services Group shall be to:

1. Report to, and take direction from the Strategic Waste Officers Group.
2. Aim to achieve integrated and co-ordinated operational delivery resulting from the implementation of policy and strategies as agreed at the IAWG/SWOG.
3. Monitor and report on the effectiveness and performance of operational services making recommendations as appropriate on new, improved and changed services.
4. Monitor, review and report on services, data management, and the implementation of harmonised arrangements.
5. Produce an annual work plan to be approved by the Strategic Waste Officer Group
6. To disseminate developments in waste management practice to all group members, with particular reference to new legislation.
7. To improve communication links with authorities working in associated fields for the benefit of service delivery.
8. To support the objectives of any agreed memorandum of understanding.

Output

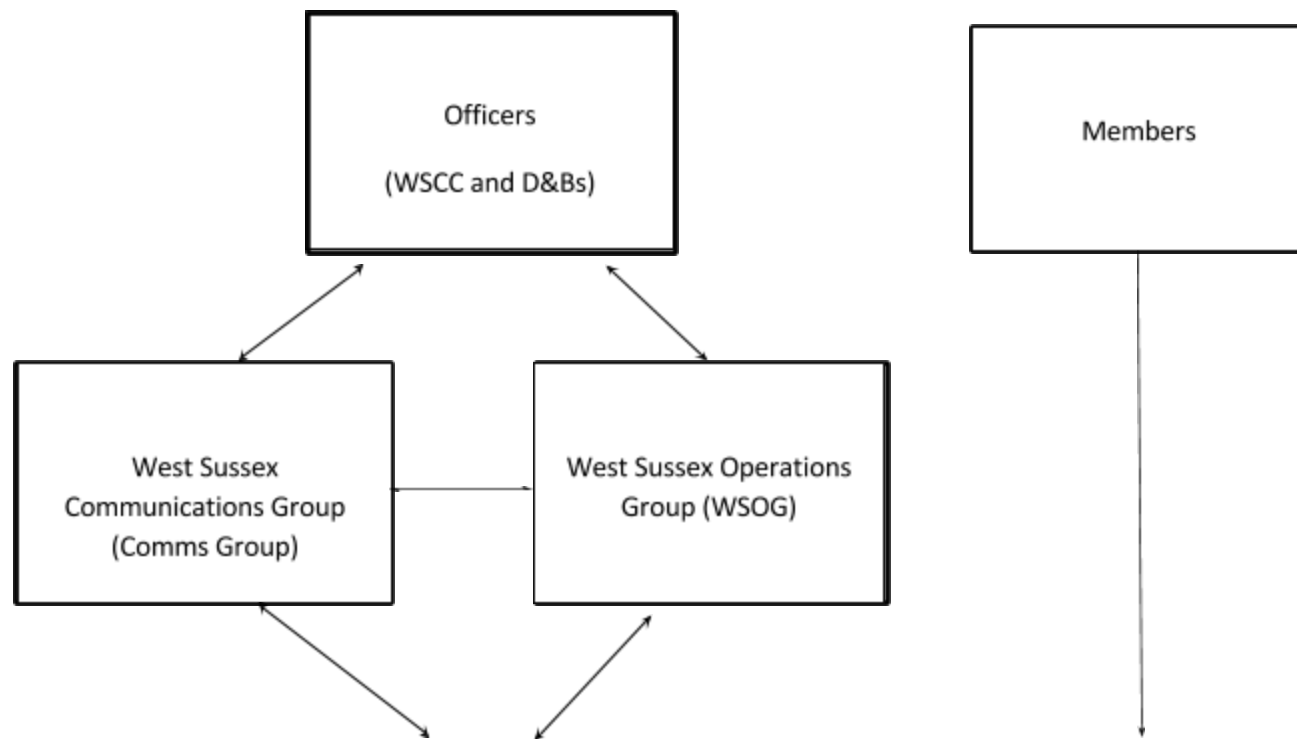
Minutes of each meeting will be taken by the Hosting Authority, and shall be distributed to group members, and the SWOG within two weeks of that meeting. Recommendations and reports to the SWOG shall be made with the minutes where appropriate, and in person by the Chair of the WOSG.

A plan of work and specific issues/topics for discussion shall be presented to the SWOG in April each year, by the Chair of the WOSG.

The WOSG shall meet on a monthly basis (unless otherwise agreed by its members), on the last Tuesday of each month.

Schedule 4: Waste Communications – Education and Minimisation Activities.

Appendix 3: Communications Governance.



Schedule 4: Waste Communications – Education and Minimisation Activities.

Appendix 4: Annual Communications Plan 2015/16

Overarching timeline of all Partnership Planned Campaigns

	2015												2016													
	Q4			Q1			Q2			Q3			Q4			Q1			Q2			Q3				
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		
WSSC - Countywide Campaigns	One More Bottle - Pledge4Plastics			Easter campaign - Pots, Tubs and Trays			Summer Recycling Campaign - 'Be a Sensational Recycler'			Composting	Halloween			WEEE Campaign (DTS Funded)						Summer Campaign			Halloween	Christmas Campaign - Glass		
								Thanks a Million Campaign (Plastics Theme) WRAP match funded			Keep it Dry Campaign (Paper and Card) WRAP match funded			Thank you! (Mixed Dry Recyclate) Campaign - WRAP match funded												
Waste Composition Analysis												Project planning			Ongoing campaign activity to be determined from analysis insights											
Waste Data Flow																										
Wastebuster and Viridor (Schools) Low performing area potential project										Project planning																
Quarterly Performance and Material Performance (WSOG led)												Provide quarter data to WSSC - Evaluate 2nd Quarter performance													Provide quarter data to WSSC - Evaluate 3rd Quarter performance	
Flats and HMO's																									Provide quarter data to WSSC - Evaluate 1st quarter performance	
																									Evaluate 3rd Quarter performance	

Schedule 5 – Other Waste Contracts Relating to the Partnership.

Overview and Inclusiveness.

As part of its statutory duties and its responsibilities under the governance (detailed in Schedule 7) of this Memorandum of Understanding (MOU), West Sussex County Council (WSSCC) manages several waste collection, disposal and management contracts, some of which have an impact onto the Boroughs and Districts. These contracts, along with their operational, financial and reporting mechanisms are detailed below.

Management of Abandoned Vehicles.

The Statutory Duty for removing and disposing of abandoned vehicles lie with the District and Borough Councils and the County Council respectively.

West Sussex County Council has a contract for managing Abandoned Vehicles with SRC Recycling Ltd (SRC). This contractor provides a service for collecting (recovering vehicles from the location they are found and storing in its yard) and disposing (including full depollution) of all abandoned vehicles within West Sussex. Therefore this service is an example of fully integrating the statutory collection and disposal duties into one contract across the County of West Sussex.

There is also a partnership for the administration of the abandoned vehicles process between all the Districts and Boroughs within East and West Sussex, the two County Councils, Brighton and Hove (unitary authority), the two Fire & Rescue Services and Sussex Police. This Partnership is known as Operation Crackdown and has been operating for over 10 years.

This multi-agency approach provides the support of Sussex Police in the form of a dedicated Police Constable and purposely developed IT system and telephone contact centre for those who need to call. The IT system allows people in Sussex to report abandoned vehicles online for the appropriate Local Authority and Police Officer to access this information, investigate and maintain accurate records of actions taken in each case. The result of this multi-agency approach is a quicker a more efficient way of removing abandoned vehicles across East and West Sussex. It is also worth noting that this is the only scheme of its kind in the UK.

Financial Arrangements.

The costs for collection and disposal are invoiced from SRC to WSSCC on a monthly basis and the appropriate collection and management charges are then invoiced to each District and Borough on a six monthly basis due to the

relatively low values involved. The charges for Crackdown are met by an annual invoice from Sussex Police to all partners in the scheme.

Clinical Waste Disposal Contract and Collection Arrangements.

The Districts and Borough Councils have a statutory duty to collect this waste that is produced by residents self-administering treatment in their homes. This includes offensive waste, sharps, infectious waste and syringes that may still contain an active pharmaceutical.

West Sussex County Council has a framework based, contract in place with Medisort Ltd for the disposal of all household healthcare (including Clinical) waste; this is collected from residents of West Sussex and delivered directly to Medisort's transfer station in Littlehampton. Collections are carried out either by the Districts & Boroughs or, in some cases, by Medisort Ltd.

Financial Arrangements.

The cost of collection is met by the waste collection authorities and the cost of disposal is met by the disposal authority. All parties are invoiced individually in this regard and no recharges or transfer of monies is required.

Other Contracts under the Control of West Sussex County Council.

West Sussex County Council also manage contracts as part of its statutory obligations, most significantly the restoration and management contracts associated with the closed landfill sites under its control. This significant contract and several smaller contracts and agreements under the control of the County fall outside the requirements and remit of this MoU and Schedule(s) with all legal, operational and financial obligations being the responsibility of the County Council. None of these legal, operational or financial obligations shall fall upon or be recharged to any District or Borough.

Future Contracts and Procurements.

With the increased need to separate and recover, reuse or recycle more waste streams currently being managed as part of the residual waste stream, there is the strong likelihood that additional contracts will be added to this schedule. Each future instance will be detailed separately within this Schedule with impacts represented within other Schedules as required.

Schedule Review Mechanism.

The review of this Schedule and its Appendices shall form an agenda point at the May SWOG meeting each year.

Any significant change to the content or processes that is either required or desired by the WDA or the WCAs shall be brought to this meeting for discussion and agreement. If agreement cannot be made at this meeting, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.

Schedule 6 – Financial Arrangements and Processes.

Overview and inclusiveness.

Under primary legislation set down in the Environmental Protection Act 1990¹ and associated legislation, plans and guidance, there is a requirement for a Waste Disposal Authority (WDA) to make financial payments to the Waste Collection Authority (ies) (WCA(s)) within its administrative boundaries, across several defined areas relating to waste collection, separation and delivery. Under the same Act, a WCA also has responsibilities and duties to its WDA regarding the management of wastes under its control.

In line with the existing informal partnership relationship, this Memorandum of Understanding (MoU) and governance arrangements in place between West Sussex County Council (WSCC) and its WCA's as detailed in Schedule 7, the need for a formalised and transparent approach to the management of financial mechanisms, its ability to be audited and its reporting structure is recognised and the key elements of these agreed processes and mechanisms are outlined within this Schedule and its Appendices.

This will include the financial arrangements, payment, reporting and review mechanisms relating to the following areas:

- The Recycling Base Payment from the WDA to the Boroughs and Districts.
- The Recycling Income Payment from the WDA to the Boroughs and Districts.
- Mechanisms for financial penalties and recharges.
- Operations – additional opening hours, tipping away arrangements etc.
- Commercial and industrial waste fees and charges.
- Partnership funded projects.
- Reward Payments.
- Allocation of funds.
- Contracts referred to in Schedule 5 – Other contracts

Base Payment.

The Base Payment payable to the Districts and Boroughs from the WDA represents the nett saving to the WDA of the diversion of the residual municipal waste stream under the control of the Districts and Boroughs from disposal for the purposes of recycling and reuse.

The Base Payment is calculated using the methodology stated in Explanatory Note 1 and 2, Costing Data and Allocation Data contained in Appendix 1 of this Schedule.

This calculation shall be reviewed and updated on an annual basis and reported to the SWOG as detailed in the 'Schedule Review Mechanism' section of this Schedule.

¹

<http://www.legislation.gov.uk/ukpga/1990/43/part/II/crossheading/collection-disposal-or-treatment-of-controlled-waste#commentary-c1902921>

Recycling Income Payment.

The Recycling Income Payment payable to the Districts and Boroughs from the WDA represents the quantities and financial values of the dry recyclable waste stream delivered to and processed at the Ford (and other) Material Recycling Facilities operated under the control of the WDA.

The Recycling Income Payment is calculated using the methodology stated in Explanatory Note 3 & 4, Recyclate Data and Allocation Data contained in Appendix 1 of this Schedule.

This calculation shall be reviewed and updated on an annual basis and reported to the SWOG as detailed in the 'Schedule Review Mechanism' section of this Schedule.

Funding Allocation

Base Payments and Recycling Income shall be allocated between each of the Boroughs and Districts by the process and mechanism stated in Explanatory Note 5, Recyclate Data and Allocation Data contained in Appendix 1 of this Schedule.

This calculation and its methodology shall be reviewed and updated on an annual basis and reported to the SWOG as detailed in the 'Schedule Review Mechanism' section of this Schedule.

Contingency Funds, Incentive Funding and Mechanisms for Quality Adjusted Financial Penalties.

Where these items are co-dependent and designed to provide financial neutrality in terms of financial penalties levied against the boroughs and districts providing the means for Incentive or Reward Funding, the methodology for calculating these items is stated in Explanatory Note 6, the Recyclate Data and Costing Data contained within Appendix 1 of this Schedule.

Reward Funding shall be allocated by a mechanism to be designed, created and approved by SWOG and IAWG in readiness for 'Year 2' (2017 - 18) of the Recycling Credit Model attached as Appendix 1.

Funding held by the WDA on behalf of the Boroughs and Districts shall not exceed 10% of the total monies due to each Borough or District in each and/or any financial year.

All financial information including current position and end of year forecasts regarding Contingency funding, Incentive funds and Financial Penalties shall be reported to SWOG on a quarterly basis.

Payment Methodology.

Payments including all adjustments due to the Boroughs and Districts for the above shall be made by the WDA as detailed in Explanatory Note 7 contained within Appendix 1 of this Schedule.

This payment methodology shall be reviewed and updated on an annual basis and reported to the SWOG as detailed in the 'Schedule Review Mechanism' section of this

Schedule.

Operations –

Additional opening hours.

Any charge levied by the WDA onto a Borough or District requesting additional opening hours at a waste Transfer station shall be determined and agreed on a case by case basis and based on current contract costs to the WDA.

Tipping away arrangements.

Any payment to any Borough or District by the WDA for planned 'Tipping Away' shall be determined and agreed on a case by case basis depending on circumstance and/or direction by the WDA and based on current contract costs to the WDA.

Commercial and industrial waste fees and charges.

The tonnage charge (gate fee) to any Borough or District delivering Commercial, Industrial and/or Non-Household Waste to any of the Waste Transfer Facilities under the control of the WDA shall form part of the 'Fees and Charges' regime managed by WSCC with costs for the following year published as soon as possible to financial close in each financial year.

Schedule Review Mechanism

The review of this Schedule and its Appendices shall form an agenda point at the May SWOG meeting each year.

Any significant change to the content or processes that is either required or desired by the WDA or the WCAs shall be brought to this meeting for discussion and agreement. If agreement cannot be made at this meeting, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.

Any agreed change to the financial arrangements, processes, mechanisms or narrative of this Schedule shall then be made and submitted to SWOG no later than the July (in each given year) SWOG meeting for approval in readiness for the budget setting cycle in each Borough and District. Further agreement and approval may also be required from the Senior Finance Officer Group and the IAWG depending on the nature of the change.

Any in-year change to the content or processes that is necessitated by changes in law, commodity markets or contractual arrangements that affects the ability to deliver the requirements of this Schedule and its Appendices shall be reported to the SWOG as soon as known. Under such circumstances, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.

Appendices to this Schedule

Appendix 1 – Recycling Credit Model 2016 – 17 Final (including 5 year model)

Schedule 7 – Memorandum of Understanding (MoU) Governance.

Overview and Inclusiveness.

In order to determine, deliver and report on the aims, objectives and outputs detailed in the main body of this Memorandum of Understanding document in line with the stated guiding principles (Section 4) and responsibilities (section 5), a system of Governance is required.

This system of governance shall also provide the mechanism for the cascading and escalation of issues and information between each group as well as providing a delivery mechanism for required and desired programmes and projects at each level of Governance.

The current Governance structure is demonstrated in Chart 1 below.

Chart 1



Inter-Authority Waste Group (IAWG).

The group shall be made up of the Executive Member or Portfolio Holder responsible for Waste Services from the Parties to this Memorandum of Understanding namely;

West Sussex County Council, Adur District & Worthing Borough Councils, Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid-Sussex District Council.

Each Executive Member shall also be accompanied by their respective SWOG member and other members of staff from their Authority.

The Group may also be attended by contractors or third parties as required.

The Inter-Authority Waste Group receives information and support directly from the Strategic Waste Officers Group and is responsible for agreeing the agenda for work and performance of the other officer groups.

The main aims and purpose of the Inter-Authority Waste Group shall be to:

1. To provide community and political leadership in the provision of improved co-ordinated waste management services.
2. Providing leadership to assist in meeting statutory obligations.
3. Promoting public awareness through consultation and participation.
4. Seeking to minimise environmental impact.
5. Seeking to maximise economic benefit at acceptable costs.
6. Building on existing resources and services.
7. Provide an integrated and co-ordinated approach.
8. Making decisions based on data and feedback information reports from officers of the various supporting groups.
9. To advise, influence, support and to provide guidance to the Joint Chief Executives Group, the Leaders Group and the Strategic Waste Officers Group.
10. To support the objectives of any agreed memoranda of understanding.
11. To elect a chair on an annual basis (Note – the IAWG chair and vice chair are positions traditionally held by WSCC members).

Current and full 'Terms of Reference' are attached as Appendix 1.

Strategic Waste Officers Group (SWOG).

The group shall be made up of the Council officer responsible for Waste Management Services from the Parties to this Memorandum of Understanding namely;

West Sussex County Council, Adur & Worthing District Councils, Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid-Sussex District Council.

The Strategic Waste Officers Group is the lead officers group which will also be represented at the Inter-Authority Waste Group to provide with first-hand information concerning wastes matters in West Sussex. The Strategic Waste Officers Group is responsible for setting the agenda for work and performance of the other officer groups.

The main aims and purpose of the Strategic Waste Officers Group shall be to:

1. To advise, influence and support Chief Executives, Leaders and Members to achieve the aims of the Inter Authority Waste Members Group.
2. To explore and bring forward options for an integrated and sustainable approach to the management of waste; having regard to the key principles of waste management.
3. To develop and recommend co-ordinated Policies, Strategies and Joint Initiatives for waste management within the existing legal and policy framework.
4. To ensure the effective liaison and co-operation between the Waste Collection Authorities (WCAs) and the Waste Disposal Authority (WDA) necessary to achieve targets and statutory obligations together with facilitating the letting of long term contracts.
5. To oversee, agree the work-plan and consider recommendations of the Waste Operational Services Group and the County Communications Group (Education & Awareness).
6. To support the objectives of any agreed memoranda of understanding.
7. To elect a chair on an annual basis (Note – the SWOG chair and vice chair are positions traditionally held by Borough and District group members)

Current and full 'Terms of Reference' are attached as Appendix 2.

County Communications Group (CCG).

The group shall be made up of one representative from the Parties to this Memorandum of Understanding namely;

West Sussex County Council, Adur & Worthing District Councils, Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid-Sussex District Council.

A representative from Viridor may also attend the meeting when available and when appropriate, representatives from Biffa may also attend the meeting.

The group does not require attendance of an Officer from all District & Boroughs at all meetings, however it is expected that all District & Boroughs will have an input to the group.

The authorities responsible for 'Waste in West Sussex' maintain communication and steer strategic decisions through SWOG which ultimately feed into the IAWG.

The main aims and purpose of the Waste Operational Services Group shall be to:

1. To strategically coordinate 'Waste in West Sussex' key messages.
2. Design, develop and deliver educational messages for use in the education rooms and trailer.
3. Agree waste prevention messages to be delivered.
4. Agree recycling messages to be delivered – including RQF messages.
5. Agree recovery messages to be delivered in support of the MRMC and RDF.
6. Agree residual waste messages to be delivered.
7. Design, develop and implement a coordinated annual Communications Plan.
8. Scope, scale and deliver 'value for money' projects to support the strategic aims and objectives of 'Waste in West Sussex'.
9. Report on, and make recommendations to SWOG on commissioned projects.
10. Discuss potential initiatives and best practice amongst District & Boroughs.

Current and full 'Terms of Reference' are attached as Appendix 3.

Waste Operational Services Group (WOSG).

The group shall be made up of one or two representatives from the Parties to this Memorandum of Understanding namely;

West Sussex County Council, Adur & Worthing District Councils, Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid-Sussex District Council.

Representatives from Viridor and Biffa may also attend the meeting when available and when appropriate a representative from the Environment Agency.

Each of the representatives shall have the authority to speak on behalf of their respective Borough or District at the meeting, and be sufficiently empowered to deliver and implement work resulting from the group and that from the IAWG and the SWOG.

The Chair of the Group will be selected from a Borough or District representative and shall be expected to attend and report to the SWOG meeting each month.

The Chair shall be elected or re-elected by majority vote of all Borough, District and County WOSG members on an annual basis with any change to the Chair being reported to and approved by SWOG on each occasion.

The main aims and purpose of the Waste Operational Services Group shall be to:

1. Report to, and take direction from the Strategic Waste Officers Group.
2. Aim to achieve integrated and co-ordinated operational delivery resulting from the implementation of policy and strategies as agreed at the IAWG/SWOG.
3. Monitor and report on the effectiveness and performance of operational services making recommendations as appropriate on new, improved and changed services.
4. Monitor, review and report on services, data management, and the implementation of harmonised arrangements.

5. Produce an annual work plan to be approved by the Strategic Waste Officer Group
6. To disseminate developments in waste management practice to all group members, with particular reference to new legislation.
7. To improve communication links with authorities working in associated fields for the benefit of service delivery.
8. To support the objectives of any agreed memorandum of understanding.

Current and full 'Terms of Reference' are attached as Appendix 4.

Waste Services Engagement Officer.

The above position, employed and funded directly by West Sussex County Council, has been created to provide the engagement and project management support between the CCG and WOSG.

As a minimum, the Officer will attend both meetings and be responsible for communicating work programmes and projects cascaded from the SWOG, create synergies between the two groups for the delivery of projects and serve as the conduit for reporting information back to the SWOG. This function is identified as the dotted line on Chart 1.

Schedule Review Mechanism.

The review of this Schedule shall form an agenda point at the May SWOG meeting each year.

Any significant change to the content or processes that is either required or desired by the WDA or the WCAs shall be brought to this meeting for discussion and agreement. If agreement cannot be made at this meeting, a 'Special SWOG' or 'Special MoU Working Group' meeting shall be convened to discuss the issues arising.

2016 MoU Schedule 7 – Appendix 1

Waste Groups in West Sussex

Inter-Authority Wastes Group

Constitution:

One elected member from each of the Waste Collection Authorities being;

- Adur & Worthing Councils (individually or collectively), Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid-Sussex District Council.
- Two elected members from West Sussex County Council (WDA).
- Officers representing the Strategic Waste Officers Group.

Background:

The Partner authorities responsible for wastes management in West Sussex maintain communication and steer strategic directions through a number of working groups which are led by the Inter-Authority Members Group. The Inter-Authority Waste Group receive information and support directly from the Strategic Waste Officers Group which will also be in attendance at meetings. The Inter-Authority Waste Group is responsible for agreeing the agenda for work and performance of the other officer groups detailed within this Schedule.

Purpose:

- To advise, influence and support Chief Executives, Leaders and Members to achieve the aims of the Inter Authority Waste Members Group.
- To explore and bring forward options for an integrated and sustainable approach to the management of waste; having regard to the key principles of waste management i.e. waste hierarchy, proximity principle and best practical environmental option.
- To develop and recommend co-ordinated Policies, Strategies and Joint Initiatives for waste management within the existing legal and policy framework.
- To ensure the effective liaison and co-operation between the Waste Collection Authorities (WCAs) and the Waste Disposal Authority (WDA)

necessary to achieve targets and statutory obligations together with facilitating the letting of long term contracts.

- To oversee, agree the work-plan and consider recommendations of the Contract Management Liaison Group, the Waste Operational Services Group and the New Initiatives Group (Education & Awareness).
- To support the objectives of any agreed Memoranda of Understanding.
- To elect a chair and vice chair on an annual basis.

Scope:

The Inter-Authority Waste Group will receive reports and recommendations from the other working groups as presented by the Strategic Waste Officer Group.

Recommendations and other decisions of the Group must have the affirmative vote of all those voting on the matter.

Outcome:

The Group will make decisions concerning the strategic direction of wastes management in West Sussex. The Group will advise the Chief Executives in West Sussex on strategic decisions concerning wastes management.

Output:

Minutes of all meetings of the Group and recommendations made by the Group will be maintained by the Chair and circulated promptly to all the participants within 5 working days of the meeting.

Timescale:

The Group shall meet every 2 or 3 months or more frequently, as agreed by the Group. Meetings shall be convened on the xx of the month

2016 MoU Schedule 7 – Appendix 2

Waste Groups in West Sussex

STRATEGIC WASTE OFFICERS GROUP

Constitution:

Officers from each of the Waste Collection Authorities;

Adur & Worthing Councils (individually or collectively), Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid-Sussex District Council.

Two officers from the Waste Disposal Authority, Waste Management Services department.

One officer from the County Council representing the Planning Authority. (When required).

A representative from the Environment Agency. (When required).

Such other officers, contractors, subcontractors, regulators as the group shall nominate from time to time on an 'as required' basis.

Background:

The authorities responsible for wastes management in West Sussex maintain communication and steer strategic directions through a number of working groups which ultimately feed into an Inter-Authority Members Group. The Strategic Waste Officers Group is the lead officers group which will also be represented at the Members Group to provide elected Members with first hand information concerning wastes matters in West Sussex. The Strategic Waste Officers Group is responsible for setting the agenda for work and performance of the other officer groups.

Purpose:

1. To advise, influence and support Chief Executives, Leaders and Members to achieve the aims of the Inter Authority Waste Members Group
2. To explore and bring forward options for an integrated and sustainable approach to the management of waste; having regard to the key principles of waste management i.e. waste hierarchy, proximity principle and best practical environmental option.

3. To develop and recommend co-ordinated Policies, Strategies and Joint Initiatives for waste management within the existing legal and policy framework
4. To ensure the effective liaison and co-operation between the Waste Collection Authorities (WCAs) and the Waste Disposal Authority (WDA) necessary to achieve targets and statutory obligations together with facilitating the letting of long term contracts.
5. To oversee, agree the work-plan and consider recommendations of the Contract Management Liaison Group, the Waste Operational Services Group and the New Initiatives Group (Education & Awareness)
6. To support the objectives of any agreed memoranda of understanding
7. To elect a chair

Scope:

The Strategic Waste Group will receive reports from the nominated working groups and any designated sub-groups, and it considers the implications. It will make recommendations to the working groups and also to the Inter-Authority Waste Group.

Recommendations and other decisions of the working group must have the affirmative vote of all those voting on the matter.

Outcome:

The working group will make recommendations to the Inter-Authority Waste Group and to the reporting officer groups. It will monitor the performance of the officer groups and consider any changes required to bring about more effective performance.

Output:

Minutes of all meetings of the group and recommendations made by the group will be maintained by the Chair and circulated promptly to all participants within 5 working days of the meeting.

Timescale:

The group shall meet on a monthly basis. Meetings shall be convened on the xx of each month.

File: WD38/2

Date: 25-May-05



ADUR & WORTHING
COUNCILS

Joint Strategic Committee
10 October 2017
Agenda Item 9

Key Decision [~~Yes~~/No]

Ward(s) Affected:All

Private Sector Housing Enforcement Policy - update for new legislation

Report by the Director for Communities

Executive Summary

1. Purpose

- 1.1. This report asks the Joint Strategic Committee to approve the adoption of a revised Private Sector Housing Enforcement Policy, which enables the Council to use two new measures introduced by the Housing and Planning Act 2016, namely civil penalties and extended rent repayment orders.
- 1.2. Adopting this policy will allow the Councils to retain income received from civil penalties or rent repayment orders provided that it is used to further our statutory functions in relation to our enforcement activities covering the private rented sector.

2. Recommendations

- 2.1.
- 2.2. The Joint Strategic Committee is recommended to:
 - i) approve the new draft enforcement policy.
 - ii) note that the approved policy is put out for consultation for 6 weeks after approval. This will be via the Council's' website in order to gain opinion from tenants and landlords.
 - iii) approve that the Private Sector Housing Manager can make minor and/or inconsequential changes to the policy arising from the consultation process to prevent the need to revert back to the

Committee in consultation with the Executive Member for Customer Services.

- iv) note that the Enforcement policy will be published and operational from 1 December 2017 and updated every 3 years (December 2020) unless there is a significant change in UK legal/enforcement guidance.

3. Context

- 3.1. The Private Sector Housing (PSH) Team were formed as part of the restructure of the Environmental Health section in April 2016 and now falls under the Housing function.
- 3.2. Poor housing is one of the main pre-determinants of poor public health and the stated aim of the PSH team is to 'help people remain safely in their homes for longer'. PSH achieve this by a combination of grants (mandatory Disabled Facility Grant (DFG) and the discretionary Repair Grant Assistance (RGA) scheme), assistance (Community Alarm and Telecare Service (CATS) and the Home Improvement Agency (AWHIA)), licensing (House in Multiple Occupation (HMOs) and enforcing legislation in respect of Housing Conditions.
- 3.3. The private rented sector is an important part of the housing market housing approximately 20% of households in Adur & Worthing. The vast majority of landlords provide good accommodation, but central government has made it clear that it expects local authorities to crack down on the small number of rogue or criminal landlords who knowingly rent out unsafe and substandard accommodation.
- 3.4. Due to the impact that poor housing can have on tenants and in line with central government guidance, the PSH team already take a robust approach to enforcing housing legislation to make effective use of the available resources.
- 3.5. During 2016/17, the team received 365 complaints about housing conditions, carried out 127 formal inspections, issued 148 notices and completed 6 prosecutions.
- 3.6. On 6 April 2017, two new provisions came into force under the Housing and Planning Act 2016, namely Civil Penalty Notices (CPN) and extended Rent Repayment Orders (RRO). Ministers have made it

very clear that they expected these powers to be used robustly as a way of clamping down on criminal landlords stating that:

“[it is necessary to] clamp down on rogue landlords, so the civil penalty [has been increased] up to a maximum of £30,000 “

“It is important [to] raise the level of civil penalty to £30,000, because a smaller fine may not be significant enough for landlords who flout the law to think seriously about their behaviour and provide good quality, private sector rented accommodation for their tenants”

and

“[This] will enable councils to issue remedy payment orders for up to 12 months. That will give them a resource that [it is hoped] they will use”

4. Issues for consideration

- 4.1. Income received from civil penalties or rent repayment orders can be retained by the Council provided that it is used to further our statutory functions in relation to our enforcement activities covering the private rented sector, but we are required to have a policy in place to use these powers.
- 4.2. The Department for Communities and Local Government have issued two sets of guidance notes (“the Guidance”) with respect to the new powers, namely ‘Civil penalties under the Housing and Planning Act 2016’ and ‘Rent repayment orders under the Housing and Planning Act 2016’.
- 4.3. The Guidance makes it clear that prosecution must still be an option (in particular for offences such as breach of a Prohibition Order), but local housing authorities are expected to use a combination of CPNs, RROs and prosecutions to crack down on rogue landlords and disrupt their business model.
- 4.4. The Guidance specifies that local housing authorities must have policies in place before they can use the new powers. These requirements coincide with the need to review the PSH enforcement policy following the restructure of environmental health in 2016.
- 4.5. Local housing authorities also retain the power to charge for the service of enforcement notices under the Housing Act 2004

- 4.6. The purpose of this Enforcement Policy is to detail the process all officers will use when deciding what action to take when carrying out their statutory duties on behalf of the Private Sector Housing (PSH) team.

5. Engagement and Communication

- 5.1. Legal services have been consulted on the content of the policy and changes made.
- 5.2. The new powers have been discussed in professional liaison groups and these indicate that the use proposed in the enforcement policy is in line with other Sussex authorities.
- 5.3. The approved policy will be put out for consultation for 6 weeks after approval. This will be via the Council's' website in order to gain opinion from tenants and landlords.

6. Financial Implications

- 6.1. The average fine from the six prosecutions taken by legal services on behalf of PSH during 2016/17 was £2,000, plus costs, and the fines are paid to central government funds. In the most recent case, the fine only amounted to £400 and the costs awarded by the court were only 10% of those incurred by the Council.
- 6.2. If the new powers had been available during 2016/17, then it is likely that the Councils would have recouped £30 - £40,000.
- 6.3. It is difficult to predict the level of enforcement activity in any given year consequently at this time it would not be appropriate to budget for a likely annual income, but the established pattern of enforcement would indicate a potential net income to the Councils.
- 6.4. Any enforcement activity would be carried out by existing staff and so there are no adverse budgetary implications arising from the proposals within the report.

7. Legal Implications

- 7.1. The content of the enforcement policy has been reviewed by the legal services team and changes made to reflect comments made.
- 7.2. Section 3 Housing Act 2004 places a duty upon all Housing Authorities to keep the housing conditions within its area under review with a view to identifying any action that may need to be taken by them, including appropriate enforcement action, to ensure the standard and safety of the housing stock. The adoption and maintenance of an appropriate enforcement policy is necessary to ensure a fair, consistent and transparent approach against those found to be in breach of the legislative provisions.

- 7.3. Section 9 of the 2004 Act states,

“(1)The appropriate national authority may give guidance to local housing authorities about exercising—

(a) their functions under this Chapter in relation to the inspection of premises and the assessment of hazards,

(b)their functions under Chapter 2 of this Part in relation to improvement notices, prohibition orders or hazard awareness notices,

(c)their functions under Chapter 3 in relation to emergency remedial action and emergency prohibition orders, or

(d)their functions under Part 9 of the Housing Act 1985 (c. 68) in relation to demolition orders and slum clearance.

(2)A local housing authority must have regard to any guidance for the time being given under this section.”

While Schedule 13A of the 2004 Act, as provided for by Schedule 9 Housing and Planning Act 2016, places a similar requirement to have regard to guidance produced by the secretary of state for the purpose of considering financial penalties to be imposed.

- 7.4. The Housing and Planning Act 2016, expanded the range of remedies available to local authorities in determining the appropriate action to be taken for the purpose of the Housing Act 2004 against rogue landlords. It opened up the ability of the Council to impose civil penalties as an alternative to criminal sanction for ‘specified housing offences’, and to extend the application of rent repayment orders in accordance with Part 2 Chapter 4 of the 2016 Act.

- 7.5. Appropriate guidance, pursuant to the 2004 and 2016 Act has been provided, and failure to reference the amendments in legislation and guidance would hamper the efforts of the Authority to improve housing conditions within its area.

Background Papers

- Private Sector Housing Enforcement Policy

Officer Contact Details:-

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Private Sector Housing Manager

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Sustainability & Risk Assessment

1. Economic

The enforcement policy addresses the minority of housing in the private rented sector that are sub-standard and present a risk to the health and safety of residents and visitors. Effective and well-publicised interventions improve housing quality raises confidence and encourages people to invest in the area.

2. Social

2.1 Social Value

The private rented sector is an increasingly important contributor to the housing stock and it is important that residents have an expectation of good quality safe housing. The policy seeks to ensure that there is no economic advantage to renting out unsafe properties.

2.2 Equality Issues

Matter considered and no issues identified

2.3 Community Safety Issues (Section 17)

Poor housing is an indicator of, and possibly a precursor, anti-social behaviour. Driving up standards of housing will have a positive effect on reducing neighbourhood problems.

2.4 Human Rights Issues

Matter considered and no issues identified

3. Environmental

Matter considered and no issues identified

4. Governance

The policy impacts upon Our Social Economy in respect of the supply of safe homes.

The policy impacts upon Services and Solutions for our Places in respect of 4.4 Regulatory change and competition for core services.



ADUR & WORTHING
COUNCILS

PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

1. PURPOSE OF THE POLICY

1.1. The purpose of this Enforcement Policy is to detail the process all officers will use when deciding what action to take when carrying out their statutory duties on behalf of the Private Sector Housing (PSH) team. It should be read with reference to the documents referred to in section 2 below.

1.2. The main areas of work covered by this Enforcement Policy are:

Private Sector Housing Conditions: Acting on intelligence received about housing conditions (including complaints) to include inspections, the service of formal notices and prosecutions where appropriate.

Houses in Multiple Occupation: Identifying houses in multiple occupation (HMOs), ensuring the higher standards of management are applied and implementing the mandatory HMO licensing scheme.

Filthy & Verminous: Engaging with, encouraging, persuading or coercing hoarders or occupiers of filthy or verminous dwellings to clean their properties to prevent smells and insects and reduce the risk of rats or mice.

Statutory nuisance: Requiring owners of poorly maintained or derelict properties to carry out works to prevent damage to neighbouring properties or nuisance to tenants.

Empty Homes: reduce housing need by bringing long-term empty homes back into use. This involves using a combination of grants, loans and enforcement to persuade owners to sell, rent or otherwise make a dwelling a home again.

2. RELATED DOCUMENTS

2.1. Documents related to this Policy include:

- The Code for Crown Prosecutors
- Criminal Procedure and Investigations Act 1996 (CPIA) and associated Code
- Police & Criminal Evidence Act 1984 (PACE) and associated Codes
- The Enforcement Concordat
- The Regulators' Code
- Regulation of Investigatory Powers Act 2000
- Legislation and statutory guidance relating to each service area
- Procedures and guidance notes within each team.

3. INTRODUCTION

3.1. This Enforcement Policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. This is in accordance with the Regulators' Code.

3.2. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

3.3. The aim of the Services is to improve the health, safety and wellbeing of our residents, visitors and business community. To help us achieve this we will:-

- Work within the legal framework and apply the law fairly;
- Make the service accessible to all sectors of the community;
- Remain responsive to customer needs;
- Deal with customers with honesty and integrity;
- Work in partnership with groups which represent our customers;
- Use the resources available to the maximum benefit of our customers;
- Train and develop our staff to ensure their effectiveness;
- Treat our customers equally in line with the Equality Policy.

3.4. These objectives will be achieved through guidance, advice and appropriate legal action, including the service of statutory notices, and prosecution.

- 3.5. The Human Rights Act 1998, which fully came into force on 2nd October 2000 places general obligations on enforcement bodies to ensure fair treatment for all, to prevent any form of prejudice and to provide a right to privacy. This policy reflects the provisions of this Act in general terms as officers we are required to follow agreed policies and procedures and work within our legal powers. Individual team procedures and guidance notes will cover specific areas of our work where particular care must be taken to ensure the Act is followed.
- 3.6. The case officers will ensure that their enforcement actions follow all aspects of good enforcement practice in accordance with the elements of the Enforcement Concordat. The use of enforcement will be proportional to any offence committed, consistent in application (including consistency with other local authorities or enforcement agencies), transparent in its use and appropriate to the circumstances of the particular case in question.
- 3.7. PSH will carry out their enforcement functions in an equitable, practical and consistent manner and to this end are committed to:-
- Drawing up clear standards, setting out the level of service and performance the public and business people can expect to receive;
 - Dealing with the public and business community in an open and honest way;
 - Providing a courteous, efficient and helpful service;
 - Responding promptly and positively to complaints about the service;
 - Ensuring that enforcement action is proportionate to the risks in each case.
- 3.8. While it is understood that it is primarily the responsibility of individuals and businesses to ensure compliance with relevant legislation, the Council will help them, where possible, to understand their legal responsibilities. The aim of the Council is to secure compliance with the legislation, which it will do by making the most efficient use of the Council's resources.
- 3.9. This Policy supports and supplements specific guidance on enforcement action contained in statutory Codes of Practice, Government guidelines, approved industry guides, co-ordinating bodies such as the Better Regulation Delivery Office (BRDO) and other approved sources.

4. RESPONSIBILITIES

- 4.1. The Private Sector Housing Manager (PSH Manager) is responsible for keeping this Enforcement Policy under review and monitoring it. It is recommended a full review is carried out every three years.
- 4.2. Where authorisation levels are specified within the document, those are considered to be the lowest level of seniority at which such action may be authorised.
- 4.3. All officers have individual responsibility for complying with the Enforcement Policy and must use the most appropriate legislation.
- 4.4. For the purposes of the Criminal Procedure and Investigations Act 1996 the officer initiating the case (the case officer) shall perform the function of Disclosure Officer for that case.
- 4.5. For the purposes of the Regulation of Investigatory Powers Act 2000, the Directors and Chief Executive are the Authorising Officers at the Councils for surveillance operations.
- 4.6. Where a shared enforcement role is identified, the PSH team will liaise with other agencies that may have a shared or complementary enforcement role, to prevent any conflict. Such partners include the West Sussex Fire and Rescue Service (WSFRS), Police, Trading Standards, Building Control, Planning, Immigration, etc.
- 4.7. Where premises subject to enforcement action are owned or managed by the local authority, all activities will be undertaken in accordance with procedures for non-local authority premises. In cases where statutory action would normally be taken, the PSH Manager will be informed at the earliest opportunity.
- 4.8. Any departure from the policy must be exceptional, justifiable and fully considered by the PSH Manager having regard to risks to public health, safety and welfare.
- 4.9. Under the Council's constitution and scheme of delegation the decision as to whether a prosecution or caution is appropriate in relevant cases will lie with the Head of Legal, following a review of the case with the case officer.

4.10. For the purposes of administering Simple Cautions the Head of Legal shall be designated as the "Cautioning Officer".

4.11. The training requirements to achieve and maintain the necessary competence levels for authorised officers will be regularly reviewed by the PSH Manager and training resources will be prioritised accordingly.

5. TRAINING, COMPETENCY AND AUTHORISATION

5.1. Only officers authorised by the Head of Wellbeing may undertake enforcement duties. The Head of Wellbeing will only authorise officers when satisfied with their level of qualification, training and experience. Newly appointed or transferred officers will also be assessed by the PSH Manager for competency and referred for training where necessary, in line with the Councils' training policy.

5.2. Officers undertaking enforcement duties will be suitably trained and qualified to ensure they are fully competent to undertake their enforcement activities. Qualifications will be based on current government guidance, where applicable. Appropriate training programmes for officers will be set up to achieve the necessary competence. The training requirements to achieve the necessary level of competence will be regularly reviewed by the PSH Manager. Training will be prioritised within available resources.

6. MANAGEMENT SYSTEMS

6.1. The Council will maintain a management system to monitor and review the quality and nature of the enforcement activities undertaken in the team in order to demonstrate the effectiveness of the policy with respect to its aims and objectives and to recommend changes and improvements. Issues arising and variations from this policy will be reported through the Private Sector Housing Team Meetings.

6.2. The PSH Manager will ensure all staff are trained to ensure they are fully conversant with this policy and arrange retraining and updating when necessary.

7. ENFORCEMENT OPTIONS

- 7.1. The officers will strive to ensure that all enforcement decisions are consistent, balanced, fair, and relate to common standards that ensure that the public and others are adequately protected. .
- 7.2. In order to achieve and maintain consistency of enforcement, officers will follow all official guidance and codes of practice.
- 7.3. In coming to any enforcement decisions consideration will be given to the following factors::
 - The seriousness of the deficiencies identified in the dwelling;
 - The past history of compliance;
 - The confidence in management and the degree of wilfulness involved;
 - The consequences of non-compliance;
 - The existence of statutory duties or discretionary powers;
 - The likely effectiveness of the various enforcement options;
- 7.4. In the event of a contravention being detected then the enforcement options available to the Council include:
 - To take no action;
 - To take informal action;
 - To take formal action;
 - To issue a Civil Penalty Notice;
 - To prosecute;
 - Simple caution;
 - Execution of work required by statutory notice where the recipient has not complied (Works in default)
 - Rent Repayment Orders
- 7.5. Enforcement options may escalate up through the list so that informal action may lead to formal action, etc. dependent upon the success or otherwise of interventions, but this staged escalation will not be appropriate in each case and an intervention at the higher end of the enforcement spectrum may be necessary. In some cases a combination of enforcement options may be appropriate.
- 7.6. Officers will comply with Codes B, C and E of the Police and Criminal Evidence Act 1984 as it relates to local authority enforcement.

7.7. Enforcement options specific to the PSH function are detailed in Appendix 1-3 below

8. STATUTORY NOTICES

8.1. The statutory notice procedures will in general be used to enforce legislation which relates to risks to health or quality of life.

8.2. Failure to comply with statutory notices will, other than in exceptional circumstances, result in the issuing of a civil penalty notice, prosecution and/or works in default and the Council will seek to recover the costs from the relevant person.

8.3. All statutory notices and intentions to serve a statutory notice will be signed by appropriately trained, experienced and authorised officers. The officer will be satisfied that the contravention is significant and that all appropriate criteria are met. Sufficient evidence will be available to justify the notice, and details of all evidence will be properly recorded to satisfy PACE and CPIA requirements and any other area of relevant legislation.

8.4. Time limits given within notices will be reasonable and in accordance with statutory requirements.

8.5. Other relevant bodies will be informed of the action as necessary, for example tenants and persons with a legal or financial interest in the property, and copies will be forwarded on request.

8.6. Recipients of notices will always be informed in writing of their rights to appeal and these will normally be on the rear of the notice unless otherwise stated. They will also be informed in writing of the consequences of non-compliance.

8.7. Compliance with the notice will be checked as soon as possible after the expiry date of the notice, unless an extended timescale has been agreed. Requests for time extensions to notices will be agreed if the request is reasonable and justifiable. Confirmation of an extension or reason for a rejection of an extension will be put in writing to the applicant and will be dependent on the facts of each case.

9. SIMPLE CAUTIONS

- 9.1. The current guidance is the Ministry of Justice – Simple Cautions for Adult Offenders (the latest version is dated 13 April 2015). A Simple Caution (once known as a formal or police caution) is a formal warning that may be given to persons aged 18 or over who agree to it and admit to committing an offence. The Simple Caution scheme is designed to provide a means of dealing with low-level, mainly first-time, offending without a prosecution. Simple cautioning is not to be used as an alternative to a weak prosecution case.
- 9.2. A prosecution will only take place where it is in the public interest and where there is sufficient evidence (see section 11 below) to support that course of action. In a case where there is sufficient evidence to warrant a prosecution but the public interest would not benefit from such a course of action, then a Simple Caution may well be an alternative.
- 9.3. In deciding whether to offer a Simple Caution the Full Code Test as set out in the Code for Crown Prosecutions must be applied.
- 9.4. Such cases should be fully considered by the case officer who will present the case to the Head of Legal Services for authority to issue a Simple Caution.
- 9.5. The Cautioning Officer will be the Solicitor to the Council, who is the Head of Legal Services and the cautioning procedure in the Ministry of Justice guidance will be followed.
- 9.6. Where appropriate the issue of a simple caution will be notified to a home authority, originating authority, lead authority or primary authority.
- 9.7. If an offender refuses to accept a formal caution, the delegated officer will refer the matter to the Head of Legal who may pursue a prosecution, taking into account the relevant guidance and the Council's Constitution.

10. CIVIL PENALTY NOTICES

10.1. Local housing authorities are able to impose a civil penalty as an alternative to prosecution for the following offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice (section 30);
- Offences in relation to licensing of Houses in Multiple Occupation (section 72);
- Offences in relation to licensing of houses under Part 3 of the Act (section 95);
- Offences of contravention of an overcrowding notice (section 139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234)

10.2. Income received from a civil penalty notice can be retained by the Council provided that it is used to further the local authority's statutory functions in relation to their enforcement activities covering the private rented sector, as specified in Regulations

10.3. The level of civil penalty to be imposed has to be determined on a case-by-case basis up to a maximum of £30,000 and the following factors must be considered to help ensure that the civil penalty is set at an appropriate level::

- **Severity of the offence.** The more serious the offence, the higher the penalty should be.
- **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
- **The harm caused to the tenant.** This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
- **Punishment of the offender.** A civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.
- **Deter the offender from repeating the offence.** The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.

- **Deter others from committing similar offences.** While the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.
- **Remove any financial benefit the offender may have obtained as a result of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

11. RENT REPAYMENT ORDERS

- 11.1. The Housing Act 2004 introduced rent repayment orders (RROs) to cover situations where the landlord of a property had failed to obtain a licence for a property that was required to be licensed, specifically offences in relation to licensing of Houses in Multiple Occupation (section 72(1)) and offences in relation to licensing of houses under Part 3 of the Act (section 95(1)).
- 11.2. Rent repayment orders have now been extended through Chapter 4 of Part 2 of the Housing and Planning Act 2016 to cover the following offences:
- Failure to comply with an Improvement Notice (section 30 Housing Act 2004);
 - Failure to comply with a Prohibition Order (section 32 Housing Act 2004);
 - Breach of a banning order (section 21 Housing and Planning Act 2016);
 - Using violence to secure entry to a property (section 6 Criminal Law Act 1977); and
 - Illegal eviction or harassment of the occupiers of a property (section 1 Protection from Eviction Act 1977).
- 11.3. Income received from a rent repayment order can be retained by the Council provided that it is used to further the local authority's statutory functions in relation to their enforcement activities covering the private rented sector, as specified in Regulations
- 11.4. An application for an RRO is made to the First-Tier Tribunal and can be applied for when the landlord has committed an offence, whether or not a landlord has been convicted of one of the offences listed above.

- 11.5. Both local housing authorities and tenants have the power to apply for RROs and the maximum amount of rent that can be recovered is capped at 12 months.
- 11.6. If a local housing authority becomes aware that a person who is a landlord has been convicted of any of the relevant offences, and the offence was committed in their area, it must consider applying for a rent repayment order.
- 11.7. The Council will apply for an RRO where:
- A landlord has been successfully prosecuted for one of the relevant offences and at least one of the tenants affected was in receipt of housing benefit or universal credit.
 - An RRO is likely to present a greater pecuniary penalty and deterrent than prosecution and at least one of the tenants affected was in receipt of housing benefit or universal credit.
 - A fixed penalty notice has been issued and at least one of the tenants affected was in receipt of housing benefit or universal credit.
- 11.8. The Council will assist tenants who are not in receipt of housing benefit or universal credit to apply for an RRO in the circumstances above by providing statements and advice.
- 11.9. Where an application for a rent repayment order is made and the landlord has not been convicted of the offence for which the rent repayment order application is being made, the First-tier Tribunal will need to be satisfied beyond reasonable doubt that the landlord has committed the offence i.e. A criminal standard of proof is required.
- 11.10. Where a landlord has been convicted of the offence to which the rent repayment order relates, the First-tier Tribunal must order that the maximum amount of rent is repaid (capped at a maximum of 12 months).
- 11.11. Where a landlord has not been convicted of the offence to which the rent repayment order application relates, the following factors should be taken into account when considering how much rent a local housing authority should seek to recover:
- **Punishment of the offender.** Rent repayment orders should have a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities. We will consider the conduct of the landlord and tenant, the financial circumstances of the landlord and whether the landlord has previously been convicted of similar offences;
 - **Deter the offender from repeating the offence.** The level of the penalty should be set at a high enough level such that it is likely to deter the offender from repeating the offence;

- **Dissuade others from committing similar offences.** Rent repayment orders are imposed by the First-tier Tribunal and so the fact someone has received a rent repayment order will be in the public domain. Robust and proportionate use of rent repayment orders is likely to help ensure others comply with their responsibilities.
 - **Remove any financial benefit the offender may have obtained as a result of committing the offence.** This is an important element of rent repayment orders: the landlord is forced to repay rent, and thereby loses much, if not all, of the benefit that accrued to them by not complying with their responsibilities.
- 11.12. In deciding whether to apply for a rent repayment order, the Council must have regard to 'Rent repayment orders under the Housing and Planning Act 2016 - Guidance for Local Housing Authorities'. This process applies whether or not the landlord has been convicted of the offence:
- 11.13. Before applying for a rent repayment order, the Council must give the landlord a notice of intended proceedings;
- A notice of intended proceedings must be served within 12 months of the date on which the landlord committed the offence to which it relates;
 - A notice of intended proceedings must inform the landlord that the Council is proposing to apply for a rent repayment order and explain why;
 - State the amount that the Council is seeking to recover;
 - Invite the landlord to make representations within a period specified in the notice which must be at least 28 days.
 - The Council must consider any representations made within the notice period;
 - The Council must not apply to the First-tier Tribunal for a rent repayment order until the period specified in the notice of intended proceedings has expired;
 - An application for a rent repayment order can be made to the First-tier Tribunal once the notice has been made and the time for representations has passed.
- 11.14. Where the landlord fails to pay a rent repayment order, the Council will refer the case to the county court for an Order of that Court. If necessary, the Council will use county court bailiffs to enforce the order and recover the debt.

12. PROSECUTION

12.1. The Councils recognise that the decision to prosecute is significant and could have far reaching consequences for all involved including defendants, victims and witnesses.

12.2. It will be for the case officer to decide whether prosecution is appropriate in any individual case, but the case will be discussed with the PSH Manager prior to referring any case to the legal department. The case officer will then produce a case file and briefing note for the Legal department, who will decide whether the case meets the requirements of the Code of Practice for Crown Prosecutors.

12.3. It follows that a prosecution will only be progressed when the case has passed both the evidential test and the public interest test. The decision to proceed with a prosecution rests with the Head of Legal Services.

The Evidential Stage

12.4. For any prosecution to proceed, the Council must be satisfied that there is enough evidence to provide a 'realistic prospect of conviction' against each defendant on each charge.

12.5. A realistic prospect of conviction is an objective test that means that a jury or bench of magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged.

The Public Interest Stage

12.6. The public interest must be considered in each case where there is enough evidence to provide a realistic prospect of conviction. The Council will balance factors for and against prosecution carefully and fairly.

12.7. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the suspect. A prosecution will usually take place unless there are public interest factors tending against prosecution which clearly outweigh those tending in favour, or it appears more appropriate in all the circumstances of the case to divert the person from prosecution.

12.8. There may be circumstances where, as well as prosecution, it will also be appropriate to serve a statutory notice to enforce the remedy.

12.9. On final completion of prosecution cases, officers must inform other interested parties of the outcome of the case as necessary. In particular, any complainants or victims will be informed. The outcome of the case will be reviewed with the relevant PSH Manager to discuss any necessary future action.

13. COMPLAINTS AGAINST THE SERVICE

13.1. If any person believes that they have not received fair or consistent treatment as outlined in this Policy, they can access the Councils' Complaints Procedure. The matter will be considered and a decision made as to whether the Enforcement Policy has been breached in this instance and the complainant will be given a reply in writing explaining the decision. This is without prejudice to any formal appeal mechanism.

APPENDIX 1

Private Sector Housing - General

The general principles which will guide enforcement officers to the appropriate option are set out below.

'No Action'

Private Sector Housing has a duty to investigate complaints about deficiencies in dwellings, or alleged statutory nuisance. Where it appears to the officer that the problems have arisen through the lifestyle or actions of the tenant or similar, then advice will be given to the complainant and it may be appropriate that no further action is taken.

Informal Action

The Housing Act 2004 requires that at least 24 hours notification of intention to enter a dwelling must be served on all interested parties prior to an inspection being carried out to validate any consequent formal action that may be taken. This requirement means that landlords would be notified of any enquiries made by tenants and the tenants could be subject to pressure from landlords or even eviction. It is therefore desirable that tenants be afforded the option of receiving informal advice from this department without this pressure to allow them to make informed choices about further actions. This can include cases where condensation and associated mould growth is being caused by the incorrect use of available heating and ventilation.

To this end, unless circumstances suggest otherwise, initial inspections of dwellings will normally be made using general powers of entry under the Environmental Protection Act 1990. Advice will be given to tenants both verbally and in writing regarding any deficiencies found, responsibilities for remediation and possible consequences of intervention.

If appropriate, and at the tenant's request, the landlord will be notified of any deficiencies within the dwelling and invited to provide details on any actions they may intend to take. The landlord will, if necessary, be informed that the environmental health service retain the option to carry out a formal inspection under the Housing Act 2004.

Formal Action

Local authorities are obliged to carry out a formal inspection if they have reason to believe that a category 1 hazard, as assessed under the Housing Health and Safety Rating System (HHSRS), is likely to exist in a dwelling. If either initial information, or an informal inspection indicates that a category 1 hazard exists, or if the informal

approach has not resulted in the mitigation of deficiencies within a dwelling, the officer will arrange for this formal assessment.

Notice of Intention to carry out an inspection.

The owner, landlord, managing or letting agent, the tenant and other interested persons must be notified of the intention to carry out an inspection of a dwelling at a specified time and date. Failure to notify relevant persons may invalidate any subsequent formal action under the Housing Act 2004.

Assessment under HHSRS

Following the assessment of the dwelling under the HHSRS, the officer has a number of options available to them to mitigate any Category 1 (band A-C) or Category 2 (bands D+) Hazards identified. The Housing Act 2004 requires that each option is considered and that the reasons for the use of any one option are explained and justified.

The Council are required to take action where it has identified category 1 hazards and has discretion to take action where category 2 hazards are identified. In general, the Council will take action if high category 2 hazards (bands D & E) are identified, dependent on the class of Hazard. However, if only minor deficiencies which score band F or below using the HHSRS are identified in a dwelling, this will not normally result in formal action, as the deficiencies are of low risk.

If category 1 hazards are identified, the landlord, or person responsible for rectifying the deficiencies, will normally be notified that Private Sector Housing is required to take enforcement action and will be offered the opportunity to comment on works required to mitigate the hazards and specify likely timescales for these works.

PSH may, at their discretion, charge for the service of certain Notices. If the officer intends to charge for such Notices, they will notify the relevant person in advance. The charge will be based upon the time and resources used by PSH in identifying the hazards, determining the appropriate action and serving the Notice, but will be a minimum of £300.

The officer will take the appropriate formal action based upon their consideration of the options available under the Housing Act 2004. The contents of any formal notice will take into consideration works already completed and the timescales indicated by the recipient, where they are considered reasonable in the opinion of the officer.

Officers are responsible for ensuring that their Notices are correctly drafted and will arrange for said Notices to be checked for accuracy by another officer prior to service. Officers will ensure that copies of the Notices are served on all relevant persons.

Failure to comply with the requirement of a Statutory Notice will normally result in prosecution or a civil penalty notice. Some statutory notices may require works-in-default, with costs being recovered from the relevant person.

Civil Penalties

Civil penalties were introduced through the Housing and Planning Act 2016. Local housing authorities have the power to impose a civil penalty as an alternative to prosecution for the following offences under the Housing Act 2004:

- Failure to comply with an Improvement Notice (section 30)
- Offences in relation to licensing of Houses in Multiple Occupation (section 72);
- Offences in relation to licensing of houses under Part 3 of the Act (section 95);
- Offences of contravention of an overcrowding notice (section 139)
- Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234)

The level of civil penalty to be imposed has to be determined on a case-by-case basis up to a maximum of £30,000.

PSH will consider the following factors to help ensure that the civil penalty is set at an appropriate level:

- a) Severity of the offence.
- b) Culpability and track record of the offender.
- c) The harm caused to the tenant.
- d) Punishment of the offender.
- e) Deter the offender from repeating the offence.
- f) Deter others from committing similar offences.
- g) Remove any financial benefit the offender may have obtained as a result of committing the offence.

Rent Repayment Orders

An application for a Rent repayment order can be made in respect of the following offences:

- Failure to comply with an Improvement Notice (section 30 Housing Act 2004);
- Failure to comply with a Prohibition Order (section 32 Housing Act 2004);
- Failure to obtain a licence for a licensable HMO (section 72(1) or house (Part 3, section 95(1) Housing Act 2004).
- Breach of a banning order (section 21 Housing and Planning Act 2016);
- Using violence to secure entry to a property (section 6 Criminal Law Act 1977); and
- Illegal eviction or harassment of the occupiers of a property (section 1 Protection from Eviction Act 1977).

An application for an RRO is made to the First-Tier Tribunal and can be applied for when the landlord has committed an offence, whether or not a landlord has been convicted of one of the offences listed above.

Both local housing authorities and tenants have the power to apply for RROs and the maximum amount of rent that can be recovered is capped at 12 months.

The Council will assist tenants who are not in receipt of housing benefit or universal credit to apply for an RRO in the circumstances above by providing statements and advice.

Where an application for a rent repayment order is made and the landlord has not been convicted of the offence for which the rent repayment order application is being made, the First-tier Tribunal will need to be satisfied beyond reasonable doubt that the landlord has committed the offence i.e. A criminal standard of proof is required.

Where a landlord has been convicted of the offence to which the rent repayment order relates, the First-tier Tribunal must order that the maximum amount of rent is repaid (capped at a maximum of 12 months).

Where a landlord has not been convicted of the offence to which the rent repayment order application relates, the following factors should be taken into account when considering how much rent a local housing authority should seek to recover:

- Punishment of the offender;
- Deter the offender from repeating the offence;
- Dissuade others from committing similar offences;
- Remove any financial benefit the offender may have obtained as a result of committing the offence.

Prosecution

Prosecution will, in general, be restricted to a minority of circumstances where there is a blatant disregard for the law. Prosecutions will be related to risk and not used as a punitive response to minor breaches.

The circumstances where prosecution is appropriate should include one or more of the following:

- Where there is a blatant disregard for the law such that health or safety has been put at risk.
- Where there is a failure to comply in full or in part with the requirements of a statutory notice
- Where a particular contravention has the potential to cause harm.

It will be for the case officer to decide whether prosecution is appropriate in any individual case, but the case will be discussed with the PSHM prior to referring any case to the legal department. The case officer will then produce a case file and briefing note for the Legal department, who will decide whether the case meets the requirements of the Code of Practice for Crown Prosecutors.

Works in Default

If there is a breach of an improvement notice under the Housing Act 2004, or some Notices under other legislation, the local authority has the option to carry out works in default and to recover the costs from the recipient of the notice.

This option may be considered when an individual lacks the resources or ability to comply with the Notice, or where concurrent prosecutions are not considered

appropriate. Any costs incurred by the local authority will be recovered through sundry debtors, including registering as a charge on the property as necessary.

Interim Management Orders

Local authorities are under a duty to make an Interim Management Order (IMO) in some circumstances where an HMO or Part 3 house which is required to be licensed but is unlicensed. They also have the power to make IMOs and Special IMOs for other categories of house.

This option will be considered when we are statutorily required to do so or where this will be the most appropriate and cost effective means of improving the health and safety of the occupants.

APPENDIX 2

Private Sector Housing - Empty Properties

The general principles which will guide enforcement officers to the appropriate option are set out below.

Empty properties are generally brought to the attention of the Empty Property Officer when they are listed on monthly Council Tax records as being empty for longer than six months. The registered owner of the property will be sent a letter asking for information as to why the property is empty and plans for future use. If there is no response and the property remains on the Council Tax records as empty, then a letter will be sent in month 2 and a final letter, including a requisition for information notice, in month 3.

Properties where no response has been received to these letters will be considered for enforcement options to bring them back into use.

Empty properties, or properties suspected as empty, may also be brought to the attention of the Empty Property Officer by complaints due to their condition and will also be considered for enforcement options to bring them back into use.

In coming to any enforcement decisions consideration will be given to the following factors:

- The length of time that the property has been empty.
- The condition, location and context of the property
- The degree of cooperation and communication from the owner of the property
- Confidence in the intentions of the owner
- The consequences of non-compliance
- The likely effectiveness of the various enforcement options
- Statutory duties contained within the legislation

The enforcement options are:

- To take no action
- To encourage, advise and assist owners
- Enforced Sale Procedure
- Compulsory Purchase Orders
- Empty Property Management Orders

Enforcement options may escalate up through the list so that informal action may lead to formal action, etc. dependent upon the success or otherwise of interventions. However, this escalation may not be appropriate in each case and an intervention at the higher end of the enforcement spectrum may be necessary. The general principles which will guide enforcement officers to the appropriate option are set out below.

'No Action'

National and Regional policies make it clear that minimising the number of long-term empty properties is a priority for local authorities. There are also budgetary penalties where there is a net increase in empty properties, as well as bonuses when the net total decreases. In addition, since such properties are often associated with other environmental or planning issues, 'no action' will only be considered when there is no pragmatic, practical or economic option to return the property into use.

For example, this decision was reached when an owner of an empty property in a 'good area' lived next door and had consciously decided to retain it as empty and maintain the property in good condition. Since they could afford the enhanced council tax and also could resist any enforcement action, which the condition of the property renders unlikely, they would also pay any debts that could be raised against the property, which makes action uneconomic and largely unnecessary.

Encourage, advise and assist owners

The preference is to work with the owner offering advice and assistance, including funding options, with the intention of bringing the property back into use through voluntary actions on the owner's part.

Whatever the situation the Empty Property Officer will identify and contact the owner, talking to them directly where possible and outline the options for their empty property, providing information that may assist them in deciding what to do. The Empty Property Officer will advise and forward relevant information, such as VAT rates, planning consents, availability of grants, the Empty Property Assistance Scheme and the Private Sector Letting Scheme.

The Empty Property Officer will also inform the owner as to any complaints that have been made about the property and whether action may need to be taken against them in respect of build-up of rubbish, vermin, 'nuisance' to adjoining properties, detrimental effects to the local amenity, etc.

Grants and loans may be suitable for charities that may have access to alternative funding streams and can take advantage of an empty homes loan or grant for match-funding. It is also useful for owners who need relatively small injections of cash to bring properties, such as flats within a block, up to habitable condition (i.e. free from category 1 and high category 2 hazards) and also means that the Councils obtain nomination rights for 5 years

Formal Action –

Where all other negotiation has failed we will seek to take the appropriate enforcement action to ensure the property is in a habitable condition and is brought back into occupation.

The enforcement options are:

Enforced Sale Procedure.

Under the section 103 of Law of Property Act 1952, local authorities are allowed to force the sale of a property with a local land charge on it. The local land charge can be engendered by council tax arrears or through the carrying out of works in default by PSH in respect of Notices served under the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and the Housing Act 2004. There is a minimum debt that must be in place before a sale can be forced.

The owner, if known, has to be given the opportunity to repay the debt prior to the sale. The Council does not acquire the property, but it is sold to a third party. Any outstanding charges against the property, including any mortgage are paid following the sale and the money remaining (if any) is put into an account for the owner to claim.

The process is set out in an Enforced Sale Procedure (ESP) which has been adopted by both Councils. Legal Services will take the lead on the ESP, following a report from the EPO

It will be for the Empty Property Officer to decide what level of intervention is appropriate in any individual case, but the decision to proceed with formal action will be taken following agreement with PSHM prior to referring any case to the legal department.

The service or use of any formal notice that will lead to works in default will be in line with the PSH enforcement decision options.

A property has been empty for 10+ years. The owner lives out of district and has failed to engage with the local authority. There are Council Tax arrears and multiple complaints about the condition of the property. In the absence of any communication or cooperation, a Notice under s.215 of the Town and Country Planning Act 1990 was served requiring that the external appearance of the property be improved. Works in default were carried out and the costs registered as a charge against the property. An application was then made to the courts for the enforced sale.

Compulsory Purchase Order (CPO)

A compulsory purchase order (CPO) is made by a local authority but is not effective until it is confirmed, either by the Secretary of State (SoS) and by the council itself. Once confirmed, the CPO gives the local authority the power to take ownership of the property included within the CPO. The power remains available for three years following confirmation.

The test that the SoS applies in deciding if a CPO should be confirmed is that of “a *compelling case in the public interest*”. In the case of an empty house, this test is likely to be met if:

- the property has been empty for at least two years;
- attempts have been made to engage with the owner but this has not resolved the situation; and

- the property is likely to remain unoccupied if there is no change in ownership.

Section 226(1)(a) of the Town and Country Planning Act 1990 (the Planning Act) provides that a local authority can CPO any land and buildings if it thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land and buildings - provided the development, redevelopment or improvement will contribute to the promotion or improvement of economic, social or environmental well-being. Where the empty home requires improvement, perhaps because of its poor external appearance or because of its poor condition inside, this power is available.

Section 17 of the Housing Act 1985 (the Housing Act) provides that a local authority can acquire a house, or houses, for the provision or improvement of housing accommodation (whether by itself or someone else). If an empty property is in good condition and not in need of improvement, then only the housing power will be available for the CPO.

The ex-owner will be entitled to compensation once the council becomes the owner of the property, which includes the market value of the property (the sale price achieved by the council when the property is sold will be good evidence of this); a basic loss payment of 7.5% of market value; a disturbance payment; and to a refund of the fees he pays a surveyor to negotiate the compensation.

A basic loss payment can be avoided if, at the time of confirmation of the CPO,

- there is a section 215 Planning Act notice in force that has not been complied with, or
- there is a section 11 or 12 Housing Act 2004 notice in force that has not been complied with.

Certain prohibition orders also avoid a basic loss payment and a CPO will only be considered if one of these notices is, or will be, in force.

A budget of £20,000 to £30,000 would be required to cover the non-recoverable CPO costs. (i.e. administrative and legal costs of making the CPO and any basic loss payment, disturbance payment and surveyor's fees) and so is expensive and resource intensive.

The preference will be for enforced sale which will expose the Councils to less financial risk, but could be used for an empty property with a high public or political profile.

Empty Dwelling Management Order (EDMO)

Interim and Final EDMOs were introduced as part of the Housing Act 2004 and involve the local authority taking over management of a property; carrying out works if applicable and then renting the property out. Management costs and any refurbishment costs can be reclaimed from the rental income with any remaining balance going to the owner.

S134 of the 2004 Housing Act indicates the conditions that a Residential Property Tribunal must be satisfied with, before they will consider granting an Interim EDMO:

- Property must have been unoccupied for the last two years;
- Property not likely to be occupied in the near future;
- If an EDMO is made, there is a reasonable chance it will be occupied;
- The EDMO is in the interest of the community and the rights of the relevant proprietor and any third party have been considered
- The Council must have made reasonable efforts to notify the relevant proprietor and ascertain what steps they are taking to secure that the dwelling is occupied
- It (the property) does not fall within a prescribed exception.

The list of properties to which an EDMO cannot be applied includes such properties as:

- Non-residential buildings;
- Properties where only a part, or parts, are unoccupied;
- Those which have been occupied at any time during the last two years;
- Those where the owner is temporarily living away;
- Where the owner has moved out to be cared for, or has moved out to care for someone else;
- Where the owner is a member of the armed forces.

The Council may make a final EDMO to replace an interim EDMO if they consider that, unless a final EDMO is made in respect of the dwelling, the dwelling is likely to become or remain unoccupied, or, where the dwelling is unoccupied, they have taken all such steps as it was appropriate for them to take under the interim EDMO with a view to securing the occupation of the dwelling.

EDMOs may be used for properties similar in profile to those targeted by grants and loans but where the owner would prefer not to be involved in the running of the rental business. There is therefore significant overlap between the Private Sector Lease scheme, the Guaranteed Rent scheme and EDMOs.

The EDMO may be considered where the relevant proprietor cannot be identified and/or if the Council considers it should progress to a Final EDMO, to gain greater control over the tenants that can be placed in a property.

APPENDIX 3

Enforcement Procedure in respect of The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014

The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014 makes it a legal requirement for all lettings agents and property managers in England to join a Government-approved redress scheme.

Adur District Council and Worthing Borough Council (the Council) are the enforcing authorities for this Order within their respective areas. The authority to enforce the Order shall be delegated to the Private Sector Housing Manager.

The Council can impose a fine of up to £5,000 where it is satisfied, *on the balance of probability*, that someone is engaged in letting or management work and is required to be a member of a redress scheme, but has not joined.

Government guidance on the enforcement of the Order states that the expectation is that a £5,000 fine should be considered the norm and that a lower fine should only be charged if the enforcement authority is satisfied that there are extenuating circumstances.

The procedure for issuing a fine is as follows;

Step 1: Notice of Intent

The Council will give written notice of their intention to impose a penalty. This will set out:

- (i) the reasons for the penalty;
- (ii) the amount of the penalty; and
- (iii) that there is a 28 day period to make written representations or objections, starting from the day after the date on which the notice of intent was sent.

This written notice will be served within 6 months of the date on which the Council has gathered sufficient evidence and satisfied any internal requirements that a fine is appropriate.

The Council may at any time withdraw the notice of intent or reduce the amount specified in the notice at any time by giving notice in writing.

Step 2: Representations and Objections

The person whom the notice of intent is served on has 28 days starting from the day after the date the notice of intent was sent to make written representations and objections to the enforcement authority in relation to the proposed fine.

Step 3: Final Notice

At the end of the 28 day period the Council will decide, having taken into account any representations received, whether to impose the fine.

The Council will consider all representations on their own merit. In particular the following may be considered relevant in deciding the final level of fine issued:

- (i) Internal failed preventative measures – in cases of national agents that have other branches registered but due to internal processes failing local office is unregistered.
- (ii) Good attitude and cooperation with the Council – in cases where the agent has cooperated fully with the Council in investigating the breach of the Order.
- (iii) Immediate and voluntary remediation – when the breach was brought to the attention of the agent they immediately joined a relevant scheme.
- (iv) No previous history of non-compliance with other Housing legislation – if this is a first breach of any housing related legislation.
- (v) Any relevant personal circumstances.
- (vi) Undue financial hardship – if the fine would cause the agent undue financial hardship such that it might not be able to continue to operate.

Following the final consideration of the fine the Council will give at least 28 days for payment to be made. When imposing a fine, the Council will issue a final notice in writing which explains:

- (i) why the fine is being imposed;
- (ii) the amount to be paid;
- (iii) how payment may be made;
- (iv) the consequences of failing to pay;
- (v) that there is a right to appeal against the penalty to the First-tier Tribunal and that any appeal must be made within 28 days after the imposition of the fine.

The Council may withdraw the final notice or reduce the amount specified in the notice at any time by giving notice in writing.

Step 4: Appeals

If an appeal is lodged the fine cannot be enforced until the appeal is disposed of. Appeals can be made on the grounds that:

- (i) the decision to impose a fine was based on a factual error or was wrong in law;
- (ii) the amount of the fine is unreasonable; or
- (iii) that the decision was unreasonable for any other reason.

The First-tier Tribunal may agree with the Councils notice to issue a penalty or may decide to quash or vary the notice and fine.

Appeals will be heard by the General Regulatory Chamber, further details on the appeals procedure can be found at the following link:

<http://hmctsformfinder.justice.gov.uk/courtfinder/forms/policy-makers-guidance-eng.pdf>

Step 5: Recovery of the penalty

If the lettings agent or property manager does not pay the fine within the 28 day period the Council will recover the fine with the permission of the court as if payable under a court order. Where proceedings are necessary for the recovery of the fine, a certificate signed by the Council's chief finance officer stating that the amount due has not been received by a date stated on the certificate will be taken as conclusive evidence that the fine has not been paid.



ADUR & WORTHING
COUNCILS

Joint Strategic Committee
10 October 2017
Agenda Item 10

Key Decision - No
Ward(s): N/A

Joint Overview & Scrutiny Committee - Youth Engagement Review

Report by the Director for Digital & Resources

Executive Summary

1. Purpose

1.1 The Joint Strategic Committee (JSC) is asked to receive and note the findings and recommendations of the Youth Engagement Working Group set up by the Joint Overview and Scrutiny Committee. The Working Group has recently concluded its work and a copy of the report from the Working Group is attached as an appendix to this report.

1.2 It is proposed that a further follow up report will be presented to the Committee in January 2018 from the Director for Communities on the issues/recommendations and any financial/legal considerations for each recommendation. This will then enable the Committee to provide a formal response from the Executives to the Scrutiny proposals.

2. Recommendations

2.1 That at this stage the Joint Strategic Committee note the report, findings and recommendations from the Joint Overview and Scrutiny Committee and Scrutiny Youth Engagement Working Group;

2.2 That the Joint Strategic Committee agree to receive a further follow up report In January 2018 from the Director for Communities on the issues / recommendations and any financial / legal considerations for each

recommendation contained in the Scrutiny report to assist the Executive in providing a formal response to the Joint Overview and Scrutiny Committee.

3. Context

3.1 At its meeting on 20 October 2016, the Joint Overview and Scrutiny Committee (JOSC) discussed youth engagement across the Adur and Worthing communities with a number of local stakeholders.

3.2 JOSC debated and agreed the following recommendations in response to the information gathered at the Committee:-

That the following be recommended to appropriate responsible bodies:-

That the Councils:-

i) Continue to explore all available funding sources to support the Youth Councils and all youth groups in Adur and Worthing;

ii) Subject to the availability of continued grant funding, continue to support the services provided to young people in Adur and Worthing and continue to find new proactive ways to engage with young people by researching and assessing how those needs can be met to support young people, their families and their communities;

iii) Regularly consult with the Youth Council and consider re-introducing 'working with you together' ;

iv) Consider making clearer a single point of contact for communication by young people, and publish 'how to communicate' on the Councils' website which should include using the website to advertise youth groups and encourage collaboration between them;

v) Consider the following proposals submitted by the Youth Council at the meeting to help with better youth engagement;

- *Contact West Sussex County Council to suggest that 'Find it Out' centres should also be open on a Saturday rather than just usually open during school time;***
- *Listen to opinions even if we don't like them;***
- *Write to South Downs Leisure and Impulse Leisure to ask them to make access to tennis courts easier for younger people;***
- *Introduce outdoor activities such as chess and table tennis in town centre locations;***
- *Engage with young people when investigating regeneration policy;***

- ***Celebrate young people and promote youth awards locally***
- ***Seek to influence a reduction in transport costs for young people locally;***
- ***Introduce cinema concessions at the Connaught Theatre;***
- ***Contact West Sussex County Council about making the libraries more youth friendly and engaging for young people;***

3.3 The recommendations from the Committee were then considered by the Joint Strategic Committee (JSC) on 10 January 2017 and it was agreed to establish a JOSC Working Group, assisted by the Adur and Worthing Executive Members for Wellbeing, to review the good work undertaken in the area of youth engagement. The findings and recommendations from the Working Group are contained in Appendix 1 to this report and were agreed by JOSC at its meeting on 21 September 2017.

3.4 Joint Strategic Committee is now requested to consider the findings and recommendations from JOSC and its Working Group to provide the formal Executive response.

4.0 Issues for consideration

4.1 The JOSC Working Group has undertaken a light touch review and for the purposes of the review has examined the Councils current approach and work on youth engagement, ways to improve how the Councils can involve the young people in planning and in making decisions that affect themselves and others and also at ways that the Councils can support the Adur and Worthing Youth Council.

4.2 JOSC and the Working Group have identified a number of conclusions and recommendations which they consider will complement the overall strategic vision of Adur and Worthing Councils to meet the needs of the young people and add some further thinking based on the report's findings.

5.0 Engagement and Communication

5.1 As part of its report, the JOSC Working Group has engaged with and consulted the Adur and Worthing Youth Council. If the proposals are agreed they will need to be discussed in more detail with the Youth Council and other stakeholders involved.

6.0 Financial Implications

6.1 Financial implications are contained in the report from the Working Group attached as an appendix to this report.

7.0 Legal Implications

7.1 Under Section 111 of the Local Government Act 1972, the Council has the power to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.

7.2 Section 1 of the Localism Act 2011 provides a Local Authority to do anything that individuals generally may do (subject to any current restrictions or limitations prescribed in existing legislation).

7.3 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

Background Papers

Report to Joint Strategic Committee 10 January 2017

Report to Joint Overview and Scrutiny Committee 21 September 2017

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Sustainability & Risk Assessment

1. Economic

Matter considered and no issues identified.

2. Social

2.1 Social Value

The proposals/issues set out in the Working Group report will impact on young people and have the potential to improve their lives.

2.2 Equality Issues

Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified.

2.4 Human Rights Issues

Matter considered and no issues identified

3. Environmental

Matter considered and no issues identified.

4. Governance

Matter considered and no issues identified.



**ADUR & WORTHING
COUNCILS**

**Joint Overview and Scrutiny Committee
21 September 2017
Agenda Item 7**

Ward: N/A

Engagement with Young People and the Adur and Worthing Youth Council

Report by the Youth Engagement Working Group

1.0 Summary

- 1.1 This report sets out the findings and recommendations from the Youth Engagement Working Group which was established as part of the Joint Overview and Scrutiny Committee (JOSC) Work Programme and at the request of the Joint Strategic Committee, to further develop the Council's engagement with young people.
- 1.2 This Working Group wants Adur and Worthing to be places where young people feel that their right to have a say is encouraged, welcomed, valued and respected. This scrutiny review has looked at how the Councils can most effectively improve communication and engage with young people in Council work and improve for them the access to and information about Council and other services/information.
- 1.3 This is a light touch scrutiny review which has gathered evidence and thoughts and formulated conclusions within a three month timeframe. For the purposes of this review the Working Group has looked at the Council's current approach and work on youth engagement, ways to improve how the Councils can involve the young people in planning and in making decisions that affect themselves and others and also at ways that the Councils can support the Adur and Worthing Youth Council, help other young people to find out more about local services for them and to find out what young people want the Councils to provide in terms of services, facilities and concessions.
- 1.4 The Working Group is clearly aware that the primary responsibility for providing effective youth services is undertaken by West Sussex County Council (WSSCC) but due to funding cuts there have been reductions in the level of service provided. Adur and Worthing Councils have a social responsibility to assist in the support for youth engagement and have provided

a good level of support for the Youth Council and helped provide information for young people via the Council website over a number of years. The Working Group considers that this level of support should be improved as set out in this report to improve youth engagement and to complement the Councils Strategic direction of travel.

2.0 Background

2.1 At its meeting on 20 October 2016, the Committee discussed youth engagement across the Adur and Worthing communities. The Committee received representations at the meeting from the Adur and Worthing Executive Members for Wellbeing, Council Officers, Adur and Worthing Youth Council, Electric Storm Youth Group, a representative from the student union at Worthing College and from Sussex Clubs for Young People.

2.2 The Committee debated and agreed the following recommendations in response to the information gathered at the Committee:-

That the following be recommended to appropriate responsible bodies:-

That the Councils:-

i) Continue to explore all available funding sources to support the Youth Councils and all youth groups in Adur and Worthing;

ii) Subject to the availability of continued grant funding, continue to support the services provided to young people in Adur and Worthing and continue to find new proactive ways to engage with young people by researching and assessing how those needs can be met to support young people, their families and their communities;

iii) Regularly consult with the Youth Council and consider re-introducing 'working with you together' ;

iv) Consider making clearer a single point of contact for communication by young people, and publish 'how to communicate' on the Councils' website which should include using the website to advertise youth groups and encourage collaboration between them;

v) Consider the following proposals submitted by the Youth Council at the meeting to help with better youth engagement;

- **Contact West Sussex County Council to suggest that 'Find it Out' centres should also be open on a Saturday rather than just usually open during school time;**
- **Listen to opinions even if we don't like them;**
- **Write to South Downs Leisure and Impulse Leisure to ask them to make access to tennis courts easier for younger people;**
- **Introduce outdoor activities such as chess and table tennis in town centre locations;**
- **Engage with young people when investigating regeneration policy;**
- **Celebrate young people and promote youth awards locally**
- **Seek to influence a reduction in transport costs for young people locally;**
- **Introduce cinema concessions at the Connaught Theatre;**
- **Contact West Sussex County Council about making the libraries more youth friendly and engaging for young people;**

2.3 The recommendations from the Committee were then considered by the Joint Strategic Committee on 10 January 2017 and it was agreed to establish a Joint Overview and Scrutiny Committee Working Group, assisted by the Adur and Worthing Executive Members for Wellbeing, to review the good work undertaken in the area of youth engagement.

2.4 Councillors Carol Albury and Stephen Chipp (Adur) and Councillors Roy Barraclough and Nigel Morgan (Worthing) were appointed to the Working Group and were assisted in the work by Councillors David Simmons (Adur) and Val Turner (Worthing). Conrad Street, Katie Waters and Shirley Robinson-Viney from Adur & Worthing Youth Council also attended the Working Group. The Working Group has received valuable input from Jacqui Cooke, Interim Head of Wellbeing and Mel Shaw, Early Help and Neighbourhoods Lead at Adur and Worthing Councils. The Working Group met on 13 March, 26 April and 28 June 2017 as part of its evidence gathering and Councillor Stephen Chipp was appointed as Chairman of the Working Group.

2.5 This report provides the detail of the discussions and findings from the Working Group and some recommendations which the Working Group considers will help improve the youth engagement offer already being provided by the Councils and other partners. The report and findings have not just concentrated on a 'shopping list' of 'wants' but have tried to investigate under the surface of youth engagement and the offer provided

3.0 Findings and Proposals

(a) Adur and Worthing Councils - Focus on Youth Engagement

- 3.1 The Working Group initially set out as part of its terms of reference, to discuss the current strategic focus for youth engagement in Adur and Worthing and to discuss the current engagement with Adur & Worthing Youth Council to see if there were any areas of work which the Councils could improve. The Working Group is clear that the Adur and Worthing communities should be places where young people feel that their right to have a say is encouraged, welcomed, valued and respected. It is considered to be important that the Councils continue to open up opportunities for young people to influence debate and decision making. The review has also concentrated on ways for the Councils to improve communication with young people.
- 3.2 As part of this work, the Working Group has been advised that Adur and Worthing Councils resources for youth engagement has been reduced and West Sussex County Council, who were responsible for providing youth services, have also had to reduce their Youth services budgets. This meant that a new approach was required for youth engagement which involved a focus on tackling anti social behaviour and making sure that children and young people are safe. There was also a stronger focus on targeting communities/disadvantaged groups.
- 3.3 The Working Group has received evidence on the new Systems Leadership approach being applied to youth engagement by Adur and Worthing Councils. This work has involved some of Adur & Worthing's strategic leads including Principal of Northbrook College, the Adur & Worthing Chief Inspector, Director from Adur & Worthing Councils, Local GP's, Senior Officers from West Sussex County Council and Adur & Worthing Councils. Meetings have been held with young people aged 16-19 years who are or had experienced either mental health issues, offending, out of work or training or have lived in unstable conditions. Researchers have also spent time with 12 young people in their place of choice and immersed themselves in their lives for a few hours. The young people have told their stories and identified what helped and what they found difficult. This work has examined what young people require to be able to thrive.
- 3.4 The Working Group has learnt that this new approach has discovered that what young people need to thrive includes:-
- Opportunities to find what you love
 - Feeling like you belong
 - Being seen as a whole person
 - Being ready for the future and independence
 - Taking time for themselves.

3.5 Findings also revealed that it was important to expose young people to multiple experiences to challenge perceptions and open up new horizons - Young people needed to be able have a sense of purpose to justify living and also that it was important for young people to have stable predictable relationships, ones that they could trust and ones that would be there in the future.

(b) Community Works - Adur and Worthing Young People's Network

3.6 The Working Group has also been updated on work being undertaken by 'Community Works', the voluntary sector provider. Community Works have created a Children and Young People's Network in Adur and Worthing with the first meeting held on 6 July and a further session to be held on 4 October 2017 which will include a presentation from WSCC commissioners. The Network will meet four times per year.

3.7 The network is an opportunity to bring together community and voluntary organisations working on issues relating to children and young people, as part or all of their work. The purpose of the network is to share good practice and learning across the sector. It also aims to:

- share opportunities and possibilities for partnership development
- explore and discuss relevant policy developments
- provide a peer support space, with opportunities for training related to bids and tenders
- provide a forum to which the members can invite policy makers, to create dialogue and a space for consultation with the community and voluntary sector in Adur and Worthing.

3.8 The Network is open to any voluntary or community organisation in Adur and Worthing and is self-selecting. Community Works was responsible for running three thematic networks in Adur and Worthing: Children and Young People, Health and Wellbeing, and Volunteer Coordinators.

(c) Support for Adur & Worthing Youth Council

3.9 The Adur & Worthing Youth Council operates as a body for the good of all the young people of Adur & Worthing and provides the youth of Adur & Worthing with a voice and a conduit to adult Councillors and Officers from the Councils.

3.10 From the outset of the review, it was made clear to the Working Group that Adur & Worthing Councils are not able to fund, safely, long term, any shortfalls

in support for youth engagement/youth services which are the result of budget cuts made by West Sussex County Council or other partners. Due to the imminent retirement of the current Support Worker, there is a clear need for support to be provided for the Adur & Worthing Youth Council. The Working Group is, therefore, pleased that a small pot of funding (£3,500) is to be identified by the Councils as pump priming, working with Sussex Clubs for Young People who will provide £5,000, to fund a replacement Support Worker for the Youth Council. This will help make the Youth Council more self sustaining and will be for a 12 month period. Sussex Clubs for Young People have indicated that they will produce a briefing on the proposal. However, the Working Group is concerned that the post is only for a relatively short period so it will be essential that the Councils and other partners should continue to find funding for the post beyond the year, perhaps by encouraging local businesses to help support and sponsor the Youth Council and the Support Worker and 'Community Works should also be involved in the search for funding and supporting the development of the Youth Council.

(d) Access for Young People to the Council, Council services and local information

- 3.11 Representatives from the Youth Council have informed the Working Group that young people have found it difficult to find out information on the Council's website about services for young people and also from the 'Find it out Centre' run by West Sussex County Council. The Working Group considers that there is a need for an improved clear 'point of contact/clear channel of communication within the Councils or improved website pages to provide young people with the relevant information/support that they require. The Working Group, therefore, urges the Councils to facilitate this by improving the Young People's' pages on the website, making them more interactive for use by young people and utilising appropriate social media tools. This could be in the form of a Portal or Dashboard which provides a signpost to Council and community information. Information should also seek to promote the Youth Council for the benefit of the young people in the Adur & Worthing communities. Contact should also be made with West Sussex County Council to see if access to information available from the 'Find it Out Centres' could be improved.

(e) Adur & Worthing Councils - Commitment to Young People

- 3.12 The Youth Council have also indicated that they would like some form of commitment from the Adur & Worthing Councils to consider the views of

young people when writing reports and also formulating new policies or revising existing ones. The Youth Council consider that the views of young people are often overlooked. As part of this the Working Group also considers that there needs to be ongoing regular consultation with the Youth Councils and other young people about local issues and those affecting young people.

- 3.13 It was also suggested that some local Councillors should be encouraged to make better use of social media tools such as 'Snapchat' and 'Twitter' to improve engagement with young people who use such tools on a regular basis.

(f) What young people want? - Youth Council Focus Groups

- 3.13 As part of the review, the Youth Council sought the views of young people on Council and other partner services and what they expect to be provided and any concessions. The Youth Council created some Focus Groups to undertake this work and as part of the reviews, the Focus Groups designed surveys that were sent to children at all secondary schools in the Adur & Worthing area asking for views on:-

A review of Discount Cards - As part of this, letters were being sent to local businesses and the Councils to establish what discounts were available and to try and secure new discounts; Theatres Reductions - This is also looking at the possibility of the Worthing Theatres venues offering discounted tickets on one day a week for young people;
Street Furniture - This Focus Group was mapping out areas where street furniture could be located ; and
Affordable Gyms

- 3.14 A summary of the findings from these surveys is attached as an appendix to this report. The findings show that the young people feel that there is a need for cheaper theatres tickets, a suggestion for more street furniture and also the provision of a concession card. The Working Group notes these findings and would encourage relevant Council Officers/Service areas to undertake further work with the Youth Council to see if any of their requests can be introduced by the Councils or other stakeholders/businesses.

4.0 Conclusions

- 4.1 The Working Group would like to thank all those involved in this review for their collective knowledge, stories and insight that has enabled the Working Group to draw together its findings and develop its recommendations.

4.2 The recommendations and findings in this report are intended to compliment the overall strategic vision of Adur and Worthing Councils to meet the needs of the young people and add some further thinking based on what young people and our investigations have told us during the course of this review.

5.0 Recommendation

5.1 **That the proposed agreement between Sussex Clubs for Young People and Adur and Worthing Councils to provide some much needed funding for the provision of a support worker for the Adur & Worthing Youth Councils for 12 months be welcomed but that the Councils, working with Community Works and other partners to support the development of funding and governance of the Youth Council, be encouraged to continue to source other funding streams that will enable the continuation of the Support Worker post beyond the 12 month period, possibly encouraging local businesses to sponsor the Youth Council;**

Why? - Because there is a need to provide support for the Youth Council for the good of the young people and to work with the young people involved.

5.2 **That the Councils help to develop an improved formal channel of communication for the young people wishing to access information for local services provided by the Councils and others for young people. It is suggested that this could be implemented by improving the young people's pages on the Councils' website and also identifying an appropriate point of contact within the Councils for young people to go to when they require assistance which will help improve the support provided for young people. It is also considered that there is a need for an improved social media dashboard/portal.**

Why? - Because young people have told us that the website pages are ineffective and do not provide useful information, or meet their needs.

5.3 **That the Councils commit to consult with the Youth Councils on any new policies or amendments to existing policies which are being considered that might impact on young people and when reports are being produced that they include a section on the implications for young people.**

Why? - Because Young People have told us that they want to be involved in their community and have a say in issues that affect them. At the moment there is a general view from young people that their views are being overlooked by the Councils.

5.4 **That the Systems Leadership work approach being undertaken by Adur and Worthing Councils be welcomed as an effective way to engage with young people to find out more about what they need from their communities.**

Why? - Because this approach is a good way to engage with young people and find out what they need to thrive.

5.5

That the findings from the Youth Council Focus Groups/surveys be noted and the Working Group would encourage relevant Council Officers/Service areas to undertake further work with the Youth Council to see if any of their requests can be introduced by the Councils or other stakeholders/businesses. Why? - Because the Working Group considers that the views of young people are important and young people should be listened to. It may not be possible to introduce everything that is being requested but further discussions by the Councils and others may lead to long term improvements for young people services.

Local Government Act 1972

Background Papers:

None

Contact Officer:

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Chairman of the Youth Engagement Working Group
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Shoreham-by-Sea
stephen.chipp@adur.gov.uk

APPENDIX

Report for Youth Engagement Group

Prepared by Adur and Worthing Youth Council

Having just completed a 2yr project about Worthing Pier the Youth Council decided to look at new projects for them to consider for the following year. It was decided to focus on 1 long term issue and 2/3 short term issues - Theatre concessions for young people, providing activity based street furniture and, the long term project, a concession card for local retail stores. These are all for students within the Borough and District of Adur and Worthing.

AIMS

Theatre Concessions

- To increase the number of young people attending the cinema/theatre in Worthing.

Street Furniture

- To provide alternate, additional outdoor activity equipment throughout the locality to engage those young people not catered for.
- To expand on the range of social space activities for young people to utilize.

Concession Card

- To expand on young people's use of local businesses, encouraging them to see Worthing as an alternative shopping destination to other bigger towns.
- To encourage businesses to embrace the young people as future consumers of their products.
- To bridge the gap between child concessions and those already in paid employment.

METHODOLOGY

- A survey compiled on google forms, reaching out to students within senior groups (11-18 years old) to gain insight into where to focus our attentions.
- Discussions within friendship groups.
- Research into what is already available in the locality and beyond, gathering information and photos for existing theatre prices, locations of street furniture and up and running card schemes.

FINDINGS

The results from our survey produced the following outcomes:

- Our target demographic age is 11-19 years old, which is made up of 81.1% 11–14yr, 10.7% 15-17yr, 8.2% 18+yr. 64% of those surveyed reside within Worthing Borough, 36% reside within Adur.
- Young people told us that available to them currently are the following: play parks (84%), outdoor gym (43%), seating (55%), sheltered seating (32%), playing fields (68%), skate parks (47%), tennis courts (25%), basketball courts (42%), bins/street furniture (71%) and swimming pools (2%).
- Out of the existing facilities provided 9.1% said they used them all the time, 19.3% frequently, 36.6% sometimes, 25.1% rarely and 9.9% never.
- When asked how they would rate the current facilities we found that only 25.1% would say there are very good or good and found that 32.2% of people would put the facilities on the lower half of the scale 42% called the facilities average.
- 82.5% of those surveyed said that if the facilities were to be updated, better maintained or expanded upon they would be more likely to use them.
- When asked where they would like these facilities we found that most people would like them in Worthing 70.4% or Lancing 41.7%. We found that 27.9% of people would like them in Sompting. 22.9% would like them in Goring and 21.7% in Shoreham.
- Out of the available facilities 52% said they used those on the seafront, 47% in the town, 74% local parks, and 36% travelled out of town to use their facilities.
- When asked whether they would like to see a wider range of facilities provided 89% said they would.
- Suggestions for additional facilities, aimed at 11-19yr, included trampolines (64.7%), better play parks (26.1%), outdoor gyms (39.1%), seating (18.5%), sheltered seating (25.2%), skate parks (31.1%), accessible tennis courts (31.9%), accessible basketball courts (34%), bins and street lighting (21.4%), table tennis (29.8%), table top football (26.9%), outdoor chess (17.6%), musical equipment (20.2%) and adventure courses (51.3%).
- When asked where they go to shop 84.7% said Worthing, 63.6% Brighton, 17.8% Chichester, 2.9% London, and 1.7% online.
- If a concession for young people was offered 79.7% said they would be more likely to shop in Worthing.
- When asked if they would be willing to pay a yearly fee for a concession card 45.1% said they would consider paying £5-10, 31.9% £10-15 and 23% £15-20.
- We wanted to find out which shops the young people frequented. The results were diverse, but New Look and H&M were most popular with the majority of young people shopping for makeup, clothes, fast food, sports

shops and gaming stores. Supermarkets were also used although it would have been useful to ask whether this was with family etc.

- When asked how often they go to the cinema in Worthing 28% said once every 3 months, 25% once every 2 months, 20% once a month, 7% twice a month, 20% rarely or never.
- Of those asked 58.3% considered cinema tickets to be too expensive.
- If a young person concession was available on tickets, 63.5% said they would be more likely to spend money on snacks and drinks stands, whilst 29.9% said maybe.

CONCLUSION

Theatre Concession

From our survey results it would appear only a small proportion of young people regular Worthing based cinemas/theatres, as they feel that the cost of tickets is too high. They did tell us however, if the ticket price was lower the majority of young people would be willing to spend the difference on additional snacks, refreshments or drinks at the venue.

Street Furniture

From the results, it appears that for a variety of reasons, young people consider the current provision is not what they want, however a good proportion said they would use it more often if it was updated and/or maintained or if there were more age-appropriate activities available. The suggestions for different activities was quite diverse and appeared to show that using the Parks was a 'hit' although more lighting and bins were needed along with seating and sheltered seating available.

Concession Card

Access to a concession card could include the theatre concession once up and running and with the costs the youth council have looked at there would be a setting up cost of approx. £2 then a running cost of keeping the data up to date and issuing annual renewal cards to the young people in schools in the locality.

Attached is a PowerPoint presentation of the survey findings.

NEXT STEPS

Meetings with the various Council officers and Councillors with the specific responsibilities for the areas highlighted.

Meeting with Town Centre Initiative (Sharon Clarke)|who could help with approaches to businesses and also Chamber of Commerce CEO. (Tina Tilly)

The Youth Council would value any input to help them achieve a positive outcome for the young people of Adur and Worthing who will be the adults of this town and therefore voters in the not too distant future.

Thank you
Adur and Worthing Youth Council



ADUR & WORTHING
COUNCILS

Key Decision Yes

Ward(s) Affected: Eastbrook, Marine, Southwick Green, St Mary's

Proposed Submission Shoreham Harbour Joint Area Action Plan

Report by the Director for Economy

Executive Summary

1. Purpose

- 1.1. This report seeks consideration of the Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP), along with its supporting documents. Taking account of the comments of Planning Committee (Appendix 5), Joint Strategic Committee is asked to recommend that Adur Council approve the publication of the JAAP for six weeks, and submission to the Secretary of State for independent examination.
- 1.2. The JAAP forms part of the development plan for both Adur and Brighton & Hove. The JAAP builds upon and complements the Adur Local Plan (currently at examination stage), and Brighton & Hove City Plan Part One (adopted 2016). The Proposed Submission Shoreham Harbour Joint Area Action Plan is attached as Appendix 1. A summary of the amendments to the revised draft plan is attached as Appendix 2. The Sustainability Appraisal and its non-technical summary are attached as Appendices 3 and 4.

2. Recommendations

- 2.1. Joint Strategic Committee is recommended to:
Consider the report, the comments of Planning Committee of 18 September 2017, the Proposed Submission Shoreham Harbour Joint Area Action Plan and Sustainability Appraisal, and recommend that Adur Council sitting on 2 November 2017 agree to the publication and submission of the plan.

3. Context

- 3.1. The regeneration of Shoreham Harbour and surrounding areas has long been an aspiration of Adur District Council, as well as Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority. The development of Shoreham Harbour, including the redevelopment of the Western Harbour Arm is a commitment within Platforms for our Places.
- 3.2. The JAAP sets a planning policy framework to guide development and investment decisions within the Shoreham Harbour Regeneration Area in order to deliver this regeneration. An area action plan is a type of local plan for an area where significant change is proposed.
- 3.3. The plan includes four allocations for new development:
- Western Harbour Arm (in Adur)
 - Southwick Waterfront (in Adur)
 - South Portslade (in Brighton & Hove)
 - Aldrington Basin (in Brighton & Hove)
- 3.4. Development at these allocations will deliver a minimum of 1,400 new homes, 23,500m² of new employment space, a consolidated port, with improved flood defences, transport infrastructure, public spaces and community and leisure facilities.
- 3.5. The Adur Local Plan, which is at examination stage, and the adopted Brighton & Hove City Plan Part One, both include a policy for Shoreham Harbour Regeneration Area. Policy 8 of the Adur Local Plan identifies the Shoreham Harbour area as a broad location for future strategic development. The Adur Local Plan and the City Plan policies make clear that the detailed area wide policies and proposals for each of the seven character areas within the Shoreham Harbour area will be set out in the JAAP.
- 3.6. Following consideration by the Planning Committee on 18 September 2017, Joint Strategic Committee is asked to take Planning Committee's

comments into consideration, JSC is asked to make the following recommendations to Adur Council on 2 November 2017:

1. Council agree that the Proposed Submission Shoreham Harbour Joint Area Action Plan is published for a six-week period of representation from 10 November 2017 to 21 December 2017 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and that accompanying documents including the Sustainability Appraisal are also made available.
2. Council delegate authority to the Director for Economy to amend the Proposed Submission Shoreham Harbour Joint Area Action Plan, prior to its publication, and also the Sustainability Appraisal, where amendment is required to correct minor errors factual updates, and for purposes of clarification only.
3. Council delegate to the Director for Economy, in consultation with the Executive Member for Regeneration and Chair of Adur Planning Committee, to agree for publication those documents accompanying the Proposed Submission Shoreham Harbour Joint Area Action Plan.
4. Council agree that following the six-week publication period for representations, the Proposed Submission Shoreham Harbour Joint Area Action Plan will be submitted to the Secretary for State for examination, together with its accompanying documents, any representations received during the publication period, any proposed modifications, and any updates to the evidence base as may be necessary.

4. Issues for consideration

- 4.1. The area covered by the Shoreham Harbour JAAP stretches from the Adur Ferry Bridge in the west to Hove Lagoon in the east. In addition to the operational areas of Shoreham Port, the regeneration area includes the Western Harbour Arm, Adur Homes estates south of the railway line at Southwick and Fishersgate, and industrial estates at Fishersgate and South Portslade
- 4.2. The vision for the Shoreham Harbour Regeneration Area is:
By 2031, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.

The redevelopment of key areas of the harbour will provide benefits for the local community and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change

- 4.3. The regeneration project has nine objectives including objectives on:
- climate change, energy and sustainable building
 - Shoreham Port
 - economy and employment
 - housing and community
 - sustainable travel
 - flood risk and sustainable drainage
 - natural environment, biodiversity and green infrastructure
 - recreation and leisure
 - placemaking and design quality
- 4.4. The plan includes proposals for seven identified character areas. These are:
- CA1 – South Quayside** (within Adur and Brighton & Hove)
- 4.5. South Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 4.6. The area also includes a waste water treatment works, a power station and renewable energy generation. These uses will be safeguarded.
- CA2 – Aldrington Basin** (within Brighton & Hove)
- 4.7. Aldrington Basin includes a mixture of port operations, employment space and some residential areas. Port facilities will be safeguarded and improved.
- 4.8. The area includes an allocation for proposed development of a minimum of 4,500m² employment generating floorspace and 90 new homes.
- CA3 – North Quayside and South Portslade** (within Brighton & Hove)
- 4.9. North Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 4.10. South Portslade is mostly an employment area. It includes an allocation for proposed development of a minimum of 3,000m² employment generating floorspace and 210 new homes.
- CA4 – Portslade and Southwick Beaches** (within Adur and Brighton & Hove)
- 4.11. Access to Portslade and Southwick Beaches for pedestrians and cyclist will be improved. Habitats and biodiversity will be created and protected.
- CA5 – Fishersgate and Southwick** (within Adur)

- 4.12. Fishersgate and Southwick include a mixture of port operations, employment space, residential areas and green space. Port facilities will be safeguarded and improved.
- 4.13. The area includes an allocation for proposed development at Southwick Waterfront. This will deliver a minimum of 4,000m² employment generating floorspace.
- 4.14. Lady Bee Marina will be expanded and improved. Green space will be improved and connected to create wildlife corridors and linear open spaces.
- 4.15. Improvements to existing housing estates will be supported. This includes the retrofit of energy efficiency measures.

CA6 – Harbour Mouth (within Adur)

- 4.16. Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. Port operational areas will be safeguarded and improved.
- 4.17. The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort. These will be protected.

CA7 – Western Harbour Arm (within Adur)

- 4.18. Currently the Western Harbour Arm is mostly an employment area. It includes an allocation for proposed development at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000m² employment generating floorspace.
- 4.19. New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.
- 4.20. Planning Committee previously considered the revised draft version of the JAAP on 31 October 2016. Adur District Council, Brighton & Hove City Council and West Sussex County Council held a joint public consultation on the plan between 16 December and 10 February 2017. The representations have been taken into account in preparing the proposed submission version of the plan. The main amendments applying to Adur are:

- **Format of the plan.** Several consultees found the format and numbering of the plan confusing. In particular the different numbering used for policies, objectives, character areas and allocations. Policies are now numbered as follows:
 - SH1 - Climate change, energy and sustainable building
 - SH2 - Shoreham Port
 - SH3 - Economic and employment
 - SH4 - Housing and community
 - SH5 - Sustainable travel

- SH6 - Flood risk and sustainable drainage
- SH7 - Natural Environment, biodiversity and green infrastructure
- SH8 - Recreation and leisure
- SH9 - Place-making and design quality
- SH10 – Infrastructure Requirements
- CA1 - South Quayside
- CA2 - Aldrington Basin (including Allocation Aldrington Basin)
- CA3 - North Quayside and South Portslade (including Allocation South Portslade)
- CA4 - Portslade and Southwick Beaches
- CA5 - Fishersgate and Southwick (including Allocation Southwick Waterfront)
- CA6 - Harbour Mouth
- CA7 - Western Harbour Arm (including Allocation Western Harbour Arm Waterfront)

Policies SH1 to SH9 correspond to the nine strategic objectives. Policies CA1 to CA7 correspond to the seven character areas. Allocations are now referred to by name within the character area policy. Individual sites within the Western Harbour Arm allocation have been numbered as follows:

- WH1 - 5 Brighton Road (formerly Howard Kent)
- WH2 - Kingston Wharf/Kingston Railway Wharf (currently Stamco and Day Aggregates)
- WH3 - Egypt Wharf (currently European Metal Recycling)
- WH4 - Lennard's Fisherman's and New Wharves (currently various including Calor, Monteum, Kendall Brothers)
- WH5 - Free Wharf (formerly Minelco)
- WH6 - 37-41 Brighton Road and Ham Business Centre
- WH7 - 63-77 Brighton Road

Previously, each of the character areas included policy clauses relating to the strategic objectives, such as climate change, flood risk, green infrastructure. This resulted in substantial repetition of similar clauses in several sections of the plan. In order to make the plan clearer and more concise, these clauses have been removed from the character area policies and added to the area wide policies.

- **Plan period.** The plan period has been amended to 2032 in accordance with the Adur Local Plan

- **Objective 6.** This has changed from “flood risk management” to “flood risk and sustainable drainage” at the request of the Environment Agency.
- **Objective 7.** This now includes reference to natural capital at the request of Sussex Wildlife Trust.
- **Policy CA7: Western Harbour Arm.** The clause relating to building heights has been amended. The revised draft plan suggested heights of 5 storeys on the Brighton Road (A259) and River Adur frontages, with taller buildings required to demonstrate their suitability. One representation suggested that this was too high, and several representations suggested that this was too low.

The council commissioned the Western Harbour Arm Tall Buildings Study to advise on the suitability of, and capacity for, tall buildings at Western Harbour Arm. This study is currently nearing completion.

The study found that development at the Western Harbour Arm is sufficiently removed from St Mary de Haura Church in Shoreham Town Centre, is unlikely to have a significant impact on its setting and townscape. Development at the eastern end of the Western Harbour Arm is likely to have a significant impact on the setting of Kingston Buci lighthouse. The study also identified a number of views from Shoreham Beach towards the South Downs which it recommends are protected.

The revised policy reflects these recommendations:

- Clause 6 now states: “Building heights of up to five storeys are acceptable on the Brighton Road and River Adur frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.”
- Clause 7 states: “Taller buildings may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5). Proposals will be required to demonstrate an appropriate response and high quality design in relation to the following elements:
 - Scale and height
 - Architectural detailing
 - Materials

- Public realm and open space
- Public transport accessibility
- Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets
- Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.

The Environment Agency also requested amendments to Policy CA7. Clause 10 now states that a setback from the river frontage for flood defence maintenance arrangements should be discussed and agreed with the Environment Agency. Clause 12 states that prior consent from the Environment Agency will be required for any works in, or within 16 metres of the River Adur.

5. Engagement and Communication

- 5.1. The councils consulted on the first draft of the JAAP in 2014. Following a number of changes to the national and local policy context, the councils consulted on a revised draft between December 2016 and February 2017 (approval granted by the Executive Member for Regeneration on 25 November 2016).
- 5.2. The councils received a total of 46 representations on the revised draft plan. These have been taken into account in preparing the proposed submission JAAP.
- 5.3. Representations suggested support for the waterfront route at the Western Harbour Arm, improved pedestrian and cycle infrastructure, green infrastructure improvements (including a green corridor alongside the A259), a district heating network and new housing and employment space.
- 5.4. Representations suggested concerns relating to traffic congestion, noise and air pollution. These concerns are addressed within the plan, and the Shoreham Harbour Transport Strategy.
- 5.5. Subject to approval by Full Council, the Proposed Submission Shoreham Harbour Joint Area Action Plan will be published in order that representations may be made on the legal compliance and soundness of the plan and the accompanying sustainability appraisal. This will take place from 10 November 2017 (0:00 am) to 21 December (23:59 pm).

- 5.6. The JAAP, the Sustainability Appraisal and proposed amendments to the Adur Policies Map will be available on the Shoreham Harbour Regeneration pages of the Adur & Worthing Councils and Brighton & Hove City Council websites. These documents will also be available to view at Shoreham Centre, Portland House (Worthing), Hove Town Hall, Portslade Town Hall, Bartholomew House (Brighton) and at Shoreham, Southwick, Portslade and Hove libraries.
- 5.7. The plan will be accompanied by a Background Evidence document, Duty to Co-operate Statement, Habitat Regulations Statement and other supporting documents. All relevant documents, as well as representation forms and a guidance note (explaining the process, how to respond and next steps) will be made available on the website, and at those places where the plan is available. The evidence studies which have informed the plan will be available on the councils' websites.
- 5.8. Representations made during the publication period, and the councils' accompanying submission documents will then be submitted for examination alongside the plan itself. It is anticipated that this submission will occur in March 2018. Following this an Inspector will be appointed, and examination of the plan will commence. The public hearing is anticipated to start in June 2018.

6. Financial Implications

- 6.1 The main input from the Council is officer time, although this is externally funded. Costs of producing the JAAP, including the public examination, will be met from funds awarded to the three authorities under the Government's former Growth Point programme. Adur District Council is the body responsible for these funds.

7. Legal Implications

- 7.1 Once adopted the JAAP will have statutory status as a local plan (as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012). Also referred to as a Development Plan Document (DPD) as defined in the Planning and Compulsory Purchase Act 2004. As such it will be given full weight in the determination of planning applications within the Shoreham Harbour Regeneration Area.

Background Papers

- Proposed Submission Shoreham Harbour Joint Area Action Plan (Appendix 1)
- Summary of amendments to the Revised Draft Shoreham Harbour Joint Area Action Plan 2016 (Appendix 2)
- Sustainability Appraisal of the Proposed Submission Shoreham Harbour Joint Area Action Plan (Appendix 3)
- Non Technical Summary of the Sustainability Appraisal of the Proposed Submission Shoreham Harbour Joint Area Action Plan (Appendix 4)

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Sustainability & Risk Assessment

It is a legal requirement that all local plans are subject to a sustainability appraisal. The Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan has been carried out by Brighton & Hove City Council, and is included as a background paper. This report incorporates the requirements of the strategic environmental assessment, and health and equalities impact assessment.

1. Economic

The JAAP is likely to have significant positive effects in relation to economic growth. The plan safeguards port operational areas for future commercial port operations. The allocated sites will deliver a minimum of 23,500m² of new employment generating floorspace. This will increase job opportunities and support economic growth.

2. Social

2.1 Social Value

The JAAP is likely to have significant positive effects through the creation of sustainable and vibrant mixed communities. The allocated sites will deliver a minimum of 1,400 new homes, including provision of affordable housing. New development will be supported by necessary infrastructure such as improved transport connections and pedestrian and cycle routes.

2.2 Equality Issues

Equality issues have been considered as part of the sustainability appraisal of the Shoreham Harbour Joint Area Action Plan. The JAAP aims to ensure that all groups have equal access to the spatial opportunities offered by the plan.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified

2.4 Human Rights Issues

Matter considered and no issues identified

3. Environmental

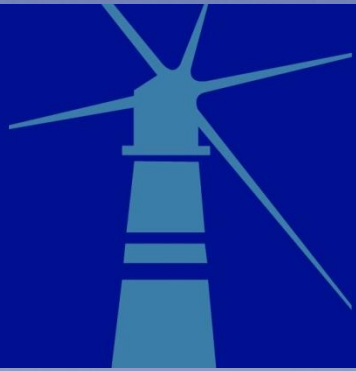
The JAAP is likely to have positive effects on the environment. The plan includes proposals to enhance the area's green infrastructure network, including the creation of a green corridor along the A259. The plan proposes the development of a green infrastructure strategy which will identify potential improvements and delivery mechanisms,

Delivery of the allocated sites will require an upgrade to flood defences, which will assist in adapting to climate change. The plan includes policies relating to energy

efficiency and generation, including a proposed district heating network. This will assist in mitigating climate change.

4. Governance

The proposals in the JAAP are consistent with the local plans for both Adur and Brighton & Hove. The project is a long standing partnership between Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority. Partnership working will need to continue beyond the preparation of the JAAP in order to deliver the proposals.



SHOREHAM HARBOUR REGENERATION

PROPOSED SUBMISSION

SHOREHAM HARBOUR JOINT AREA ACTION PLAN

DRAFT FOR APPROVAL - AUGUST 2017

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INTRODUCTION



1 Introduction

1.1 What is the Joint Area Action Plan (JAAP)?

1.1.1 The *Shoreham Harbour Joint Area Action Plan (JAAP)* is a strategy for the regeneration of Shoreham Harbour and surrounding areas. It includes proposals and policies for new housing and employment generating floorspace; and for upgraded flood defences, recreational and community facilities, sustainable travel, environmental and green infrastructure improvements.

1.1.2 An area action plan is a type of local plan for an area of significant change. The JAAP sets a planning policy framework to guide development and investment decisions within the Shoreham Harbour Regeneration Area up to 2032.

1.1.3 The plan builds on and complements the *Adur Local Plan (2017)* and the *Brighton & Hove City Plan Part One (2016)*. Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plans.

1.1.4 The plan contains:

- a long-term vision, objectives and strategy for the Shoreham Harbour Regeneration Area
- themed area-wide policies on:
 - climate change, energy and sustainable building
 - Shoreham Port
 - economy and employment
 - housing and community
 - sustainable travel
 - flood risk and sustainable drainage
 - natural environment, biodiversity and green infrastructure
 - recreation and leisure
 - place making and design quality
- proposals for seven character areas, including four allocations for new development
- an outline of how the Shoreham Harbour Regeneration Project will be delivered, monitored and implemented.

1.2 Where is the Shoreham Harbour Regeneration Area?

1.2.1 Map 1 shows the location of Shoreham Harbour. It is between the coastal resorts of Brighton and Worthing, on the Sussex coast in southeast England. The harbour is around 55 miles from London and 30 miles south of Gatwick Airport.

1.2.2 Map 2 shows the boundary of the regeneration area. It stretches around 3 miles from the Adur Ferry Bridge in Shoreham-by-Sea through to Hove Lagoon. It is bounded to the north by the West Coastway railway line, and to the south by the River Adur and the English Channel. The A259 runs east-west through the regeneration area.

1.2.3 Shoreham Harbour straddles the local authority boundary between Adur district (within West Sussex) and the City of Brighton & Hove. The regeneration area includes parts of Shoreham-by-Sea, Kingston-by-Sea, Southwick, Fishersgate, Portslade-by-Sea and Hove.

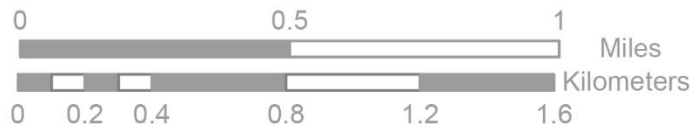
Map 1 - Location of Shoreham Harbour



Map 2 - Shoreham Harbour Regeneration Area



- — Local authority boundary
- ▭ Shoreham Harbour Regeneration Area



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1.3 Who has prepared the plan?	1.4 Why has the plan been prepared?	1.5 How has the plan been prepared?
1.3.1 The plan has been prepared by the Shoreham Harbour Regeneration Partnership. This is made up of Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority.	1.4.1 The regeneration of Shoreham Harbour and surrounding areas is a long-standing aspiration of all the project partners. The partnership has produced this plan to identify realistic, deliverable and sustainable proposals for the regeneration area.	1.5.1 There are four stages to preparing the JAAP. The process is at currently at stage 4:
1.3.2 The partnership also works closely with a number of other organisations. These include the Environment Agency, the Homes and Communities Agency, Highways England, Natural England and Historic England.	1.4.2 The JAAP is part of a long-term strategy to revitalise the area. It will deliver new and affordable housing and modern employment floorspace on previously developed land.	<ul style="list-style-type: none"> • Stage 1: Information gathering, baseline analysis and identifying issues (2008 – 2012) • Stage 2: Consideration of options, developing spatial framework, preparing development briefs for areas of change (2012 – 2014) • Stage 3: Consulting on the plan, updating evidence, exploring technical issues, addressing delivery issues (2014 – 2016) • Stage 4: Publication of the proposed submission JAAP, submission to the Secretary of State for independent examination, followed by formal adoption by the councils (2017 – 2018).
1.3.3 The plan will be jointly adopted by Adur District Council, Brighton & Hove City Council and West Sussex County Council	1.4.3 The JAAP will help to generate investment and access funding for improved infrastructure, including sustainable transport, flood defences and sustainable drainage. It will support the safeguarding of the important function of Shoreham Port, including the importing and handling of aggregates and minerals.	
	1.4.4 The plan promotes the port as a hub for renewable energy generation, contributing to national and local carbon reduction targets. The JAAP will also promote the creation and enhancement of green infrastructure links through the area.	

1.6 How was the community involved?

- 1.6.1 Working with local residents, businesses, community and local interest groups is an important part of the plan-making process. These individuals and groups have made a critical contribution to shaping the proposals and policies in the JAAP.
- 1.6.2 As well as formal periods of public consultation, there has been ongoing engagement with communities throughout the plan-making process.
- 1.6.3 The *Consultation Statement* provides full details of the engagement work to develop the plan. The consultation process complied with statutory regulations¹ and the *Statement of Community Involvement (SCI)* of each of the partner councils².

1 The Town and Country Planning (Local Planning) (England) Regulations 2012

2 *Adur and Worthing Statement of Community Involvement (2012)*; *Brighton & Hove Statement of Community Involvement (2015)*; *West Sussex Statement of Community Involvement (2012)*

1.7 What is the status of the JAAP?

- 1.7.1 The JAAP is a local plan³ for the Shoreham Harbour Regeneration Area. The JAAP will be part of the development plan for both Adur and Brighton & Hove. The *Adur Local Plan* and *Brighton & Hove City Plan Part One* designate the regeneration area as a broad location for change⁴.
- 1.7.2 The councils will assess all planning applications and investment decisions within the regeneration area against the strategy, proposals and policies in the JAAP, as well as the relevant local plans.
- 1.7.3 Sections 1.8 to 1.12 set out how the JAAP relates to other policies, plans and strategies.

3 As defined in The Town and Country Planning (Local Planning) (England) Regulations 2012. Also referred to as a Development Plan Document as defined in the Planning and Compulsory Purchase Act 2004.

⁴ Policy 8 of the *Adur Local Plan (2017)*; Policy DA8 of the *Brighton & Hove City Plan Part One (2016)*.

- 1.7.4 Once adopted, the JAAP will supersede the following policy documents:

- *Shoreham Harbour Development Brief: South Portslade Industrial Estate and Aldrington Basin (2013)*
- *Shoreham Harbour Development Brief: Western Harbour Arm (2013)*
- *Shoreham Harbour Interim Planning Guidance (2011)*

- 1.7.5 This version of the plan has been prepared and published in accordance with Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012 for public consultation purposes. The plan sets out the vision and strategic objectives, the policies, and the proposed site allocations. In this plan, the authorities have sought to address the points raised in the Regulation 18 Draft JAAP consultations and points raised in engagement with consultees. The policies in this Proposed Submission plan will be given appropriate weight in the determination of planning applications.

1.8 European policy

1.8.1 Relevant European legislation includes the Strategic Environmental Assessment (SEA) Directive (2001)⁵. This requires assessment of the plan against environmental objectives to ensure that it is sustainable.

1.8.2 The *Sustainability Appraisal of the Shoreham Harbour Joint Area Action Plan* meets the requirements of the SEA Directive.

1.8.3 EU policies also require plan –makers to consider the impact that proposals may have on health and equality⁶. This applies to these protected characteristics:

- gender
- race
- disability
- age
- sexual orientation
- religion or belief

1.8.4 The *Sustainability Appraisal* of the JAAP meets these requirements.

5 Directive 2001/42/EC transposed into UK legislation in The Environmental Assessment of Plans and Programmes Regulations 2004

6 Transposed into UK legislation in the Equality Act 2010

1.8.5 Under the Habitats Directive (1992) and Birds Directive (2009)⁷ plan-makers must consider the potential effects of proposals on protected sites⁸.

1.8.6 Both the *Adur Local Plan* and *Brighton & Hove City Plan Part One* were screened for Habitats Regulations Assessment (HRA). These reports concluded that a full HRA is not required as there are no significant impacts on protected European sites.

1.8.7 As the proposals in this plan accord with the local plans, the partnership and Natural England has agreed that an HRA is not needed for the JAAP. The *Shoreham Harbour Habitats Regulations Statement* (2016) sets out this position in full.

7 Directive 92/43/EEC and Directive 2009/147/EC transposed into UK legislation in The Conservation of Habitats and Species Regulations 2010

8 Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

1.9 National policy

National Planning Policy Framework and Planning Practice Guidance

1.9.1 The JAAP was prepared in conformity with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

1.9.2 The NPPF applies a presumption in favour of sustainable development. It requires local planning authorities (LPA) to assess their housing and employment space needs, and to plan positively to meet those needs.

1.9.3 The NPPF promotes the role of ports. This includes the importance of safeguarding capacity for landing minerals and aggregates.

1.9.4 The NPPF also promotes the shift towards a green economy and encourages policies that promote district level renewable energy generation and green infrastructure as set out in this plan.

1.9.5 Where appropriate the JAAP highlights sections of the NPPF and PPG which support the policies in the plan.

- Duty to cooperate**
- 1.9.6 The Duty to Cooperate is a legal duty for local planning authorities to engage with each other on cross boundary issues. Engagement must be active, constructive and ongoing to make local plans more effective.
- 1.9.7 The JAAP was prepared by a partnership of local authorities working together across the boundaries. The regeneration project is jointly governed by Adur District Council, Brighton & Hove City Council and West Sussex County Council. Joint working arrangements are set out in a *Memorandum of Understanding* between the project partners.
- 1.9.8 The *Duty to Cooperate Statement* (2017) sets out in more detail the cross boundary engagement in the preparation of this plan.

- National policy statements**
- 1.9.9 The *National Policy Statement for Ports* (2012) was produced by the Department for Transport under the Planning Act 2008⁹. It provides the framework for decision making on proposals for new port development.
- 1.9.10 The statement highlights the changing role of ports in relation to energy supply and generation. This includes securing energy supplies, providing facilities to support offshore renewable sites and to house power stations fuelled by biomass.
- 1.9.11 The *Overarching National Policy Statement for Energy (EN-1)* (2010) outlines the increasing importance of renewables as part of the energy mix.
- UK Marine Policy Statement**
- 1.9.12 The *UK Marine Policy Statement* (2011) sets out the government's vision for 'clean, healthy, safe, productive and biologically diverse oceans and seas'. It is the overarching framework for preparing marine plans across the UK. These will be used for decisions affecting the marine environment.

1.10 Sub-regional policy

Greater Brighton City Deal

- 1.10.1 The Greater Brighton City Deal was awarded by government in 2014. The city region is made up of Adur, Brighton & Hove, Lewes, Mid Sussex and Worthing.
- 1.10.2 The councils work together to prioritise economic growth. Shoreham Harbour is identified as a growth centre which will focus on environmentally driven technologies.

Coast to Capital Strategic Economic Plan

- 1.10.3 The regeneration area is within the area of the Coast to Capital Local Enterprise Partnership (LEP). The LEP is responsible for £202 million Growth Deal funding. It has awarded £9.5 million for flood defence projects and transport access improvements in the Shoreham area.
- 1.10.4 The LEP produced the *Coast to Capital Strategic Economic Plan* in 2014. It identifies Shoreham-by-Sea as one of its key strategic locations for growth. The plan recognises the flood risk and transport constraints in delivering growth.

⁹ Planning Act 2008 s. 5(9)

Coastal West Sussex and Greater Brighton Local Strategic Statement

- 1.10.5 The Coastal West Sussex and Greater Brighton Strategic Planning Board is made up of lead councillors from Adur, Arun, Brighton & Hove, Chichester, East Sussex, Horsham, Lewes, Mid Sussex, and West Sussex councils and the South Downs National Park Authority. Through the board the councils work together to identify and manage cross-boundary planning issues.
- 1.10.6 In 2016 the councils adopted an updated *Coastal West Sussex and Greater Brighton Local Strategic Statement (LSS)*. This statement sets the following strategic objectives:
- 1 Delivering sustainable economic growth
 - 2 Meeting strategic housing needs
 - 3 Investing in infrastructure
 - 4 Managing environmental assets and natural resources

- 1.10.7 The LSS sets nine spatial priorities for the area. Spatial Priority 1 relates to Shoreham Harbour and Shoreham (Brighton City) Airport. For Shoreham Harbour this includes:
- 1 Improved road access to and from the A27 and A259 and to local transport infrastructure including public transport, walking and cycling.
 - 2 Improved flood defences.
 - 3 Consolidated port activities in the eastern harbour arm and safeguarding sufficient capacity at mineral wharves to ensure a steady and adequate supply of minerals to meet foreseeable future demands.

Brighton and Lewes Downs Biosphere Management Strategy

- 1.10.8 UNESCO¹⁰ designated the Brighton and Lewes Downs as a Biosphere Reserve in 2014. Biospheres are defined as “sites of excellence”:
- ‘to balance conservation and socioeconomic development between nature and people, and to explore and demonstrate innovative approaches as learning sites for sustainable development’.*
- 1.10.9 The *Biosphere Management Strategy* has three objectives. These are:
- 1 Nature Conservation
 - 2 Sustainable Socio-Economic Development
 - 3 Knowledge, Learning and Awareness

¹⁰ United Nations Educational, Scientific and Cultural Organisation

- 1.10.10 The *Shoreham Harbour Joint Area Action Plan* will enable the delivery of a high quality, exemplar, mixed-use sustainable development and improved environmental quality. This includes:
- a comprehensive flood defence solution
 - development that reduces car ownership and promotes sustainable modes of transport
 - improved green infrastructure and access to open spaces
 - provision of enhanced public realm along the river frontage
 - policies in the emerging *Adur Local Plan* and *Joint Area Action Plan* that recognise the need to enhance green corridors and improve ecological connectivity.

- South Inshore Marine Plan**
- 1.10.11 The Marine Management Organisation is preparing the *South Inshore Marine Plan*. This covers the south coast and tidal rivers between Folkestone and the River Dart, Devon.
- 1.10.12 Marine plans and local plans overlap between high and low water marks. The South Inshore Marine Plan includes the coastline at Shoreham Beach, and Southwick and Portslade-by-Sea. It also include the Eastern and Western Arms of the River Adur.
- 1.10.13 The plan will manage the sustainable development of marine industries such as shipping, marine aggregates, fishing and windfarms, as well as the conservation and protection of marine habitats and species.

1.11 Local policy

- 1.11.1 Both the Adur Local Plan and the Brighton & Hove City Plan Part One identify the regeneration of the Shoreham Harbour area in their strategic objectives. Both plans also contain a policy that identifies the harbour as a 'broad location' for future strategic development.
- 1.11.2 This plan is consistent with the local plans for both Adur and Brighton & Hove. In case of any conflict between policies in these plans and the JAAP, the most recently adopted plan will have precedence¹¹.
- Adur Local Plan**
- 1.11.3 Adur District Council submitted the *Adur Local Plan* in autumn 2016. The plan provides a strategy for development in Adur¹² up to 2032. Policy 2 (Spatial Strategy) states:

¹¹ See Section 38(5) of the Planning and Compulsory Purchase Act 2004

¹² The plan excludes the parts of the district within the South Downs National Park.

	<i>“Shoreham Harbour will be the focus of a significant level of development to facilitate regeneration of the Harbour and neighbouring communities, which will be delivered through an Area Action Plan to be prepared jointly between Adur District Council, Brighton & Hove City Council and West Sussex County Council.”</i>		Brighton & Hove City Plan		Minerals and Waste Plans
1.11.4	Policy 8 (Shoreham Harbour) sets out the policy and priorities for each character area and states that: <i>“The Council will facilitate the delivery of a minimum of 1,100 new dwellings within the Shoreham Harbour Regeneration Area within Adur District during the plan period to 2032.”</i>	1.11.6	Brighton & Hove City Council adopted the <i>Brighton & Hove City Plan Part One</i> in March 2016. The plan provides the overall strategic and spatial vision for the future of Brighton & Hove ¹³ up to 2030.	1.11.9	Shoreham Port contains a number of minerals wharves and waste management facilities. West Sussex and Brighton & Hove councils are minerals and waste planning authorities for the regeneration area.
		1.11.7	Strategic Objective 6 states: <i>“Through joint working with Adur District Council, West Sussex County Council and the Shoreham Port Authority, maximise the potential of Shoreham Harbour for the benefit of existing and future residents, businesses, port-users and visitors through a long term regeneration strategy.”</i>	1.11.10	The <i>West Sussex Minerals Local Plan</i> (2003) safeguards a number of wharves at Shoreham Harbour, including some sites proposed for new mixed use development in this plan. The <i>Draft West Sussex Joint Minerals Plan</i> (2017) seeks to safeguard sufficient capacity to ensure a steady and adequate supply of minerals whilst supporting regeneration aspirations set out in this document. The Plan has been submitted to government for examination on legal compliance and soundness.
1.11.5	Policy 4 (Planning for Economic Growth) allocates land for employment generating uses in Adur up to 2032, including 16,000m ² floorspace in the part of the Shoreham Harbour Regeneration Area within Adur.	1.11.8	Policy DA8 (Shoreham Harbour) sets out the policy and priorities for each of the harbour character areas and states that the JAAP process will further explore and test the delivery of: <ul style="list-style-type: none"> • 300 new residential units within Brighton & Hove • 7,500m² net additional employment floorspace 	1.11.11	Brighton & Hove City Council, East Sussex County Council and the South Downs National Park Authority adopted the <i>Waste and Minerals Plan</i> in 2013. The <i>East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan</i> was adopted in 2017. The plan safeguards wharf capacity at Shoreham Harbour.

¹³ The plan excludes the parts of the city within the South Downs National Park.

Shoreham Beach Neighbourhood Plan
 1.11.12 In 2014, Adur District Council approved the Shoreham Beach Neighbourhood Area and designated the Shoreham Beach Neighbourhood Forum. The forum is working with the community to produce a neighbourhood plan to address issues in the area. The neighbourhood plan area is contiguous with Marine ward. This overlaps with the regeneration area at Shoreham Fort, Shoreham Sailing Club and Silver Sands.

1.12 Shoreham Harbour policy

Shoreham Harbour Flood Risk Management Guide

1.12.1 The partnership, working closely with the Environment Agency, produced the *Shoreham Harbour Flood Risk Management Guide Supplementary Planning Document (SPD)* (2015). This sets out illustrative concepts for an upgraded flood defence network along the Western Harbour Arm, and a summary of the cost and requirements of developers in relation to mitigating flood risk. These documents will also be used to provide information for funding applications. The SPD also provides guidance for flood mitigation at the other allocations.

Shoreham Harbour Green Infrastructure Strategy

1.12.2 The partnership is currently preparing a green infrastructure strategy. This will set out proposals for ecological enhancements throughout the regeneration area as well as the creation of a green corridor as part of an enhanced green infrastructure network.

Shoreham Harbour Transport Strategy

1.12.3 The *Shoreham Harbour Transport Strategy* (2016) has been prepared to support delivery of the JAAP through a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives. It is supported by a technical evidence base, which is set out in the Shoreham Harbour Transport Strategy Baseline Analysis document (2014).

Shoreham Port Masterplan

1.12.4 Shoreham Port Authority produced the *Shoreham Port Masterplan* (2016). Although it is not a statutory planning policy document, the plan sets the port's future development and must be taken into account when considering new developments in or near the port.

1.12.5 This plan includes many of the proposals identified in the masterplan where relevant to the regeneration project.

SPATIAL STRATEGY



2 Spatial strategy

2.1 What is the vision for Shoreham Harbour?

By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.

The redevelopment of key areas of the harbour will provide benefits for the local community and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change.

2.1.1 This section sets out the vision, themes, objectives and strategy for the regeneration of the Shoreham Harbour area up to 2032.

2.1.2 The vision is to maximise the potential of the area for the benefit of existing and new residents, businesses, port-users and visitors through a long-term regeneration strategy. This will be achieved through partnership working between local authorities and Shoreham Port Authority and with local landowners to facilitate the redevelopment of key sites.

2.1.3 The aim is to deliver a series of appropriately located, high quality, sustainable, mixed-use developments including new housing, employment floorspace, leisure opportunities, improved public space and associated infrastructure including flood defences and transport improvements.

Sustainable development

2.1.4 Sustainable development “*meets the needs of the present without compromising the ability of future generations to meet their own needs*”¹⁴.

The planning system contributes to achieving sustainable development¹⁵. The NPPF identifies three dimensions to sustainable development:

- an economic role, contributing to building a strong, responsive and competitive economy
- a social role, supporting strong vibrant and healthy communities
- an environmental role, contributing and enhancing the natural, built and historic environment.

2.1.5 Sustainable development is an overarching theme for this plan, and the local plans for both Adur and Brighton & Hove.

14 Resolution 42/187 of the United Nations General Assembly

15 NPPF (2012) paragraph 6

2.2 What are the objectives of the regeneration project?

Objective 1: Climate change, energy and sustainable building

To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub

To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.

To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.

- 2.2.1 Local plans are legally required to include policies to ensure that development and the use of land “*contribute to the mitigation of, and adaptation to, climate change*”¹⁶.
- 2.2.2 Planning helps to shape places to secure radical reductions in greenhouse gas emissions, minimise vulnerability and provide resilience to the impacts of climate change. It also supports the delivery of renewable and low carbon energy and associated infrastructure¹⁷.
- 2.2.3 Shoreham Port has EcoPort status from the European Sea Ports Organisation. The regeneration partnership aims to maximise the harbour area's potential as a hub for renewable energy.

16 Planning Act 2004 s.19 (1)(a) (as amended by Planning Act 2008 s.182)

17 NPPF (2012) paragraph 92

Objective 2: Shoreham Port:

To support a growing, thriving port

To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the port in the local and wider economy.

- 2.2.4 Shoreham Port is the largest commercial port between Southampton and Dover, and the closest Channel port to London.
- 2.2.5 The port plays an important economic role in the area. Around 1,700 people are employed in the port and a further 1,000 nearby. It is an important location for the import and export of aggregates, timber, steel, oil and cereals.
- 2.2.6 Shoreham Port Masterplan sets out Shoreham Port Authority's strategy for the growth and development of the port. The regeneration proposals in this plan provide an opportunity for consolidating, reconfiguring and enhancing the operations of Shoreham Port.

Objective 3: Economy and employment:

To stimulate the local economy and provide new jobs.

To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities

- 2.2.7 Local planning authorities must plan to meet the development needs of business and support economic growth¹⁸. The proposals in this plan will contribute to providing employment space in the local area.
- 2.2.8 For Adur, an Employment Land Review (2014) identified the requirement for: 15,000 to 20,000m² office and research and development floorspace (use classes B1a and B1b); and, 35,000 to 40,000m² warehouse floorspace (use class B8)
- 2.2.9 For Brighton & Hove, the Employment Land Review (2012) identified the requirement for 112,240m² office floorspace (use classes B1a and B1b); and, 43,430 m² industrial floorspace (use classes B1c, B2 and B8)

¹⁸ NPPF (2012) paragraph 20

Objective 4: Housing and community:

To provide new homes and contribute to meeting identified housing need

To address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.

- 2.2.10 Local planning authorities must plan to meet objectively assessed needs for new housing and identify deliverable sites or broad locations with potential for new housing. Local plans must also include policies to deliver community infrastructure and local facilities. The proposals in this plan will contribute to delivering housing in the local area.
- 2.2.11 Adur needs 6,825 homes up to 2032). This is 325 homes per year. The full objectively assessed housing need cannot be met and the Adur Local Plan aims to deliver 3,718 dwellings over the plan period.
- 2.2.12 The objectively assessed housing need for Brighton & Hove that informed the City Plan Part One was 30,120 homes up to 2030. It was accepted this could not be met. Consequently the adopted City Plan Part One sets a housing target of 13,200 dwellings over the plan period.

Objective 5: Sustainable travel

To improve connections and promote sustainable transport choices

To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.

- 2.2.13 Local plans should promote development at locations that minimise trip generation and encourages the use of sustainable modes of transport¹⁹. Transport policies can support reductions in greenhouse gas emissions, as well as contribute to wider sustainability and health objectives²⁰
- 2.2.14 The Shoreham Harbour Transport Strategy includes a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives.

¹⁹ Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development'

²⁰ NPPF (2012) paragraph 29

Objective 6: Flood risk and sustainable drainage

To reduce the risk of flooding and adapt to climate change

To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.

- 2.2.15 Local plans should direct development away from areas at high risk of flooding. This is determined through the Sequential Test, and if necessary, the Exception Test²¹.
- 2.2.16 Both Adur and Brighton & Hove councils have carried out sequential and exceptions tests for the regeneration area. These have found the wider sustainability benefits of development at Shoreham Harbour outweigh the flood risk. Development must be safe, without increasing the flood risk elsewhere.

²¹ NPPF (2012) paragraph 100

Objective 7: Natural environment, biodiversity and green infrastructure

To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network

To conserve and protect the area's important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.

To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.

- 2.2.17 Local plans should contribute to and enhance the natural and local environment and effective reuse of brownfield land²².
- 2.2.18 The JAAP seeks the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. It is important future proposals take into account natural capital and seek to deliver net gains to biodiversity.

Objective 8: Recreation and leisure

To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.

To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.

- 2.2.19 Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities²³.
- 2.2.20 Local plans should also include policies to protect and enhance public rights of way and access²⁴.

22 NPPF (2012) paragraphs 109; 114

23 NPPF (2012) paragraph 73

24 NPPF (2012) paragraph 75

Objective 9: Place making and design quality

To promote high design quality and improve townscape

To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.

To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.

2.2.21 Local plans should include policies that set out the quality of development expected in the area. New development should:

- function well
- establish a strong sense of place
- optimise the potential of the site
- respond to local character and history
- create safe and accessible environments
- be visually attractive²⁵

25 NPPF (2012) paragraph 58

2.3 What is proposed in the plan?

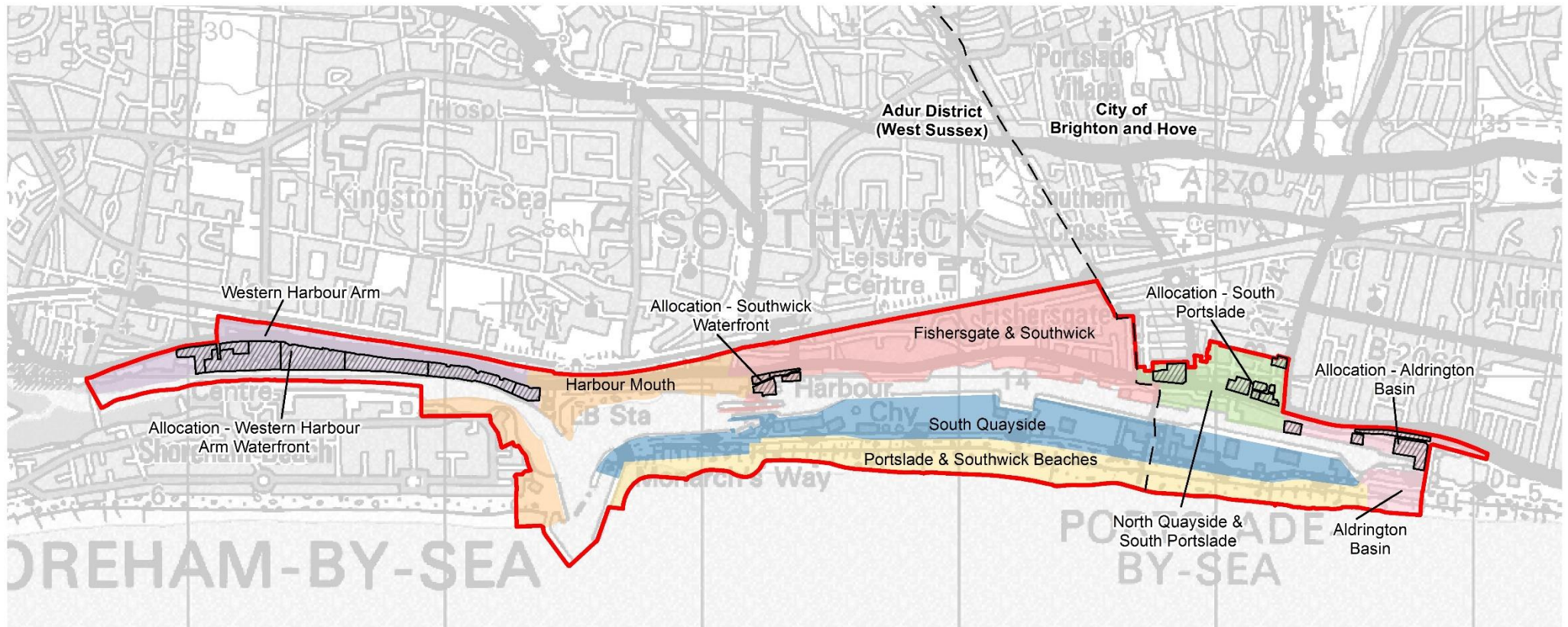
2.3.1 This plan splits the regeneration area into seven character areas. These are shown in Map 3. The areas are:

- CA1: South Quayside
- CA2: Aldrington Basin
- CA3: North Quayside and South Portslade
- CA4: Portslade and Southwick Beaches
- CA5: Fishersgate and Southwick
- CA6: Harbour Mouth
- CA7: Western Harbour Arm

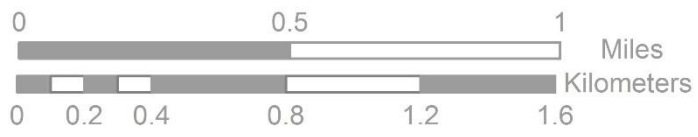
2.3.2 Section 4 of this plan includes specific policies and proposals for each of these areas. This includes four allocations for new development. The allocations are:

- Aldrington Basin (within CA2)
- South Portslade (within CA3)
- Southwick Waterfront (within CA5)
- Western Harbour Arm Waterfront (within CA7)

Map 3 - Character areas



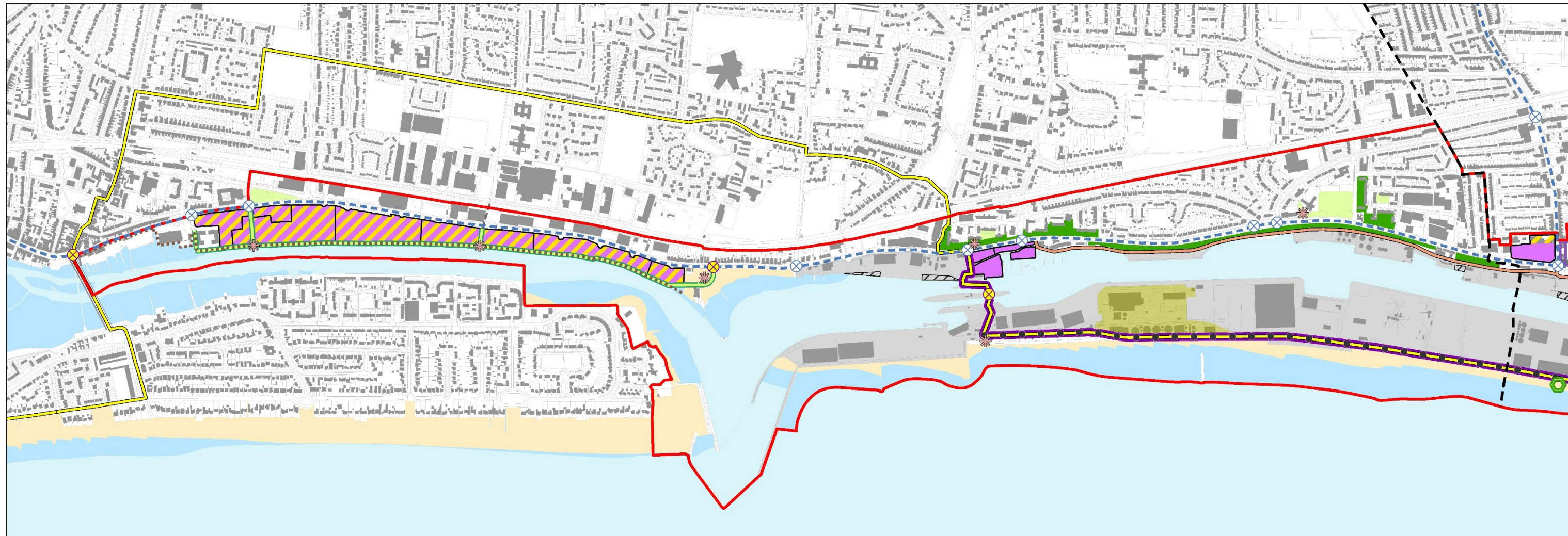
- Shoreham Harbour Regeneration Area
 - Local authority boundary
 - SH_Allocations_outline
- Character Areas:**
- Character Area 1: South Quayside
 - Character Area 2: Aldington Basin
 - Character Area 3: North Quayside & South Portslade
 - Character Area 4: Portslade & Southwick Beaches
 - Character Area 5: Southwick Waterfront & Fishergate
 - Character Area 6: Harbour Mouth
 - Character Area 7: Western Harbour Arm



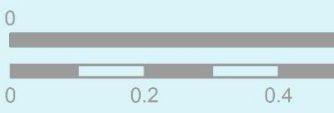
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2.3.3	Map 4 illustrates the key proposals in the plan. These include:		CA4 – Portslade and Southwick Beaches	CA6 – Harbour Mouth	
	CA1 – South Quayside	2.3.10	Access to Portslade and Southwick Beaches for pedestrians and cyclist will be improved. Habitats and biodiversity will be created and protected.	2.3.15	Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. Port operational areas will be safeguarded and improved.
2.3.4	South Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.		CA5 – Fishersgate and Southwick	2.3.16	The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort. These will be protected.
2.3.5	The area also includes a waste water treatment works, power stations and renewable energy generation. These uses will be safeguarded.	2.3.11	Fishersgate and Southwick includes a mixture of port operations, employment space, residential areas and green space. Port facilities will be safeguarded and improved.		CA7 – Western Harbour Arm
	CA2 – Aldrington Basin	2.3.12	The area includes an allocation for proposed development at Southwick Waterfront. This will deliver a minimum of 4,000m ² employment generating floorspace.	2.3.17	Currently the Western Harbour Arm is mostly an employment area. It includes an allocation for proposed development at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000m ² employment generating floorspace.
2.3.6	Aldrington Basin includes a mixture of port operations, employment space and some residential areas. Port facilities will be safeguarded and improved.	2.3.13	Lady Bee Marina will be expanded and improved. Green space will be improved and connected to create wildlife corridors and linear open spaces.	2.3.18	New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.
2.3.7	The area includes an allocation for proposed development of a minimum of 4,500m ² employment generating floorspace and 90 new homes.		2.3.14		
	CA3 – North Quayside and South Portslade	2.3.14	Improvements to existing housing estates will be supported. This includes the retrofit of energy efficiency measures.		
2.3.8	North Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.				
2.3.9	South Portslade is mostly an employment area. It includes an allocation for proposed development of a minimum of 3,000m ² employment generating floorspace and 210 new homes.				



- | | | | |
|------------------------------------|--|--|---|
| Shoreham Harbour Regeneration Area | Port (operational) | Priority corridor (transport/public realm) | Pedestrian/cyclist gateway |
| Local authority boundary | Canal infill (proposed) | New/upgraded port access road (proposed) | Junction improvements |
| Allocation | Green corridor | Waterfront route (indicative) | Potential pedestrian cyclist bridge |
| Employment (proposed/protected) | Open space (existing) | Monarchs Way - Public Right of Way | Public art opportunity (indicative) |
| Residential (proposed) | Utilities | National Cycle Route No2 | Renewable energy opportunity (indicative) |
| Protected employment | New/upgraded flood defences (proposed) | Upgraded cycle route | |



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2.4 What are the constraints in the regeneration area?

2.4.1 Map 5 shows some of the main planning constraints in the regeneration area. Development and regeneration proposals need to consider these constraints.

Slipways and hards

2.4.2 There are several historic slipways and hards in the Western Harbour Arm area. Many of these are in a poor state of repair and are unusable for modern craft. However they are an important part of the heritage and character of Shoreham-by-Sea.

Historic buildings and conservation areas

2.4.3 The regeneration area includes part of the Shoreham-by-Sea Conservation Area and the Riverside section of the Southwick Conservation Area.

2.4.4 Shoreham Fort is a Scheduled Monument.

2.4.5 There are three Grade II listed buildings:

- Royal Sussex Yacht Club
- Sussex Arms Public House
- Kingston Buci Lighthouse

Nature reserves

2.4.6 The Adur Estuary Site of Special Scientific Interest (SSSI) is close to the regeneration area. The Western Harbour Arm, in particular, is within the impact risk zone for this site. Parts of the SSSI are also an RSPB nature reserve.

There are Sites of Nature Conservation Importance (SNCIs) at Shoreham Beach and Basin Road South. Shoreham Beach is also a Local Nature Reserve.

Open space

2.4.7 Kingston Beach is a village green. This safeguards the beach as a public space.

2.4.8 Other public open spaces include:

- Fishersgate Recreation Ground
- The Ham, a small recreation ground and skate park in the Western Harbour Arm area
- The Garden, a pocket park at Coates Court, Southwick
- The Sanctuary, a pocket park at Laylands Court, Fishersgate

2.4.9 The regeneration area is also close to Hove Lagoon and Vale Park.

Air quality

2.4.10 There are two Air Quality Management Areas (AQMAs) that are partly within the regeneration area. The Brighton & Hove and Portslade AQMA in the east. And the Shoreham AQMA in the west.

2.4.11 These AQMAs have been designated due to the high level of pollutants from road vehicle emissions. Each AQMA has an Air Quality Action Plan which sets out how this is managed.

Hazardous substances

2.4.12 There are three Health and Safety Executive (HSE) Consultation Zones in the regeneration area. These limit the types of development that are allowed close to sites where hazardous substances are handled. There is also a Development Proximity Zone at the Fishersgate site.

2.4.13 The Western Harbour Arm site will become inactive during the plan period. Adur District Council will seek to revoke the hazardous substances consent for this site at that time.

AREA-WIDE POLICIES



3 Area-wide policies

3.1 Objective 1: Climate change, energy and sustainable building

To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub

To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.

To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.

3.1.1 Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended) legally requires local planning authorities to include in their plans *“policies designed to secure that the development and use of land ... contribute to the mitigation of, and adaptation to climate change”*.

3.1.2 The National Planning Policy Framework (NPPF) states that:
*“Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.”*²⁶

3.1.3 In line with the carbon reduction targets in the Climate Change Act 2008, the National Planning Policy Framework (NPPF) states that local authorities should take a proactive approach to mitigating and adapting to climate change²⁷.

3.1.4 The NPPF also states that local planning authorities should positively promote energy from renewable and low carbon sources and identify areas for renewable and low energy sources, and supporting infrastructure²⁸.

3.1.5 Planning Practice Guidance (PPG) states that the inclusion of policies to contribute to the mitigation of, and adaptation to, climate change is a consideration when examining a plan for soundness²⁹.

26 NPPF (2012) paragraph 93

27 NPPF (2012) paragraph 94

28 NPPF (2012) paragraph 97

29 PPG (2014) paragraph 6-002

<p>3.1.6 The harbour falls within the Brighton & Hove Downs Biosphere area which promotes world class management of the environment. Shoreham Harbour is identified as a future hub for low carbon energy and decentralised energy generation.</p>		<p>Creating an exemplar renewable energy hub</p>	<p>3.1.13 Passive design makes the best use of site orientation, building form, layout, landscaping and materials to maximise natural light and heat, whilst avoiding overheating by providing passive cooling and ventilation.</p>	
<p>3.1.7 The Coast to Capital Local Economic Partnership (LEP) and the Greater Brighton City Deal are promoting the potential for district heating networks and an eco-technology cluster at Shoreham Harbour. There is significant potential to leverage investment and resources for delivery in this area.</p>	<p>3.1.10</p>	<p>Shoreham Harbour Regeneration Partnership was awarded funding under the second wave of the government’s Eco-Towns programme in 2009 and a Capacity and Viability Study (2010) was commissioned to explore its potential to meet the programme criteria. A Shoreham Harbour and Adur District Energy Strategy (2009) and Brighton & Hove Renewable and Sustainable Energy Study (2012) have also been carried out which both highlighted the potential of the harbour to significantly contribute towards meeting the renewable energy needs of the sub-region.</p>	<p>Low and zero-carbon technologies include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Solar-thermal water heating • Air, ground or water source heat pumps • Efficient gas boiler • Gas combined heat and power (CHP) • Solar photovoltaic (PV) panels • Wind turbines 	
<p>Sustainable building and design</p>	<p>3.1.8 The <i>Adur Local Plan</i> includes a requirement for a Sustainability Statement to accompany development proposals within the parts of the regeneration area in Adur. Guidance is set out within <i>Sustainability Statements Guidance Note: Shoreham Harbour</i>.</p>	<p>3.1.11</p>	<p>Shoreham Port has European ‘Eco Port’ status and as a community trust Port is motivated to maximise its potential as a hub for renewable energy generation and waste heat distribution.</p>	<p>Potential for district heat network</p>
<p>3.1.9 <i>Brighton & Hove City Plan Part One</i> policy CP8 Sustainable Buildings sets out requirements for sustainability standards and issues that must be addressed by all development proposals.</p>	<p>3.1.12</p>	<p>Building-related energy consumption is a significant contributor to greenhouse gas emissions. The hierarchy of demand reduction, efficient energy supply and renewable energy provision represents the most cost-effective means of reducing energy consumption and greenhouse gas emissions for new developments.</p>	<p>3.1.14 As set out in Policy DA8 of the <i>Brighton & Hove City Plan Part One</i>, the city council is proactively encouraging opportunities that arise to incorporate waste heat or other heat sources into the heat networks for the city. The Brighton & Hove Energy Study (2013) identified the potential for district heating networks in and around Shoreham Harbour within a long list of priority areas.</p>	

- 3.1.15 New development that takes place within the long-list of priority areas will be encouraged to consider low and zero carbon decentralised energy possibilities and will be required to either connect where a suitable network is in place (or would be at the time of construction) or design systems to be compatible with a future connection to a network.
- 3.1.16 As part of the South Quayside Character Area proposals (within Section 4 of this document), there is potential to work with the existing Shoreham Power Station to deliver a district heating network to provide waste heat to local consumers.
- 3.1.17 The Heat Network Delivery Unit (HNDU)³⁰ has provided part funding to explore the potential for heat networks in and around Shoreham Harbour. The *Shoreham Harbour Heat Network Study* (2016) mapped heat demands and identified potentially viable scenarios for network development.
- 3.1.18 The partnership has commissioned a further study to carry out detailed feasibility and business model options appraisals of the potential network. This study will be complete in early 2018. If feasible and deliverable, the network may be run by the local authorities or be an independent delivery body or Energy Service Company (ESCo).
- 3.1.19 Development should demonstrate that the heating and cooling systems have been selected in accordance with the following heating and cooling hierarchy
- Connection to existing combined heat and power (CHP) distribution networks
 - Site wide renewable CHP
 - Site wide gas-fired CHP
 - Site wide renewable community heating/cooling
 - Site wide gas-fired community heating/cooling
 - Individual building renewable heating
 - Individual building heating, with the exception of electric heating
- 3.1.20 All CHP must be of a scale and operated to maximise the potential for carbon reduction. All buildings must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.
- Offshore and onshore wind power
- 3.1.21 The Rampion offshore wind farm is under construction 13km off the Sussex coast to the south and east of Shoreham Harbour. The development will comprise up to 116 wind turbines with a gross capacity of up to 400MW. There will be potential supply chain benefits for Shoreham Harbour and the local economy.
- 3.1.22 Shoreham Port Authority has also installed two medium scale (100kw) on-shore wind turbines in the South Quayside area as an effective way of increasing renewable energy generation and reducing carbon emissions. The turbines will generate, on average, 555,000kWh electricity per year to power the nearby port Pump House.
- 3.1.23 Proposals for turbines are subject to environmental impact assessment as part of the planning application process.

³⁰ HNDU is now part of the Department for Business, Energy and Industrial Strategy (BEIS). It was formerly part of the Department for Energy and Climate Change (DECC), which was abolished in 2016.

Solar Photovoltaics

- 3.1.24 The expanse of warehouses roofs in the harbour area offer significant potential for solar PV power generation. Shoreham Port Authority has worked with Brighton Energy Cooperative to install a large number of solar panels on a number of these roofs. The project is funded by community investors buying shares in the cooperative.
- 3.1.25 There is also the potential for solar energy generation on the roofs of the Adur Homes estates at Southwick and Fishersgate. The regeneration partnership will support Adur Homes to explore these opportunities.

Sustainable use of water

- 3.1.26 Shoreham Harbour is supplied with water from the Brighton Chalk Aquifer. This is an important and heavily exploited resource. The Environment Agency has classified the location as falling within an area of 'serious water stress', where demand for water is high and resource availability is low.
- 3.1.27 New development at the harbour offers the opportunity to incorporate sustainable drainage systems (SuDS). These can provide a range of sustainability benefits in addition to managing surface water, including enhancing biodiversity and reducing flood risk.
- 3.1.28 Water efficiency standards can help to deliver the objectives set out within both the *Biosphere Management Strategy (2014-2019)* and the *South East River Basin Management Plan (2016)*. The basin plan contains an action that requires local authorities to seek the use of water efficiency standards that exceed the Building Regulations where there is local evidence to support this need.

Policy SH1: Climate change, energy and sustainable building

1. Development proposals should demonstrate how they maximise opportunities to support local sustainability objectives and commitments.
2. A completed Sustainability Checklist will be required to accompany all development proposals in the areas of the harbour within Brighton & Hove. A Sustainability Statement will be required to accompany all development proposals within Adur.
3. Where it is feasible and viable, development should seek to achieve zero-carbon status, in particular within the four site allocations. This will include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.
4. Developers should demonstrate how they can contribute towards Shoreham Port Authority's objective of becoming a hub for renewable energy generation.
5. All new development will be expected to incorporate low and zero carbon decentralised energy opportunities.

District heating and cooling

6. Development in areas identified in the Shoreham Harbour Heat Network Study (2016), or subsequent update, will be expected to connect to district heating networks where they exist, or incorporate the necessary infrastructure for connection to future networks.
7. Where no heat network is in place, development must be connection ready. All buildings must adhere to the following technical specifications:
 - Buildings must use a centralised communal wet heating system rather than individual gas boilers or electric heating.
 - Buildings must allow adequate plant room space to allow for connection at a later date (the exact requirement to be agreed with the councils and their representatives).
 - The developer must identify and safeguard a pipe route to allow connection between the building and the highway or identified network route where available.
 - The developer must not in any other way compromise or prevent the potential connection.

Sustainable use of water

8. All developments should seek to achieve high standards of water efficiency and explore potential to implement measures to recycle, harvest and conserve water resources.
9. All new homes should achieve (as a minimum standard), internal water use of no more than 110 litres per head per day and all new commercial buildings should meet the BREEAM 'excellent standard'.
10. Opportunities should be sought to link together development within the regeneration area with site-wide recycled water networks, taking advantage of the diversity of water sources and uses on-site. This process will be supported by the local authorities. Where a recycled water network is delivered on site, all buildings are required to connect, if practical to do so.

3.2 Objective 2: Shoreham Port

To support a growing, thriving port

To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the Port in the local and wider economy.

- 3.2.1 Shoreham Harbour contains the entirety of the working Trust Port of Shoreham. Since 1760 the Shoreham Port Authority has had responsibility for operating and managing Shoreham Port. The continued existence of a thriving and expanding commercial port is an integral part of the regeneration proposals
- 3.2.2 As a Statutory Harbour Authority, Shoreham Port Authority is responsible for the management of navigational safety within harbour limits between Hove Lagoon, the Old Toll Bridge on the River Adur and the outer Port limits. Shoreham Port Authority is also a Competent Harbour Authority within the provisions of the Pilotage Act 1987.
- 3.2.3 Shoreham Port Authority provides conservancy and a vessel information service for ships and craft using the port, including the maintenance of navigational channels, moorings, lights and the provision of hydrographic, tidal and other information. There are also a number of byelaws which govern operations and activities within the harbour limits.
- 3.2.4 The current level of use at Shoreham Port is 700 to 900 ship arrivals per year, which results in a trading throughput of approximately 1.8 to 2 million tonnes per year. The main commodities that are imported and exported at the Port are aggregates, timber, scrap metal, cereals, oil and increasingly steel. The Port Masterplan (2010) aims to provide the capacity for a 25% increase in trade by 2026.
- 3.2.5 The port is a significant local employer providing around 1,700 jobs. Employers range from large multinationals, national firms, through to a variety of small and medium sized firms including motorbike repairs and cheese suppliers.
- 3.2.6 Delivery of the proposals identified in the Port Masterplan have the potential to create a further 500 local port-related jobs.

3.2.7 Land restrictions are an obstacle to growth within the port. It is therefore important to maximise the productivity of the existing port land. The JAAP aims to do this by focusing commercial port activity at the Eastern Arm and Canal, and by ensuring that vacant and underused sites are used to their full potential.

3.2.8 Non-port related industries currently located within the Eastern Arm and the Canal will be relocated, in order to expand the port's capacity and secure future operations. In parallel, current port-related activities in the Western Harbour Arm will be relocated where and when possible through securing alternative sites within the harbour, or elsewhere in the region. This will enable the land to be used for other developments.

Port Masterplan

3.2.9 Shoreham Port Authority's strategy for growth is set out in the updated *Shoreham Port Masterplan* (2016) and involves consolidating port-related uses within the Eastern Arm, Canal and South Quayside. The JAAP aims to promote the masterplan objective of enhancing the port's role in the local community, particularly in terms of jobs and trade growth.

Eco-Port Status and Renewable Energy Hub

Shoreham Port Authority has an environmental policy and has EcoPort status, shared with other ports in Europe. The port uses power for lighting on the terminals, operating the lock gates and water pumps which are used to keep the water at a constant level. Opportunities are being explored to reduce the reliance on traditional forms of energy by producing energy locally from renewable sources instead.

Adapting to Climate Change

3.2.10 In accordance with the *National Ports Policy Statement* (2012), new port infrastructure will typically be long-term investments which will need to remain in operation over many decades, in the face of a changing climate. Consequently, proposals for new development must consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.

Land Reclamation and Infilling

Previous development proposals for the harbour have included the reclamation of land out to sea on the south side of South Quayside, however the costs of implementation were considered to be prohibitive in the short to medium term. Whilst large scale land reclamation is not considered viable, it has been proposed on a limited scale within the canal, including at Britannia Wharf, as well as at Albion and Turberville Wharves, where it is hoped to increase the overall capacity and efficiency of the site.

Permitted Development Rights

3.2.11 Shoreham Port Authority has permitted development rights for certain types of development within the harbour meaning that planning permission from the local planning authority is not required. These rights are set out within the Shoreham Harbour Acts and also reflected within the General Permitted Development Order (GPDO) 2015; Part 17, Development By Statutory Undertakers, Class B (Dock, Pier, Harbours, Water transport, canal or inland navigation undertakings).

Minerals Wharves

- 3.2.12 The NPPF provides protection to mineral wharves, stating that local planning authorities should safeguard existing, planned and potential wharfage for bulk transport of minerals, secondary materials and marine-dredged aggregates (paragraph 143).
- 3.2.13 Minerals wharf capacity at Shoreham Harbour makes a significant contribution to meeting the needs for aggregate imports in the sub-region. Most of the wharf capacity is contained within the Eastern Arm and Canal.
- 3.2.14 Policy WMP 15 of the *East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013)* safeguards existing, planned and potential minerals wharf facilities and their consequential capacity for receiving and processing sea-borne imported aggregates at the Shoreham Port. The policy does allow for some redevelopment of wharves if overall capacity is maintained at the harbour. It is recognised that this capacity could be in the West Sussex portion of the harbour. The *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted 2017)* identifies the area of the Port falling within Brighton & Hove for safeguarding where policy WMP15 will apply.
- 3.2.15 Policy M10 of the *Submission Draft West Sussex Joint Minerals Local Plan (2017)* safeguards permanent mineral wharves at Shoreham Port for the purpose of minerals transportation. The policy further safeguards temporary consent granted at New Wharf and Kingston Wharf, to ensure they can continue to operate without prejudice, whilst they have planning permission. The plan states (paragraph 6.10.11) further temporary permissions may be granted for mineral related development at these sites if there is not a conflict with other development plan policies and objectives. These temporary permissions can contribute positively to ensuring a steady and adequate supply of minerals to the area.
- 3.2.16 There are several larger safeguarded sites within the heart of the port operational area that are actively used to discharge aggregates which offer unused capacity and therefore potential to mitigate the loss of wharves elsewhere in the port.
- 3.2.17 The regeneration partnership is exploring how best to deliver the safeguard sites policies at Shoreham Harbour to protect the overall wharfage capacity at the port whilst maintaining flexibility over which sites can contribute to meet aggregate needs.
- 3.2.18 In accordance with the NPPF, Shoreham Port Authority will continue to work closely with local minerals planning authorities in preparing their annual Local Aggregate Assessment based on a rolling average of 10 years sales data, other relevant local information and an assessment of all supply options (including marine dredged, secondary and recycled sources).
- 3.2.19 West Sussex County Council has prepared a *Statement of Common Ground (2016)* between the project partners, and the neighbouring minerals authorities (East Sussex County Council and South Downs National Park Authority) to establish cooperation and collaboration between the parties in addressing strategic cross-boundary issues as they relate to planning for minerals infrastructure and their safeguarding at Shoreham Port. The statement sets out matters of agreement and commitment to a future policy approach, reflecting the aspirations for regeneration at the harbour.

Policy SH2: Shoreham Port

- 1. New development proposals within the port area will be assessed against the objectives of the Port Masterplan, which will be treated as a material consideration.**
- 2. Parts of the harbour as identified within this plan will be safeguarded for port operational uses and will be the focus for commercial port activity. Non-port related activities will be resisted in those areas.**
- 3. Acceptable uses will need to demonstrate the requirement for a port-side location or are ancillary to a use requiring a port-side location.**
- 4. Sui generis uses appropriate to a port-side industrial location will also be acceptable provided they generate comparable levels of employment to B1-B2 use classes.**
- 5. New development within the harbour area should not conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses.**
- 6. Proposals in the vicinity of port operational areas should give careful consideration to health and safety implications in relation to access to the waterfront and to the security of moorings and storage areas. Security and safety implications should be considered at the outset and discussed with Shoreham Port Authority at an early opportunity.**
- 7. Proposals for uses that support the port's status as an 'Eco port' and hub for renewable energy generation will be encouraged.**
- 8. New port infrastructure proposals should consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.**
- 9. Proposals for the upgrade, intensification, and refurbishment of sites so they meet modern business standards and are more resource efficient will be supported.**
- 10. There should be no net loss of employment floorspace in port operational areas as a result of new development proposals unless exceptional circumstances can be demonstrated.**

3.3 Objective 3: Economy and employment

To stimulate the local economy and provide new jobs

To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.

3.3.1 The development of the harbour area is a long-term aspiration. In the short to medium term (5-10 years) it is essential to ensure that the initial phases of development do not compromise the operations of businesses on sites which are unlikely to come forward until later in the process. The regeneration partnership is committed to continuing a process of dialogue to ensure mutually appropriate development as and when sites come forward.

3.3.2 The JAAP proposals have been prepared in line with consideration of their impacts on the local economy. A preliminary *Economic Impact Assessment* (GL Hearn, 2013) has been undertaken which has indicated that the proposals could generate a significant net increase in employment and additional economic output. The proposals will also promote increased supply chain opportunities, with the new business base created by the proposals potentially supporting further indirect job creation in the local economy.

3.3.3 Whilst the proposals will result in overall losses of employment land footprint as land is redeveloped for other uses, the profile of the new employment space that is created and retained will support the objectives identified in the Brighton & Hove and Adur Employment Land Studies, particularly by:

- Renewing older and poor quality industrial stock and delivering quality workshop and industrial space to meet the needs of key creative/digital industries as well as emerging high-tech manufacturing and environmental technologies sectors.
- Expanding Adur's under-developed office market through the provision of new office accommodation and thus supporting growth in higher value-added sectors.
- Providing an opportunity to deliver small, affordable, start-up office space for which there is a continuing need in Brighton.

- 3.3.4 Proposals that incorporate initiatives and opportunities to secure apprenticeships, training and new job opportunities for the local area will be encouraged. As part of planning obligations associated with major development schemes developers may be required to contribute towards the provision of good quality employment and training opportunities during construction.
- 3.3.5 The regeneration partnership will continue to work with key stakeholders and local service providers to improve access and links to training and skills opportunities for local people. The Coast to Capital Local Enterprise Partnership (LEP) has produced a Skills Strategy (Skills for Growth, 2015) which identifies the need for improved employee skills across the LEP area. The Partnership will proactively engage with the LEP on this matter.

Policy SH3: Economy and employment

- 1. The JAAP proposals support the delivery of a minimum of 16,000m² of new employment generating floorspace in Adur and 7,500m² in Brighton & Hove.**
- 2. To prevent the loss of employment floorspace and associated jobs in the local area, the authorities will aid the relocation of existing occupiers displaced by new development within the regeneration area, district or sub-region depending upon individual requirements.**
- 3. Prior to sites coming forward for redevelopment to alternative uses, planning permissions for continuation of current employment uses may be granted for temporary periods on a case-by-case basis.**
- 4. The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents.**
- 5. New development will be required to contribute to the improvement of the local highways network and public realm to improve the street environment for local businesses.**
- 6. Proposals should seek to incorporate or contribute towards enhancements to areas of public realm identified as being of poor quality.**

Retail uses

- 7. As part of mixed-use redevelopments, small-scale, ancillary retail uses are acceptable provided that such activity will assist in enlivening key frontages and supporting existing retailing areas. Proposals should be appropriate and complementary in relation to Shoreham-by-Sea town centre and the existing district centre designation on Boundary Road/Station Road.**
- 8. New development for town centre uses (other than small-scale ancillary uses mentioned in clause 1) outside of the defined town centre boundary (or Primary Shopping Area in the case of retail uses) will be assessed in accordance with the National Planning Policy Framework sequential and impact tests. An impact test will be required for any proposed retail development outside of the Primary Shopping Area with a net sales floorspace of 1,000m² or more.**

3.4 Objective 4: Housing and community

To provide new homes and contribute to meeting housing need

To address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.

- 3.4.1 Both Adur and Brighton & Hove are geographically constrained by the sea and by the South Downs National Park to the north. Most of the remaining green space is protected through environmental designations, to prevent coalescence of settlements and for its recreation and amenity value. As a result, there is a limited supply of sites where new homes can be built and therefore development mainly consists of building on previously developed (brownfield) sites and small scale infill sites. Despite this, the demand for new homes continues to grow creating a challenge for local authorities in identifying new sites.
- 3.4.2 Housing needs assessments for both Adur and Brighton & Hove have identified a shortfall in housing provision in relation to need, in particular affordable and family sized homes. Supporting the delivery of new housing areas is central to the vision of transforming the harbour into an attractive waterfront community. The JAAP will support the regeneration of a number of brownfield sites which have been identified as suitable for residential development, balanced with the protection of key employment sites in other parts of the harbour.
- 3.4.3 Most residential development within the Shoreham Harbour Regeneration Area is expected to be multistorey flats. A small number of terraced town houses may be appropriate on a small number of allocated sites.
Social and community infrastructure
- 3.4.4 To ensure the regeneration of Shoreham Harbour promotes healthy, sustainable communities, it is important that appropriate and sufficient social and community infrastructure is provided in accessible locations to serve all parts of the community. An increase in population in the area will place pressure on existing facilities and create the need for new infrastructure provision.
- 3.4.5 Social infrastructure refers to emergency services, schools and colleges, health facilities, community spaces and cultural venues in the area.
- 3.4.6 Specific items of supporting infrastructure that will need to be delivered for Shoreham Harbour are set out within the Infrastructure Delivery Plans (IDPs) that accompany the *Adur Local Plan* and *Brighton & Hove City Plan Part One*.

- 3.4.7 These are live documents that are continuously updated and identify the range of different stakeholders that are responsible for delivery as well as associated costs, funding sources, priorities and progress.
- 3.4.8 Specific requirements relating to delivery of the Western Harbour Arm proposals are set out under 4.7 – Western Harbour Arm.
- 3.4.9 The Brighton & Hove IDP sets out specific requirements to support the proposed increase in residential population at South Portslade Industrial Estate and Aldrington Basin. In particular planning obligations towards education and health/medical services will be sought from new developments coming forward.
- 3.4.10 The *Adur Local Plan* (2016) includes Policy 34: Planning for Sustainable Communities that resists the loss of existing community facilities. Also refer to SH17: Planning obligations towards infrastructure delivery in this plan.

Policy SH4: Housing and community

- 1. Sites identified for residential-led redevelopment should contribute a minimum of 1,400 new homes across the harbour area by 2032, comprising 1,100 within Adur and 300 within Brighton & Hove.**
- 2. Developers will be required to ensure that proposals deliver a mixed and balanced community through providing a mix of dwelling types, sizes and tenures in accordance with identified local needs including suitable family accommodation.**
- 3. New residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented and intermediate housing in accordance with local plan policies.**
- 4. Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.**
- 5. Residential development in close proximity to existing or proposed employment activities and port uses must be carefully designed and incorporate appropriate mitigation measures to prevent future conflicts arising and maintain the continued operation of business uses.**
- 6. Innovative solutions to mitigation will be encouraged to ensure that residential-led development proposals are capable of existing with neighbouring uses, as well as the long-term development scenario envisaged in the JAAP.**

3.5 Objective 5: Sustainable travel

To improve connections and promote sustainable transport choices

To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.

3.5.1 Transport improvements will be required to support the JAAP proposals and reduce the impact of existing and future traffic congestion and related air quality and noise impacts, in particular the impacts on the two Air Quality Management Areas (AQMAs). Measures that reduce reliance on the private car and improve sustainable transport choices will be promoted.

Road Network

3.5.2 The coastal settlement pattern of the regeneration area is linear with most of the key roads connected by the A259 which runs east to west through the Shoreham Harbour area. The A27 provides the strategic inland route taking much of the through traffic; however there is a significant volume of local traffic along the A259 including heavy goods vehicles.

3.5.3 Access to the main operational port area is via two main entrances off the A259 which are not well connected to the A27. The advisory lorry route to Shoreham Harbour from the A27 is via the A293. As a result heavy goods vehicles often pass through either residential areas (via the advisory routes) or the town centres of Shoreham-by-Sea and Portslade.

3.5.4 At peak periods journey times for vehicles on the A259 are slow, for example Shoreham High Street. As a gateway to the regeneration area the A259 will be required to facilitate development traffic and provide access to local services, and reducing congestion on this key route is therefore essential to the regeneration proposals.

Public Transport

3.5.5 Public transport accessibility to the harbour is generally good with four local railway stations on the West Coastway line serving most of the population within a 20 minute walk. Despite good accessibility, the railway line acts as a physical barrier to north – south movements for other road users.

3.5.6 Capacity constraints on the Brighton Main Line and West Coastway have been identified by Network Rail as significant challenges facing this part of the rail network.

3.5.7 There are frequent buses along the A259. However, north-south movements are limited due to the road layout and severance created by the A259 and roads running under the railway line. In addition, there is scope to improve public perception of the bus network.

Walking and cycling

- 3.5.8 Shoreham Harbour is well served by pedestrian infrastructure; however the environment for pedestrians is considered to be poor and unattractive in places, and may not encourage short walking trips. In places the network is narrow, in poor condition, close to road traffic or poorly lit. The railway line and A259 both act as barriers to pedestrian movements causing severance.
- 3.5.9 Two key pedestrian routes connect across the harbour - the Adur Ferry Bridge from Shoreham-by-Sea town centre to Shoreham Beach and the harbour lock gates to Southwick Beach. Whilst both are well used, up until recently neither of these has offered a high quality pedestrian environment. The Adur Ferry Bridge now provides a much improved pedestrian and cycle connection between Shoreham Beach and Shoreham-by-Sea town centre and railway station.
- 3.5.10 To the east, the Brighton & Hove seafront provides a heavily used promenade for pedestrians and cyclists and a series of recreational activities. This ends abruptly at Hove Lagoon immediately to the east of Shoreham Harbour.
- 3.5.11 Southwick Beach and Carats Cafe act to some extent as destinations that help draw people to walk along the eastern part of the harbour and across the lock gates from Southwick. There is a significant opportunity to improve the quality of this experience. There are also opportunities to create visitor destinations around Shoreham Fort on Shoreham Beach and the lighthouse on Kingston Beach.
- 3.5.12 Monarch's Way is a long distance footpath running between Worcester and Shoreham Harbour. The route runs along Basin Road South and then along the promenades of Hove and Brighton before turning inland. Natural England is leading the delivery of the England Coast Path: a national trail that will run the entirety of the coast of England. This is planned to share the route along Basin Road South then cross the harbour at the lock gates and follow the A259 as far as Adur Ferry Bridge. In the longer term the waterfront route at the Western Harbour Arm could be designated as part of the route.
- 3.5.13 The National Cycle Route 2 (NCN2) from Dover to Penzance runs through the regeneration area. This route also uses Basin Road South, before crossing the lock gates and taking an inland route to Shoreham town centre and the Adur Ferry Bridge.
- 3.5.14 The *Shoreham Harbour Transport Strategy* identifies a dedicated, safe and continuous cycle facility along the A259 from Wharf Road to Surry Hard, providing a core cycle route, a critical item of infrastructure. Reducing the intimidating nature of the A259 corridor for cyclists with quality surfacing, clear signing, and provision for cycles at side roads or accesses
- 3.5.15 The A259 does not currently have good infrastructure for cyclists and is heavily used by motor vehicles, including HGVs. However the road provides the most direct route between Hove and Shoreham-by-Sea. Many cyclists therefore use this route. The partnership is exploring the potential for dedicated cycle facilities along this route.

Transport Strategy

- 3.5.16 The *Adur Local Plan & Shoreham Harbour Transport Study (2013)* and addendums (2014; 2016) assessed the impact of proposed housing and employment development at Shoreham Harbour on the highway network. It proposes a package of mitigation measures which will reduce the impact of development and encourage a shift in travel patterns to sustainable modes of transport. This package consists of sustainable transport measures, behaviour change initiatives and junction capacity improvements.
- 3.5.17 The *Shoreham Harbour Transport Strategy* was developed alongside the JAAP to support regeneration and development at Shoreham Harbour. The strategy contains a package of integrated transport measures that will guide the provision of transport infrastructure for the next 15 years.

3.5.18 The strategy takes a balanced view of transport provision in the regeneration area focusing on improvements to the existing road network and measures to encourage the use of sustainable modes of transport. Five key outcomes are identified in the Transport Strategy:

- OC1 Reduced levels of congestion
- OC2 Strengthened sustainable transport mode share
- OC3 Improved connectivity
- OC4 A safe and attractive environment
- OC5 Adequate parking provision and controls

3.5.19 Examples of behaviour change initiatives include travel plans, car sharing schemes, encouraging shared car ownership, and cycle training. This study is part of the evidence base for the Shoreham Harbour Transport Strategy and development proposals will be expected to contribute towards the package of measures identified.

Parking

- 3.5.20 Guidance produced by West Sussex County Council states that car parking provision for residential development should: take account of the expected levels of car ownership; ensure high quality of design; make efficient use of land. The guidance outlines that expected levels of car ownership and demand should be determined taking account of the type, size and tenure of the proposed development.
- 3.5.21 Brighton & Hove standards currently outline maximum levels of parking, however it is anticipated that new guidance will put a priority on minimising off-street car parking provision in accessible locations.
- 3.5.22 Due to the constrained nature of allocated sites at Shoreham Harbour, innovative approaches to parking will be required. The Transport Strategy identifies a localised approach to car parking provision such as using appropriate parking controls and the use of car clubs.

Policy SH5: Sustainable travel

1. New development in the regeneration area must demonstrate how it intends to reduce the need to travel by car and should help to deliver sustainable transport improvements as identified in the *Shoreham Harbour Transport Strategy*.
 2. Development will be required to contribute towards implementation of the area-wide travel behaviour change and travel choice programme set out in the *Shoreham Harbour Transport Strategy*.
 3. The layout and streetscape of the allocations should be designed to give pedestrians and cyclists priority over vehicular traffic wherever possible.
 4. Developments will be required to contribute towards the delivery of transport infrastructure which reduces congestion and increases the use of sustainable transport modes. Specific measures are identified in the *Shoreham Harbour Transport Strategy* including junction capacity improvements, improvements to bus and rail infrastructure and better cycling and pedestrian routes and facilities.
 5. Improvements should focus on the following priority corridors and seek to minimise the impact of traffic, including HGV's, on surrounding communities:
 - A259
 - A283
 - A293
 6. To improve the connectivity of the regeneration area, development proposals must provide or contribute towards the delivery of a comprehensive and well integrated transport network with strong linkages to town / district centres, the harbour waterfront / coastline, the South Downs, access routes and surrounding neighbourhoods. Specific network improvements for these supporting links are identified in the *Shoreham Harbour Transport Strategy*.
 7. Proposals that incorporate facilities and/or initiatives to promote the use of the river as a means of transport, such as provision of pontoons and additional moorings will be encouraged.
 8. Improvements must be consistent with recommendations in the *Shoreham Harbour Streetscape Guide* and *Shoreham Harbour Transport Strategy*.
- ### Parking
9. Car parking provision will be considered as part of the overall package of measures that impact on the need to travel resulting from the development. Proposals should include adequate levels of car parking for residential development or measures to promote lower levels of car ownership.
 10. For commercial development, car parking provision should be in line with local authority maximum standards.
 11. The amount of surface and on-street car parking should be minimised wherever possible and innovative solutions to the provision of car and cycle parking are encouraged as informed by the *Shoreham Harbour Transport Strategy*. Measures could include the creation of new car clubs or the extension of existing car clubs, by providing additional vehicles in appropriate locations and access to membership, to cover the regeneration area.
 12. All new development proposals will be required to provide adequate, appropriate and secure cycle parking and storage facilities.

3.6 Objective 6: Flood risk and sustainable drainage

To reduce the risk of flooding and adapt to climate change

To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.

- 3.6.1 Parts of the regeneration area are at a high risk of flooding due to the proximity to the coastline and the River Adur, exacerbated by the low lying topography of some sites. This is especially true for the Western Harbour Arm, parts of Aldrington Basin, Southwick and Portslade beaches as well as the port operational area.
- 3.6.2 Tidal flooding presents the most significant risk to the area. The Adur & Worthing and Brighton & Hove Strategic Flood Risk Assessments identify a number of sites located within Tidal Flood Zones 2, 3a, 3b and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of tidal flooding as Flood Zone 3b but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. In addition to this tidal flood risk, some areas are also affected by fluvial and surface water flooding.
- 3.6.3 Working closely with the Environment Agency, the partnership has prepared a *Shoreham Harbour Flood Risk Management Guide* SPD which sets out the types of flood risk present in the harbour area, the vision for a comprehensive flood defence network along the Western Harbour Arm and the requirements of developers in relation to mitigating flood risk in the regeneration area. This guide has been adopted by both Adur and Brighton & Hove councils. A key consideration of the SPD is the impact that climate change will have on rising sea levels, storm frequency and storm magnitude.
- 3.6.4 Brighton & Hove City Council, in partnership with Adur District Council and the Environment Agency, has produced the *Brighton Marina to River Adur Coastal Strategy Study*. This document examines how the stretch of coastline between Brighton Marina and the River Adur (up to the Canal lock gates in Southwick) will change over the next 100 years. This includes identifying erosion and flood mitigation measures that need to be delivered over this period.

3.6.5 Proposed flood defence improvements identified in this strategy would enhance the standard of protection for allocated sites identified in this plan, such as Southwick Waterfront and Aldrington Basin. The proposals identified in the strategy are therefore fully supported by the Partnership. A similar strategy, *The Rivers Arun to Adur Flood and Erosion Management Strategy* (2010) has already been adopted by DEFRA. This strategy includes a large part of the River Adur taking in the Western Harbour Arm.

3.6.6 The NPPF highlights the need to direct development away from areas at highest risk of flooding (thereby avoiding the risk in the first instance), but where development is necessary, ensuring it will be safe without increasing the risk of flooding elsewhere.

3.6.7 Refer to policies in Part 3 of this plan which identify the site-specific flood defence and mitigation measures required within the character areas. Development in the Western Harbour Arm in particular will be required to deliver significant flood risk mitigation infrastructure.

Policy SH6: Flood risk and sustainable drainage

- 1. Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the *Shoreham Harbour Flood Risk Management Guide* (2015), or subsequent updated guidance. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.**
- 2. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur. All proposed flood defences, flood defence upgrades, slipways, pontoons and floodgates will require prior approval of the Environment Agency, either through the Environment Agency Permit or as part of the Marine Management Organisation license. New development will need to be setback from the river's edge where flood defence maintenance is required. Set back distance should be discussed and agreed with the relevant authority including the Environment Agency. Maintenance arrangements for flood defences should be agreed with the Environment Agency and the local authorities prior to construction.**
- 3. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.**
- 4. Residential development proposals must protect against a breach scenario through the application of an appropriate finished floor level of 5.77m AOD.**
- 5. Non-residential development proposals must be designed to be safe for the proposed lifetime of the development, assumed to be at least a 60 year period from the date of receiving planning permission, unless otherwise agreed with the Local Planning Authority.**
- 6. Where undefended land levels are below the 1 in 200 year tidal flood event for 2115, land raising and/or flood defences should be provided to 5.4m AOD. For sites where existing defences / land levels do not meet the heights outlined above, developers will be required to deliver flood defences or land raising to this height to meet the required standard of protection.**

7. Where sheet piling is being proposed, a piling risk assessment must be carried out to demonstrate that any proposed piling will not result in contamination of groundwater or migration of contamination off-site. Wherever possible piling should be non-percussive vibro or push piling to minimise impacts to migratory fish. Use of percussive methods should be restricted to times when ecological impact is minimal. Displacement piling methods are generally preferred on contaminated sites as they produce no spoil so that contamination is not exported to the surface.
8. Where proposals seek to retain existing wharf walls as part of the flood defence infrastructure, an extensive structural survey will be required to ensure the development will be safe for its lifetime.
9. Where pontoons and mooring opportunities are provided as part of delivery of new flood defences, the following requirements apply.
10. Pontoons should be designed to be freestanding structures.
11. Where boats are to be moored directly onto piling, a structural survey is required to consider whether defences could take the loading over their expected lifetime.
12. Where loss of habitat occurs due to construction of moorings or pontoons or from boats resting on intertidal habitat, creation of new compensatory habitat will be required
13. Proposals should demonstrate how the risks of surface water runoff and water pollution have been reduced including through the introduction of sustainable drainage systems (SuDS) and water capture/recycling technology. SuDS must also be applied to hard landscaping (including paving and road carriageways).
14. New developments must incorporate open space, appropriate planting, green roofs and/or green walls (suitable for coastal growing conditions) to reduce levels of surface water runoff and consequent risk of flooding.
15. Proposals which seek to provide basement parking in tidal/fluvial flood zones will only be acceptable where adequate mitigation and emergency planning are included as part of the planning application.
16. Proposals must include an emergency strategy to ensure the safety of residents at times of flooding.

3.7 Objective 7: Natural environment, biodiversity and green infrastructure

To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network

To conserve and protect the area’s important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.

To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.

3.7.1 The regeneration area falls within the Brighton & Hove Downs Biosphere. As such the JAAP aims to contribute towards meeting its three objectives of:

- Nature conservation
- Sustainable socio-economic development
- Knowledge, learning and awareness

3.7.2 New development within the harbour is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures. Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.

3.7.3 The *Shoreham Harbour Ecology and Green Infrastructure Study (2015)* identifies the potential impacts of development proposed within this plan. It also updates previous ecological surveys and proposes green infrastructure improvements.

Designated sites and biodiversity

3.7.4 In accordance with the NPPF and with *Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services*, it is essential that any development in the harbour takes into account the sensitivities of the local environment and protects and enhances it wherever possible.

3.7.5 Located just outside the regeneration boundary to the west, is the Adur Estuary, a Site of Special Scientific Interest (SSSI) of particular ecological significance for its inter-tidal mudflats. It also contains one of the few saltmarsh habitats in West Sussex.

3.7.6 The Adur Estuary is an important habitat for a range of species, including estuarine plants and wading birds (particularly redshank, dunlin and ringed plover). The ringed plover population regularly exceeds 1% of the total British population, making the SSSI of national importance for this species.

- 3.7.7 The entire regeneration area is within the Impact Risk Zone (IRZ) for the Adur Estuary SSSI. An IRZ provides an initial assessment of potential risks to an SSSI posed by development proposals. Allocation Western Harbour Arm Waterfront is most likely to impact the SSSI. Consultation with Natural England is expected for these sites.
- 3.7.8 The eastern end of Shoreham Beach Site of Nature Conservation Importance (SNCI) falls within Character Area 6: Harbour Mouth. A large part of the SNCI is also designated as a Local Nature Reserve (LNR) whose boundary is adjacent to the regeneration area. The site's main interest is coastal vegetated shingle, an internationally rare and threatened habitat. It also provides a high tide roosting area for wading birds that have fed on the mudflats within the Adur Estuary.
- 3.7.9 Basin Road South SNCI is located at the eastern end of the regeneration area, adjacent to Allocation Aldrington Basin. This site is also designated for coastal vegetated shingle. The *Shoreham Harbour Vegetated Shingle Assessment* (2015) found that the site is predominantly made up of imported material and has undergone periods of disturbance.
- 3.7.10 The Basin Road South SNCI is 1.1ha in size. The assessment found the extent of vegetated shingle to be 0.43ha (39%) concentrated along the northern and southern fringes. The status of this site will be reviewed through the *Brighton & Hove City Plan Part Two*. The partnership is working to identify opportunities for coastal vegetated shingle habitat creation at Portslade and Southwick Beaches.
- 3.7.11 The Shoreham Harbour area as a whole is of regional importance for passage bird species and is of county importance for wintering birds as a result of the sheltered nature of the site. The area is also of local importance for breeding birds. It will be important to consider the impacts of increased recreational activities as a result of new development at the harbour on these sensitive areas.
- 3.7.12 A Reptile Survey (2009) has indicated the presence of an exceptional population of common lizards and a good population of slow worms on the North Canal Bank on the harbour's Eastern Arm, south of the A259. A Great Crested Newt Pond Survey (2009) concluded that due to a general lack of ponds and standing water bodies within the area, there is a negligible risk of impacts on this protected species as a result of the proposals.
- 3.7.13 There are a number of strategically important green corridors in and around the harbour area including the nationally important routes of the South Downs Way and the Monarchs Way long distance footpath. As highlighted in both the recent Adur District Council and Brighton & Hove City Council open space strategies; the beaches, foreshore and wider seafront area act as a blue/green corridor supporting a broad diversity of species. Other local links include:
- National Cycle Route 2 along the coast links Shoreham with Worthing to the west and Brighton to the east. Between Shoreham-by-Sea town centre and the Canal lock gates at Southwick this route is diverted inland to avoid the busy A259. It is anticipated that the proposed pedestrian/cycle route along the waterfront at the Western Harbour Arm, and a designated A259 cycle route could create a more direct route.

Green infrastructure and wildlife corridors

- By 2020, Natural England expects to deliver the England Coast Path, a new National Trail around England's entire coast. The Partnership is working with Natural England to progress this project. It is anticipated that the new and improved routes at the Western Harbour Arm, Canal lock gates and Portslade and Southwick Beaches will ultimately form part of this route.
 - Regional cycle route 79 (12) following the Adur River valley connects Horsham to the south coast at Shoreham.
 - Within Brighton & Hove, there are three north-south corridors providing important wildlife links and some public access between the harbour and the South Downs:
 - Southwick Hill down to Fishersgate— public access throughout although very narrow in parts of the urban area
 - Foredown Hill to Vale Park in South Portslade – series of green spaces with intermittent public access
 - Benfield Valley linking the downs to Old Shoreham Road with consistent public access
- 3.7.14 The Shoreham Harbour Ecology and Green Infrastructure Study (2015) makes a number of proposals to enhance the green infrastructure and biodiversity of the harbour and surrounding areas. These include:
- The preparation of a green infrastructure strategy for the regeneration area and links to surrounding areas.
 - A259 green corridor. The study identifies fourteen green spaces located along the A259. These act as a series of 'stepping stones' for wildlife. These sites include designated spaces such as Kingston Beach village green, but also the embankments between the A259 and the port, and the grassed amenity spaces around the Adur Homes estates at Southwick and Fishersgate. The Partnership is working with Adur Homes, Action Eastbrook and local communities to deliver improvements to these sites. Specific proposals are included within each character area policy in Section 4 of this plan. Further detail will be included in the Shoreham Harbour Green Infrastructure Strategy.
- Portslade and Southwick Beaches green corridor. The Shoreham Harbour Vegetated Shingle Assessment identified significant potential for coastal vegetated shingle habitat creation along these beaches. Habitat creation could be delivered as part of improvements to coastal defences and through the delivery of the England Coast Path and improved cycle route along the beaches.
 - Linear intertidal habitat creation. The study identifies opportunities to deliver habitats as part of new flood defences along the waterfront. This includes timber baulking and 'vertical beaches' attached to sheet piling.
 - Green roofs and walls. These could compensate for the loss of open mosaic habitats at ground level on vacant or unused sites. These should be appropriately planted for the coastal location, including vegetated shingle.

- 3.7.15 New development at the harbour should act as a catalyst to enhance green corridors and linkages, particularly where higher density developments result in limited opportunities to provide open space on site.
- 3.7.16 The national cycle network provides a valuable basis from which to extend greenways in this location to better connect Shoreham to urban areas such as Hove, Lancing and Worthing. Proposals for improving this route are set out within the *Shoreham Harbour Transport Strategy*.

- 3.7.17 Other recommendations from green infrastructure assessments in relation to biodiversity include:
- Enhance and create new open spaces and habitats at locations such as Shoreham Fort and Shoreham (Kingston Buci) Lighthouse with improved access linkages for visitors.
 - Consider and improve wildlife corridors wherever a new green corridor is developed or enhanced as part of the new development.
 - The role of parks, allotments, school playing fields, private residential gardens and cemeteries in providing valuable green corridors and wildlife habitats should be recognised in this area.
 - Protect the species rich grasslands beside the harbour and integrated grassland into new areas of waterfront open space where possible
 - Building designs should incorporate green roofs and areas of planting wherever possible.
 - Existing open spaces and parks would benefit from more wildlife planting and a varied mowing regime.

Water quality

- 3.7.18 The overall groundwater quality of the Brighton Chalk Aquifer is currently classified as “poor” in the Water Framework Directive (WFD) Cycle 2 2015 classification. The quantitative and chemical quality are both classified as “poor”. The overall water quality of the Adur Estuary is classified as “moderate”. The ecological quality is classified as “good” whilst the chemical quality is classified as “fail”.
- 3.7.19 The Water Framework Directive required all bodies of water (including surface water, coastal waters and groundwater) to achieve “good” status by 2021 and to be prevented from deteriorating in quality. It will be important for development proposals to undertake the necessary risk assessments to demonstrate Water Framework Directive compliance. Applicants are advised to refer to the Clearing Waters for All guidance.
- 3.7.20 The Environment Agency monitors the quality of bathing water at Southwick Beach. Since 2013 water at this location has achieved “excellent” status. This means that the bathing water meets the standard for the highest, cleanest class for the revised Bathing Water Directive, which has stricter standards than those for the old Directive.

Air Quality

- 3.7.21 Road vehicles are the greatest contributing factor to poor air quality in Adur and Brighton & Hove, with vehicles emitting a variety of pollutants including carbon monoxide, nitrogen oxides, volatile organic compounds and particulate matters.
- 3.7.22 There are two Air Quality Management Areas (AQMAs) that lie partly within the regeneration area. Brighton AQMA includes Kingsway / Wellington Road (A259) Church Road (A293), Boundary Road / Station Road (B2194) and parts of South Portslade to the south of North Street. Shoreham AQMA runs along Shoreham High Street (A259) from Norfolk Bridge to Surry Street.
- 3.7.23 There is also an AQMA in Southwick on the A270 between Kingston Lane and Southview Close. This is outside the regeneration area, but may be impacted by journeys arising from new development.
- 3.7.24 Air Quality Action Plans (AQAPs) will continue to play a key role in helping to manage issues of localised air pollution.

Noise

- 3.7.25 Noise can be a significant issue in built-up urban areas, and can act as both a disturbance and a threat to human health. DEFRA has undertaken a comprehensive noise mapping study, the results of which indicate that there are parts of the regeneration area where road traffic noise exceeds World Health Organisation guidelines.
- 3.7.26 The main generator of background noise in the Regeneration area is road traffic. The A259, A293 and B2194 have high levels of noise pollution related to traffic movements with noise levels decreasing with distance from these roads.
- 3.7.27 Rail-related noise is also an issue in some parts of the regeneration area with levels decreasing with distance from the railway line. Some of the industrial and port-related land uses in the regeneration area also generate high levels of noise.

Contamination

- 3.7.28 The nature of current and historic industrial activities at Shoreham Harbour raises significant potential for contamination to be present, which could adversely impact site users, buildings and the environment, including surface and groundwater quality. Pollution to controlled waters may result in contravention of objectives set out within the Water Framework Directive (WFD).
- 3.7.29 Former land uses have included Portslade Gas Works, oil storage, and coal and timber yards. Current uses also include coal and timber yards, as well as a power station, aggregate sorting and storage sites, garages, oil and petrol storage areas, a waste water treatment facility and other waste uses. Consequently, significant risks of pollutant linkages have been found in the area.
- 3.7.30 In accordance with NPPF paragraph 121, it will be important for development proposals to undertake the necessary risk assessment in line with best practice approaches. All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with most recent guidance.

3.7.31 Current guidance includes:

- BS 10175:2011+A1:2013 Code of practice for the investigation of potentially contaminated sites.
- BS ISO 5667-22:2010 Water quality sampling guidance on the design and installation of groundwater monitoring points.
- BS ISO 5667-18:2001, BS 6068-6.18:2001 Water quality sampling guidance on sampling of groundwater at contaminated sites

3.7.32 In order to ensure appropriate consideration of land contamination, the following reports/documents should be reviewed prior to the submission of a planning application:

- The risk management framework provided in CLR11, Model procedures for the management of land contamination
- The Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice

Waste and recycling

3.7.33 In keeping with the objectives of the *Biosphere Management Strategy* (2014-2019). It is important that the JAAP supports the shift towards sustainable management of waste and seeks to ensure waste is fully considered during design, construction, post-construction and demolition phases of new development.

3.7.34 Brighton & Hove City Council, East Sussex County Council and the South Downs National Park Authority, have adopted a Waste and Minerals Plan (2013) that provides planning policies to guide the management of waste and production of minerals over the plan period to 2026. In addition, the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan identifies areas of safeguarding for current and future waste management capacity. This includes areas at Shoreham Port.

3.7.35 West Sussex County Council and the South Downs National Park Authority have adopted a *West Sussex Waste Local Plan* (2014). The Waste Local Plan covers the period to 2032 and provides a basis for making consistent land-use decisions for waste management facilities.

Policy SH7: Natural environment, biodiversity and green infrastructure

1. The partnership will prepare a green infrastructure strategy and identify mechanisms for its implementation for the regeneration area and its surroundings.
2. The partnership will work with stakeholders, developers, landowners and communities to deliver an improved green infrastructure network including:
3. A259 green corridor improving and connecting improvement sites alongside the road, including embankments and grassed amenity space
4. Portslade and Southwick Beaches including coastal vegetate shingle habitat creation
5. Intertidal habitat creation, including baulking and vertical beaches as part of flood defence works.
6. Green walls and roofs, and appropriate street planting.
7. The partnership will promote and require the creation and enhancement of open space and green infrastructure in accordance with the emerging *Shoreham Harbour Green Infrastructure Strategy* and Brighton and Lewes Downs Biosphere objectives.
8. All development must ensure no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.
9. The *Shoreham Harbour Streetscape Guide* (2012) states that all vegetation must be salt tolerant and suitable for a coastal environment. Trees must be securely staked, hardy and able to withstand strong winds
10. Development proposals will be required to include schemes to conserve, protect and enhance existing biodiversity and to create appropriate habitats, taking into account appropriate, coastal protected sites and species. Measures to enhance biodiversity include, but are not limited to:
 - Incorporating green walls and roofs and appropriate planting schemes for the location, using locally native species wherever possible.
 - Providing bird-nesting and bat-roosting boxes.
 - Providing areas of vegetated shingle.
 - Using SuDS to create wetland habitat features, which help store and clean surface water.
 - Creating, restoring or enhancing off-site habitats, in particular through contributions to management and monitoring plans for, local conservation sites such as Shoreham Beach and Widewater Lagoon Local Nature Reserves.
 - Where appropriate, development will be required to incorporate ecological enhancements to the marine/estuarine/ riverine environment in order to promote biodiversity.
11. Where impacts on biodiversity cannot be avoided or mitigated, compensatory measures will be required, taking account of an up-to-date ecological survey.
12. Development will be required to integrate new green infrastructure, including biodiverse green roof (bio-solar where appropriate), green walls and suitable planting, and to contribute to enhancements to the green corridor.

Water quality

13. All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality. Only clean surface water should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted.
14. All marina developments must consider the installation of pump out facilities to reduce the risk to water quality from recreational boating. The size of the pump out facility should be appropriate to that of the development and agreed by the local authority prior to construction.
15. Development should seek to provide ecological enhancements through the use of sustainable drainage systems (SuDS).
16. All development must consider implications upon the sewerage and water supply network and ensure that capacity is adequate. New development must connect to the sewerage and/or water supply system at the nearest point of adequate capacity in collaboration with the service provider.

Air quality

17. Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided.
18. Development within or adjacent to an Air Quality Management Area (AQMA), or that is likely to have an impact on an AQMA, will be required to provide a contribution towards implementing Air Quality Action Plan objectives, such as sustainable transport improvements.
19. Proposals will be required to demonstrate that appropriate mitigation measures are introduced to ensure that new and existing residents are not exposed to poor air quality.

Noise

20. Development proposals should adhere to the following basic principles of noise control - Noise sources should be separated from sensitive receptors. Then noise should be controlled at source. Finally, the sensitive receptor should be protected.
21. Particular consideration will be required in relation to noise generated by transport and arising from adjacent industrial, trade and business premises, construction sites, activities in the street and on-going port and marine-related activities.

Contamination

22. Applications for development within a 10 metre radius of potentially contaminated sites will be required to submit a desk study, conceptual model, site investigation and risk assessment.

Waste and recycling

23. All development proposals will be required to incorporate facilities that enable and encourage high rates of recycling and re-use of waste and materials.
24. All new development will be required to demonstrate that waste is minimised both during the construction phase and the lifetime of the building.
25. Development proposals shall be accompanied by a Site Waste Management Plan.

3.8 Objective 8: Recreation and leisure

To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.

To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.

Beaches and water sports

- 3.8.1 The public beaches play a significant role in the provision of amenity space in the harbour for residents and visitors. They provide recreational and leisure opportunities as well as providing landscape, environmental and biodiversity benefits.
- 3.8.2 Some of the beaches, such as Southwick Beach, Shoreham Beach and, to a lesser extent, Kingston Beach are well used for traditional seaside activities (walking, swimming, sunbathing and fishing). The Shoreham Beach area is well used by windsurfers and kite surfers. Paddle boarding is becoming an increasingly popular sport for coastal areas.
- 3.8.3 When weather conditions are right, the harbour is well used as a surfing destination. Recreational surfing takes place throughout the harbour area, including Southwick Beach and within the harbour arms. Facilities for these users and other coastal sport users do not exist, but could include:
- outdoor/indoor showers,
 - bathrooms, and changing rooms.

Sailing and facilities for boat-users

- 3.8.4 The harbour is home to a number of sailing facilities including:
- Lady Bee Marina (Southwick Waterfront)
 - Riverside Yard (Southwick Waterfront)
 - Sussex Yacht Club (Western Harbour Arm / Southwick Waterfront)
 - Shoreham Sailing Club (Harbour Mouth)
 - Shoreham Rowing Club (Harbour Mouth)
- 3.8.5 All five areas have a strong leisure and recreation function with the first three providing berthing opportunities for larger vessels. These three currently have capacity for around 120 pontoon berths although access is a constraint to further pontoon capacity. Shoreham Port Authority is seeking to increase berthing capacity at Lady Bee Marina.
- 3.8.6 Whilst there is good provision of uses in and around the regeneration area, access is constrained in some places, and some facilities are in poor condition in need of replacement, improvement or re-provision.

Slipways and Hards

- 3.8.7 There are a number of historic slipways and hards in the Shoreham area. These were formerly used to launch and land boats onto and from the water. However most of these are now unable to function effectively for various reasons such as having been in-filled, being too steep, being dilapidated or being inaccessible and lacking sufficient parking and turning areas for trailers.
- 3.8.8 West Sussex County Council, working in partnership with Adur District Council and the Shoreham Slipways Group, are working towards providing new and improved public slipways for the Shoreham area. These new facilities will help support the local economy through enabling visiting anglers, divers and day boat users to access the harbour. The enhanced access to the water will help to restore Shoreham's maritime heritage.
- 3.8.9 A key planning consideration for locating a new public slipway is the need for sufficient appropriately laid out parking and turning areas for vehicles and trailers to manoeuvre.

Pedestrian Routes

- 3.8.10 Strategic routes for rural walkers are concentrated in the South Downs and stop at the outskirts of built up areas. Currently these do not connect well into the town centres and to the sea. Walking routes in the urban areas of the regeneration area are not well designed and signage is poor. The Adur Ferry Bridge has significantly improved the quality of the pedestrian environment in that area.
- 3.8.11 The pedestrian network running east to west along the majority of the regeneration area north of the coast / waterfront is limited to the path that runs along the A259 and as such currently offers a very poor experience for cyclists and pedestrians.

Cycle Paths

- 3.8.12 National cycle route NCN2 runs through the harbour from Hove Lagoon, along the southern section of the canal (the South Quayside area) across the canal locks, then runs inland to re-emerge in Shoreham-by-Sea. It then crosses over Adur Ferry Bridge and continues on to the seafront to the west. This route links Brighton in the east and Worthing in the west and is part of a long distance cycle route from Dover to Penzance.
- 3.8.13 The section from Hove Lagoon to Brighton in the east and Shoreham Beach to Worthing in the West is almost entirely 'traffic-free' with dedicated cycle paths. The section in between that runs through the harbour area is classified as 'on-road', with no dedicated cycle facilities. This route is well used by cyclists for leisure and recreation. It is also a popular commuting route for cyclists, although a high number of commuters use the A259 from the lock gates in Southwick as this is the quickest and most direct route.

3.8.14 In addition, the harbour area has good cycling links to the South Downs in the north. The Downs Link Bridleway that runs along the river Adur from Ropetackle to the South Downs is a key cycling and pedestrian link which connects Shoreham with the South Downs and which continues up to the North Downs in Surrey. However, signage to this route from the town centre is poor. Other routes to the South Downs from the regeneration area are also poorly signposted.

Open Space

- 3.8.15 Provision of new and enhanced areas of open space will be essential to creating a pleasant harbour side environment. Multi-functional open spaces provide a range of health benefits and can create pleasant new spaces for people to sit, relax and interact helping to build a sense of community and identity for the harbour.
- 3.8.16 The NPPF requires that planning policies should be based on robust, up-to-date assessments of local needs for open space, sports and recreation facilities and opportunities for new provision.
- 3.8.17 The Adur District Open Spaces Study was updated in 2014 which has provided open space provision standards for the district.
- 3.8.18 For Brighton & Hove, open space standards are set out within the Open Space Update Study (2011).

Policy SH8: Recreation and leisure

- 1. Development proposals will be required to provide high quality multifunctional public open space / green infrastructure on site. The type and quantity of open space will be determined by the scale and type of development, the identified needs of the area local standards and the Shoreham Harbour Green Infrastructure Strategy.**
- 2. Brighton & Hove City Council and Adur District Council will work with developers to explore the role, function and more detailed design of green spaces as they come forward. These areas could help to meet local need for a range of open spaces including parks and gardens, amenity green space, provision for children and young people, outdoor sports facilities, allotments and community gardens.**
- 3. Improved linkages to existing open space assets and green corridors will be encouraged.**
- 4. In accordance with local plan policies, the loss of existing open space will be resisted unless it has become surplus to requirements or would be replaced with equivalent or improved provision in a suitable location. In the case of any loss of open space, mitigation measures include, but are not limited to:**
 - Better access to remaining open space.**
 - Provision of an alternative site.**
 - Significant enhancements to remaining open space including features to improve open access to the waterfront.**
- 5. The provision of appropriate measures to enhance watersports and other traditional coastal activities will be supported.**
- 6. Major waterfront development schemes, are expected to incorporate features that improve open access to the waterfront. These may include facilities for boat users, additional moorings, floating pontoons/docks, slipways and inlets. Early consultation with Shoreham Port Authority and statutory bodies such as the Environment Agency and Marine Management Organisation is advised.**
- 7. Development schemes that result in the loss of an existing slipway or hard and that fail to incorporate a new useable slipway (with sufficient parking/turning space) on-site may be expected to contribute towards re-provision of the facility off-site.**
- 8. Where a new/improved slipways or hards are provided or reinstated it will be necessary to consult with the relevant highway authority to ensure appropriate public highway status is recorded including rights of motor vehicle use.**
- 9. Where additional moorings are provided consideration must be given to the management of additional waste and sewage arising. Appropriate services, such as toilets and pump out facilities, should be provided where appropriate.**
- 10. The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area.**

3.9 Objective 9: Place making and design quality

To promote high design quality and improve townscape

To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.

To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.

3.9.1 High quality urban design is an integral element of successful developments. Good design encompasses architectural design, form, height, scale, siting, layout, density, orientation, materials, parking and open space. Major development proposals may be subject to design review process at the pre-application and application stages in order to ensure the highest quality of design.

3.9.2 New developments should be well-designed and integrated into the landscape and townscape, and should contribute positively to the harbour's character and distinctiveness. Existing poor-quality design should not set a precedent.

3.9.3 Improvements to the public realm (streets and public spaces) provide an opportunity to enhance the quality, character and distinctiveness of the harbour. Good use of 'natural surveillance', natural and artificial light and careful siting of buildings and street furniture can improve the layout of an area, reduce perceived and actual crime and opportunities for anti-social behaviour, and make an area more pleasant to use.

3.9.4 Lighting is an important element of design quality; whilst necessary for safety reasons it can also add character and highlight elements of architectural quality. However, it is also important to ensure that light shines on its 'target' and does not waste energy or contribute to 'sky glow'.

3.9.5 Shoreham Harbour benefits from a number of historic assets which are proposed to be protected and enhanced to contribute towards maintaining the cultural history of the area and visual interest within the landscape and local views. The harbour area includes:

- Parts of the Shoreham-by-Sea Conservation Area
- The Riverside section of the Southwick Conservation Area.
- Three Grade II Listed Buildings
 - Royal Sussex Yacht Club
 - Sussex Arms Public House
 - Kingston Buci Lighthouse
- Shoreham Fort (Scheduled Monument).

Policy SH9: Place making and design quality

- 1. Schemes should be designed to reflect the character of the marine environment and should be sensitive to views of the waterfront, surrounding landscape and historic features.**
- 2. Waterfront development schemes are encouraged to incorporate features that improve public access, views and experience of the marine environment. This may be externally in the form of landscaped viewing areas and/or internally as an integral part of building design.**
- 3. Development proposals should improve the quality, accessibility, security and legibility of public streets and spaces. The public realm elements of the development proposals must be designed in accordance with the *Shoreham Harbour Streetscape Guide* (2012).**
- 4. Where appropriate contribution will be sought for the provision of public art, in accordance with the scale of development proposed.**
- 5. All development proposals will be expected to embrace principles of good urban design with reference to the following characteristics:**
 - High standards of architectural design and detailing.**
 - Suitable scale and massing in relation to housing type and local context, including townscape character and historic environment.**
 - Appropriate internal and external space standards in accordance with each authority's policy requirements.**
 - Buildings should provide strong enclosure to public spaces and streets, and should maintain a clear distinction between public, semi-private and private space.**
 - High standards of private amenity space for all residential development, including private balconies, terraces, gardens and shared courtyards as appropriate.**
 - Careful consideration of the impact of new development on access to daylight and sunlight for both existing and new residents.**

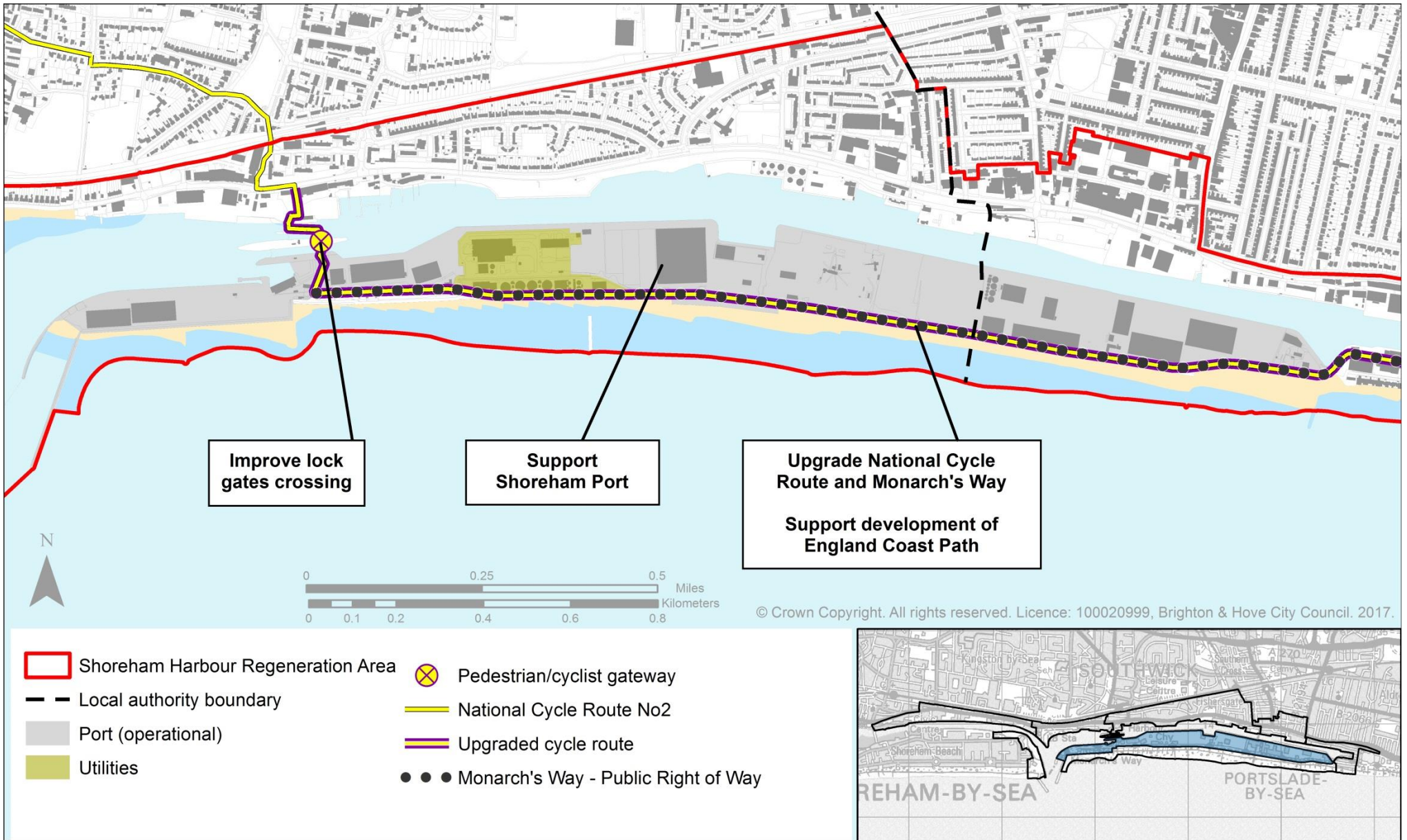
CHARACTER AREA PROPOSALS



SOUTH QUAYSIDE



Map 6 – CA1: South Quayside



4 Character area proposals

4.1 Character Area 1: South Quayside

Area priorities

- **To support Shoreham Port Authority in improving operational efficiency, developing new trade and exploring opportunities for sustainable energy generation, in line with the adopted Port Masterplan.**
- **To accommodate the relocation of existing port operators from elsewhere within the port.**
- **To accommodate the future capacity requirements for Shoreham Wastewater Treatment Works.**
- **To improve Basin Road South as a popular recreational route for walking and cycling, providing access to the beaches.**
- **With the exception of the existing and planned power stations, and the wastewater treatment works, non-port related operations will not be permitted in this area.**

About the area

- 4.1.1 CA1 - South Quayside is the main operational area of Shoreham Port. It is a long, narrow area between Basin Road South and the waterfront. The area stretches from the mouth of the harbour along the southern side of the Eastern Arm of the River Adur, and the Canal as far as the eastern ship turning head.
- 4.1.2 The full length of South Quayside is 2,370 metres. Within the Canal, there are 11 berths totalling 1,575 metres in length. In the Eastern Arm of the River Adur, the Outer Layby terminal extends further with two berths of 257 metres. There is a significant concentration of port trades and quayside activity.
- 4.1.3 In the quayside area, cargo handling and ship unloading are carried out using mobile cranes and lift trucks. Plant installations used by operators include a major aggregates grading and handling plant, a ready-mix concrete plant and gantry cranes at a steel stockyard.
- 4.1.4 Visiting fishing trawlers and other vessels often moor up alongside the power station. There are a number of security gate entry points to the port area, and the area north of Basin Road South is a secure area with no public access.
- 4.1.5 The regeneration strategy for the harbour is dependent on consolidating port-related activities within the Eastern Arm and Canal. South Quayside will be safeguarded for port operational uses. As well as improving operating efficiencies for the port, it will enable waterfront land to be redeveloped for alternative uses along the Western Harbour Arm.
- 4.1.6 South Quayside is sufficiently removed from residential areas that it can accommodate activities and uses that otherwise might harm residential amenity through noise and disturbance. Major facilities likely to remain for the timespan of the plan period include Shoreham Power Station and Shoreham Wastewater Treatment Works.



Wind turbines at Outer Layby



Solar panels on warehouse roofs

Utilities

- 4.1.7 Shoreham Power Station is a combined cycle gas turbine station. Its capacity is 420MW. The power station is owned and operated by Scottish Power. Cooling water discharges to an outflow at Southwick Beach.
- 4.1.8 Energy studies and consultation with local environmental groups have highlighted the potential of using the waste heat from the plant to supply local customers. The physical separation of the power station from potential customers, such as residential areas on the north side of the harbour, would require significant investment in directional drilling to feed pipes under the Canal.
- 4.1.9 Without adaption, the current configuration of the station does not enable provision of heat at a sufficient grade that could be utilised in a district network. Furthermore, a back-up power source would be required as the station is not in continuous use.
- 4.1.10 In 2016 Shoreham Port Authority installed two 100 kW wind turbines on Basin Road South. The turbines will generate, on average, 555,000 kWh electricity per year to power the nearby port pump house. The Port Masterplan proposes additional turbines further east, as shown on Map 6.
- 4.1.11 Shoreham Port Authority has worked in partnership with Brighton Energy Co-operative to install solar panels on many of the port buildings.
- 4.1.12 At present, Shoreham Wastewater Treatment Works (owned by Southern Water) has sufficient capacity to accommodate the levels of new development being proposed through this plan and the local plans for Adur and Brighton & Hove.

Transport and connections

- 4.1.13 Heavy goods vehicles serving the port, as well as the public, access this area via the main port entrance at the junction of Wharf Road and Kingsway (A259). Basin Road South runs the length of the southern side of the port along the seafront to Carat's Café and the adjacent public car park.
- 4.1.14 To the western end of the quayside and forming the crossing over to the north side of the harbour, the area around the lock gates is a key functional part of the port. Shoreham Port Authority has reclaimed a small area of land here by the pump house to accommodate an engineering function.
- 4.1.15 As outlined in Character Area 4, the lock gate crossing is a public right of way and part of the National Cycle Route (NCN2). Running parallel with the cycle route along Basin Road South is the Monarch's Way which is part of a long distance national walking trail. The route is popular with locals and cyclists and has the potential to be made more of a focal point with better signage, interpretation and way-finding.

- 4.1.16 Proposed improvements to both Southwick Waterfront and to the beach areas are likely to increase public usage of this area and it will be important to maintain appropriate buffers between the operational port areas and public spaces.

Policy CA1: South Quayside

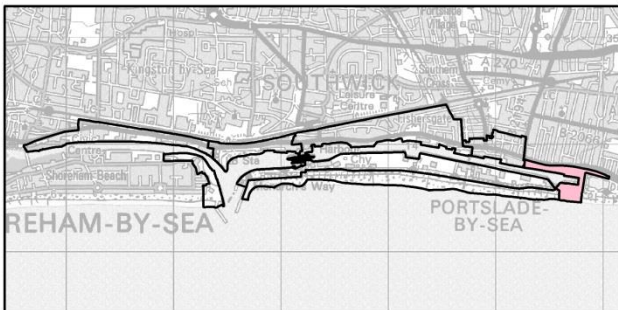
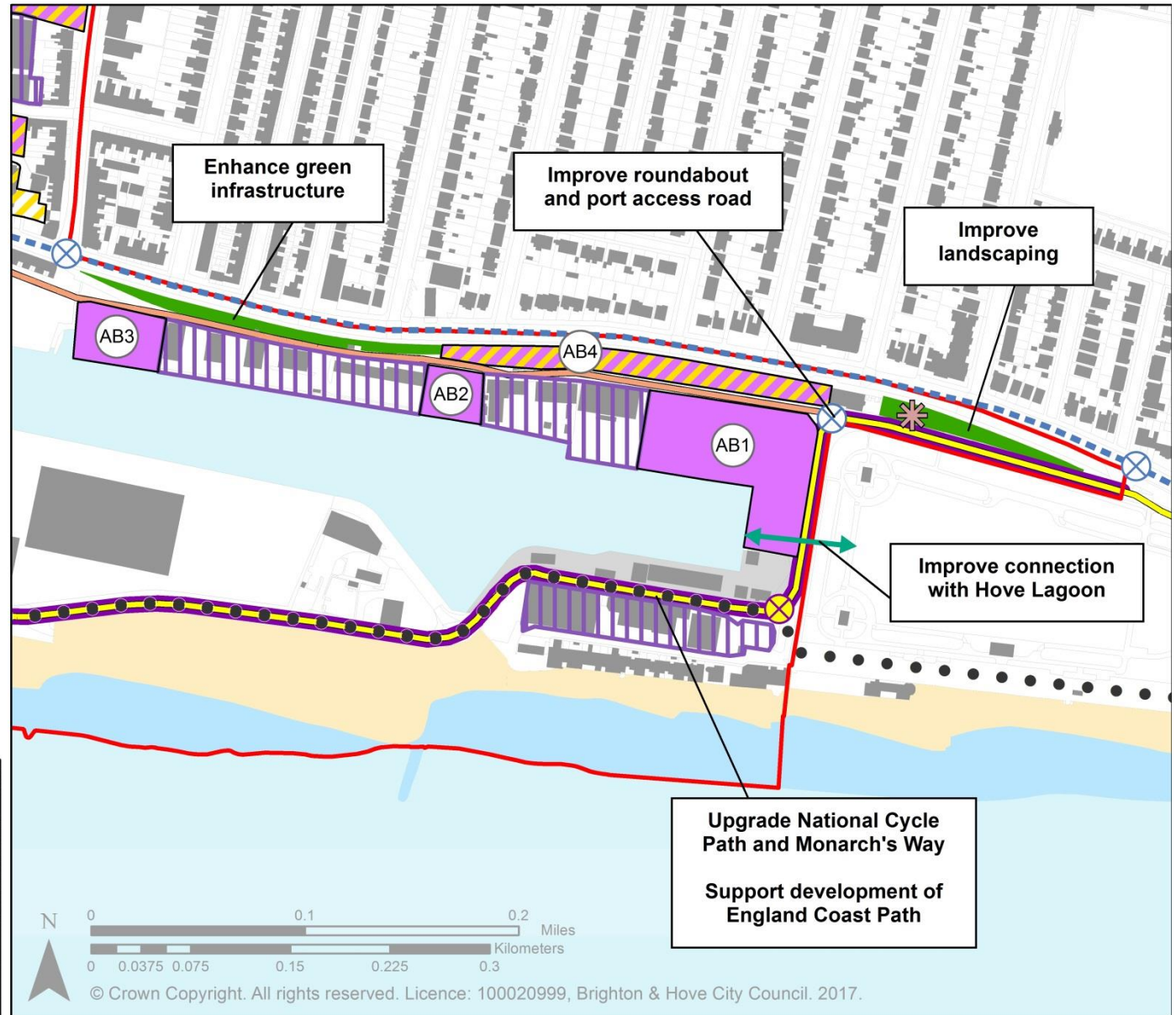
1. **South Quayside is safeguarded for future commercial port activity and for the relocation of existing port operators from elsewhere in the harbour. With the exception of the existing power stations, and waste water treatment plant, non-port operations are not permitted in this area.**
2. **South Quayside will be promoted as a hub for renewable energy generation, including appropriately located solar and wind generation.**
3. **Wastewater treatment infrastructure will be safeguarded to serve future population changes.**
4. **The partnership will seek improvements to the lock gate crossing for the benefit of pedestrians and cyclists. These must not detract from its primary port operational function.**
5. **The partnership will seek Improvements to Basin Road South, National Cycle Route (NCN2) and Monarch's Way public right of way including signage, interpretation, boundaries, surfacing, way finding and access to the beaches.**

ALDRINGTON BASIN



Map 7 - CA2: Aldington Basin

- Shoreham Harbour Regeneration Area
- Allocation
- Residential (proposed)
- Employment (proposed/protected)
- Protected employment
- Port (operational)
- Green corridor
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- Monarchs Way - Public Right of Way
- National Cycle Route No2
- Upgraded cycle route
- X Pedestrian/cyclist gateway
- X Junction improvements
- ✳ Public art opportunity (indicative)



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4.2 Character Area 2: Aldrington Basin

Area priorities

- To designate Aldrington Basin as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocation SS1 – Aldrington Basin).
- To accommodate a mix of new and improved port operational facilities as well as compatible non-port employment generating floorspace (use classes B1, B2 and B8).
- To accommodate appropriately located mixed-use development (use classes A1, A2, A3, B1 and C3).
- To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To ensure that all development takes into account the findings and recommendations of current Strategic Flood Risk Assessment and the Shoreham Harbour Flood Risk Management Guide SPD (2015) or subsequent update.
- To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.
- To support the delivery of the England Coast Path through the Aldrington Basin area.

About the area

- 4.2.1 CA2 – Aldrington Basin forms the eastern gateway to the harbour with the main port entrance at the junction of Wharf Road and Kingsway (A259). The basin is situated immediately adjacent to Hove Lagoon. It marks the end of the Hove seafront promenade and a transition to the industrial character of Shoreham Harbour.
- 4.2.2 The northern part of the area is formed of a steep slope from Basin Road North, up to Kingsway (A259). Overlooking the basin, to the north of Kingsway, is the West Hove residential area comprised of mostly two storey housing built in the 1920s and 1930s.
- 4.2.3 Since the mid-1800s, Aldrington Basin has been predominantly occupied by industrial and port-related uses. Over time, a number of physical interventions such as land reclamation, the addition of landing stages and wharves and the arrival of the Western Esplanade residential dwellings at the beginning of the twentieth century, have shaped its current character.

4.2.4 This area contains a mixture of employment uses ranging from offices, retail outlets, a restaurant and pub at Kingsway level through to light industrial, storage and marine-related uses down in the basin itself. Some of the sites are owned and leased by Shoreham Port Authority including Hove Enterprise Centre, Brighton & Newhaven Fish Sales, and Quayside offices. The remaining sites are in private ownership.

4.2.5 This area also includes Ferry Wharf, a disused minerals wharf, which is also a safeguarded waste site. If proposals for development come forward for this site then policies for re-provision of wharf capacity and waste management capacity will apply.

4.2.6 The steep slope down to the basin from Kingsway means the location is able to accommodate land uses and activities that may otherwise harm residential amenity due to noise, smell, dust or other disturbance. Maritime House and Hove Enterprise Centre contribute towards meeting the local demand for affordable, flexible workshop and office space and have high occupation rates.

4.2.7 A key consideration for development in the basin is that the eastern end of the Canal acts as the main turning head for ships. Remodelling of this area may be a long term opportunity. This would require significant investment.



Harbour entrance at Wharf Road



View east towards Western Esplanade

Transport and connections

4.2.8 Although the access route from the A259 in to the basin works relatively well, it creates a tight turning circle for commercial vehicles. The transport strategy includes junction improvements to each of the main accesses in to the port from the highway, including:

- Wellington Road (A259) – Church Road (A293) – Basin Road North
- Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North

4.2.9 Shoreham Port Authority intends to upgrade and extend the route on the north side of the canal from the existing mini-roundabout linking to an improved Wellington Road (A259)-Church Road (A293) junction. This is to make the route more suitable for HGV traffic and to lead port-traffic more directly on to the advisory route.

4.2.10 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of this allocation.

	Improve Basin Road South cycle route and Monarch's Way		Improve connections with Hove Lagoon and Hove seafront		
4.2.11	Basin Road South runs parallel to South Quayside provides vehicular access to the main operational port areas. It also forms part of the National Cycle Network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Despite the poor condition of this route for cycling and walking, the poor quality of the public facilities and generally dated appearance, it remains a popular route and the beaches are frequented by local families, swimmers, surfers and artists particularly during the summer months.	4.2.13	Hove seafront promenade ends at Hove Lagoon. This area is very popular for walking, cycling and general recreation and there are a range of water-sports offered at Hove Lagoon. The Hove Deep Sea Anglers Club is adjacent.	4.2.16	New signage and improved visual and physical access from Aldrington Basin to Hove Lagoon would help to soften the boundaries of the basin and could be achieved through relatively minor interventions in formal landscape and site layout of Hove Lagoon. This connection could be achieved through the development of pathways and crossings to achieve direct, safe access.
		4.2.14	Beyond this point is a row of secluded 1920s residential properties on Western Esplanade overlooking private beaches. This, combined with the industrial character of the harbour, acts as a barrier for wayfinding between Hove Lagoon and seafront and Portslade and Southwick beaches to the west.	4.2.17	Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA2 – Aldrington Basin between Portslade Beach and Hove seafront promenade.
4.2.12	The road is also a public right of way which forms the end of the historic Monarch's Way route, a long distance footpath (990km) that approximates the escape route taken by King Charles II in 1651 after being defeated in the Battle of Worcester. There is considerable potential to improve the quality of this route.	4.2.15	The transport strategy includes proposals to improve the cycling and walking routes through this area. Where sites and groups of sites come forward, opportunities to create direct public or semi-public access to the waterfront should be explored.		

Environment

- 4.2.18 Kingsway (A259), Wharf Road and Basin Road North fall within the Brighton & Hove Air Quality Management Area (AQMA) designated in 2013.
- 4.2.19 The area is crossed by several underground water mains and sewers (the latter conveying wastewater to the nearby waste water treatment works). This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

Flood risk and sustainable drainage

- 4.2.20 Existing ground levels across the area vary from a minimum of 3.5m Above Ordnance Datum (AOD) to greater than 10m AOD. A large portion of the site is at a level of less than 4.5m AOD.
- 4.2.21 Due to its elevated position, sites along the A259 Kingsway are not at a significant risk of flooding. For sites between the A259 Kingsway and the coast, there is a risk of tidal flooding. The Brighton & Hove Strategic Flood Risk Assessment (JBA: 2012) identifies most of the Aldrington Basin area as Flood Zone 2 and 3a with some small areas of Flood Zone 3b for tidal flooding. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.50m, with some areas estimated to flood to a depth of just 0.20m.
- 4.2.22 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

- 4.2.23 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents):
- [Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs](#)
 - [Water. People. Places: A guide for master planning sustainable drainage into developments](#)
 - [CIRIA SuDS Manual](#)
- 4.2.24 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) for full details of requirements in relation to protection from flooding.

Green infrastructure

- 4.2.25 The embankments sloping up from Wharf Road and Basin Road North to Kingsway (A259) form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.2.26 The Wharf Road embankment, adjacent to Hove Lagoon, is a prominent location at the main eastern gateway to the harbour. The partnership will seek landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and the enhancement of the existing butterfly bank. Appropriate public art will also be encouraged
- 4.2.27 The Basin Road North embankment extends east from the Boundary Road/Station Road junction. The partnership will seek improvements such as planting of native hedgerows and plug planting of suitable species



Wharf Road embankment and Hove Lagoon from Kingsway



Basin Road North embankment

Development opportunities

- 4.2.28 The release of sites for redevelopment in and around the basin requires careful management given the close proximity of port operations and residential areas at Western Esplanade and to the north of Kingsway.
- 4.2.29 The partnership will work with businesses and service providers to identify their needs and overcome barriers to growth in order to improve the basin as a modern thriving local business cluster. As shown on Map 7, key proposals for this area include the following:

Strategic employment area

4.2.30 Employment generating uses (use classes B1, B2 and B8) will remain the predominant land use within Aldrington Basin. The partnership will work with land owners to promote the redevelopment of sites to deliver better quality, modern accommodation. Key opportunity sites are as follows:

- North Basin Quay (Site AB1 - see Map 7) is situated at the eastern end of the Canal; bounded by Basin Road North, Basin Road South and opposite Hove Lagoon. Redevelopment for high quality, modern employment floor space will be encouraged. In order to improve the connection between Hove Lagoon and the harbour an element of ancillary leisure, retail and food and drink uses fronting open space will be supported.
- Aldrington Marina (Site AB2 - see Map 7) is on the southern side of Basin Road North, between Maritime House and Hove Enterprise Centre. The site is currently let as storage space. Development for high quality, modern employment floor space will be encouraged.
- Ferry Wharf (site AB3 on Map 7) is safeguarded for the import of aggregates and other minerals unless

similar wharf capacity can be re-provided on an alternative suitable site. If development proposals come forward then policies for re-provision of wharf capacity will apply. Future development at Ferry Wharf could provide modern employment floorspace that is compatible with port related uses.

4.2.31 The following sites are protected:

- The Shoreham Port Authority-owned Hove Enterprise Centre and Maritime House are successful operations supplying flexible workspace and will be protected for employment generating uses throughout the plan period.
- The other plots south of Basin Road North (site AB2) may also be appropriate for redevelopment for modern, good quality employment space. These will be protected for employment and port related uses.
- Port operational areas will be safeguarded for commercial port operations and related uses.

Mixed-use development

4.2.32 New mixed-use development is promoted on plots between Basin Road North and Kingsway (site AB4 on Map 7). Proposals must demonstrate that they are compatible with existing employment uses at the basin level.

4.2.33 Plots between The Gather Inn to the east and Ocean Sports Board Riders to the west could be redeveloped for a mix of uses with employment floorspace (use class B1) on lower storeys fronting Basin Road North and mixed-employment (use classes A2, B1, and ancillary A1) fronting Kingsway and residential apartments (use class C3) on upper storeys.

Development form and typology

4.2.34 The following principles for development form are proposed:

- For new employment floorspace at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
- Mixed employment and residential uses with a dual frontage onto Kingsway (mixed commercial activities with residential accommodation on upper storeys) and Basin Road North (employment uses).
- Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.
- New buildings should be of a modern design which complements the existing historic character.

Policy CA2: Aldrington Basin

1. **Aldrington Basin is designated as a strategic employment/mixed use area.**
2. **The partnership will work with developers and stakeholders to deliver:**
 - a. **a minimum of 90 new dwellings (use class C3)**
 - b. **a minimum of 4,500m2 employment floorspace (use classes B1, B2 and B8)**
 - c. **ancillary leisure, retail and food and drink floorspace**
3. **Site allocations at Aldrington Basin (shown on Map 7) are:**
 - a. **AB1 – North Basin Quay: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.**
 - b. **AB2 – Aldrington Marina: Allocated for new employment floorspace (use classes B1, B2 and B8)**
 - c. **AB3 – Ferry Wharf: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8).**
 - d. **AB4 – Kingsway/Basin Road North: Allocated for mixed use redevelopment (use classes B1 and B2 at Basin Road North level, use classes A2, B1 and ancillary A1 at Kingsway level, and use class C3 on upper storeys).**
4. **Port operational areas are safeguarded for commercial port operations and related activities.**
5. **Hove Enterprise Centre and Maritime House are protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace.**

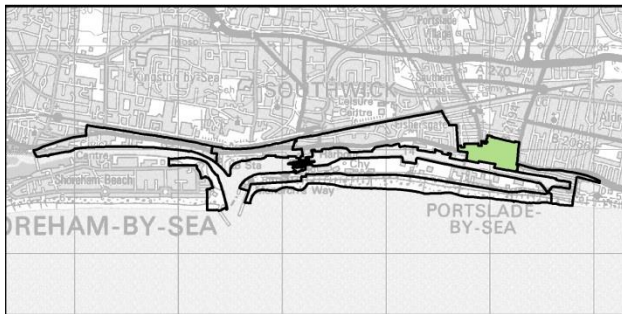
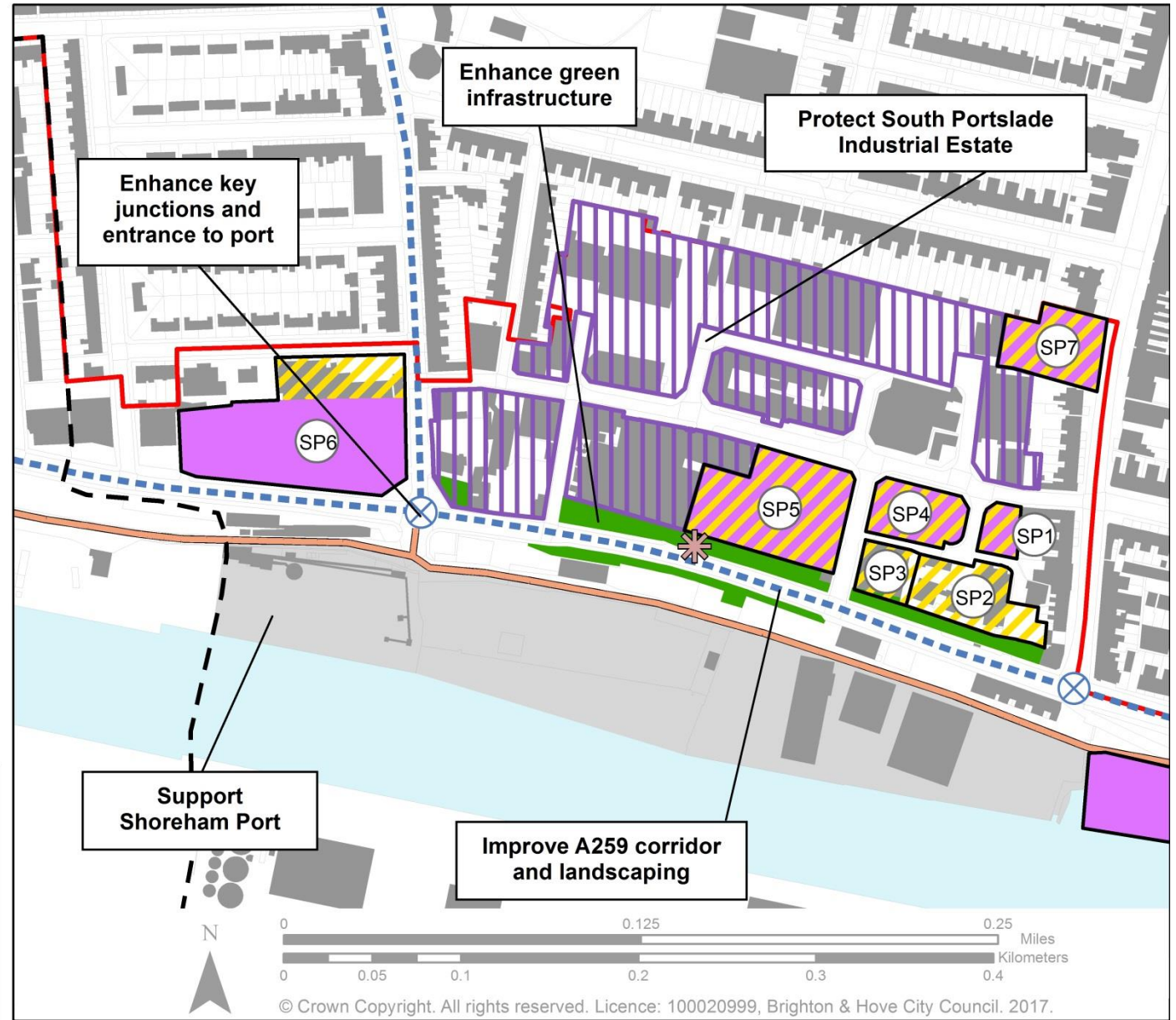
6. For sites AB1, AB2, AB3:
- a. Building heights of two to three storeys are generally considered acceptable.
 - b. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.
7. For site AB4:
- a. Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles.
 - b. Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.
 - c. Development should provide an attractive character along the A259 and contribute towards the street scene.
8. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Kingsway (A259) – Wharf Road junction and Wharf Road – Basin Road North – Basin Road South junction.
9. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to embankments between Kingsway (A259) and Wharf Road/Basin Road North as part of the green corridor alongside the A259.
10. Where open space requirements cannot be met on site, development will be required to contribute towards existing open spaces, such as Hove Lagoon, Portslade Beach, Wish Park and/or Vale Park.
11. The partnership will work with developers and stakeholders to deliver the package of transport measures for Aldrington Basin as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
- Improvements to the following junctions:
 - Wellington Road (A259) – Church Road (A293) – Basin Road North
 - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
 - Upgrade and extension of Basin Road North.
 - The following cycling infrastructure improvements:
 - Improvements to the cycling facilities along the A259
 - Improvements to NCN2 to create a safe and continuous route along Wharf Road and Basin Road South
 - Improvements to pedestrian and cycle crossing points.
 - Improvements to bus stops.

NORTH QUAYSIDE AND SOUTH PORTSLADE



Map 8 – CA3: North Quayside and South Portslade

- Shoreham Harbour Regeneration Area
- Local authority boundary
- Allocation
- Residential (proposed)
- Employment (proposed/protected)
- Protected employment
- Green corridor
- Port (operational)
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- X Junction improvements
- ✱ Public art opportunity (indicative)



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4.3 Character Area 3 – North Quayside and South Portslade

Area Priorities

- To designate South Portslade as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocation SS2 – South Portslade).
- To accommodate a mix of new and improved employment generating floorspace (use classes B1, B2 and B8).
- To accommodate appropriately located mixed use development (B1, and C3).
- To revise the boundary of South Portslade Industrial Estate and protect for employment generating uses.
- To safeguard and develop North Quayside as a new and improved port operational area accommodating new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.
- To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To improve connections and townscape around key linkages including Boundary Road/Station Road (B2194) district retailing centre, Church Road (A293) and along Wellington Road (A259).
- To ensure that all development takes in to account the findings and recommendations of the current Strategic Flood Risk Assessment and Flood Risk Management Guide SPD (2015).
- To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.

About the area

- 4.3.1 The North Quayside area of the port and South Portslade are home to a diverse mix of mostly industrial premises nestled within a residential neighbourhood. Land uses on the south-side of the A259 are predominantly port-related, industrial and aggregate uses including the safeguarded Britannia Wharf.
- 4.3.2 South Portslade Industrial Estate is defined predominantly by employment generating uses. This includes car garages, offices and product fabrication.
- 4.3.3 To the north and west of the industrial estate, the area is abutted by residential properties, in some cases on the same street (such as Church Road (A293) and St. Peter's Road).
- 4.3.4 To the east is the district retailing centre of Boundary Road/Station Road (B2194), leading to Portslade Station.
- 4.3.5 There are several community uses such as the City Coast Church and Community Centre, St Peter's School and the Brighton & Hove City Council-owned Belgrave Day Centre.

Transport and connections

- 4.3.6 Refer to the *Shoreham Harbour Transport Strategy* for details of the package of measures proposed to support the development of this allocation.
- 4.3.7 The southern edge of the industrial estate is defined by the stark environment of Wellington Road (A259). Although benefitting from views to the sea over the working harbour, the A259 suffers from weak frontages and buildings backing on to its northern side, poor quality public realm and a lack of frontage to the south. The townscape environment, particularly along Wellington Road is run down and unsightly which has a detrimental impact on the perception of this part of the harbour.
- 4.3.8 The industrial estate's internal road network is not well connected to its surroundings and is bound to the north and west by rows of terraced housing. There are two main north-south access roads, Boundary Road/Station Road (B2194) and Trafalgar Road/Church Road (A293). These are well used by HGVs and link the harbour to the A270 and A27.

Improving key junctions

- 4.3.9 The Wellington Road (A259) – Church Road (A293) junction is particularly impacted by air quality issues, relating in particular to heavy goods vehicles. This limits the types of uses that are suitable to be situated in close proximity.
- 4.3.10 There is currently a narrow one-way port access road (Basin Road North) on to Wellington Road (A259) at the junction with Boundary Road/Station Road (B2194). Shoreham Port Authority intends to upgrade and extend this road to the junction with Church Road (A293) to form a more accessible route through the operational port.
- 4.3.11 These routes are key gateways into the harbour area and the Transport Strategy promotes improvements to both the Wellington Road (A259) – Church Road (A293) – Basin Road North junction as well as the Wellington Road/Kingsway (A259) – Boundary Road/Station Road (B2194) – Basin Road North junction.

Improving connections and streetscape

- 4.3.12 Opportunities exist to enhance the permeability of South Portslade Industrial Estate in order to repair and reconnect sites to adjacent neighbourhoods and key routes. Improvements to cycle routes and pedestrian crossings as well as improved connections with stations are proposed.
- 4.3.13 During the plan period, opportunities may exist to create new and improved north-south connections. Beyond the plan period, further opportunities may exist to unlock and extend routes (pedestrian or vehicular) such as Ellen Street and West Street.
- 4.3.14 Linkages to existing recreation and open space assets such as Hove Lagoon, Vale Park, Wish Park and Portslade and Southwick Beaches will also be promoted.

Flood risk and sustainable drainage

- 4.3.15 South Portslade is situated outside of the area that is at risk of tidal and fluvial flooding. However the Brighton & Hove Strategic Flood Risk Assessment (SFRA, 2012) identifies some parts of the area as being at risk of surface water flooding in both the 1 in 30 and 1 in 200 year events. This is particularly the case around the junction of Church Road and Wellington Road as this is a localised area of lower lying land.
- 4.3.16 Surface water flooding can result in pollution to water and development in this location will need to take this flood risk constraint into consideration. Sustainable drainage systems (SuDS) have been identified for areas to the north of the allocation. Surface water run-off and SuDS are assessed by the Lead Local Flood Authority. These improvements will benefit development in this location. Developments should therefore contribute towards improvements to limit the surface water flooding. Refer to the *Urban Sustainable Drainage System Feasibility Study (2015, Brighton & Hove City Council)* for further details.

- 4.3.17 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD (2015)* or subsequent update for full details of requirements in relation to protection from flooding.

Green infrastructure

- 4.3.18 The grassed frontages on the northern side of Wellington Road (A259) and the steep embankment between Wellington Road (A259) and Basin Road North form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.3.19 The grassed frontages to Wellington Road (A259) have the potential to provide multifunctional amenity space for adjacent development sites. The partnership will seek landscape and ecological improvements such as the creation of wildflower meadows, plug planting of suitable species, planting of native hedgerows.
- 4.3.20 Adjacent development should incorporate green walls and roofs. The sites also have potential for sustainable drainage (SuDS) features such as rain gardens or swales. Appropriate public art will also be encouraged
- 4.3.21 The Basin Road North embankment could be improved to provide a more attractive southern edge to Wellington Road (A259).

4.3.22 Vale Park is situated just outside the regeneration area. The partnership will seek improvements to enhance the ecology and amenity of this public open space.

4.3.23 The *Shoreham Harbour Green Infrastructure Strategy* will set out full details of requirements in relation to green infrastructure and biodiversity.



Wellington Road frontage



Vale Park

Development opportunities

4.3.24 North Quayside will remain safeguarded for port-related operational uses as part of the consolidation of port activities.

Allocation: South Portslade

4.3.25 Much of South Portslade Industrial Estate will be protected for employment generating uses. This protection will be extended to include sites to the west of Church Road (A293). A number of sites will be released to accommodate mixed use development including both employment generating and residential floorspace. Key proposals are shown in further detail on Map 9.

4.3.26 Although Brighton & Hove City Council owns some of the land within the estate, the majority of sites within the estate are privately owned. This may provide the opportunity for the partnership to coordinate a comprehensive redevelopment approach. Key planning considerations for the renewal of this area include impact on employment floorspace supply, impact on existing businesses and the compatibility of introducing new residential uses within the existing employment uses to the north and port operational uses to the south.

Managed release of sites for mixed-use redevelopment opportunities

4.3.27 Due to the proximity of a concentration of well-established predominantly industrial uses, the release of sites within the estate for redevelopment requires careful management. The core of the industrial estate will remain protected for employment uses and extended to include sites to the west of Church Road (A293)

4.3.28 A limited number of carefully selected plots around the periphery are promoted for redevelopment. These sites have been selected either where they are vacant and redundant from their existing use, where their location makes them peripheral to the employment area core or where redevelopment would provide wider regeneration benefits. Locations where redevelopment opportunities are promoted are as follows:

- Sites SP1, SP2, SP3 and SP4 (see Map 8) are bounded by Camden Street, North Street and Wellington Road (A259). With the exception of the existing shops and amenities on North Street and Boundary Road / Station Road, much of this block could be comprehensively redeveloped for a mixed use scheme, in particular focussing on improving the frontage visible from the A259.
 - Prestwich House (site SP1) is suitable for mixed use redevelopment comprising employment uses (use classes B1) on lower storeys and residential (use class C3) on upper storeys
 - The former Belgrave Day Centre (site SP2) and Wellington House (site SP3) could be redeveloped to accommodate residential development (use class C3).
 - Regency House (site SP4) remains suitable for employment uses (use classes B1 or B2) compatible with the adjacent residential use. If redeveloped the site could accommodate a mix of uses including employment (use class B1) on lower storeys and residential uses (use class C3) on upper storeys.

- The Former Flexer Sacks (site SP5 on Map 8) is suitable for mixed use redevelopment comprising employment uses (use class B1) on lower storeys and residential (use class C3) on upper storeys. Leisure and assembly uses (use class D) may be permitted provided they are compatible with residential and employment uses in the vicinity.
- Site SP6 is bounded by Church Road, Wellington Road and St Peters Road (see Map 8). The northern portion of the site fronting onto St Peters Road is suitable for residential development (use class C3). The southern portion of the site is allocated for new employment development (use classes B1, B2, and B3) provided it is compatible with adjacent residential development.
- Station Road (site SP7 on Map 8) is suitable for mixed use redevelopment comprising active commercial and retail uses at ground floor (use classes A1, A2, A3 and B1) and residential (use class C3) on upper storeys and to the rear of the site.
 - The depth of the site would allow the creation of a small number of mews / terraced houses off the main street.

Residential uses

- 4.3.29 New residential developments will provide much needed new homes and help contribute to the creation of a softer edge to the fringes of the port operational and employment areas. They will also help to deliver public realm and infrastructure improvements through contributions arising from planning obligations.
- 4.3.30 At South Portslade, a mix of apartments, terraced town houses and mews housing would be appropriate, with the majority of residential dwellings likely to be arranged as flatted accommodation, for example apartments arranged to complete urban blocks or forming new perimeter blocks. A number of sites in South Portslade are proposed as apartment blocks of varying heights overlooking Wellington Road and the port to the south.
- 4.3.31 Opportunities exist to create a two to three storey mews housing typology on the northern portion of site SP6 and to the rear of Station Road on site SP7.

Redefining the core employment area boundary

- 4.3.32 The South Portslade Industrial Estate is protected for employment generating uses and an extended core employment area is proposed. The original boundary was based on the Employment Area designation in the adopted Brighton & Hove Local Plan (2005). The area is extended to include sites to the west of Church Road (A293).
- 4.3.33 North Street remains the core spine of the employment area fronted by modern employment floorspace. Opportunities will be sought by the partnership to support and promote the provision of modern employment floorspace and improve the business environment within the redefined core employment area.

Supporting community assets

- 4.3.34 There are several valued community assets within the area including City Coast Church and Community Centre, St Peters Primary School. New developments in the area should take into account the proximity to these activities, seek to enhance the quality of their environment wherever possible and mitigate potential impacts.

Policy CA3: South Portslade and North Quayside

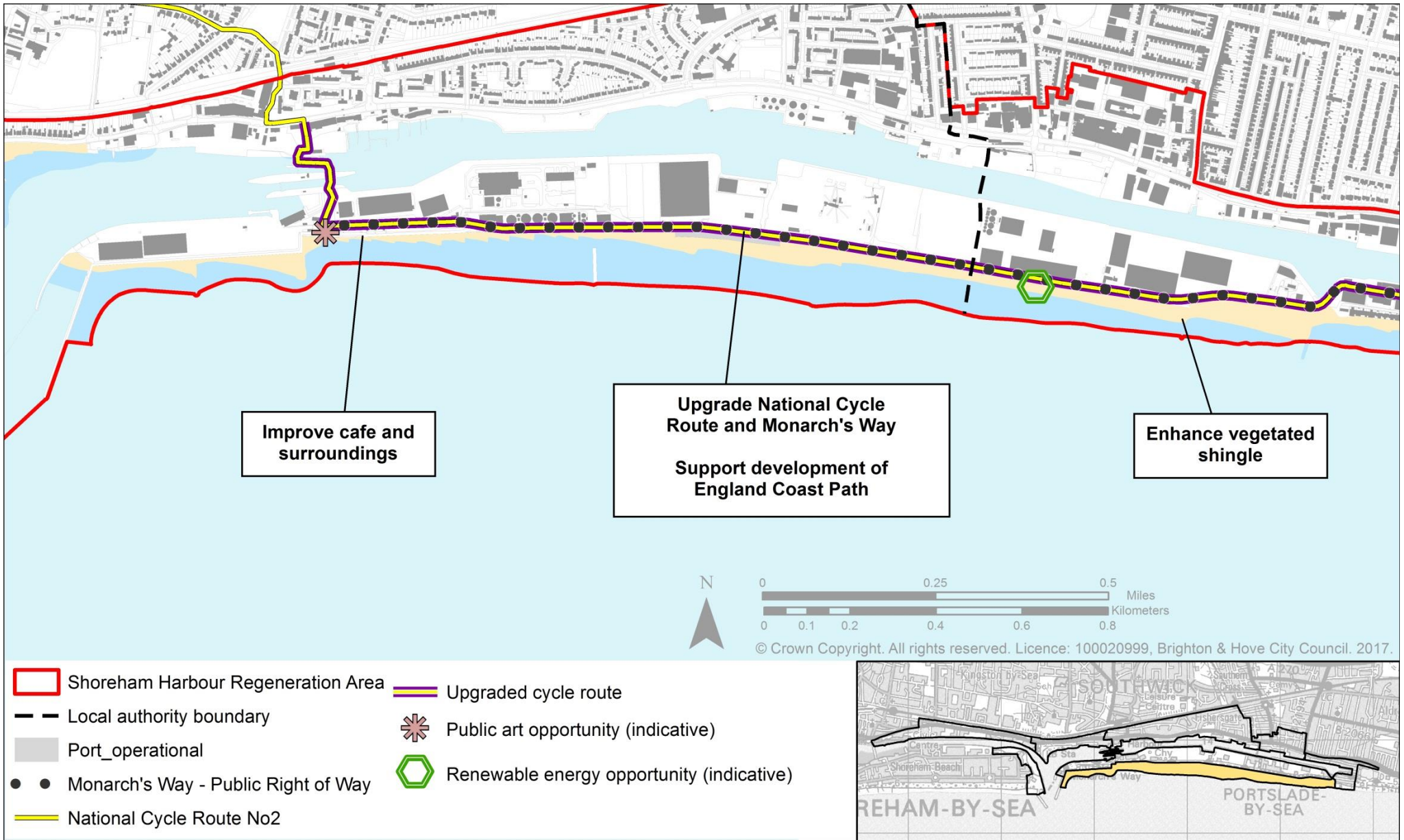
1. North Quayside is safeguarded for future commercial port operations and related activities.
2. South Portslade is designated as a strategic employment/mixed use area.
3. The partnership will work with developers and stakeholders to deliver:
 - a. a minimum of 210 new residential dwellings (use class C3)
 - b. a minimum of 3,000m² employment floorspace (use classes B1, B2 and B8)
 - c. ancillary leisure uses
4. Site allocations at South Portslade (shown on Map 8) are:
 - a. SP1 – Prestwich House (and adjoining): Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys).
 - b. SP2 – Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3)
 - c. SP3 – Wellington House: Allocated for residential development (use class C3)
 - d. SP4 – Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys)
 - e. SP5 – Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys. Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.
 - f. SP6 – Church Road/Wellington Road/ St Peter’s Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B3). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter’s Road.
 - g. SP7 – Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)
5. South Portslade Industrial Estate (as shown on Map 8) is protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace.
6. For sites SP1, SP2, SP3, SP4, SP5, and the southern portion of site SP6:
 - a. Building heights up to six storeys are generally considered acceptable.
 - b. New buildings should be set back from Wellington Road to allow the enhancement and extension of the proposed green corridor.
7. For site SP7, and the northern portion of site SP6:
 - a. Building heights up to three storeys are generally considered acceptable.
8. Comprehensive redevelopment may offer potential for greater building heights, subject to consultations through the planning application process, detailed design considerations and meeting the principles of the emerging Urban Design Framework.

9. Where appropriate proposals will be expected to enhance townscape around key linkages and junctions, in particular Boundary Road/Station Road (B2193) – Wellington Road (A259) junction and Church Road (A293) – Wellington Road (A259) junction.
10. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to the Wellington Road frontage as part of the green corridor alongside the A259.
11. New developments fronting Wellington Road should be setback beyond the proposed green corridor. Given the proximity to both the road and port operational uses this will prevent a canyoning effect and ensure that residents are protected from noise and air quality impacts.
12. Where open space requirements cannot be met on site, development will be required to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as Vale Park, Hove Lagoon and/or Portslade Beach.
13. The partnership will work with developers and stakeholders to deliver the package of transport measures for North Quayside and South Portslade as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
- Improvements to the following junctions:
 - Wellington Road (A259) – Church Road (A293) – Basin Road North
 - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
 - Improvements to the cycling facilities along the A259. Improvements to pedestrian and cycle crossing points.

PORTSLADE AND SOUTHWICK BEACHES



Map 9 – CA4: Portslade and Southwick Beaches



4.4 Character Area 4 – Portslade and Southwick Beaches

Area priorities

- **To seek improvements to the quality, access, appearance and maintenance of the public right of way, beach promenade, public areas and beach environment**
- **To support the delivery of the England Coast Path along the beaches**
- **To protect and enhance important habitats and species, such as coastal vegetated shingle as part of a green corridor along the beaches**

About the area

- 4.4.1 Basin Road South runs parallel to South Quayside and provides vehicular access to the main operational port areas. It forms part of the national cycle network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Basin Road South also forms part of Monarch’s Way walking trail which runs along the road to Hove Lagoon before continuing along the seafront promenade.
- 4.4.2 The England Coast Path currently being developed by Natural England is likely to follow this route. The partnership will work with Natural England to secure improvements to the route through this area.
- 4.4.3 There is potential to improve this access route, whilst maintaining the security of the adjacent port operational areas.

- 4.4.4 At the eastern end of Portslade beach is Basin Road South SNCI; designated for coastal vegetated shingle. This site is part of the operational port and remains in active use. Vegetated shingle covers less than half of the site and is not considered to be an outstanding example of its type. However it is the largest example of this habitat within Brighton & Hove.
- 4.4.5 There are further areas of coastal vegetated shingle spread out along the coastal frontage. These are relatively isolated from each other. There is therefore potential to connect these habitats to create a continuous corridor as part of an enhanced green infrastructure network. There is potential for raising public awareness through better demarcating of habitats and interpretive signage.
- 4.4.6 Despite the industrial feel of this route, it remains popular and the beaches are frequented by local families, swimmers, surfers and artists, particularly during the summer months. There is also a café and public car park. The Adur District Council-owned beach huts adjacent to the café have recently been refurbished (2010) and remain oversubscribed. There may be an opportunity to increase the number of beach huts.

Policy CA4: Portslade & Southwick Beaches

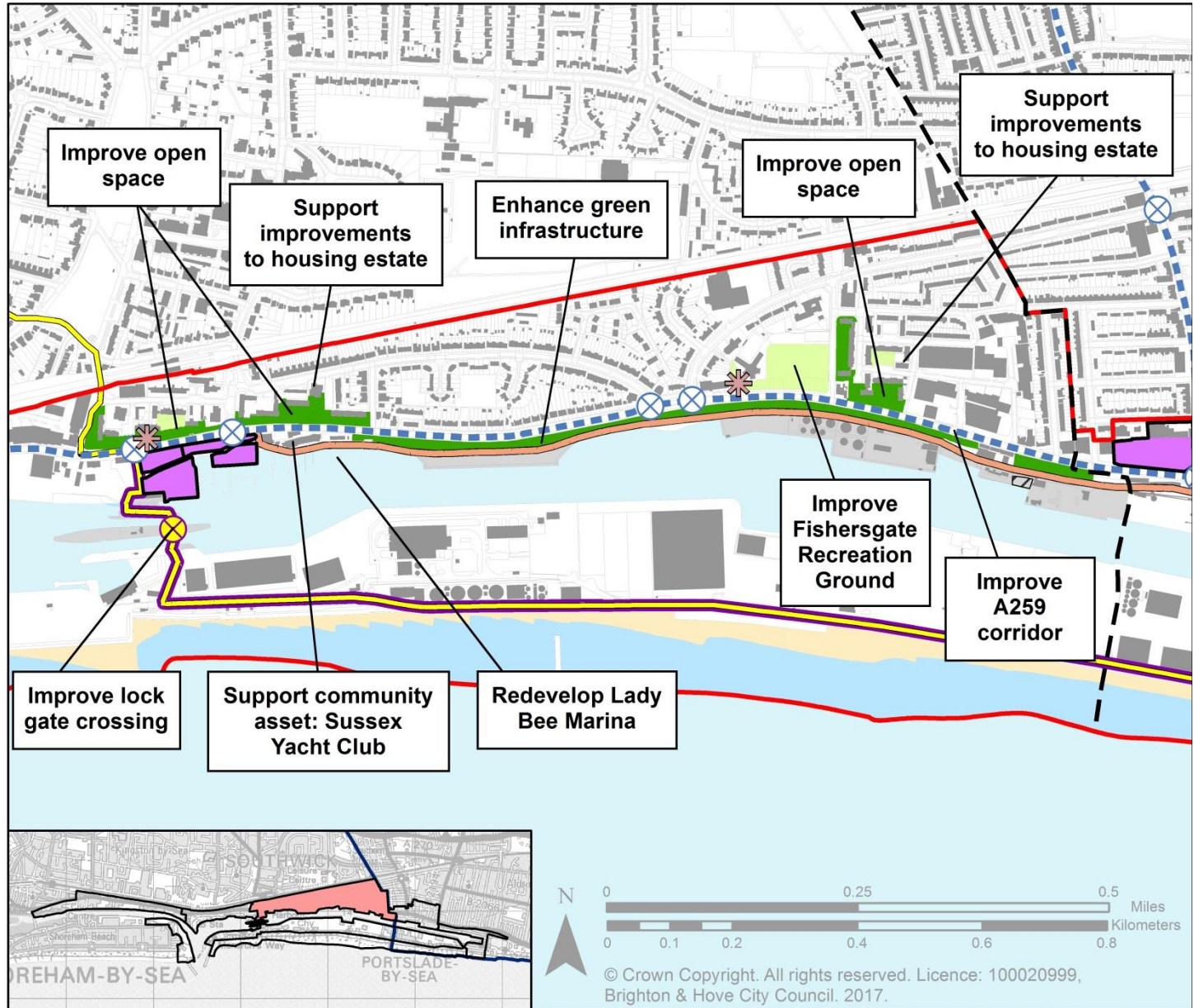
- 1. The beach areas and adjacent public spaces will be safeguarded for the protection of coastal processes, marine habitats and the enjoyment of local communities and visitors.**
- 2. The partnership will promote the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the beaches. Compensatory habitat creation and safeguarding will be required for any loss or disturbance to existing habitats.**
- 3. The partnership will promote improvements to the seafront café and immediately surrounding area.**
- 4. The partnership will promote opportunities to improve the quality of the National Cycle Route No. 2 and Public Right Of Way corridor in accordance with the Transport Strategy.**
- 5. The partnership will work with Natural England to support the delivery of the England Coast path through the Portslade and Southwick Beaches area.**
- 6. The partnership will promote opportunities to improve the quality of public access areas connected to the beaches including:**
 - Work with local community to identify suitable locations for incorporation of public art.**
 - Explore potential for increasing beach huts and converting some to artist's studios.**
 - Explore opportunities for environmental improvements to the car park entrance and boundaries including landscaping, fencing, signage, lighting and an enhanced entrance.**

FISHERSGATE AND SOUTHWICK



Map 10 – CA5: Fishersgate and Southwick

- Shoreham Harbour Regeneration Area
- Local authority boundary
- Allocation
- Employment (proposed/protected)
- Green corridor
- Port (operational)
- Open space (existing)
- Canal infill (proposed)
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- National Cycle Route No2
- Upgraded cycle route
- X Pedestrian/cyclist gateway
- X Junction improvements
- ✱ Public art opportunity (indicative)



4.5 Character Area 5 – Fishersgate and Southwick

Area priorities

- **To designate Southwick Waterfront as an allocation for new mixed use development.**
- **To support the comprehensive redevelopment of Southwick Waterfront to accommodate a mix of new and improved employment generating uses (use classes B1, B2 and B8).**
- **To safeguard and develop port operational areas to accommodate new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.**
- **To support the comprehensive reconfiguration of Lady Bee Marina.**
- **To address deprivation through partnership working with Adur Homes, Action Eastbrook Partnership and local service providers.**
- **To improve sustainable transport links with surrounding communities.**
- **To support improvements to local housing estates and community facilities, including enhancing Fishersgate recreation ground.**
- **To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including landscape enhancements to social housing estates.**
- **To support the delivery of the England Coast Path through the Southwick Waterfront area.**

About the area

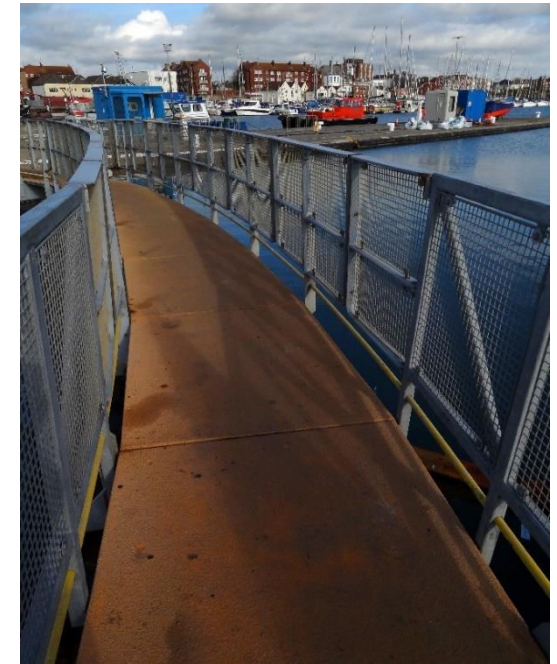
- 4.5.1 The Fishersgate and Southwick area comprises a mix of residential, community, open space, recreational, port and employment uses. Within the residential community there are pockets of deprivation which is the focus for the work of the Action Eastbrook Partnership.
- 4.5.2 The area extends from the district boundary to the lock gates over the Canal.
- 4.5.3 The eastern end of this character area comprises the Fishersgate neighbourhood, between the railway line to the north and the busy A259 to the south. There is a footbridge over the railway line at Fishersgate station. The residential areas located here are in very close proximity to the industrial activities of the port including the fuel storage facility as well as a nearby industrial estate and electricity substation.

4.5.4 There are a number of community assets including two community centres, a recreation ground with children’s play area, Shoreham Academy’s Gateway Centre, and a children and family centre. Fishersgate has been identified as a focus area requiring better facilities for youth services. Currently there is no dedicated youth centre close by, although there are a number of community facilities which could offer or do offer a youth service provision.

4.5.5 The area is a densely populated urban area with a high proportion of flats. The housing is predominantly terraced with some semi-detached houses and two Adur Homes-owned estates with multi-storey flatted developments reaching up to six storeys high. The surrounding public landscaped space is fairly sparse but serves as a green buffer between housing and the road.

4.5.6 The Mill Road Industrial Estate, located to the east of the Fishersgate area, comprises a mix of retail units, manufacturing warehouses, office space and storage (including self-storage) warehouses. In the west of this character area is the Grange Industrial Estate which comprises a mix of retail units, manufacturing units, printing companies and distributing warehouses.

4.5.7 Southwick Waterfront, adjacent to the lock gates, has been identified as an allocation for new employment floorspace. The lock gates carry the National Cycle Route (NCN2) across the harbour and are an important pedestrian route to South Quayside and Southwick Beach. Many of the buildings and public realm in this area is of poor quality. However it is adjacent to the popular Lady Bee Marina and Southwick Riverside Conservation Area, which includes the Grade II listed Sussex Yacht Club boat store.



Lock gate and Southwick Waterfront



Lady Bee Marina and Southwick Riverside Conservation Area

Transport and connections		Flood risk and sustainable drainage	
4.5.8	Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of Allocation Southwick Waterfront and the wider character area.	4.5.12	Most of Fishersgate and Southwick are situated outside of the area at risk of tidal and fluvial flooding for present day flood risk. The estimated flood depth for this site during a 1 in 200-year tidal flood event has been shown to be relatively low (up to 0.4m). The 2115 prediction factoring in climate change however indicates that flood depths could increase to between 1m and 1.6m and much of the site becomes at risk of flooding.
4.5.9	Southwick town centre is located north of the railway line, outside the regeneration area. There are two access points linking the centre of Southwick with the Southwick Waterfront area. Pedestrian and cycle connections linking Fishersgate with surrounding areas are poor. The A259 is the main east-west route.	4.5.13	At the Southwick Waterfront allocation, existing land levels vary from 3.6m AOD (Above Ordnance Datum) to in excess of 8m AOD. The majority of the site is at a level of between 4.0m and 5.0m AOD. Only the northern section of the site exceeds 5.0m AOD.
4.5.10	The transport strategy proposes a range of measures for this area including junction improvements to the A259/Lady Bee Marina junction; A259 bus priority measures; improvements to the NCN2 cycle route across the lock gates; an A259 cycle facility linking and improved cycle and pedestrian crossing points and public realm.	4.5.14	Parts of the waterfront fall within Tidal Flood Zones 2 and 3. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.40m.
4.5.11	Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA5 – Fishersgate and Southwick, crossing over the lock gates.	4.5.15	The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.
		4.5.16	The Brighton Marina to River Adur Strategy identifies improvements to flood defence infrastructure in this locality. Improvements will help protect areas identified for development and because no residential development is identified for this allocation, it is considered appropriate that building level resilient and resistant measures will be sufficient.
		4.5.17	Surface water flooding is also a risk to the site as it can result in pollution to water and development in this location will need to take this flood risk constraint into consideration.
		4.5.18	Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents): <ul style="list-style-type: none"> • <u>Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs</u> • <u>Water. People. Places: A guide for master planning sustainable drainage into developments</u> • <u>CIRIA SuDS Manual</u>
		4.5.19	Refer to the <i>Shoreham Harbour Flood Risk Management Guide SPD</i> (2015) for full details of requirements in relation to protection from flooding.

Green infrastructure

- 4.5.20 East of Lady Bee Marina the North Canal Bank slopes steeply from the canal up to the A259. This undeveloped grassland provides an important green infrastructure role as a linear wildlife corridor, and is an important habitat for common lizards and slow worms.
- 4.5.21 The partnership will support Shoreham Port Authority to manage and enhance this area. Potential interventions include landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and improved sustainable transport links.
- 4.5.22 To the north of Fishersgate Terrace/Albion Street (A259) the social housing estates are set amongst areas of grassed space. These spaces have significant enhancement potential to provide both amenity space to residents and ecological benefits. Two pocket parks have already been created at Coates Court, Southwick and Laylands Court, Fishersgate. The partnership will continue to work with Adur Homes and Action Eastbrook Partnership to improve these areas

- 4.5.23 The grassed areas around the housing estates, the North Canal Bank and Fishersgate Recreation Ground form key elements of the proposed green corridor through the regeneration area.
- 4.5.24 The *Shoreham Harbour Green Infrastructure Strategy* will set out detailed proposals for these areas.



North Canal Bank



Fishersgate Recreation Ground



Frontage to housing estate

Development opportunities

4.5.25 For the foreseeable future the waterfront area adjacent to Fishersgate will remain safeguarded for port-operational uses. As port uses change over time it will be important to take account of the effect on nearby residential areas..

Allocation: Southwick Waterfront

4.5.26 Southwick Waterfront has been identified for a minimum of 4,000m² new employment floorspace and provision of small scale business units (use classes B1 and B2). It is acknowledged that a lower level of development may be achieved if some buildings are refurbished, rather than redeveloped. Residential development is not appropriate due to the proximity of port operations.

4.5.27 A public right of way, and part of the national cycle route (NCN2) run through the area, crossing over the lock gates. Public realm in this area is poor. This could be improved as part of new development and the delivery of the England Coast Path.

Lady Bee Marina and Riverside Conservation Area

4.5.28 Lady Bee Marina currently contains an eclectic assortment of interesting buildings, many dating from the 19th and early 20th centuries. The marina has a quaint, maritime charm and includes a chandlery and pub/restaurant. It has 120 pontoons for private boats and is a popular spot for anglers and dog walkers.

4.5.29 Parts of Lady Bee Marina fall within the Riverside Conservation Area including the Grade II listed Royal Sussex Yacht Club. The Riverside Conservation Area also includes several residential dwellings, a pub and the former Southwick Town Hall now used for offices.

4.5.30 The Port Masterplan describes this location as lacking design quality and integrity with spatial constraints causing car parking to be marginalised and squeezed into any available space. It identifies the area as having significant potential for enhancement to improve the leisure offer within the port.

4.5.31 There is a flat area of green space to the east of the marina, accessed on foot via a narrow path or steps down the steep retaining north canal bank from the A259. This is commonly used for dog walking and angling however suffers from littering. The Port Masterplan identifies this area as having potential for improvements including a canal-side walkway, a new service road, car park, dry boat store and new base for local youth groups. This location could act as a buffer between the more industrialised North Quayside area and a new revitalised marina.

Policy CA5: Fishersgate and Southwick

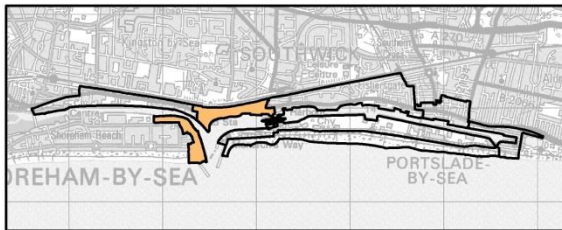
1. Southwick Waterfront is designated as a strategic employment area (Allocation Southwick Waterfront).
2. The partnership will work with, developers and stakeholders to deliver a minimum of 4,000m² new employment floorspace. The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace.
3. The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:
 - Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east
 - Complimentary waterside facilities
4. Port operational areas, including the dry dock, are safeguarded for future commercial port operations and related activities.
5. Ongoing protection will be provided for the functioning of the dry dock ensuring that land uses in the immediate vicinity do not compromise its ongoing efficient use.
6. Development should respect and connect with surrounding areas. Where appropriate proposals will be expected to enhance townscape around key linkages and junctions, in particular pedestrian and cycle routes from Southwick station and Southwick Green across the lock gates to the beaches, and an improved alignment of the Nautilus House access road serving Allocation Southwick Waterfront and the dry dock.
7. The partnership will support Adur Homes, Action Eastbrook Partnership and local service providers to deliver improvements and harness benefits arising for harbour-side communities. Emerging priorities include:
 - Enhancing Fishersgate Recreation ground
 - Supporting and enhancing local community facilities
 - Supporting improvements to housing estates
 - Promote opportunities to support communities in improving green infrastructure to provide amenity to residents and enhance biodiversity
8. The partnership will support and identify mechanisms for implementing ecological and landscaping improvements to the frontage of housing estates to Fishersgate Terrace/Albion Street (A259), Fishersgate Recreation Ground and the North Canal Bank as part of the green corridor along the A259.
9. The partnership will work with developers and stakeholders to deliver the package of transport measures for Fishersgate & Southwick as set out in the *Shoreham Harbour Transport Strategy*. Critical measures include:
 - Improvements to the following junctions:
 - Albion Street (A259)-Riverside junction serving Lady Bee Marina
 - Improvements to the Albion Street (A259) junction serving Southwick Waterfront
 - Improvements to cycling facilities along the A259.
 - Improvement to the pedestrian and cycle route across the lock gates.
 - Improved pedestrian and cycle crossing points.
 - Bus stop improvements.
10. The partnership will support the delivery of the Southwick Waterfront access road, with limited canal infill where required, to create space for an access road and waterside footway / cycle path.

HARBOUR MOUTH

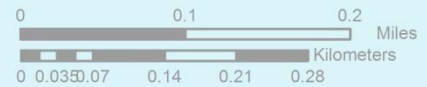


Map 11 – CA6: Harbour Mouth

- Shoreham Harbour Regeneration Area
- Port (operational)
- Canal infill (proposed)
- Albion Street Lorry Park
- Shoreham Fort
- Kingston Beach Village Green
- Priority corridor (transport/public realm)
- Waterfront route (indicative)
- National Cycle Route No2
- Upgraded cycle route
- ⊗ Pedestrian/cyclist gateway
- ⊗ Junction improvements
- ✱ Public art opportunity (indicative)



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4.6 Character Area 6 – Harbour Mouth

Area priorities

- **To support the conservation of Shoreham Fort.**
- **To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements.**
- **To support the redevelopment of Shoreham Rowing Club and enhance the public realm environment of Kingston Beach.**
- **To explore options for the future use of the Albion Street lorry park.**
- **To support Adur Homes in exploring options for redevelopment of housing sites.**

About the area

- 4.6.1 CA6 – Harbour Mouth is split across either side of the River Adur at the mouth of the river. This is the entrance to the harbour. The southern section is also within the area covered by the emerging Shoreham Beach Neighbourhood Plan.
- 4.6.2 At Shoreham Beach are the remains of Shoreham Fort, a Scheduled Monument. The fort was completed in 1857 and is one of the celebrated south coastal defences built under the Victorian Prime Minister Lord Palmerston. It is of national historical importance and was a vital part of the south coast defence system.
- 4.6.3 A local charity, the Friends of Shoreham Fort supported by Shoreham Port Authority, have taken responsibility for conserving the fort. This area is a popular destination for walkers. It is well used by anglers and home to the National Coastwatch Institute look-out tower.
- 4.6.4 In recent years there have been various plans for the fort including local interest for incorporating an educational facility and improving the public toilet block.

- 4.6.5 The Environment Agency plan to improve the layout, surfacing and public realm of the car park area at the Fort through the Shoreham Adur Tidal Walls scheme. The fort will benefit from this improvement. In addition, an upgrade including improved signage, benches, and potentially a café/visitor centre facility would further improve the area.
- 4.6.6 To the west of the fort is Shoreham Beach, a residential community almost entirely surrounded by water, connected to the town centre by Norfolk Bridge and the Adur Ferry Bridge. The beach area has a fascinating history. It was originally empty scrub created by a shingle bank that developed over centuries through longshore drift.
- 4.6.7 The beach itself is designated as a Local Nature Reserve (LNR) and Site of Nature Conservation Importance (SNCI). The designating feature of the LNR is its rare and beautiful flowering vegetated shingle that has adapted over time to the harsh conditions.
- 4.6.8 On the riverside of Shoreham Beach is Silver Sands, a small sandy beach between Sussex Wharf and Soldier's Point, which sees the flowering of wild Geranium and Childing Pink, a nationally rare and protected plant species.
- 4.6.9 Directly opposite the harbour mouth is Kingston Beach, designated with Village Green status to safeguard it as a public space. The beach is home to Shoreham Rowing Club as well as the new RNLI lifeboat building, a maritime themed, low carbon building of significant architectural merit.
- 4.6.10 Kingston Beach is also home to the Grade II listed Kingston Buci Lighthouse, a distinctive local landmark. There is a wealth of local history that could be better interpreted in this location through imaginative signage. There is significant potential to improve the landscaping and street furniture to make it more accessible and appealing as a local amenity area.
- 4.6.11 Directly opposite Kingston Beach is a row of terraced housing, including several Adur Homes-owned properties.
- 4.6.12 To the east of these properties on the south-side of the A259 is the port operational area; whilst on the north-side of the A259 are a number of dwellings, Albion Street Lorry Park, and a range of light industrial and employment generating uses.

Development opportunities

- 4.6.13 The existing port operational area will be retained for port use. There are significant opportunities to improve the amenity value of Shoreham Fort and Kingston Beach for the benefit of local residents and visitors.
- 4.6.14 The Albion Street lorry park is no longer required in this area. The partnership is exploring alternative uses for the site, including relocation of businesses from elsewhere in the regeneration area.
- 4.6.15 Adur Homes is exploring opportunities to redevelop a number of older properties on the northern side of Albion Street. The partnership will support the redevelopment of these sites.
- 4.6.16 The proposed waterfront route along the Western Harbour Arm will end at Kingston Beach. The partnership is exploring options to integrate this route with the village green and connect to the proposed A259 cycle route.



Shoreham Fort and Shoreham Beach



Kingston Buci Lighthouse and Shoreham Lifeboat Station

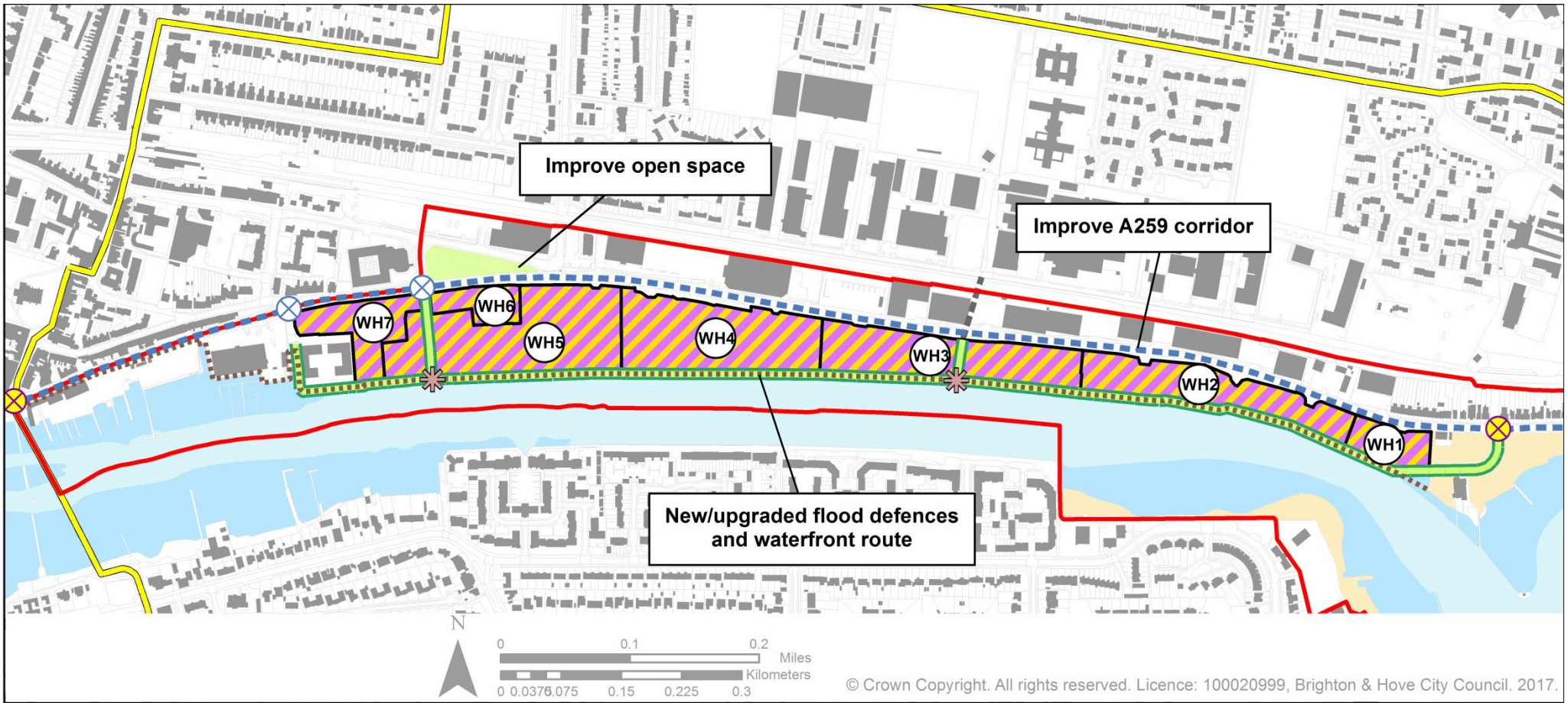
Policy CA6: Harbour Mouth

- 1. The existing port operational areas will be safeguarded for future commercial port activity.**
- 2. The partnership will work with the community and stakeholders to support the conservation of Shoreham Fort and enhancement of the surrounding area including:**
 - Explore potential to provide visitor centre / café.
 - Improved car parking configuration and delineation of bays, including disabled parking.
 - Explore potential to improve public toilet block.
 - Improve sense of arrival and entrance on to site, ensuring disabled access as well as improved access between the car park and Shoreham Beach.
 - Upgrade of street furniture such as benches, signage, bins and lighting.
 - Improved way-finding connections to new footbridge.
- 3. The partnership will ensure that the Shoreham Beach Local Nature Reserve is protected. In particular the most sensitive sections of the beach in terms of ground nesting birds and vegetated shingle.**
- 4. The partnership will work with the community and stakeholders to improve Kingston Beach including:**
 - Redevelopment of Shoreham Rowing Club.
 - Upgrade of public open space areas in accordance with the Shoreham Harbour Streetscene Guidance and Shoreham Harbour Green Infrastructure Strategy.
 - Improve delineation/ formalisation of parking area.
 - Promote opportunities for interpretation of marine environment and biodiversity.
- 5. The partnership will promote appropriate streetscape planting along Albion Street and Brighton Road (A259) to extend the green corridor.**
- 6. The partnership will support Adur Homes to maximise the use of its housing sites, including potential redevelopment.**
- 7. The partnership will explore options for the alternative uses for Albion Street lorry park.**
- 8. The partnership will explore options to deliver the eastern entry to the proposed Western Harbour Arm waterfront route.**

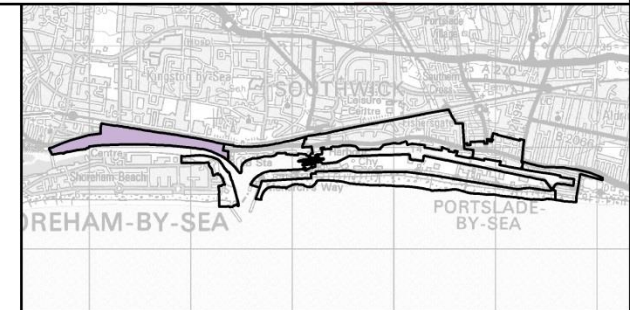
WESTERN HARBOUR ARM



Map 12 – CA7: Western Harbour Arm



- Shoreham Harbour Regeneration Area
- Allocation
- Residential (proposed)
- Employment (proposed)
- Open space (existing)
- New/upgraded flood defences (proposed)
- Priority corridor (transport/public realm)
- Waterfront route (indicative)
- National Cycle Route No2
- Potential pedestrian cyclist bridge
- X Pedestrian/cyclist gateway
- X Junction improvements
- ✳ Public art opportunity (indicative)



4.7 Character Area 7 – Western Harbour Arm

Area priorities

- To designate Western Harbour Arm Waterfront as an allocation for new mixed use development.
- To facilitate the comprehensive development of the Western Harbour Arm Waterfront to become an exemplar sustainable mixed-use area (use classes B1 and C3).
- To improve legibility, permeability and connectivity through high quality building design, townscape and public realm, ensuring to respect and complement the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To facilitate the strategic relocation of industrial uses to elsewhere in the harbour or local area to free up waterfront opportunity sites.
- To improve access arrangements to create better linkages with Shoreham town centre and surrounding areas.
- To improve connections around key linkages including Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.
- To deliver a comprehensive flood defence solution integrated with a publicly accessible waterfront route including pedestrian / cycle way and facilities for boat users.
- To ensure that new development proposals mitigate noise and air quality impacts.
- To enhance the area's natural biodiversity by incorporating multi-functional green space, creating and improving habitats and improved green infrastructure links.
- To support the delivery of the England Coast Path through the Western Harbour Arm area.

About the area

- 4.7.1 CA7 – Western Harbour Arm is on the northern bank of the River Adur between the Harbour Mouth and the historic centre of Shoreham-by-Sea. The area is highly constrained by Brighton Road (A259) and the railway. The Western Harbour Arm is the principal approach to Shoreham-by-Sea from the east. To the north of the railway line, the area is abutted by residential neighbourhoods and a large industrial estate.
- 4.7.2 Shoreham-by-Sea town centre, a few minutes' walk to the west has a peaceful, coastal charm consisting of predominantly two storey terraced cottages on streets leading off from the primary shopping area. There are open views across the River Adur to the south as well as river glimpses between buildings where remnant slipways and hards remain. There is a marked contrast moving east out of the town and along Brighton Road (A259) where there are only limited views of the waterfront and public access to it.

- 4.7.3 Along the Western Harbour Arm there are a range of different employment uses. The waterfront sites are predominantly large industrial and open storage premises including fuel storage, plastics manufacturing, aggregates handling and metal recycling. The majority of the sites are privately owned.
- 4.7.4 Closer to Shoreham-by-Sea town centre is The Ham, an open space which includes a popular skate park. There is a car show room and some office and workshop units such as the Riverside Business Centre and Ham Business Centre.
- 4.7.5 On the northern side of the A259 are mainly 'big box' retail warehouses, a supermarket and the local municipal waste facility.
- 4.7.6 A number of the premises along Brighton Road (A259) are coming to the end of their useful life and are no longer ideally suited for modern business needs either requiring significant investment on-site or relocation to a better facility elsewhere.
- 4.7.7 The river wall and flood defence infrastructure is in need of upgrade and repair and some of the land stands vacant and underused.

- Transport and connections**
- 4.7.8 The Brighton Road (A259) road frontage is harsh and unattractive due to the industrial uses that prevent views across the water. The road is a very popular route with cyclists despite the lack of a formal cycle lane, poor surfacing and heavy use by heavy goods vehicles.
- 4.7.9 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA7: Western Harbour Arm between Kingston Beach and Adur Ferry Bridge.

- Environmental considerations**
- 4.7.10 The Western Harbour Arm is subject to a number of environmental constraints which need to be taken into account when planning for the area. These include:
- Proximity to the Adur Estuary, a Site of Special Scientific Interest (SSSI).
 - Proximity to Shoreham Beach, a Local Nature Reserve (LNR) and Site of Nature Conservation Importance (SNCI).
 - Shoreham-by-Sea Air Quality Management Area (AQMA) that covers the town centre and the western part of the Western Harbour Arm.
 - A municipal waste site.
 - A metal recycling facility. It is proposed that this be relocated
 - A Health and Safety Executive (HSE) Consultation Zone which determines the distance for different types of development from a 'major hazard' based on the current gas storage use. It is proposed that this be relocated.
 - The presence of contaminated land.
 - The presence of underground water mains and sewers. This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

Historic Assets

- 4.7.11 The Western Harbour Arm is partly within the Shoreham-by-Sea Conservation Area. The conservation area includes 47 listed buildings; including the Grade I listed St Mary de Haura Church. The church is clearly visible from Shoreham Beach, the South Downs and much of the wider area and it will be important for any new development at the harbour to respect views of the church and its setting.
- 4.7.12 Also visible from the Western Harbour Arm are the Kingston Buci Lighthouse (Grade II listed) and Shoreham Fort, a Scheduled Monument.
- 4.7.13 There is a wealth of local maritime history that could be better interpreted in this location and there is significant potential to improve the landscaping and setting of the river. This will make the area more attractive and accessible.

Flood risk and sustainable drainage

- 4.7.14 The Western Harbour Arm is adjacent to the lower reaches of the River Adur where it flows into the English Channel. Given this low lying location, there are a number of potential sources of flooding which will be a key consideration in planning for the future of this area.
- 4.7.15 Sites along the Western Harbour Arm are vulnerable to surface water, fluvial, and most significantly tidal flooding meaning that any new residential development would need to be lifted up above likely flood levels. Development will need to be protected through flood defence provision and will need to be safe for the intended building lifetime taking into account climate change and sea level rise.
- 4.7.16 The Adur and Worthing Councils' Strategic Flood Risk Assessment (SFRA) identifies a number of sites in this area as Tidal Flood Zone 2, 3a and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of flooding as Flood Zone 3a but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. Some sites also fall within Fluvial Flood Zones 2, 3a and 3b.

- 4.7.17 The partnership has worked closely with the Environment Agency to develop a comprehensive vision for an upgraded flood defence network to protect a redeveloped Western Harbour Arm. The Shoreham Harbour Flood Risk Management Guide SPD (2015) and Technical Annex details about the recommended approach for this stretch.
- 4.7.18 Comprehensive land raising and/or flood defence provision will be essential to protect existing and future residents and businesses as well as the A259. This approach, which focuses on flood defence provision from the Adur Ferry Bridge to Kingston Beach, will ensure the complete closure of the flood cell and continuation of the line of new defences currently being provided via the Shoreham Adur Tidal Walls Scheme - an Environment Agency funded flood defence scheme which ends at the Adur Ferry Bridge.
- 4.7.19 It is essential that the new flood defence network is integrated with a high quality public realm environment that promotes a positive inter-relationship with the river. Flood defences can often physically divide one area from another therefore an important ambition for the Western Harbour Arm is to promote permeability through the entire site.

- 4.7.20 Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. the approach set out in the following publications (or subsequent replacement documents):
- Adur & Worthing Councils and/or Brighton & Hove Council’s SFRAs
 - Water. People. Places: A guide for master planning sustainable drainage into developments
 - CIRIA SuDS Manual
- 4.7.21 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD (2015)* for full details of requirements in relation to protection from flooding.
- Green infrastructure**
- 4.7.22 The Western Harbour Arm is dominated by industrial land-uses and generally has a low diversity of terrestrial habitats.
- 4.7.23 The River Adur to the south includes areas of coastal saltmarsh and intertidal mudflat. These habitats form part of the wider network of intertidal habitats in the River Adur Estuary; however these are of limited extent and quality.
- 4.7.24 The Western Harbour Arm is adjacent to the Adur Estuary SSSI and falls within its Impact Risk Zone. Consultation with Natural England will be required in order to avoid harmful impacts on the SSI. Environmental Impact Assessment may also be required.
- 4.7.25 The creation of a new species rich native hedgerow along the southern boundary of The Ham would provide wildlife value but also act as a buffer to noise and pollution from Brighton Road (A259).
- 4.7.26 The Western Harbour Arm Waterfront is the largest of the allocations in this plan. As such it has significant potential to provide green infrastructure enhancements and a net gain in biodiversity.
- 4.7.27 SuDS should be incorporated into design proposals as an integrated system during masterplanning of individual sites. This could include rain water harvesting, green walls and roofs, rain gardens, vegetated swales and porous surface materials.
- 4.7.28 Appropriate planting alongside Brighton Road could extend the proposed green corridor from Kingston Beach as far as The Ham and Shoreham town centre.
- 4.7.29 The proposed waterfront route for pedestrians and cyclists and onsite amenity open space also present significant opportunities for green infrastructure enhancement. Appropriate planting could include areas of vegetated shingle along the route, and on connections through to Brighton Road.
- 4.7.30 Where mitigation measures to prevent impact to intertidal habitat are not feasible, any impact or any loss of intertidal habitat as a result of new development or associated flood defence improvements will require the creation of compensatory habitat. Habitat creation and enhancements to new and existing flood defences and revetments/piling such as timber baulking should be incorporated to increase the biodiversity of the river edge.

<p>4.7.31 Buildings should be designed to accommodate green walls (or planting) and green roofs (preferably bio-solar). These could compensate for any loss of habitats at ground level, as well as provide additional areas of vegetated shingle.</p>		<p>Development opportunities</p>	<p>4.7.38 There is currently development pressure for change along this strip as land owners seek to maximise the value of their land recognising that the location has long been earmarked for redevelopment as a new waterside community.</p>
<p>4.7.32 New residential development will generate the need for new open space provision. Some of this will be required on site. However, improvements to existing open spaces will be considered where appropriate.</p>	<p>4.7.34 Many of the business occupiers currently situated on the waterfront do not specifically need a portside location and are not dependent on access to the harbour for their operations.</p>	<p>4.7.35 The existing businesses provide a significant amount of employment floorspace and jobs. A key consideration for this area is the importance of working with the harbour businesses to retain them either in the port itself or within the local area in suitable, modern accommodation.</p>	<p>4.7.39 The Western Harbour Arm Waterfront allocation is made up of several sites, some of which are in multiple ownerships:</p> <ul style="list-style-type: none"> • WH1: 5 Brighton Road. This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions. • WH2: Kingston Wharf (including Kingston Railway Wharf). This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions for a mixed use development. • WH3: Egypt Wharf. This site is expected to come forward towards the end of the plan period. • WH4: Lennard’s Wharf, Fisherman’s Wharf and New Wharf. This site is expected to come forward towards the end of the plan period.
<p>4.7.33 The Shoreham Harbour Green Infrastructure Strategy will set out full details of requirements in relation to green infrastructure and biodiversity.</p>	<p>4.7.36 Shoreham Port Authority remains responsible for ensuring the river remains navigable and is periodically dredged to a level suitable for existing uses.</p>	<p>4.7.37 It is proposed that existing port-related uses in the Western Harbour Arm are relocated within the commercial port area in the Eastern Arm of the River Adur or the Canal. Marine-related uses that contribute to the character of the harbour could potentially remain</p>	

- WH5 – Free Wharf. This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions for a mixed use development.
 - WH6 – 37 – 41 Brighton Road and Ham Business Centre. This site is expected to come forward towards the middle of the plan period.
 - WH7 – 63 – 77 Brighton Road. This site is expected to come forward towards the middle of the plan period.
- 4.7.40 Development of 132 residential units and ancillary retail space at 79 – 81 Brighton Road is nearing completion.

Residential development

- 4.7.41 Western Harbour Arm Waterfront is a prime riverside site that could offer a vibrant mix of new uses. Development of a minimum of 1,100 new residential dwellings (use class C3) will be instrumental in delivering the sustainable transformation, enabling the creation of an attractive new setting and creating a greater sense of vibrancy along the waterfront.
- 4.7.42 Sites to the north of Brighton Road (A259) are outside the allocation. These sites are not considered likely to come forward within the plan period. This does not preclude appropriate mixed use development on these sites if opportunities arise within the plan period. This would support a comprehensive approach taking in both sides of the road.

Employment-generating floorspace

- 4.7.43 Adur District Council will require development within the Western Harbour Arm Waterfront allocation to include new employment generating floorspace as part of mixed use schemes. This should be predominantly high quality office space (use class B1a). Proposals will be encouraged to provide a range of commercial spaces in smaller format units.
- 4.7.44 Through the Greater Brighton City Deal, the wider Shoreham Harbour area is being promoted as a hub for environmental technology and digital media technology-related businesses. Major development proposals will be expected to incorporate floorspace designed to be suitable for such uses where appropriate.
- 4.7.45 Employment floorspace should be of modern, high quality design with an emphasis on providing studio style or office-based flexible workspace that could accommodate a comparatively higher number of jobs per unit of floorspace than the former industrial uses.

4.7.46 Smaller scale (preferably marine-related) leisure facilities will also be supported. These activities will play a major role in adding diversity and interest to the waterfront, and helping to generate footfall.

4.7.47 The partnership will continue to liaise with landowners and businesses to understand their ambitions and ensure that the process of land use change is managed sensitively. For example, it is understood that some operators are already considering alternative sites outside of the Western Harbour Arm for relocation purposes. However, other businesses have no immediate desire to relocate, and as such may not come forward for redevelopment until the latter part of the plan period. This plan seeks to maintain sufficient flexibility to enable a phased redevelopment approach.

4.7.48 The release of sites for redevelopment to alternative uses along the Western Harbour Arm is a long term process which requires careful management and will rely on working in collaboration with landowners and businesses.

Ancillary retail uses

4.7.49 Shops, cafes and restaurants that are ancillary to new mixed-use developments have an important role to play in realising the vision for regeneration of the Western Harbour Arm. Although residential dwellings and employment generating floorspace will be the primary land use, ancillary retail development will help to bring life to the waterfront and strengthen the overall offer of Shoreham-by-Sea complementing the town centre.

New waterfront route and open spaces

4.7.50 New developments will be expected to incorporate areas of public open space which will help to increase the accessibility and visibility of the waterfront, attract visitors to spend time in the area, provide new space for community activities and events and enhance the local environment.

4.7.51 As set out in the Shoreham Harbour Transport Strategy, development of a new, publicly accessible waterfront route for pedestrians and cyclists is proposed. The route would increase access to the waterfront by opening up previously restricted vistas and connecting Shoreham town centre and Adur Ferry Bridge with Kingston Beach and beyond framed by the attractive harbour setting.

4.7.52 The waterfront route will provide the new residential and commercial properties in the Western Harbour Arm with an attractive outlook over the harbour. The route must be well lit with appropriate signage and landscaping.

4.7.53 To accommodate the route, development must be set back from the waterfront. A setback is likely to be required for the purpose of flood risk management. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur.

4.7.54 The waterfront route will not be complete when the England Coast Path is created through the area. This means that the trail will initially have to follow a different route. It is proposed that once the waterfront route is in place, it is adopted as part of the coast path.

Waterfront leisure facilities

4.7.55 Despite popular demand, the harbour is currently lacking in good quality, modern waterfront facilities for boat-users and for local residents and visitors to enjoy. It is proposed to increase the number of berths in the harbour for both visitors and new residents through the incorporation of new publicly accessible quays or floating docks/pontoons linked to new developments and open spaces. This will significantly improve the facilities on offer for the boating community and attract visitors in to the area supporting the local economy. All new features would be subject to the appropriate environmental approvals processes with the relevant statutory bodies.

Improved connections and streetscape

4.7.56 As shown in Map 11, a series of new north-south connections from the waterfront route to Brighton Road (A259) are proposed. The exact form and function of these will depend on a number of factors. In some cases, these links may be pedestrian or cyclist only, whilst others will enable site access or direct connections to the waterfront.

4.7.57 The incremental introduction of mixed use development to the south of the road will be a trigger for the gradual enhancement of the A259 corridor to ensure that conditions for pedestrians and cyclists are improved.

4.7.58 There is considerable scope for highways interventions such as public realm and streetscape improvements and improved crossing facilities. Landscaping treatments will also be important for creating setbacks between new developments and the A259 corridor to prevent noise and air quality impacts.

Social and Community Infrastructure

Contributions towards improving local community facilities, or in some instances, provision of new facilities, will be required to support the increased population resulting from development of the Western Harbour Arm. Full details are contained within the *Infrastructure Delivery Plan (IDP)* that accompanies the *Adur Local Plan (2016)*. Refer also to Policy SH10 in Section 5. Social and community infrastructure requirements include:

Childcare / Early Years Provision

- 4.7.59 Additional childcare places will be required through financial contributions for expanding local provision delivered by private, voluntary and independent childcare providers.

Health and Medical Services

- 4.7.60 Health infrastructure providers have identified the need to replace the existing Shoreham Health Centre in Pond Road. The present 1960s building is of a poor quality and expensive to maintain being unsuitable for modern healthcare deliver. New development on the Western Harbour Arm will be expected to contribute towards improvements.

Education

- 4.7.61 The project partners are working together to address the need for suitable education provision in the Shoreham area, arising from growth. Existing primary schools are nearing capacity with planned improvements, and opportunities for further expansion are limited. Work is being undertaken to ensure any feasible opportunities to increase capacity at existing schools in the area can be brought forward during the plan period or if other sites can be identified. If not, innovative solutions to address need will be considered by all authorities.

Library Provision

- 4.7.62 The library offer will need to be improved or expanded to facilitate the development at the Western Harbour Arm. Infrastructure providers are considering the potential for a new library facility at Pond Road in Shoreham as part of a comprehensive redevelopment of the site including the provision of new healthcare facilities.

Facilities for Young People and Teenagers

- 4.7.63 Mixed-use developments will be expected to incorporate features and facilities that attract young families such as play areas and leisure uses. There may be opportunities to improve the existing skate park at The Ham as part of new developments in the vicinity.

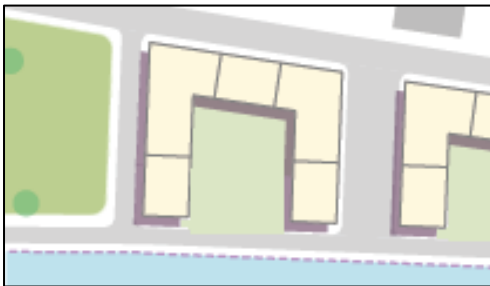
Emergency Services

- 4.7.64 Contributions towards emergency services, including the police and the fire and rescue services will be required as a result of development at the Western Harbour Arm. Sussex Police has identified the need for improved accommodation and equipment in the Shoreham area. The West Sussex Fire and Rescue Service has identified the potential need for new or improved facilities.

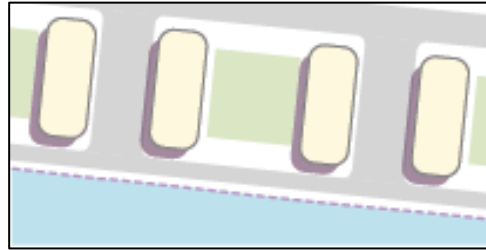
Development form and typology

4.7.65 It is important to avoid a single development form being repeated across the whole allocation. Buildings should be oriented to maximise views across the river. However, the exact form is partly dependent on the depth of the site and the mix of uses. The following potential typologies are recommended:

- It is proposed that deeper sites (WH4, WH5) are arranged as horseshoes of flatted development. Employment floorspace on lower storeys will provide a frontage to Brighton Road (A259). The residential layout will maximise views across the river.



- It is proposed that narrower sites (WH2, WH3) are arranged as pairs of north-south blocks. Employment floorspace will be provided on lower storeys. This will also maximise views across the river.



4.7.66 Mixed employment space should be incorporated into development across allocation Western Harbour Arm Waterfront. Sites should be designed in an urban format with parking at lower levels and trading areas above.

4.7.67 Site WH1, at the eastern end of the Western Harbour Arm Waterfront, has the dual function of forming a strong edge to Kingston Beach, helping to define the space, and to mark the gateway to the Western Harbour Arm. A key consideration here is the potential navigational impact of residential development. Discussions will be required with Shoreham Port Authority at an early point in the design process to ensure navigational issues are addressed.

4.7.68 The Western Harbour Arm Waterfront will be a high density neighbourhood. In general buildings should be developed up to 5 storeys on the Brighton Road (A259) and River Adur frontages. Within deeper sites, heights could step up away from these frontages.

4.7.69 The *Western Harbour Tall Buildings Capacity Study (2017)* has identified a number of significant views that should be protected, and heritage assets that should be considered as part of development proposals:

- Kingston Buci lighthouse is Grade 2 listed and is a prominent landmark signalling the entrance to the harbour, and to the town of Shoreham-by-Sea from the west. Development of over 3 storeys at sites WH1 and WH2 has the potential to impact the setting of the lighthouse. This must be considered when preparing development proposals.
- There are several views from Shoreham Beach to the South Downs. Development of sites WH2, WH3, WH4 and WH5 should ensure that views are retained.

- St Mary de Haura church is the most prominent landmark in the town centre. Most development sites are not close enough to significantly impact the prominence of the church. However developers should consider the potential impact on views of the church.
- 4.7.70 Significantly taller buildings could create issues, such as traffic congestion, infrastructure provision and creation of a microclimate through trapping of air pollutants. Towards the centre of the allocation (western part of site WH3, site WH4 and eastern part of site WH5), there may be scope for taller buildings provided that it can be demonstrated that these issues have been addressed, and the proposal is of exceptional design quality.
- 4.7.71 The findings from the Objectively Assessed Need for Housing: Adur District study undertaken in 2015 identifies a limited demand for dwellings with four or more bedrooms. The focus of provision of market housing in Adur should be on two and three bedroom housing both for younger households and older households wishing to downsize. The provision of smaller dwellings should be focussed in and around town centres and Shoreham Harbour.
- 4.7.72 For Shoreham Harbour specifically, there is an opportunity to provide a mix of properties, including one, two and three bed homes as part of a higher density development. The majority of dwellings delivered at Shoreham Harbour will be flatted development. Some sites may be able to accommodate up to ten per cent of dwellings as terraced housing. At the Western Harbour Arm Waterfront there is an opportunity to provide a mix of properties, including one, two and three bedroom homes as part of a high density development. Across the allocation as a whole, the following mix is considered suitable:
- 35% - 1 bed
 - 60% - 2 bed
 - 5% - 3 bed

Policy CA7: Western Harbour Arm

1. Western Harbour Arm Waterfront is designated as a mixed use area (Allocation Western Harbour Arm Waterfront).
2. The partnership will work with developers and stakeholders to secure a comprehensive redevelopment of the Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes (use class C3) and a minimum of 12,000m² new employment generating floorspace (predominantly use class B1a) on the southern side of Brighton Road (A259) within the plan period. Smaller scale retail, outlets, food and drink, and marine-related leisure facilities are also encouraged.
3. Development proposals for sites to the south of Brighton Road (A259) should not unduly prejudice the potential future development of sites to the north of Brighton Road (A259) and vice versa.
4. New developments should incorporate active uses along the waterfront. This may include the provision of parks, squares, play areas and active frontages such as cafes, shops and workspace.
5. New development should achieve residential densities of a minimum of 100 dwellings per hectare consisting of predominantly flatted development. A mix of dwelling sizes should be delivered.
6. Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.
7. Taller buildings may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5). Proposals will be required to demonstrate an appropriate response and high quality design in relation to the following elements:
 - Scale and height
 - Architectural detailing
 - Materials
 - Public realm and open space
 - Public transport accessibility
 - Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets
8. Development should respect and connect with surrounding areas, in particular protecting and enhancing the views from Shoreham Beach, protecting views of St Mary de Haura Church, Kingston Buci lighthouse and better connecting with Shoreham town centre's historic core.
9. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.
10. A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency.
 - Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.

11. Developments should be set back from the A259 corridor to prevent a canyoning effect and to ensure that residents are protected from noise and air quality impacts.
 12. Prior consent is required for any works in, under or over the River Adur Tidal, a classified 'main river' under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16metres of the landward toe.
 13. The partnership will support and identify mechanisms for implementation ecological and landscaping improvements along the waterfront route and alongside Brighton Road (A259) to extend the green corridor.
 14. The new waterfront route must incorporate sustainable drainage features, such as permeable surfacing and incorporating suitable trees and vegetation.
 15. Where open space requirements cannot be met on site, development will be expected to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as The Ham and Kingston Beach.
 16. Major waterfront development schemes will be expected to actively respond to the marine/estuarine environment in terms of their design and layout and incorporate features that improve open access to the waterfront and facilities for boat users such as additional moorings, floating pontoons/docks and slipways. Access to existing public hards must remain.
 17. Management agreements should be included as part of the planning application for sites of compensatory habitat to ensure the long term integrity for wildlife benefit.
 18. The partnership will work with developers and stakeholders to deliver the package of transport measures for the Western Harbour Arm as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
 - New waterfront route for pedestrians and cyclists between Shoreham Town Centre and Kingston Beach
 - Improvements to the following junctions:
 - Brighton Road/Norfolk Bridge (A259) – Old Shoreham Road (A283)
 - Brighton Road (A259)/Surry Street
 - Brighton Road (A259)/South Street (A2025)
- Improvements to the cycling facilities along the A259
 - Improved pedestrian and cycle crossing points
 - Bus stop improvements

DELIVERY AND IMPLEMENTATION



5 Delivery and implementation

- 5.1.1 The following section sets out how the proposals in this plan will be delivered on the ground and how progress will be monitored over time. The plans will need to remain flexible and adjustable as opportunities emerge over time.
- 5.1.2 The regeneration plans are being driven by the Shoreham Harbour Regeneration Partnership. Members of the Partnership signed up to a renewed joint commitment to deliver renewal plans for the harbour via a Memorandum of Understanding signed in 2011. Partnership work is organised around an agreed governance structure that sets out day to day project management and operating protocols.
- 5.1.3 Progress on project work is overseen by a Project Board of senior officers and key stakeholders that meets every quarter. In turn the Project Board reports back to a Leaders' Board comprising the leaders of each council and the Chief Executive of the Shoreham Port Authority. Key decisions are taken through the relevant committees of each authority.
- 5.1.4 Since 2009, significant technical work has been undertaken by the local authorities to determine the appropriate scale and land use mix to plan for at the harbour. Given the changes in the wider economy and government approach during the recent period, it is critical that the plans are not held back by reliance on a large injection of upfront public funding which may be difficult to access.
- 5.1.5 The current plans aim to provide a pragmatic balance between the aspirations and ambitions for a new waterfront community and the commercial realities of bringing forward complex, brownfield sites under current market conditions.
- 5.1.6 The role of the partnership is to provide a dedicated resource to work with developers and investors to facilitate bringing forward packages of catalyst sites and local area improvement projects.
- 5.1.7 Recent work has been focussed on gaining a better understanding of the barriers and costs that have contributed to the large viability gaps that have stalled previous iterations of harbour plans. This has highlighted potential solutions and alternative approaches to reduce costs, delays and risks that are now being taken forward by the partnership.
- 5.1.8 Examples of current areas of partnership work to support delivery include:
- Technical studies to identify infrastructure costs and delivery mechanisms including flood defence, transport and social infrastructure.
 - Supporting business relocation plans including identifying alternative sites in the local area that better meet business requirements.
 - Communications activities to maintain a positive two-way dialogue with land owners, developers and stakeholders and promote joint working for mutual benefit.
 - Proactively seeking ways to reduce viability gaps and unlock stalled sites.

- Close working and ongoing dialogue with local charities and community groups with an active interest in the harbour area.
- Close working and engagement with key government agencies including Environment Agency, Highways England, Natural England and the Marine Management Organisation.

Delivery objectives and dependencies

5.1.9 The objectives for plan delivery are as follows:

- To ensure that the JAAP proposals and policies are realistic, viable and deliverable within the plan period (to 2032).
- To maintain appropriate governance structures and adequate resources to ensure responsibility for implementation.
- To commit to partnership working to identify delivery solutions and to source external funding where required.
- To maximise investor confidence and reduce risk for developers, partners and stakeholders.

5.1.10 The successful delivery of the JAAP is dependent on a number of factors including:

- Delivery of the allocation proposals

- Funding and timely delivery of infrastructure, including flood defences, highway works and social infrastructure.
- Ability to resource working with local community groups and managing the local area improvement projects.
- The members of the partnership and key stakeholders continuing to provide on-going commitment to Shoreham Harbour as a strategic development priority.

Delivering site allocation proposals

5.1.11 Bringing forward the major development opportunities will require the formation of land owner and developer partnerships. Some of the key sites are owned by members of the Partnership, particularly the Port Authority which will enable greater control over the nature of proposals coming forward.

5.1.12 Landowner and stakeholder partnerships and potentially joint venture companies will carry forward proposals on the basis of development agreements, within the framework set out in this plan and other supplementary site briefs.

5.1.13 Land assembly and anticipated release of development sites through the proactive work of the regeneration partnership will help to kick start progress during the first five years. It is not intended to utilise compulsory purchase powers (CPO) in implementing site allocations in multiple ownership and/or occupation, as the JAAP places an onus on developers to negotiate any land acquisition with support from the Partnership. However, an approach that takes a CPO route to deliver a scheme may be required if negotiation proves unsuccessful. This will be carried out in accordance with Circular 06/2004.

Infrastructure requirements

- 5.1.14 Development at Shoreham Harbour will generate the need for additional and improved infrastructure to support the needs of an increased population. Essential infrastructure covers a range of items including social infrastructure (e.g. health facilities, libraries, educational; establishments etc.); physical infrastructure (e.g. highways, flood defences, utility provision etc.) and green infrastructure (e.g. allotments, natural open spaces etc.).
- 5.1.15 Infrastructure Delivery Plans (IDPs) have been drafted for Adur and Brighton & Hove. These are live documents that set out the infrastructure priorities associated with the implementation of the Adur Local Plan and Brighton & Hove City Plan and include requirements for Shoreham Harbour. The IDPs clarify which organisation/s are responsible for delivering the infrastructure, how it will be funded and when it is required.
- 5.1.16 Private sector funding through planning obligations linked to individual development proposals will be an important mechanism for securing delivery of infrastructure.
- 5.1.17 The authorities are currently exploring the use of the Community Infrastructure Levy (CIL). Work is on-going to identify which types of developments are applicable for CIL as well as suitable rates and how this might impact on the use of traditional contribution mechanisms such as Section 106 Agreements.
- 5.1.18 Local plan policies and Supplementary Planning Guidance set out the approach to planning obligations that will be applied which can be summarised as follows:
- On-site obligations required as part of the development including access roads and junctions for development and local public open space.
 - Community infrastructure standard charges including towards public realm improvements, highways improvements and community facilities that may be required or impacted as a result of the development.
 - Strategic infrastructure standard charge covering major capacity enhancing projects including transport network and flood alleviation.
- 5.1.19 For strategic level infrastructure technical work has been carried out to scope out the critical priorities and costs for the harbour. For example, the *Shoreham Harbour Flood Risk Management Guide* has now been adopted as supplementary planning guidance. This sets out the parameters for provision of harbour-side flood defences. A *Shoreham Harbour Transport Strategy* has prepared by WSCC which establishes the priority transport works that are required to support the proposals. Both of these documents will be used as part of planning negotiations to provide greater clarity to developers over contributions.
- 5.1.20 The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites:
- Contributions to public transport and highway network improvements
 - Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites)
 - Contributions to social infrastructure
 - Remediation of contaminated areas
 - On-site renewable energy systems / low carbon technologies

Securing funding

5.1.21 The work of the Partnership is currently supported by a limited amount of public funding that was awarded by central government prior to 2010. This funding is used to support staff resources, undertake technical studies and provide match funding for future funding bids.

5.1.22 The main current sources of funding include:

- Growth Points Programme funding
- Eco-town funding
- Homes and Communities Agency contributions
- Environment Agency contributions
- Local authority and Shoreham Port Authority contributions

5.1.23 This plan will offer greater certainty for stakeholders to be able to work together to target sources of external funding. Potential sources being currently explored include:

- City Deal
- Coastal Communities Fund
- Coast to Capital Local Economic Partnership (LEP) – Single Growth Pot
- Sustainable Transport Fund
- Heritage Lottery Funding
- EU funding

Monitoring of progress

5.1.24 The progress of the JAAP will be measured at regular intervals over time against the indicators set out within the Sustainability Appraisal that accompanies this document. As the JAAP evolves, the monitoring framework will be established working in partnership with relevant stakeholders. Final monitoring arrangements will be confirmed in the Sustainability Statement to be produced after the JAAP is adopted.

5.1.25 The local authorities undertake ongoing monitoring of their Local Development Frameworks of which this JAAP is a part. Progress on the delivery of the key opportunity development sites will be contained with the Authority Monitoring Report (AMR) for each respective council.

Policy SH10: Infrastructure Requirements

- 1. Developers will be required to provide or contribute to the provision of infrastructure made necessary by the development.**
- 2. Infrastructure must be provided at the appropriate time, prior to any part of the development becoming operational or being occupied. Infrastructure needs are identified in each local authority's Infrastructure Delivery Plan (IDP).**
- 3. Direct agreements with utility providers may be required to provide**
- 4. In accordance with each local authority's planning contributions guidance, infrastructure contributions will be sought via Section 106 Planning Obligations where they meet the statutory tests, and potentially through a future Community Infrastructure Levy.**



Shoreham Harbour JAAP main amendments

The Draft Joint Area Action Plan has been amended in response to representations received during public consultation between December 2016 and January 2017. The partner authorities have also had the opportunity to make additional changes and factual updates to reflect the progress on other planning documents and policies.

If agreed this will be taken through the appropriate approvals at each of the partner authorities:

Adur:

- Planning Committee – 18 September 2017
- Joint Strategic Committee – 10 October 2017
- Council – 2 November 2017

Brighton & Hove:

- Tourism, Development and Culture Committee – 21 September 2017
- Council – 2 November 2017

West Sussex:

- Cabinet Member decision – September 2017
- Council – 20 October 2017

This will be followed by publication of the plan from 10 November 2017 to 22 December 2017.

After publication, the plan will be prepared for submission to the Planning Inspectorate. This will include any proposed modifications arising from the publication of the plan.

List of main amendments

The list below presents the significant amendments to the plan. Minor typographic errors and factual updates have not been included.

Format of Document

Numerous consultees found policy numbering confusing. Brighton and Hove City Council requested amendment to character area policies.

- Area wide policies consist of:
 - **SH1** - Climate change, energy and sustainable building
 - **SH2** - Shoreham Port
 - **SH3** - Economic and employment
 - **SH4** - Housing and community
 - **SH5** - Sustainable travel
 - **SH6** - Flood risk and sustainable drainage
 - **SH7** - Natural Environment, biodiversity and green infrastructure
 - **SH8** - Recreation and leisure
 - **SH9** - Place-making and design quality
 - **SH10** – Infrastructure Requirements
- Character area policies consist of:
 - **CA1** - South Quayside
 - **CA2** - Aldrington Basin (including **Allocation Aldrington Basin**)
 - **CA3** - North Quayside and South Portslade (including **Allocation South Portslade**)
 - **CA4** - Portslade and Southwick Beaches
 - **CA5** - Fishersgate and Southwick (including **Allocation Southwick Waterfront**)
 - **CA6** - Harbour Mouth
 - **CA7** - Western Harbour Arm (including **Allocation Western Harbour Arm Waterfront**)

Plan Period

- Amended to 2032 in line with Adur Local Plan

Strategic Objectives

- Objective 6
 - Title changed from “flood risk management” to “flood risk and sustainable drainage”
 - Amendment was made at the request of the Environment Agency; the change was accepted as it better matches the content of the plan. The amendment has been supported by Adur District Council engineers.
- Objective 7
 - The objective now includes reference to natural capital.
 - The amendment was made at the request of Sussex Wildlife Trust and has been supported by the Environment Agency.

Factual updates

- Objectively Assessed Need (OAN) updated
- Reference to Edgeley Green removed

Area Wide Amendments

- **SH1** – Climate change, energy and sustainable building
 - Removed reference to BHCC Sustainable Building Design SPD as now revoked. Amended reference to City Plan CP8
 - Updated reference to Heat Network study to reflect new study.
- **SH2** – Shoreham Port
 - Background text on minerals wharves updated, and redrafted to avoid repetition and confusing structure.
- **SH3** – Economic and employment
 - No significant amendments
- **SH4** – Housing and community
 - Added paragraph on housing mix
- **SH5** – Sustainable travel
 - Background text redrafted to provide a more coherent structure. Added detail on cycling provision.
- **SH6** – Flood risk and sustainable drainage
 - Objective 6 has been amended to reference “drainage”
 - Clarified position on Environment Agency/Marine Management Organisation licence
 - A licence is required for all development within 16m of river edge.
 - Setback for flood defence maintenance to be agreed with Environment Agency.
- **SH7** – Natural Environment, biodiversity and green infrastructure
 - Added reference to natural capital, and green infrastructure (glossary to be included)
 - Additional reference to contaminated land, at request of EA
 - Additional reference to waste management, at request of ESCC
- **SH8** – Recreation and leisure
 - Added reference to recreation facilities
- **SH9** – Place-making and design quality
 - No significant amendments
- **SH10** – Infrastructure Requirements
 - No significant amendments

Character Area Amendments

- **CA1** – South Quayside
 - Factual amendments on port operations
- **CA2** – Aldrington Basin
 - BHCC allocations disaggregated
 - Non-allocated employment sites to be safeguarded

- Reference to Ferry Wharf amended to reflect waste use
- Ground levels added for flood risk at request of Environment Agency.
- Site references updates
- **CA3** – North Quayside and South Portslade
 - BHCC allocations disaggregated
 - Non-allocated employment sites to be safeguarded
 - Site references updated
- **CA4** – Portslade and Southwick Beaches
 - No significant changes
- **CA5** – Fishersgate and Southwick
 - Site levels added at request of EA
 - Amended development requirement at Southwick Waterfront
- **CA6** – Harbour Mouth
 - No significant changes
- **CA7** – Western Harbour Arm
 - Reference to compensatory habitat amended at request of EA
 - Amended housing mix
 - Added site references
 - Amended text on acceptable building heights
 - Amended text on preserving views of heritage assets

Policy Amendments

- In general there was a large amount of repetition in character area policies (numerous character areas had policy clauses on sustainability, flood risk, green infrastructure and transport). Generic clauses have been drafted and added to area wide policies in order to simplify the plan.
- **Policy SH1**
 - **Amended clause (3):** **Where it is feasible and viable,** ~~D~~ development should **seek to** achieve zero-carbon status (~~emitting no net annual carbon emissions from regulated and unregulated energy use~~), in particular within the four site allocations. This will include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.
- **Policy SH3**
 - **Added clause (4):** “The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents”.
- **Policy SH4**
 - **Amended clause (2):** Developers will be required to ensure that proposals deliver a mixed and balanced community through providing a mix of dwelling types, sizes and tenures in accordance with identified local needs including suitable family accommodation. ~~A mix of apartments and terraced town houses would be appropriate across all tenures.~~
 - **Removed clause (4):** Developers are encouraged to work towards the principles of Lifetime Neighbourhoods and incorporate Age-Friendly Cities features”
 - Reference remains in the BHCC City Plan but does not apply to Adur.

- **Added clause (5):** Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.
- **Policy SH6**
 - Clauses on “flood defence and drainage” moved from character areas to area wide policy
- **Policy SH7**
 - **Amended clause (8):** “Where ~~biodiversity~~ impacts on biodiversity cannot be mitigated, compensatory measures ~~actions~~ will be required, taking account of an up-to-date ecological survey ~~Compensatory habitat to be like for like basis based upon up-to-date surveys”.~~
 - Clauses on natural environment/biodiversity moved from character areas to area wide policy
 - **Amended clause (10):** “All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality ~~and to ensure~~. Only clean surface water ~~is~~ should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted”.
 - Amended at request of the Environment Agency
- **Policy SH8**
 - **Added clause (5):** “The provision of appropriate measures to enhance watersports and other traditional coastal activities will be supported”.
 - **Added clause (10):** “The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area”.
- **Policy CA2**
 - **Amended clause (2):** “The partnership will work with developers and stakeholders to deliver:
 - a) a minimum of ~~approximately 300~~ **90** new dwellings (use class C3) and 7,500m²
 - b) a minimum of 4,500m² new B class employment floorspace (use classes B1, B2 and B8) ~~(in combination with SS2: South Portslade)~~ The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace, and appropriately located residential dwellings.
 - c) ancillary leisure, retail and food and drink floorspace”
 - **Amended clause (3):**

“Site allocations at Aldrington Basin (shown on Map 7) are:

 - a) AB1 – North Basin Quay: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.

b) AB2 – Aldrington Marina: Allocated for new employment floorspace (use classes B1, B2 and B8)

c) AB3 – Ferry Wharf: Allocated for port related and compatible employment floorspace (use classes B1, B2 and B8).

d) AB4 – Kingsway/Basin Road North: Allocated for mixed use redevelopment (use classes B1 and B2 at Basin Road North level, use classes A2, B1 and ancillary A1 at Kingsway level, and use class C3 on upper storeys)”.

At the basin level, plots bounded by Basin Road North, Basin Road South and the Canal (sites A, B ~~and~~ C and D on Map 8 ~~7~~) will be ~~are~~ safeguarded for port-related and compatible employment uses (classes B1, B2 and B8).

- a) ~~Building heights of two to three storeys are generally considered acceptable at the basin level. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.~~
- **Added clause (5):** “Hove Enterprise Centre and Maritime House are safeguarded for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace”.
- **Added clause (6):**
“For sites AB1, AB2, AB3:
 - a) Building heights of two to three storeys are generally considered acceptable.
 - b) If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.”
- **Amended clause (7):**

~~Plots between Basin Road North and Kingsway (site D-E on Map 8 ~~7~~) will be released for mixed-use redevelopment (B1 and B2 at Basin Road North level, A1, A2 and B1 at Kingsway level, and C3 on upper storeys).~~

For site AB4:

a) Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts and apply high quality design principles. Building heights of up to four storeys above Kingsway and six storeys above Basin Road North are considered acceptable subject to high quality design and being suitably orientated to accommodate generous views between new buildings. ~~Development shall not exceed the height of the nearby Vega apartment building and care needs to be taken to consider sunlight impacts on other sites.~~

b) Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.

c) Development should provide an attractive character along the A259 and contribute towards the street scene. Residential development will need to demonstrate compatibility with employment uses at the basin level below in order to prevent future conflicts arising.

- **Policy CA3**

- **Amended clause (3):**

“The partnership will work with developers and stakeholders to deliver:

- a) **a minimum of approximately 300 ~~210~~ new residential dwellings (use class C3) and 7,500m²**
- b) **a minimum of 3,000m² new B-class employment floorspace (use classes B1, B2 and B8) (in combination with SS1: Aldrington Basin). The partnership will support the redevelopment of sites to deliver high quality, modern employment floorspace and appropriately located residential dwellings.**
- c) **ancillary leisure uses”**

- **Amended clause (4):**

Site allocations at South Portslade (shown on Map 8) are:

- a) **SP1 – Prestwich House (and adjoining): Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys)**
- b) **SP2 – Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3)**
- c) **SP3 – Wellington House: Allocated for residential development (use class C3)**
- d) **SP4 – Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys)**
- e) **SP5 – Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys. Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.**
- f) **SP6 – Church Road/Wellington Road/ St Peter’s Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B3). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter’s Road.**

g) SP7 – Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)

Site A is released for mixed-use redevelopment. Wellington House, The Belgrave Day Centre and adjacent equipment store are suitable for residential development (class C3). The remainder of site A is suitable for mixed use development – employment (class B1) on the lower storeys, and residential (class C3) on upper storeys.

~~a) Building heights of four to six storeys are generally considered acceptable. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.~~

~~b) Proposals for development at the far eastern boundary of the site need to be mindful of impacting access to daylight on the rear of adjacent properties on Station Road. Building heights of three to four storeys are generally considered acceptable.~~

~~c) Buildings fronting Wellington Road must be set back beyond the proposed green corridor.~~

- **Added clause (5):** “South Portslade Industrial Estate (as shown on Map 8) is safeguarded for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floorspace”.

- **Policy CA5**

- **Amended clause (3):**

The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:

- Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east
 - Complimentary waterside facilities and attractions, such as an expanded chandlery, café/bar and public conveniences
 - Possible location for a youth sailing centre.
- Amendment is in response to the SPA pursuing a different scheme

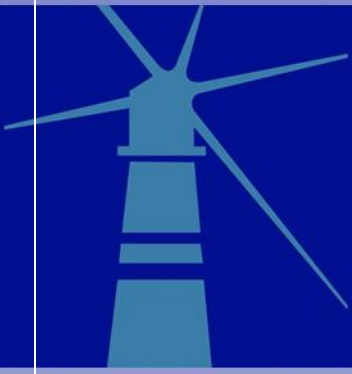
- **Policy CA7**

- **Amended clause (6):** Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. **Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.**

- **Amended clause (7):**

~~Proposals for individual~~ **Taller buildings may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5). Proposals** above a threshold of five storeys will be required to demonstrate an appropriate response and high quality design in relation to the following elements:

- Scale and height
 - Architectural detailing
 - Materials
 - Public realm and open space
 - Public transport accessibility
 - Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets
 - Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.
- **Amended clause (10):** “A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. **The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency.**”
 - **Added clause (12):** “Prior consent is required for any works in, under or over the River Adur Tidal, a classified ‘main river’ under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16metres of the landward toe”.



SHOREHAM HARBOUR REGENERATION

SUSTAINABILITY APPRAISAL



PROPOSED SUBMISSION

SHOREHAM HARBOUR

JOINT AREA ACTION PLAN

DRAFT FOR APPROVAL—AUGUST 2017

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Introduction

1 BACKGROUND

- 1.1.1 The Shoreham Harbour Joint Area Action Plan (JAAP) is a local plan being prepared by the Shoreham Harbour Regeneration Partnership. This is made up of Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority. Once adopted, it will set the framework for regeneration of the harbour over the next 15-20 years.
- 1.1.2 Sustainability appraisal (SA) is a mechanism for considering and communicating the likely effects of a draft plan, and alternatives, with a view to avoiding and mitigating adverse effects and maximising positives. SA is a legal requirement in the case of the JAAP.¹

2 SA EXPLAINED

- 2.1.1 It is a requirement that SA is undertaken in-line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004, which were prepared in order to transpose into national law the EU Strategic Environmental Assessment (SEA) Directive.²
- 2.1.2 The Regulations require that a report is published for consultation alongside the draft plan that identifies, describes and evaluates the likely significant effects of the plan, and reasonable alternatives. The report must then be taken into account, alongside consultation responses, when finalising the plan.
- 2.1.3 In-line with the Regulations the report - known here as **the 'SA Report'** – must essentially answer four questions:
1. What's the scope of the SA?
 2. What has Plan-making / SA involved up to this point?
 3. What are the appraisal findings at this current stage?
 4. What happens next?
- 2.1.4 These questions are derived from Schedule 2 of the Regulations, which present 'the information to be provided within the report. Table 2.1 explains the links between the regulatory requirements and the four SA questions.

3 STRUCTURE OF THIS SA REPORT

- 3.1.1 This document is the SA Report of the Publication Shoreham Harbour JAAP, 2017, and hence needs to answer all four of the questions listed above with a view to providing the information required by the Regulations. **Each of the four questions is answered in turn, below.**

¹ Since provision was made through the Planning and Compulsory Purchase Act 2004 it has been understood that local planning authorities must carry out a process of Sustainability Appraisal alongside Local Plan (including AAP) 'making'. The centrality of SA to Local Plan-making is emphasised in the National Planning Policy Framework (2012). The Town and Country Planning (Local Planning) (England) Regulations 2012 require that an SA Report is published for consultation alongside the 'Proposed Submission' version of every Local Plan / AAP.

² Directive 2001/42/EC

Table 1: Questions that must be answered by the SA Report in order to meet Regulatory³ requirements

SA REPORT QUESTION		IN LINE WITH SCHEDULE II THE REPORT MUST INCLUDE...
What's the scope of the SA?	What's the plan seeking to achieve?	<ul style="list-style-type: none"> • An outline of the objectives of the plan and relationship with other relevant plans and programmes
	What's the sustainability 'context'?	<ul style="list-style-type: none"> • Relevant environmental protection objectives, established at international or national level • Existing environmental problems which are relevant to the plan including those relating to areas of particular importance
	What's the sustainability 'baseline'?	<ul style="list-style-type: none"> • Relevant aspects of the current state of the environment • Environmental characteristics of areas likely to be significantly affected • Existing environmental problems which are relevant to the plan including those relating to areas of particular importance
	What are the key issues & objectives that should be a focus?	<ul style="list-style-type: none"> • Problems / issues / objectives that should be a focus of appraisal
What has plan-making / SA involved up to this point?		<ul style="list-style-type: none"> • Outline reasons for selecting the alternatives dealt with (and thus an explanation of 'reasonableness') • The likely significant effects associated with alternatives • Outline reasons for selecting the preferred approach in-light of alternatives appraisal / a description of how environmental objectives and considerations are reflected in the draft plan.
What are the appraisal findings at this current stage?		<ul style="list-style-type: none"> • The likely significant effects associated with the Publication Plan • The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects of the Publication Plan • Likely evolution without implementation of the plan
What happens next?		<ul style="list-style-type: none"> • A description of the monitoring measures envisaged

N.B. The right-hand column of Table 1 does not quote directly from Schedule II of the Regulations. Rather, it reflects a degree of interpretation.

³ Environmental Assessment of Plans and Programmes Regulations 2004

PART 1

WHAT IS THE SCOPE OF THE SA

4 INTRODUCTION (TO PART 1)

4.1.1 This is Part 1 of the SA Report, the aim of which is to introduce the reader to the scope of the SA. In particular, and as required by the Regulations⁴, this Part of the SA Report answers the following questions in turn:

- What's the plan seeking to achieve?
- What's the sustainability 'context'?
- What's the sustainability 'baseline'?
- What are the key issues and objectives that should be a focus of SA?

4.2 Consultation on the scope

4.2.1 The Regulations require that: "When deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation bodies". In England, the consultation bodies are Natural England, The Environment Agency and Historic England.⁵ As such, these authorities - and wider stakeholders - were consulted on the scope of the SA in 2012. The Scoping Report (which was amended subsequent to consultation) is available on the Shoreham Harbour Regeneration pages of the Adur & Worthing Councils website.

4.2.2 The 2012 Scoping Report provides an agreed 'basis' for appraisal; however, it is important to note that the 'scope' for the appraisal has not remained entirely static since that time. This is appropriate given that understanding of sustainability problems/issues/objectives inevitably evolves over time and situations change.

⁴ Environmental Assessment of Plans and Programmes Regulations 2004

⁵ In-line with Article 6(3).of the SEA Directive, these consultation bodies were selected because '*by reason of their specific environmental responsibilities,[they] are likely to be concerned by the environmental effects of implementing plans and programme*'.

5 WHAT IS THE PLAN SEEKING TO ACHIEVE?

The SA Report must include...

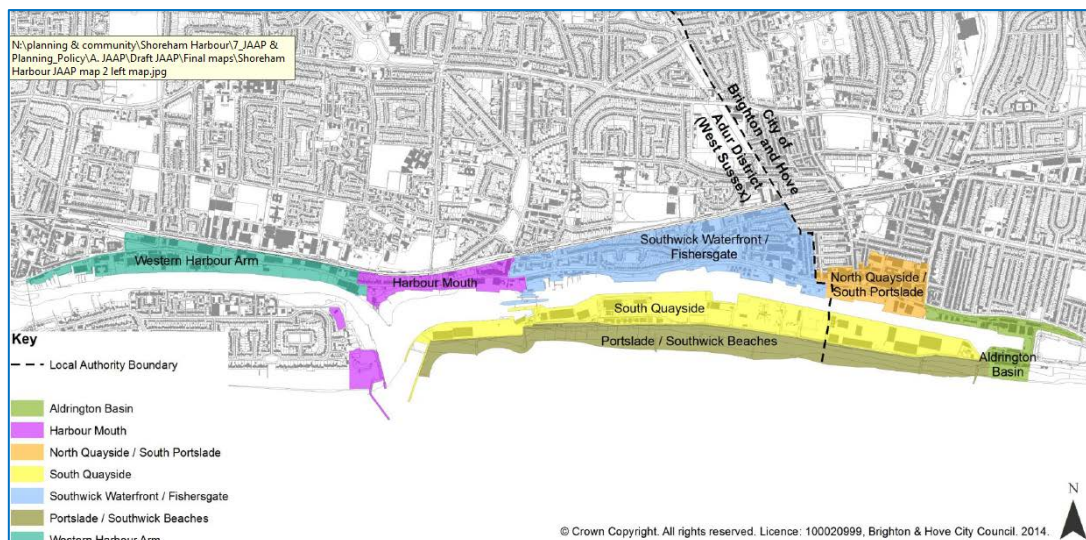
- Outline the main objectives of the plan and relationship with other relevant plans and programmes.

5.1.1 The JAAP, once adopted, will set a framework for the regeneration of the harbour over the next 15-20 years. It will identify a set of realistic, deliverable, locally supported and sustainable proposals for Shoreham Harbour and help to manage the impacts of development over time. The plan is 'joint' because it will be jointly adopted by Adur District Council (ADC), Brighton & Hove City Council (BHCC), and West Sussex County Council (WSCC).

5.1.2 Shoreham Harbour is located between the western end of Hove seafront and the Adur Estuary at Shoreham-by-Sea – benefitting from a natural coastal setting and accessible waterfront environment. The harbour stretches for five kilometres of waterfront, bounded by the A259, the West Coastway railway line and the coastal communities of Shoreham-by-Sea, Kingston-by-Sea, Southwick, Fishergate, South Portslade and Hove. The harbour straddles the local authority boundaries of Adur District Council (within West Sussex) to the west and the City of Brighton & Hove to the east.

5.1.3 The regeneration area has been broken down into seven distinct Character Areas, and there are four allocations that have been identified as being critical to the realisation of the long term strategy for the harbour which are proposed to be the focus for delivery. These are: Aldrington Basin (within policy CA2); South Portslade (within CA3); Southwick Waterfront (within CA5); and Western Harbour Arm (within CA7). The Southwick Waterfront allocation proposes new employment-based development only. The other three site allocations are all areas where new mixed use development is proposed. For these three areas development briefs have already been prepared and adopted by the councils in 2013. The JAAP will eventually replace these briefs once it is adopted.

5.1.4 **Figure 5.1: The seven character areas that comprise the JAAP area**



5.1.5 There have been various plans put forward for the harbour area in the past and some elements have since been delivered. The drivers of change have evolved over time, and will continue to change. The **aim of the plan** is to provide a flexible framework for future development that responds to local economic and social needs as well as environmental considerations.

5.2 How does the JAAP relate to other plans

5.2.1 Context for the JAAP is set by a raft of National, Regional and Local Policy. Key documents include:

- The plan must be in accordance with UK Government policy, and in particular that set out within the National Planning Policy Framework (NPPF 2012).
- The National Planning Policy Statement for Ports (2012) provides the framework for decisions on proposals for new port development.
- The Coastal West Sussex and Greater Brighton Local Strategic Statement (2016), produced on behalf of the Coastal West Sussex and Greater Brighton Strategic Planning Board, sets out the long term strategic objectives for the area. Creating the conditions to deliver strategic employment and housing sites at Shoreham Harbour is a key priority.
- The South Inshore Marine Plan (in progress) will seek to manage the sustainable development of marine industries such as wind farms, shipping, marine aggregates and fishing alongside the need to conserve and protect marine species, habitats and leisure uses.
- In 2014 UNESCO designated the Brighton and Lewes Downs as a Biosphere Reserve. A Management Strategy has been produced which sets out the key objectives of Nature Conservation, Sustainable Socio-Economic Development, and Knowledge, Learning and Awareness.
- Both the emerging Adur Local Plan and Brighton & Hove City Plan Part 1 identify the regeneration of the harbour in their strategic objectives and also contain a specific planning policy that identifies the harbour as a 'Broad Location' for future strategic development. This includes Policy 2, Policy 4 and Policy 8 of the Proposed Submission Adur Local Plan (2016) and Policy DA8 of the adopted Brighton & Hove City Plan (March 2016).
- Depending on which part of the harbour, proposals involving or impacting on waste and minerals operations should refer to: the WSCC Minerals Local Plan (adopted 2003), the Draft West Sussex Joint Minerals Plan (2017), the West Sussex Waste Local Plan (2014), or the East Sussex, South Downs National Park Authority (SDNPA) and Brighton & Hove Waste and Minerals Plan (2013) and the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (2017).
- Development Briefs have been adopted for key areas of change – Western Harbour Arm, South Portslade Industrial Estate and Aldrington Basin. Preparation of these briefs was informed by a large body of technical background work, public consultation and engagement, and Sustainability Appraisal.
- Shoreham Port Authority has produced a Port Masterplan (2010), which although not a statutory planning policy document, is reflective of the Port's future aspirations and should be taken into account when considering the future of land in the vicinity of Shoreham Port.
- A Flood Risk Management Guidance Supplementary Planning Document (SPD) (adopted March 2015) has been prepared for the harbour area. This identifies the requirements for new and improved flood defences and provides a guide to delivering integrated flood defence and mitigation measures.
- WSCC has prepared a Shoreham Harbour Transport Strategy for the harbour area. This identifies a package of sustainable transport measures and interventions which will be required to deliver the JAAP.
- The Shoreham Harbour Streetscape Guide (adopted May 2012) was prepared to help the councils and developers deliver cohesive and high quality public realm across the harbour area.

- A Green Infrastructure Strategy is currently being prepared for the harbour area. This sets out proposals for ecological enhancements as well as the creation of a green corridor.

5.3 Plan objectives

5.3.1 The nine over-arching strategic objectives are as follows:

- **SO1 Climate Change, energy and sustainable building: To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub**
 - To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.
 - To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the Harbour and wider area; particularly those that take advantage of the Harbour's coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.
- **SO2 Shoreham Port: Support a growing, thriving port**
 - To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and promote the important role of the port in the local and wider economy.
- **SO3 Economy and employment: Stimulate the local economy and provide new jobs**
 - To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities
- **SO4 Housing and community: To provide new homes and contribute to meeting identified housing needs**
 - To address shortfalls in local housing provision through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.
- **SO5 Sustainable Travel: Improve connections and promote sustainable transport choices**
 - To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.
- **SO6 Flood risk and Sustainable Drainage: To reduce the risk of flooding and adapt to climate change**
 - To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems (SUDS).
- **SO7 Natural Environment, biodiversity and green infrastructure: To add to the natural environment of the Shoreham Harbour Regeneration Area by**

delivering net gains to biodiversity and a multifunctional green infrastructure network

- To conserve and protect the area’s important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.
- To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including green spaces and biodiverse green roofs and walls.
- **SO8 Recreation and leisure: To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles**
 - To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure; including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both local residents and visitors.
- **SO9: Place making and design quality: Promote high design quality and improve townscape**
 - To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces. To protect and enhance the area’s historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.

5.3.2 The regeneration area has been broken down in to seven distinct character areas. The JAAP identifies specific priorities and proposals for each of these areas. The character areas are:

1. South Quayside (policy CA1)
2. Aldrington Basin (policy CA2)
3. North Quayside and South Portslade (policy CA3)
4. Portslade and Southwick Beaches (policy CA4)
5. Fishersgate and Southwick (policy CA5)
6. Harbour Mouth (policy CA6)
7. Western Harbour Arm (policy CA7)

5.3.3 The JAAP also contains ten area-wide policies covering a range of issues as set out in the Strategic Objectives as follows:

1. Climate change, energy and sustainable building (policy SH1)
2. Shoreham Port (policy SH2)
3. Economy and employment (policy SH3)
4. Housing and community (policy SH4)
5. Sustainable travel (policy SH5)
6. Flood risk (policy SH6)
7. Natural environment, biodiversity and green infrastructure (policy SH7)
8. Recreation and leisure (policy SH8)
9. Place making and design quality (policy SH9)
10. Infrastructure requirements (policy SH10)

5.4 What’s the plan not trying to achieve?

- 5.4.1 It is important to emphasise that the plan will be strategic in nature. Even the allocation of sites should be considered a strategic undertaking, i.e. a process that omits consideration of some detailed issues in the knowledge that these can be addressed further down the line (through the planning application process). The strategic nature of the plan is reflected in the scope of the SA.

The SA Report must include...

- Relevant sustainability objectives, established at international / national level; and
- Existing sustainability problems / issues which are relevant to the plan including, in particular, those relating to any areas / populations etc. of particular importance.

6.1 Introduction

6.1.1 An important step when seeking to establish the appropriate scope of an SA involves reviewing context messages in relation to: broad problems / issues and objectives. The JAAP SA Scoping Report (2012) identified key messages from relevant Plans, Policies, Programmes, Strategies and Initiatives (PPPSIs). A brief summary of key context messages is presented below. A full review of the Plans, Policies, Programmes, Strategies and Initiatives was presented in the [JAAP SA Scoping Report \(2012\)](#).

6.2 Environmental context

6.2.1 Protection and enhancement of **biodiversity** is promoted through several pieces of EU legislation, which include the EU Habitats Directive 92/43/EEC and the EU Wild Birds Directive 2009/147/EC. The importance is further emphasised by the EU Biodiversity Strategy, adopted May 2011, which aims to deliver on the established Europe-wide target to 'halt the loss of biodiversity and the degradation of ecosystem services in the EU by 2020'. Within England the NPPF requires planning authorities to plan positively for the creation, protection, enhancement and management of ecological networks and 'green infrastructure'. Supplementary to this the Natural Environment White Paper (NEWP) emphasises the importance of a healthy natural environment to sustained economic growth, prospering communities and personal well-being.

6.2.2 At a local level, policies 32 in the Adur Local Plan and CP10 in the Brighton & Hove City Plan Part 1 require development to ensure the protection, conservation and, where possible, enhancement of biodiversity. The Sussex Biodiversity Action Plan (BAP) identifies species and habitats most under threat, and sets out an agenda for action. The Brighton & Hove Local Biodiversity Action Plan (LBAP) aims to integrate biodiversity into decision-making, to involve local communities in developing and progressing biodiversity conservation. Shoreham Harbour falls within the 2014 designated Brighton & Hove and Lewes UNESCO Biosphere area which promotes world class management of the environment. This includes the objective to improve important local wildlife habitats and species, and precious environmental resources such as water, through better downland and floodplain management, enhanced landscapes and urban spaces, and new marine conservation initiatives.

6.2.3 The avoidance and reduction of **flood risk** is championed by the EU Floods Directive 2007/60/EC. This requires Member States to assess all water courses and coastlines for risk and to plan adequate measures to reduce the risk. In England the NPPF suggests that development in areas of high flood risk should be avoided, and that where new development is permitted it should be made safe without increasing flood risk elsewhere. Locally, policies 37 in the Adur Local Plan and CP 11 in the Brighton & Hove City Plan seek to reduce local flood risk.

6.2.4 The River Adur Catchment Flood Management Plan identifies long-term policies for managing flood risks from the river over the next 100 years to ensure a more sustainable approach to flood management. The plan considers likely future impacts of climate change and the implications of further urban development within the catchment area.

- 6.2.5 The Rivers Arun to Adur Flood and Erosion Management Strategy aims to establish a sustainable policy for the management of coastal defences between the Rivers Arun and Adur over a 50 year period. The Brighton Marina to River Adur Flood and Coastal Erosion Risk Management Strategy looks in detail at this length of coast and how it will accommodate any significant human and natural factors that will influence it, identifying what kind of defensive measures are suitable and affordable over the next 100 years.
- 6.2.6 The EU Waste Framework Directive 2008/98/EC requires that the **waste** hierarchy is observed and is a material consideration in determining individual planning applications. The Government Review of Waste Policy in England also contains actions and commitments, including for local authorities, to work towards a zero waste economy. At a local level the Adur and Worthing Sustainability Strategy considers waste and recycling as one of the six key central areas, establishing targets and an action plan for improvement. The Brighton & Hove Sustainability Action Plan, uses the One Planet Framework which sets ten guiding sustainable principles on how we can live and work within a fair share of our planet's resources, including reducing waste, the use of sustainable materials, local food, and water use to help foster sustainable values that benefit the local economy, and the communities health and happiness.
- 6.2.7 The protection and enhancement of **water** quality and quantity is driven by the Water Framework Directive (2000/60/EC), which requires a catchment-based approach to water management. The Framework Directive defines water protection as relating to both surface waters and groundwater, and requires that Member States achieve 'good status' for all waters by an assigned deadline. The Bathing Water Directive (2006/7/EC) protects public health while offering an opportunity to improve management practices at bathing waters through an information dissemination classification system for the public with more stringent water quality standards. The directive aims to ensure all bathing waters meet a good mandatory standard.
- 6.2.8 At the national level, the NPPF requires that planning decisions prevent existing and proposed development from contributing to or being at unacceptable risk from water pollution. The NPPF also emphasises the important role that can be played by Sustainable Drainage Systems (SuDS) and water efficiency design measures. Locally, policies 37 in the Adur Local Plan and CP11 in the Brighton & Hove City Plan Part One require development to incorporate SuDS in order to mitigate the risk of pollution to groundwater sources and to reduce the risks of surface water flooding. Policies 36 in the Adur Local Plan and CP8 in the Brighton & Hove City Plan require development to increase water efficiency and avoid unacceptable impact on the quality and potential yield of local water resources and the water environment.
- 6.2.9 The objective of promoting **energy efficiency and renewable energy** production has been the focus of EU legislation including EU Directive 2009/28/EC on promotion of use of energy from renewable sources and the EU Directive 2010/31/EC on the Energy Performance of Buildings. In the UK the Climate Change Act 2008 has set legally binding targets on reducing greenhouse gas emissions in the UK by at least 80% by 2050 and 34% by 2020 against the 1990 baseline. The NPPF highlights the important role planning can have in achieving substantial reductions in greenhouse gas emissions and supporting the delivery of low carbon and renewable energy.
- 6.2.10 Locally, policies 18 to 20 in the Adur Local Plan and CP8 in the Brighton & Hove City Plan Part One require development to reduce energy demand, increase efficiency and encourage the local generation of energy from renewable sources. Adur and Worthing Councils Sustainability Strategy considers energy and the associated carbon dioxide equivalent emissions as another one of the six key central areas, again setting targets and an action plan for improvement. The Brighton & Hove Sustainability Action Plan sets sustainable principles to make buildings more energy efficient, with the production of energy to be through renewable technologies. Brighton & Hove's Climate Change Strategy aims to reduce carbon emissions and is linked to the Sustainable Community Strategy.

- 6.2.11 **Air quality** improvements are the focus of the EU Thematic Strategy on Air Pollution, which aims to cut the annual number of premature deaths from air pollution-related diseases by 40% by 2020 (using 2000 as the base year). In addition to this the EU Air Quality Directive 2007/50/EC places stringent air quality monitoring requirements upon member states. Nationally, the NPPF presents a clear message for the planning system to prevent new and existing developments contributing unacceptable levels of air pollution, whilst suggesting Plans should contribute towards national objectives for pollutants, taking into account the presence of Air Quality Management Areas.
- 6.2.12 In addition to this the Environment Act 1996 and the Air Quality Regulations as amended require Local Authorities to assess air quality and where necessary declare Air Quality Management Areas and produce Air Quality Action Plans. An AQMA management plan presents actions that could be carried out to reduce air pollution. As such the Adur District Council Air Quality Action Plan 2007 details necessary steps to improve air quality within the two identified Air Quality Management Areas (AQMA) identified. Brighton & Hove designated a revised AQMA in 2013. The Brighton & Hove Air Quality Action Plan includes a comprehensive set of measures and recommendations aimed at improving air quality in the city by proposing measures such as travel planning, increasing cycling and walking networks, and road infrastructure changes.
- 6.2.13 **Noise** is an issue that is related to air quality, given that problems are driven by traffic and also industrial operations. Noise guidance provided by the World Health Organization states that “general daytime outdoor noise levels of less than 55 decibels adjusted (dBa) are desirable to prevent any significant community annoyance.” The Noise Policy Statement for England addresses the effective management and control of environmental noise, neighbour and neighbourhood noise to be considered alongside other relevant sustainable development issues at the appropriate time. The Noise Action Plan for the Brighton Agglomeration addresses the management of noise issues arising from road, railway, aviation and industrial sources, setting long term strategies to manage noise and its impacts, while safeguarding quieter areas of the agglomeration.
- 6.2.14 The need to minimise travel and improve access to **sustainable modes of transport** is emphasised in England by the National Planning Policy Framework (NPPF). Under the NPPF local plans are encouraged to minimise journey lengths for all activities such as employment, shopping and leisure. Policies 29 in the Adur Local Plan and CP9 in the Brighton & Hove City Plan address this requirement. Additionally the local transport system should be balanced to favour sustainable transport modes (including walking, cycling and public transport). Effective planning for sustainable transport will also bring other sustainability benefits such as achieving health objectives.
- 6.2.15 Locally the West Sussex Transport Plan 2011-2026 sets out to increase the use of sustainable modes of transport, improve network efficiency in order to reduce emissions and delays, minimise the impact of HGVs on the local community, improve safety for all road users and reduce traffic emissions. The Brighton & Hove Local Transport Plan 2015-2019 sets a long term policy strategy that underpins a short term delivery programme of transport schemes to be implemented. The Shoreham Harbour Transport Strategy sets out a package of measures that will need to be put in place to support new development at the harbour. The Transport Strategy seeks through a series of interventions to achieve outcomes, which complement the objectives of the Joint Area Action Plan, such as reduced levels of congestion, strengthened sustainable transport mode share, improved connectivity, a safe and attractive environment, and adequate parking provision and controls.

6.2.16 The prevention of new and existing development from being adversely affected by the presence of 'unacceptable levels' of **soil pollution** is emphasised in the National Planning Policy Framework, whereby the remediation and mitigation of despoiled, degraded, derelict, contaminated and unstable land must be undertaken where appropriate. In *Safeguarding our Soils: A strategy for England* preventing the pollution of soils and addressing the historic legacy of contaminated land is addressed, recognising that changing demands on our soils need to be better understood ensuring that 'appropriate consideration is given to soils in the planning process'. The Brighton & Hove City Council Contaminated Land Strategy sets measures to identify and keep a register of contaminated sites, and consult on, and formally require, appropriate action when contaminated land has been found.

6.3 Socio-economic context messages

6.3.1 The NPPF seeks to ensure a wide choice of high quality **homes**, with more opportunities for home ownership, in order to create sustainable, mixed communities. There is a need to plan for a mix of housing based on the local demography and the needs of the different groups within the local community. The Adur and Worthing Housing Strategy 2012-2017 outlines a list of priorities for the local area. This includes balancing the local housing market, meeting the need for affordable homes, preventing homelessness, providing housing support and promoting a healthy private sector. The Brighton & Hove Housing Strategy (2015) identifies the main housing issues for the city that the council and its partners are working to address. Additional strategies have been produced on Student Housing, Homelessness, Supporting People and Temporary Accommodation, Older People's Housing Strategy and LGBT (Lesbian Gay Bisexual and Trans) People's Housing Strategy to address the needs of particular communities in the city. Housing is addressed through policies 3 in the Adur Local Plan and CP1 in the Brighton & Hove City Plan Part One. Both plans identify Shoreham Harbour as a 'broad location' for housing development.

6.3.2 The NPPF outlines the Government's commitment to ensuring **sustainable economic growth**. As such planning policies are encouraged not to overburden investment in business but to address potential barriers to investment such as lack of infrastructure and housing. Plans are also encouraged to avoid long term protection of sites for employment use if they are not likely to be used for this purpose. The Adur and Worthing Council Corporate Priorities 2011-2014 document has five core aims, one of which relates to supporting and improving the local economy.

6.3.3 An Economic Strategy for West Sussex 2012-2020 has supported the establishment of the Coast to Capital Local Enterprise Partnership (LEP), which has identified aims to create an outward outward-facing, high performing international business economy, with a reputation for being a good place to do business. The LEP is to take a coordination and leadership role on a range of issues including spatial regeneration projects such as Shoreham Harbour. The importance of Shoreham Harbour as a significant transport route for cargo is emphasised in the economic strategy. The Adur & Worthing Economic Plan provides a local economic priority focus which prioritises supporting business, the development of growth, the enhancement of the business environment, the advancement of local skills, the encouragement of sustainability, and the promotion of health and wellbeing. Economic growth is addressed through policies 4 in the Adur Local Plan and CP2 in the Brighton & Hove City Plan Part One. Both plans identify Shoreham Harbour as a 'broad location' for economic development.

- 6.3.4 **Social inclusion** is promoted in the EU through the Renewed European Sustainable Development Strategy and is considered one of the seven key challenges for the EU within the strategy. Locally the West Sussex Sustainable Community for 2008-2020 highlights essential areas for improvement which include reducing West Sussex's contribution to climate change, improving access to high quality education, reducing the difference in life expectancy between different demographics and increasing safety in West Sussex. The Sustainable Community Strategy for Worthing & Adur is set around four priorities for change, which reflect the evidence and the views and needs of residents in Adur and Worthing, namely a better place to live, work and enjoy; better health and wellbeing for all; Learning, training and employment opportunities for all; and staying and feeling safe. The Sustainable Community Strategy for Brighton & Hove (2014) sets guiding principles to improve equality for the city at large by supporting and promoting initiatives that reduce inequality and financial exclusion, commends the benefits of a healthy lifestyle and improve the lives of the most vulnerable through greater engagement with communities.
- 6.3.5 The NPPF outlines the social role the planning system plays in supporting the **Health & wellbeing** of communities through the promotion and retention of community services, the setting of strategic policy to deliver health facilities, and providing access to high quality open spaces and opportunities for sport and recreation. A key message of the NPPF is to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The Marmot Review's *Fair Society, Healthy Lives* sets key policy actions that fully integrate the planning, transport, housing, environmental and health systems to address the social determinants of health in each locality.
- 6.3.6 The prioritising of policies and interventions that both reduce health inequalities and mitigate climate change include improving active travel; improving open and green spaces; improving the quality of food in local areas; and improving the energy efficiency of housing. The TCPA report *Planning Healthier Places* notes that there needs to be new engagement between planners, developers and communities to identify how the evidence-based health benefits of investing for the long term can be factored-in. Policies 34 in the Adur Local Plan and CP18 in the Brighton & Hove City Plan Part One address the issue of health and wellbeing. Health & Equalities Impact Assessments (HEQIA) carried out on the Adur Local Plan and Brighton & Hove City Plan Part One, recommended how to improve the policies to ensure beneficial health impacts were maximised and to reduce or avoid adverse impacts on sensitive communities. The HEQIA of plans at local level identifies potential health outcomes that can be responded to through amendments to the plan promoting positive effects while offsetting negative effects of the health and wellbeing of whole communities.

The SA Report must include...

- Relevant aspects of the current state of the sustainability baseline and the likely evolution thereof without implementation of the plan;
- Characteristics of areas / populations etc. likely to be significantly affected; and
- Existing sustainability problems / issues which are relevant to the plan including, in particular, those relating to any areas / populations etc. of particular importance.

7.1.1 The baseline review is about tailoring and developing the problems/issues identified through context review so that they are locally specific. A detailed understanding of the baseline can aid the identification and evaluation of 'likely significant effects' associated with the plan / alternatives.

7.1.2 The [JAAP SA Scoping Report \(2012\)](#) presents a detailed review, and key messages are presented below updated as appropriate to the most recently available data. The full Baseline Review can be found in the Scoping Report.

7.2 Introduction to the area

7.2.1 Shoreham Harbour is located on the south coast of England; roughly midway between Worthing and Brighton. It is about 80km south of London, and 50km south of Gatwick Airport. Portsmouth is about 50km to the west and Dover is about 100km to the east.

7.2.2 From the mouth of the River Adur, the harbour's Western Arm extends around 2km to the west as far as the footbridge across the river connecting Shoreham-by-Sea town centre to Shoreham Beach. To the east, the harbour stretches around 4km to Aldrington Basin. This includes the tidal Eastern Arm and the Shoreham Harbour Canal, an impounded dock accessed by locks at Southwick.

7.2.3 The regeneration area is characterised by a continuous strip of coastal communities, stretching from the town of Shoreham-by-Sea in the west through Southwick and Fishersgate to Portslade in Brighton & Hove, and includes Shoreham Port. The port is the closest Channel port to London, and lies within 25km of the principal sea shipping lanes along the English Channel. Shoreham Port is the largest commercial port between Southampton and Dover, and although most of the port's activities service the local area, and the south east of England, some commodities such as timber are distributed further afield. Shoreham Port Authority has a statutory duty to improve, maintain and develop the port.

7.2.4 As well as the operational port, the regeneration area includes housing, employment, and shopping areas. Shoreham Harbour is an area with an interesting and varied character and heritage. Whilst parts of the harbour are attractive, other parts are rather run down. Large areas are in port-related or industrial use, characterised by a range of business and storage buildings of varying quality. There are also areas of unused or underused land.

7.3 The environmental baseline

Ecological Footprint

7.3.1 Ecological Footprinting is measured in global hectares per person (gha/person). This indicates how many hectares each person needs to provide them with all the resources and commodities that they are currently using. The South East of England has the highest Ecological Footprint (EF) of any region in the UK at an estimated 5.63 global hectares per person (gha/person). This is higher than the national average of 5.30 gha/person.

- 7.3.2 At 5.36 gha/person, Adur's EF is lower than the regional average and roughly equal to the national average. At 5.72 gha/person, Brighton & Hove's EF exceeds both the regional and national averages. Further analysis of the data shows that housing and food have the largest impacts on the EF; followed by transportation and then 'manufactured durables and consumables'.

Climate change

- 7.3.3 The UK Climate Impacts Programme predicts that by the 2050s South East England will see: Average summer temperatures increasing by 2.8°C; winter rainfall increase of 16%; summer rainfall decrease of 19%; up to 76cm sea level rise (by 2095); overall increase in temperature and rainfall variability; and more frequent and extreme heatwaves and very wet winters.
- 7.3.4 Adur's greenhouse gas footprint (measured by tonnes of carbon dioxide (CO₂) equivalent per capita) is 4.5. This is below both the regional and England average of 6.3 and 6.7 respectively. Brighton & Hove's greenhouse gas footprint is 4.3.
- 7.3.5 Domestic consumption of energy is responsible for 43% of carbon dioxide emissions in Adur, and 43% in Brighton & Hove. Road transport is responsible for 33% of CO₂ emissions in Adur and 24% in Brighton & Hove (2013).
- 7.3.6 Adur and Worthing Councils' Sustainability Strategy aims to reduce the carbon footprint from electricity usage by 5% against the 2008 and 2009 average and to drive CO₂ reduction in new development through planning policy. Brighton & Hove's Sustainability Action Plan also aims to reduce the council's carbon footprint by 4% each year, and commits the council to producing a City CO₂ Reduction Plan in in order to facilitate energy reduction across the city.

Flood risk

- 7.3.7 Parts of the regeneration area are at a high risk of flooding due to the proximity to the coastline and the River Adur, exacerbated by the low lying topography of some sites. This is especially true for the Western Harbour Arm, parts of Aldrington Basin, Southwick and Portslade beaches as well as the port operational area.
- 7.3.8 Tidal Flood Risk is a particular issue. A significant amount of land within the regeneration area is subject to tidal flooding due to the presence of the River Adur and the area's coastal location. Approximately 25% of the regeneration area is located within Flood Zone 3a (high probability). A further 9% is located within Flood Zone 2 (medium probability). Certain areas in the Western Harbour Arm have the same level of risk as flood zone 3b (functional floodplain); however, since they do not have a flood storage capacity they have been delineated in the SFRA as non-functional flood zone 3b. This means that although the sites are technically developable they will require a higher level of flood mitigation and/or avoidance measures than would be required if the site were located in flood zone 3a.
- 7.3.9 Brighton & Hove City Council, in partnership with Adur District Council and the EA, has produced the Brighton Marina to River Adur Flood and Coastal Erosion Risk Management Strategy Review. This examines how the stretch of coastline between Brighton Marina and the River Adur (up to the lock gates in Southwick and including the Canal) will change over the next 100 years. This includes investigating erosion and flood mitigation measures that need to be delivered over this period. A similar strategy, The Rivers Arun to Adur Flood and Erosion Management Strategy (2010) has already been adopted by Department for Environment Food and Rural Affairs. This strategy includes a large part of the River Adur.

Air quality

- 7.3.10 Road vehicles are the greatest contributing factor to poor air quality in Adur and Brighton & Hove, with vehicles emitting a variety of pollutants including carbon monoxide, nitrogen oxides, volatile organic compounds and particulate matters.

7.3.11 There are two Air Quality Management Areas (AQMAs) that lie partly within the regeneration area, designated due to non-compliance with the Nitrogen Dioxide air quality objective. Brighton & Hove AQMA includes Kingsway and Wellington Road (A259), Church Road (B2193) and Boundary Road / Station Road (B2194). Shoreham AQMA runs along Shoreham High Street (A259) from Norfolk Bridge to Surry Street. Nearby, there is also an AQMA in Southwick on the A270 between Kingston Lane and Southview Close.

7.3.12 It is likely that any increase in traffic in the regeneration area will have an impact on these AQMAs, although it should be noted that this largely depends on the types of vehicles being added to the network. Diesel vehicles, HGVs, buses and older vehicles have a greater impact than newer vehicles. Another concern in respect to air quality is the open storage of aggregates and woodchip in the port causing dust and air pollution. Air Quality Action Plans (AQAPs) will continue to play a key role in helping to manage issues of localised air pollution.

Noise

7.3.13 The main generator of background noise at Shoreham Harbour is road traffic. DEFRA has undertaken a comprehensive noise mapping study, the results of which indicate that there are parts of the regeneration area where road traffic noise exceeds WHO guidelines. The A259 has high levels of noise pollution related to traffic movements (in some instances up to 75dBa) with noise levels decreasing with distance from the road. Rail related noise is also an issue around the Western Harbour Arm and Southwick areas (between 55-65dBa in some locations). Some of the industrial and port-related land uses in the regeneration area also generate high levels of noise.

Transport

7.3.14 Shoreham Harbour is well connected to the strategic road and rail networks between London and the south coast, with Gatwick Airport in relatively close proximity (approximately 50km). Congestion on parts of the A259 is an issue, as is the movement of Heavy Goods Vehicles (HGVs) through the area with the associated issues of noise and pollution.

7.3.15 In terms of public transport, the railway stations of Shoreham-by-Sea, Southwick, Fishersgate and Portslade are all within walking distance. There are also frequent buses along the A259, although north-south movements are limited due to the road layout and severance created by the A259 and roads running under the railway line. In addition, there is scope to improve public perception of the bus network.

7.3.16 Shoreham Harbour is well served by pedestrian infrastructure; however the environment for pedestrians is considered to be poor and unattractive in places, and may not encourage short walking trips. In places the network is narrow, in poor condition, close to road traffic or poorly lit. The railway line and A259 both act as barriers to pedestrian movements causing severance.

7.3.17 A national cycle route (NCN2 from Dover to Penzance) runs through the harbour area from Hove Lagoon in the east, along Basin Road South (the South Quayside area), across the canal locks, at which point the route takes a more inland course away from the JAAP area and re-emerges in Shoreham. Here it crosses over Adur Ferry Bridge and carries on to the seafront to the west. This route links Brighton in the east and Worthing in the west.

7.3.18 The Shoreham Harbour Transport Strategy is being developed alongside the JAAP to support regeneration and development at Shoreham Harbour. It takes a balanced view of transport provision in the JAAP area focusing on improvements to the existing road network and measures to encourage the use of sustainable modes of transport. Five key outcomes are identified in the draft transport strategy:

- Reduced levels of congestion
- Strengthened sustainable transport mode share

- Improved connectivity
- A safe and attractive environment
- Adequate parking provision and controls

Water resources

- 7.3.19 Southern Water provides water to the regeneration area. Much of Adur and Brighton & Hove overlie the Brighton Chalk Aquifer. This is an important and heavily exploited groundwater resource supplying water for public consumption.
- 7.3.20 Household per capita consumption of water in the Sussex Coast Water Resource Zone is 160 litres per person per day. This is slightly higher than the average for the Southern Water area of 157 litres per person per day. The EA has classified the location as falling within an area of serious water stress, where demand for water is high and resource availability is low.
- 7.3.21 The overall groundwater quality of the Brighton Chalk Aquifer is currently classified as “poor”. The quantitative status of the aquifer is “poor”, and the chemical status is classified as “poor”. The overall water quality of the Adur Estuary is classified as “moderate”, the ecological quality is classified as “good” and the chemical quality is classified as “fail”. Therefore water bodies are failing to meet standards as required by the Water Framework Directive.
- 7.3.22 The EA monitors the quality of bathing water at Southwick Beach. Since 2013 water at this location has achieved “excellent” status. This means that bathing water meets the criteria for the stricter guideline standards of the revised European Bathing Water Directive (2006/7/EC).

Biodiversity

- 7.3.23 The regeneration area is adjacent to the Adur Estuary, a Site of Special Scientific Interest (SSSI), just to the west of the JAAP boundary. It has particular ecological significance because of its inter-tidal mudflats. It also contains one of the few saltmarsh habitats in Sussex. The Adur Estuary is an important habitat for a range of species, particularly wading birds.
- 7.3.24 There are two Sites of Nature Conservation Importance (SNCIs) within the regeneration area at Shoreham Beach and Basin Road South. The Shoreham Beach site extends outside of the JAAP area, heading west along the coast and also includes a Local Nature Reserve (LNR). Comprised of nationally rare coastal vegetated shingle, both sites are considered to be of high ecological value locally and are important habitats for a diverse range of plants that are rare within Sussex. They are also known to contain several reptile species, including the protected Slow-worm and Viviparous Lizard (common lizard). Shoreham Beach SNCI and Adur Estuary SSSI (together with Widewater Lagoon SNCI) form the Shoreham Estuary and Beach Biodiversity Opportunity Area (BOA). Basin Road South SNCI forms part of the Brighton & Hove Urban Green Network BOA.
- 7.3.25 There is also an exceptional population of common lizards, and a good population of slow worms, on the coastal grassland at Southwick Waterfront. This site, on the northern edge of Shoreham Harbour’s Eastern Arm, south of the A259, is also important for breeding birds. All sites are particularly vulnerable to trampling, recreational disturbance and dog interference.
- 7.3.26 Other protected areas nearby include the chalk downland at the Beeding Hill to Newtimber Hill SSSI, located 4.2km north of the JAAP area, the Waterhall (SNCI) as well as the Mill Hill SNCI and LNR, located 1.8km north. Furthermore, the recent addition of the Brighton and Lewes Downs to UNESCO’s World Network of Biosphere Reserves further reflects the importance of the area in terms of supporting a balanced relationship between people and nature.

7.3.27 There are no Special Areas of Conservation (SAC) or Special Protected Areas (SPA) within the JAAP boundary. The approximate distances to SACs or SPAs within 20 miles of a central point within the JAAP boundary are shown on the following table. Consideration of impacts on SACs and SPAs has been through the Habitats Regulations Assessments screenings of the Adur Local Plan and Brighton & Hove City Plan.

Castle Hill SAC	8 miles
Lewes Downs SAC	12 miles
Arun Valley SAC/SPA	14 miles
The Mens SAC	18 miles
Duncton to Bignor Escarpment SAC	18 miles

Cultural Heritage

7.3.28 There are two Conservation Areas partly within the regeneration area. These are defined as "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". The Shoreham-by-Sea Conservation Area covers much of the town centre including the river frontage downstream of Norfolk Bridge. Within the regeneration area this includes the Sussex Yacht Club site. The Riverside section of the Southwick Conservation Area is located in the centre of the regeneration area, encompassing a riverside area with frontages onto Albion Street. Outside the regeneration area there are two additional Conservation Areas in close proximity.

7.3.29 There are 3 Grade II Listed Buildings within regeneration area. These are: Royal Sussex Yacht Club, Riverside, Southwick; Sussex Arms Public House, Fishersgate Terrace, Fishersgate; and Kingston Lighthouse, Brighton Road. Also present is the Old Fort on Shoreham Beach, a military fort built in 1857 and classified as a Scheduled Monument.

7.4 The socio-economic baseline

Gross Value Added

7.4.1 In 2015 Gross Value Added (GVA) (income approach) per head in Brighton & Hove was estimated at £29,989. This is higher than the average for England (£26,159 per head) and the regional average for the South East (£27,827 per head). GVA data is not available for Adur, but was estimated at £20,933 across West Sussex as a whole.

7.4.2 The trend over time is notable. In 1999, GVA per head in Brighton was 10% below the English average, but it has increased to above the English average. The trend in West Sussex is quite different. GVA per head fell from 1% above the English average in 2002 to 5% below in 2009. Since then it has risen, however has now decreased again and is now below the English and regional average.

Employment

7.4.3 As of 2016, Adur had a job density of 0.66. This figure represents the ratio of the number of total jobs per resident of working age in the district. This density is significantly lower than that of England as a whole (0.84). At 0.82 Brighton & Hove's job density was slightly lower than the national average.

7.4.4 As of 2016, 58.9% of the resident population of Adur were of working age (16-64) which is lower than the English average of 63.1%. For Brighton & Hove the figure was higher at 70.9 %.

7.4.5 In 2016/17, 79.9% of Brighton & Hove's working age population was economically active. This is slightly more than the England average at 78.2%. The figure in Adur is lower at 78%.

7.4.6 Providing around 1,400 jobs, Shoreham Port supports a range of employers and industries, including large national companies such as Texaco and Travis Perkins, as well as small to medium sized companies. The development of the harbour area is a long-term aspiration. A preliminary Economic Impact Assessment (GL Hearn, 2013) has been undertaken which has indicated that there is the potential for a significant net increase in employment and additional economic output. There is the potential for increased supply chain influence, i.e. the potential to support indirect job creation in the local economy. Priorities include: Renewing older and poor quality industrial stock and delivering quality workshop and industrial space to meet the needs of emerging sectors; expanding Adur's under-developed office market; and providing an opportunity to deliver small, affordable, start-up office space.

Earnings

7.4.7 In 2015, median weekly workplace earnings for full-time workers in Adur were £470, 13% lower than the average for the England of £544. Since 2008 weekly workplace earnings in Adur have fluctuated from a low of £402 in 2009 to a high of £465 in 2011, then reduced and now have increased again. In Brighton & Hove, median weekly workplace earnings were £494, 9% below the English average.

7.4.8 Residential analysis of earnings data for 2016 shows that median full-time weekly earnings for *Brighton & Hove's* inhabitants were £555, compared with £544 for England. This is higher than the workplace based figure of £494. This is indicative of significant out-commuting to higher-paid jobs elsewhere. Over time, earning in Brighton & Hove have generally been slightly higher than for England. Median full-time weekly earnings for *Adur's* residents were £477. This is higher than the workplace based figure of £470. The trend over time is also notable: In 2002 residents weekly earnings were equivalent to the English average, but by 2006, they were 21% below the English average. Since then they have varied between 13% below average in 2007 and 19% below average in 2011 down to 13% below average in 2015.

Deprivation

7.4.9 The Indices of Multiple Deprivation show that there is some degree of localised deprivation in the two local authority areas. As of 2015, Brighton & Hove was ranked 109 and Adur was ranked 150 in the Index of Multiple Deprivation (Rank of Average Rank (Areas), out of 354 authorities – 1 being the most deprived). Over time trends indicate an overall reduction in relative deprivation across the area/city.

7.4.10 Overall deprivation in the vicinity of the regeneration area is particularly acute in parts of the Eastbrook ward in Adur. Within this ward, some Super Output Areas (SOAs), fall within the 20% most deprived areas in the country for overall deprivation. In addition, some of the SOAs within the St Mary's ward fall within the 30% most deprived in the country.

7.4.11 In Eastbrook Ward, there are two SOAs that lie within the regeneration area. Both of these LOAs are within the 20% most deprived in the Income domain and the Education domain; one is within the 20% most deprived in the Crime domain.

7.4.12 In St Marys, one of the SOAs lies within the regeneration area. This is within the 20% most deprived in the Education & Skills and the Living Environment domain.

7.4.13 In South Portslade, there is one SOA that lies partly within the regeneration area. This is within the 50% most deprived for overall Deprivation. It is within the 10% most deprived in the Living Environment domain.

Out-of-Work Benefits

- 7.4.14 As of December 2016, in Brighton & Hove, 1.4% of the working age population claim Job Seeker's Allowance (JSA). This is lower than the rate for England (1.9%), and the same as the rate for Adur, also at 1.4%. At the ward level, the claimant rate varies across the regeneration area. It is highest in South Portslade (2.2%). In St Mary's, Southwick Green and Wish the rate is 1.4%.

Education and Skills

- 7.4.15 In 2015, 59.7% of GCSE students in Brighton & Hove achieved 5 or more A* to C grades including English and Mathematics. In West Sussex 59.4% of students achieved this. This compares with the South East average of 59% and the English national average of 52.8%.
- 7.4.16 Education, skills and training related deprivation are a particular issue in parts of the regeneration area. Some LSOAs within the Eastbrook and St Mary's wards fall within the 20% most deprived areas in the country for this issue. Certain wards within the regeneration area are also characterised by higher than average levels of the population with no qualifications. In Eastbrook ward, 42% of the population have no qualifications compared to 35% nationwide.

Housing

- 7.4.17 There is a high demand for all types of housing, including affordable housing in both the Adur district and Brighton & Hove. In Adur, in 2011 there were 1069 households classified as having priority needs on the housing register. In Brighton & Hove the Objectively Assessed Need for Housing (2015) indicated that 30,120 dwellings would need to be delivered by 2030 in order to meet demand however the City Plan examination recognised that this need could not be met. The need for housing exceeds supply in both areas.
- 7.4.18 In terms of supplying future housing sites, both Adur and Brighton & Hove are geographically constrained by the sea and by the South Downs National Park to the north. As a result, there is a limited supply of sites where new homes can be built and therefore development mainly consists of building on previously developed (brownfield) sites and small scale infill sites. Housing needs assessments for both Adur and Brighton & Hove have identified a shortfall in housing provision in relation to need, in particular affordable and family sized homes.

Health

- 7.4.19 According to the Census 2011, Brighton & Hove has equivalent or slightly lower proportion of residents with bad or very bad health in comparison to the English average. The proportion of residents with a limiting long term illness or disability is lower than the English average. However all are higher than the regional average. Adur has equal or higher percentages than the national and regional averages for each of these health indicators.
- 7.4.20 Overall, Brighton & Hove wards in the regeneration area have a lower percentage of citizens with bad or very bad health with Wish at 5.1% and South Portslade at 5.4%. Adur wards tend to have significantly higher percentages at 5.7%, 6.2% and 7.8% for Eastbrook, Southwick Green and St Mary's. (Census 2011).

The SA Report must include...

- Key problems / issues and objectives that should be a focus of / provide a framework for appraisal

8.1 Introduction

8.1.1 Drawing on the review of the sustainability context and baseline, the SA Scoping Report (2012) was able to identify a range of sustainability problems / issues that should be a particular focus of SA, ensuring it remains focused. These issues were then refined further into a more discrete list of sustainability 'objectives'.

8.2 Sustainability issues

8.2.1 The following is a summary of the issues listed within the 2012 Scoping Report. All issues are still considered to be of relevance.

Environmental

- Climate change will result in sea level rise and more frequent and extreme weather events including flooding and droughts. Of these, flooding in particular puts a significant amount of the regeneration area at risk, particularly on the western side of Shoreham Harbour.
- In terms of 'water', there is high water stress (i.e. limited water supply and high demand). The groundwater resource and the River Adur estuary are both currently failing to achieve the requirements of the Water Framework Directive.
- Traffic congestion is an issue, and also has air quality and noise implications. There are designated AQMAs, and there is poor air quality associated with the A259. Noise and dust are also issues locally.
- Sensitive habitats are present within the regeneration area and nearby, which are under pressure including as a result of climate change. There is a need to contribute to identified strategic green infrastructure opportunities.
- There is a distinctive historic and built heritage that must be preserved and enhanced. More generally, much of the built environment and public realm is of poor quality and in need of enhancement.
- Opportunities exist around the remediation of contaminated brownfield sites.

Socio-economic

- There are specific needs in terms of employment floorspace, but there is a lack of demand for employment floorspace in parts of the JAAP area. Adur is not perceived as an office location.
- High levels of congestion on the A259 hinder economic growth, as does low skill levels.
- Various issues indicate some degree of relative deprivation / social exclusion associated with the regeneration area and nearby communities.
- There are identified deficiencies in terms of access to services, community infrastructure, housing and education / skills training.
- There is a high degree of housing need, and a shortage of affordable housing provision.
- There is an ageing population with increasing demands on health and social care. Climate change will impact on the elderly. The working age population has remained fairly static over the last 20 years in Adur, compared to a steady increase in Brighton & Hove.

8.3 Sustainability objectives

8.3.1 The following is a list of sustainability objectives that reflects the sustainability issues established through the context and baseline review. The list of objectives provides a methodological 'framework' for appraisal, ensuring that it remains focused and concise. The objectives were identified at Scoping Stage, however were reviewed at draft Plan stage to ensure they remain consistent with national policy changes. This is of particular relevance to objective 1.

Sustainability Objectives
1. Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design and encourage use of established standards for new and existing development. ⁶
2. Encourage the sustainable use of water.
3. Improve land-use efficiency through re-use of previously developed land, buildings and materials.
4. Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
5. Maintain local distinctiveness and protect and enhance the historic environment; including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
6. Protect, enhance and improve the accessibility of public open space and green infrastructure.
7. Reduce the risk and levels of air and noise pollution.
8. Reduce pollution and the risk of pollution to land.
9. Reduce pollution and the risk of pollution to water.
10. Ensure that all developments have taken into account the changing climate and adaptable and resilient to extreme weather events.
11. Improve health and wellbeing and reduce inequalities in health.
12. Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
13. Promote sustainable transport and reduce the use of the private car.
14. Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no one is seriously disadvantaged by where they live.
15. Meet the need for housing, including affordable housing and ensure that all groups have access to decent and appropriate housing.
16. Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
17. Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
18. Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
19. Improve the range, quality and accessibility of services and facilities and improve the integrated transport links with them.
20. Create places and spaces that work well, wear well and look good.
21. Raise educational and skills levels to enable people to remain in work, and access good quality jobs.

⁶ The former objective 1 referred to encouraging development to meet high levels of Code for Sustainable Homes or BREEAM. This has been removed following publication of the Written Ministerial Statement in March 2015 that withdrew the Code for Sustainable Homes scheme.

22.Reduce waste generation and increase material efficiency and reuse of discarded material by supporting and encouraging development, business and initiatives that promote these and similar issues.

Part 2

What has plan-making / SA involved up to this point

The SA Report must include...

- An outline of the reasons for selecting the alternatives dealt with;
- The likely significant effects on the environment associated with alternatives; and
- An outline of the reasons for selecting the preferred approach in-light of alternatives appraisal (and hence, by proxy, a description of how environmental objectives are reflected in the draft plan).

9.1.1 The aim of this Part of the SA Report is to explain the ‘story’ of plan-making / SA up to this point. Specifically, in-line with Regulations⁷, it is the aim of this Part of the SA Report to present information about the ‘**reasonable alternatives**’ that have been subjected to SA, and how this work has fed-into the JAAP.

9.1.2 Plan-making has been on-going for a number of years, and there have been various stages of alternatives appraised through-out that time. At the current time – which is an advanced stage in the plan-making process – the SA helps to identify significant effects and may result in slight changes to policy wording, rather than carries out an assessment of alternatives.

⁷ In-line with Regulation 12(2) of the Environmental Assessment of Plans and Programmes Regulations (2004), there is a need to present an appraisal of “reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme” whilst in-line with Schedule 2(8) there is a need to explain “the reasons for selecting the alternatives dealt with”.

10 OVERVIEW OF PLAN-MAKING / SA WORK UNDERTAKEN PRIOR TO 2017

10.1 Introduction

10.1.1 As discussed above, it is appropriate to present an overview of the plan-making / SA work undertaken. Detailed information is not presented here however as this remains available online, and is sign-posted as appropriate.

10.2 Concepts considered in the 1990s

10.2.1 The long-term regeneration of the Shoreham Harbour area has been an objective of the three partner authorities – ADC, BHCC and WSCC – and of the Port and a number of other organisations for a number of years. This desire has been driven by:

- The challenge of finding strategic land for housing and economic growth given the physical and environmental constraints of the sub-region
- An underperforming coastal economy
- Pockets of worsening deprivation
- The need for port consolidation and modernisation
- Underutilised land in and around the port.

10.2.2 In the late 1990s, the Shoreham Maritime project proposed the regeneration of the harbour area based around the creation of 6,400 new jobs and 1,200 new homes with radical transport improvements. Although aspects of these proposals have since been delivered, this attempt to comprehensively transform the area was ultimately unsuccessful, mainly due to a lack of funding at the time for necessary infrastructure improvements and delivery.

10.3 Work driven by SEEDA and the South East Plan (2006 – 2009)

10.3.1 In 2006, a reappraisal of the Shoreham Maritime Project by the South East England Development Agency (SEEDA) proposed that a comprehensive mixed-use scheme covering a wider area than just the port itself and potentially accommodating up to 10,000 homes and 8,000 jobs could be deliverable (supported by substantial government funding). In 2007 SEEDA commissioned a Development and Implementation Strategy that sought to explore this potential scale of development. These transformational aspirations for the area were identified in the, now revoked, South East Plan (2009).

10.3.2 The preparation of a Joint Area Action Plan (JAAP) was proposed for taking forward proposals for the area and a Steering Group was established in 2008. A series of detailed studies were then undertaken to explore the deliverability, viability and potential impacts arising from a c.10,000 home scheme. This culminated in the preparation of a 'Draft Preferred Option Masterplan' in 2008/2009. Ultimately, this plan was never completed or subject to formal public consultation, but lessons were learned from plan-making / SA work undertaken. SA work focused on the appraisal of the following alternative strategies:

1. The development of 10,000 new homes and 7,750 new jobs with a new link road linking the A259 with the A270
2. The development of 10,000 new homes and 7,750 new jobs without a new link road
3. The development of 7,750 new homes and 6,000 new jobs with a new link road linking the A259 with the A270
4. The development of 10,000 new homes and 6,000 new jobs without a new link road

- 10.3.3 The SA demonstrated a weight of preference in favour of the larger scale options, and therefore served to highlight the imperative of taking a comprehensive approach to addressing key infrastructural constraints, including those relating to flood risk management and transport. Having said this, the SA did also demonstrate that a smaller scale scheme would be preferable in terms of water quality, concern over water supply, biodiversity, countryside amenity and the potential overcrowding of open spaces.
- 10.3.4 The SA also lent support for a Link Road; however, SA findings were somewhat contradicted by transport modelling which showed that the Link Road might transfer congestion, rather than solve the problem. Thus, the relative benefits and adverse impacts of the Link Road were identified at the time as requiring further analysis.
- 10.3.5 A second phase of the SA was begun by the SEEDA appointed JAAP team. This assessed options relating to the following issues:
- Transport
 - Economy
 - Housing
 - Open space and outdoor recreation
 - Port development
 - Retail
 - Community Facilities
 - Waste and Energy (Sustainable Living)
- 10.3.6 The proposals assumed a comprehensive land purchase and site assembly approach via a public sector-led 'special purpose vehicle' so that private sites could be prepared and brought ready to the market. However, given the complexities of land ownerships and the range of different circumstances and aspirations of land owners it was difficult to make assumptions about the realistic costs and logistical implications (for example in terms of time delays) of this approach. Therefore the site assembly costs were difficult to determine upfront and in reality could have significantly increased the already large funding gap (due to infrastructure provision and land reclamation). Much of the burden of this significant cost would have been borne by public sector funders in the early phases of development as opposed to being staged throughout the 25yr development therefore increasing the upfront risk.
- 10.3.7 A viability analysis was commissioned to demonstrate how the proposals could come forward. However, subsequent concerns about some of the assumptions led BHCC to commission an independent assessment of the viability work to inform the preparation of its Local Development Framework. The report concluded that there was a viability gap of approximately £300 million to deliver the masterplan proposals based on the information available at the time.
- 10.3.8 Key outcomes of the study included:
- The study questioned the approach to the costly large scale relocation of harbour activities on to reclaimed land which meant that the end value of the sites may be less than the cost of preparing them.
 - The most significant cost areas included the proposed car parking solution which included high volumes of underground car parking at a total cost of £175 million and land reclamation and sea defences at £132 million.

- Careful consideration was advised in relation to the 360,000 sq ft of retail space proposed and the impact of this on the already established town centre and other retailing areas.
- Recommended to undertake further work to determine which sites should fall within the masterplan boundary and be subject to a proactive land assembly approach.
- Advised to undertake further testing to highlight the cost items that contribute significantly towards the viability gap and once these are highlighted, solutions can be sought to reduce cost, time delay and risk.
- Further analysis should be undertaken of the quantum, mix of uses, development densities and building types to assist in improving viability. In particular the viability of delivering over 1 million sq ft of new office development was questioned. Market analysis was recommended to position the employment element correctly for the location.

10.3.9 Shoreham Harbour was also subsequently designated as a **Growth Point** in 2009 under the government's Growth Points programme and as such attracted further funding to prepare technical studies.

10.3.10 All of the studies during this period were commissioned specifically to consider the potential impacts of 10,000 new dwellings at Shoreham Harbour. The key conclusions of these technical assessments were as follows:

- The amount of land required to accommodate 10,000 new dwellings (plus new commercial and retailing floorspace whilst retaining the operational port areas) would be dependent on substantial land reclamation from the sea. The costs of this reclamation were found to be prohibitive in the short to medium term.
- Concerns were raised about the ability to mitigate the environmental impacts (including impacts on wider coastal erosion processes and flood risk) from the proposed land reclamation on the seaward side of the port.
- Significant concerns were raised by local councillors on behalf of the local community about the height, bulk and scale of new developments (and thus impact on the character of the local area) within the Preferred Option Masterplan that would be required to achieve the 10,000 target.
- Concern was also raised about the ability to provide and maintain sufficient supporting community services, facilities and open space within the local area to support this level of additional population.
- Initial transport modelling and assessment concluded that further work would be required to determine the impact of this level of new development on the already constrained local transport network and how these impacts could be sufficiently mitigated, in particular parking provision.
- The Preferred Option Masterplan was dependent on the large scale relocation of existing active harbour businesses to alternate employment sites in the local area. Concerns were raised as to the impact this would have on future employment land supply and the logistical implications of finding a large amount of employment land suitable for industrial uses in the local area.
- A Strategic Housing Land Availability Assessment considered that the rate of delivery and take-up that would be required to fund the development was unlikely to be achievable and even assuming the land reclamation and relocations were feasible a significantly lower target of around 5500 new homes would still be a challenging upper limit.

- A Viability Assessment (DTZ: 2009) raised concerns about the ability to deliver the 1.1 million sq ft of commercial office space identified in the Preferred Option Masterplan and the costly car parking solution that would be required to support it. It also raised concerns about the impacts of the proposed 360,000 sq ft of new retail space on local existing retailing locations in neighbouring town centres.

10.3.11 Despite these findings, the studies suggested that it was worthwhile carrying on with the project but with a reduced scale.

10.3.12 The partnership submitted a bid for Shoreham Harbour to be considered for funding under the second wave of the previous government's **Eco-Towns** programme. This was successful and led to a specific bid in March 2010 for funding to aid the planning process and for an Eco-Demonstration project. The Eco-Towns award highlights the commitment of the authorities to deliver sustainable development at the harbour in line with the Eco-Town PPS standards (where achievable).

10.3.13 For the reasons of capacity, viability and deliverability outlined above the scale of development proposed in the SEEDA Masterplan has been ruled out and is no longer considered a reasonable strategic option.

10.4 Progress subsequent to the change of Government (2010 – 2012)

10.4.1 Following the initial period of technical work, significant economic and political change has taken place that has impacted on the approach to the harbour. The global financial crisis and changes in government policy have resulted in the abolition of the Regional Development Agencies (including SEEDA) and a significant reduction in funding available to support large scale regeneration projects and indeed local authorities in general. Furthermore, as part of the Localism Act 2011, the government revoked the Regional Spatial Strategies and the housing targets within them (including the 10,000 dwelling target for Shoreham Harbour).

10.4.2 In-light of the Localism Agenda promoted by the new Government, the three local authorities agreed to take the lead on delivering the regeneration project, buying-in to the original vision. As a first step, a Capacity and Viability Study was commissioned to assess options around the quantity of new housing and employment floorspace that could be delivered in a cost-effective way. Key outcomes of the study included:

- Based on physical capacity, the harbour has the potential to provide up to 2,000 new homes and up to 3000 (net) new jobs if mixed-use schemes can be promoted.
- Comprehensive land assembly led by the public sector is not advised. There are few sites in public ownership and therefore the ability to raise revenue from land sales is limited.
- The key barrier to unlocking sites is the cost of flood defences. Bringing forward piecemeal approaches to flood defences is undesirable in viability and design terms.
- It is not possible, in physical and viability terms, to meet the Eco-Towns criteria wholesale; but specific sustainability measures will be achievable.
- Further technical work should be undertaken around smaller area masterplans, promoting early-win catalyst sites, and modelling to ascertain further detail of infrastructure requirements and costs, in particular flooding and transport.
- Clear planning policy for the harbour is essential, including interim policy in advance of the JAAP.
- Accessing the gap funding is one challenge however the other is ensuring the right governance structure is in place to deliver the project. This is critical.

10.5 Development Briefs

10.5.1 Consultants were commissioned in 2012 to prepare development briefs for the Western Harbour Arm, South Portslade Industrial Estate and Aldrington Basin areas of the harbour which were identified as facing most development pressure in the short term and where it was recognised that there was a need for interim guidance in advance of the JAAP.

Workshop and exhibitions

10.5.2 Central to the consultants work was a design workshop for stakeholders, including community and residents' groups, representatives of local businesses and officers and members of each of the partner local authorities. Participants identified and proposed key issues, themes, principles and options for each of the areas of change. Landowners, businesses and developers were also invited to attend an exhibition and discuss the project and aspirations for existing sites and businesses with members of the consultant team and officers of Shoreham Harbour Regeneration Partnership. This exhibition took place over four days at Adur Civic Centre and Hove Town Hall.

Options Report

10.5.3 These consultation and engagement activities and the review of evidence, opportunities and constraints informed the preparation of an **Options Report** in September 2012. The report identified two alternative scenarios for each area of change.

- For the Western Harbour Arm – both envisaged the long term redevelopment of the area as a predominately residential neighbourhood. **Option 1** suggested a courtyard structure with improved access to the waterfront and employment uses at ground floor level. This approach retained the existing Brighton Road (A259) on its current alignment. **Option 2** proposed a more radical approach, realigning the A259 to run along the waterfront.
- For South Portslade Industrial Estate – both options envisaged the redevelopment as a residential-led mixed use development. **Option 1** proposed the comprehensive redevelopment of the area as a residential neighbourhood, whilst **Option 2** proposed a more incremental approach leading to a mixed use scenario.
- For Aldrington Basin - **Option 1** proposed a mixture of commercial uses alongside existing employment and port uses, whilst **Option 2** proposed the introduction of residential uses to certain sites.

10.5.4 These options were presented to the Shoreham Harbour Project Board and Shoreham Harbour Leaders' Board. The options were also circulated to officers within each of the partner local authorities and to stakeholders such as the EA for comment. Although the options were not subject to formal SA at this stage, much of the feedback from partners and stakeholders reflected established sustainability issues.

10.5.5 Ultimately none of these options was taken forward as originally proposed because of concerns raised during consultation with stakeholders. However, the consideration of options did feed directly into the preparation of the Development Briefs.

Emerging Proposals Report

10.5.6 The next stage was the production of an Emerging Proposals Report in October 2012. This outlined a 'direction of travel' for each area of change:

- For the Western Harbour Arm - given the complex land-ownerships and the likelihood of development coming forward at different times, the realignment of the A259 was ruled out as an option. The Emerging Proposals Report envisaged an additional route along the waterfront which would improve access to developments.

- For South Portslade - the need to retain employment space ruled out 'comprehensive redevelopment' as an option. Instead it was suggested that a limited number of specific sites should be released from employment use.
- In Aldrington Basin - the need to retain port-operational and other employment uses ruled out the wider introduction of residential development, i.e. this is not a reasonable option. The report suggested a limited amount of residential development fronting Kingsway and a mixture of commercial uses on specific sites.

10.5.7 The Emerging Proposals Report was subject to a period of consultation with the partner authorities, stakeholders, local businesses, landowners, developers and community and residents' groups.

10.5.8 The report was also subject to initial appraisal as part of the SA process. The emerging proposals were assessed by a panel of officers drawn from a range of disciplines and representing Shoreham Harbour Regeneration, each of the partner local authorities and the EA. The appraisal made a number of recommendations in relation to sustainability, the majority of which were included in the Development Briefs and have subsequently been incorporated into the draft JAAP.

Finalising the development briefs

10.5.9 Draft development briefs were subject to public consultation from January to March 2013. The partnership also discussed the proposals with other council departments, including Environmental Health, Ecology and Sustainability teams. The consultation responses and feedback from stakeholders were taken into account in preparing the final Development Briefs. The final briefs were accompanied by Statements outlining how the SA recommendations had been incorporated.

10.6 Work to progress the draft JAAP 2013-2016

10.6.1 Much of the content of the Development Briefs was incorporated into the Draft JAAP, published in March 2014. As such, their development and the accompanying SA process are considered to meet the requirement for consideration of reasonable alternatives for these policy areas in the preparation of the JAAP.

10.6.2 Other policies in the Draft JAAP were also informed by the Shoreham Harbour policies in both the emerging Adur Local Plan and Brighton & Hove City Plan, both of which have also been subject to SA process.

10.6.3 The draft JAAP 2014 was subject to SA, which involved, at this later stage of plan-making, an assessment of the draft policies and the identification of the likely effects of the JAAP. The SA at this stage did not consider any alternatives to policies. The SA resulted in some revisions to policy text.

10.6.4 Following consultation on the draft JAAP in 2014, consultants URS were commissioned by Adur District Council to carry out a Sustainability Appraisal incorporating an independent review on the emerging JAAP. This resulted in a change in format and presentation of the SA report to help improve its presentation, which has been carried through in this report.

10.6.5 Analysis of consultation comments received on the draft JAAP 2014, as well as changes to national policy, resulted in numerous changes to the draft JAAP that was published in 2014. This resulted in the need for further revisions to the JAAP

10.6.6 An interim internal draft JAAP was published in March 2016. This was subject to internal sustainability appraisal. Further changes were then made to the JAAP with a final draft JAAP being published in September 2016. This draft JAAP September 2016 was subject to further SA, with the results presented in the Sustainability Appraisal Report (November 2016). At this stage, the SA assessed the policies presented and did not assess any options, as these had been considered throughout the previous stages.

10.6.7 A further round of consultation on the revised draft JAAP and accompanying SA took place between December 2016 and February 2017.

10.7 Publication Stage JAAP 2017

10.7.1 The revised draft JAAP has been subsequently amended to incorporate consultation responses and the Publication stage JAAP has now been produced. A number of the policies underwent changes, however these were largely concerned with reducing repetition and ensuring issue-based policy requirements, e.g. those related to flood risk, were located within one policy, rather than in several policies. The Publication stage JAAP has been subject to further Sustainability Appraisal, the results of which are presented in Parts 3 and Appendix C of this report.

10.7.2 The Publication JAAP does not present any alternative options for development, as it is considered that the alternatives discussed above have been thoroughly explored in the past and ruled out on the grounds of capacity, viability and deliverability, rather than as part of the SA process. There are, therefore no reasonable alternative options at this stage.

Part 3

What are the appraisal findings at this current stage

11 INTRODUCTION (TO PART 3)

The report must include...

- The likely significant effects associated with the draft plan; and
- The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects.

11.1.1 The aim of Part 3 is to present appraisal findings and recommendations in relation to the Publication JAAP. Part 3 is structured as follows:

- Section 12 discusses the methodological approach taken to appraisal
- Section 13 presents an appraisal of the Strategic Objectives of the Publication JAAP against the sustainability appraisal objectives.
- Sections 14-32 present an appraisal of the Publication JAAP under the sustainability objective headings
- Section 33 discusses recommendations and conclusions at this current stage

12 METHODOLOGY

12.1.1 The appraisal identifies and evaluates 'likely significant effects' of the preferred approach on the baseline, drawing on the sustainability objectives and issues identified through scoping (see Part 1) as a methodological framework.

12.1.2 Every effort is made to predict effects accurately; however, this is inherently challenging given the high level nature of the policy approaches under consideration, and limited understanding of the baseline.⁸

12.1.3 Assumptions are made cautiously, and explained within the text.⁹ The aim is to strike a balance between comprehensiveness and conciseness/accessibility to the non-specialist. In many instances, given reasonable assumptions, it is not possible to predict significant effects, but it is possible to comment on merits (or otherwise) in more general terms.

12.1.4 It is important to note that effects are predicted taking account of the criteria presented within Schedule 1 of the SEA Regulations.¹⁰ So, for example, account is taken of the probability, duration, frequency and reversibility of effects as far as possible. Cumulative effects are also considered. These effect 'characteristics' are described within the appraisal as appropriate.

Added structure

12.1.5 Although, under each theme heading, there is a need to focus on the effects of the AAP 'as a whole', it is helpful to break-up the appraisal with the following sub-headings:

- Character areas
- Across the harbour area
- The AAP 'as a whole'

12.1.6 The "AAP as a whole" section considers mitigation. Full appraisal tables for each policy (see Appendix D) also consider mitigation in more detail.

⁸ The implication being that it is difficult, if not impossible, to identify a 'cause-effect relationship' with any certainty.

⁹ As stated by Government Guidance (The Plan Making Manual, see <http://www.pas.gov.uk/pas/core/page.do?pagelid=156210>): "Ultimately, the significance of an effect is a matter of judgment and should require no more than a clear and reasonable justification."

¹⁰ Environmental Assessment of Plans and Programmes Regulations 2004

13.1.1 Some of the strategic objectives of the JAAP have been amended since the draft stage and therefore it is important for the SA to carry out an appraisal of the revised objectives to help identify any conflicts. The Strategic Objectives are set out in full in section 5 of this report and the Sustainability Appraisal Objectives are set out in section 8.

SA Objectives	1: Energy Efficiency	+								
	2: Water use	+			-					
	3: Land efficiency		+	+	+					+
	4: Biodiversity	+	-	-	-			+	+	+
	5: Local distinctiveness								+	+
	6: Open space	+						+	+	+
	7: Air and noise pollution	+	-	-	-	+		+	+	
	8: Land pollution		+					+		
	9: Water pollution		+				+	+	+	
	10: Adapting to climate change	+	+				+	+	+	+
	11: Improve health	+		+	+	+	+	+	+	+
	12: Reduce crime				+					+
	13: Sustainable transport	+				+				
	14: Reduce inequalities	+	+	+	+	+				
	15: Housing need				+					
	16: Vibrant communities			+	+	+			+	+
	17: Economic development		+	+		+				
	18: Flood risk	+	+				+	+	+	
	19: Access to services				+	+			+	
	20: Places and spaces	+						+	+	+
	21: Education		+	+	+					
	22: Reduce waste	+			-					
	1: Climate Change , energy & sustainable buildings									
	2: Shoreham Port									
	3: Economy & Employment									
	4:Housing & Community									
	5:Sustainable travel									
	6: Flood risk and Sustainable Drainage									
	7: Natural Capital, biodiversity & green infrastructure									
	8: Recreation and leisure									
	9:Place making & Design									
	Strategic Objectives									

- 13.1.2 The assessment identified that many of the objectives of the Shoreham Harbour Regeneration Project and the SA process are compatible, which means they strengthen and support each other.
- 13.1.3 Whilst the harbour is predominantly a developed brownfield industrial site the regeneration area also borders or contains environmentally sensitive designations. It is considered that increased development of various types could potentially lead to increased visitor pressure, and potentially damage, to these sites. It is hard to determine exactly what the scale of this impact could be at this stage and whether it would be negative, but in taking a precautionary approach, the compatibility of these objectives was highlighted as an area of conflict. However it could be considered that development which aims to increase habitats / biodiversity would be a positive improvement in the area
- 13.1.4 There could also be conflict between further expansion of the Port, increased employment space and increased housing provision and the need to reduce air pollution. This is based on the sensitivity and current issues with air quality in the area, as well as port operational activities which add to air quality issues, as well as the potential for private car journeys to increase due to the increased amount of development.
- 13.1.5 Conflicts between competing concerns and land uses such as new development and the protection of the environment are always likely to arise. Further detailed assessments at planning application stage should help to ensure that these concerns are adequately balanced.

APPRAISAL OF JAAP POLICIES

14 ENERGY EFFICIENCY

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
1: Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design and encourage use of established standards for new and existing development.	<ul style="list-style-type: none"> • Will the plan promote low/zero carbon development? • Will the plan encourage changes to increase energy efficiency of new and existing buildings? • Will the plan encourage the use of renewable energy sources? • Will the plan encourage passive design for new and existing development? • Will the plan encourage use of established standards?

Table to show impacts on this objective across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
1	+	+	+/-	+/-						+	+/-	+/-		+/-		+/-	

Character Areas

14.1.1 South Quayside is promoted as a renewable energy hub, and includes a commitment to pursue a district heat network.

14.1.2 Although impacts for this objective are broadly mixed for other Character Areas, the policies for character areas present an opportunity to improve the energy efficiency of buildings, to incorporate renewable energy generation, and incorporate passive design measures in new residential and employment areas

Across the Harbour

14.1.3 Policy SH1 Climate Change, Energy and Sustainable Buildings specifically aims to address energy efficiency through zero carbon decentralised energy opportunities and the design of buildings that include the incorporation of passive design measures and low and zero-carbon technologies; as well as through energy efficiency measures that reduce the consumption of energy, and through the requirement that development is ready to connect to any future district heat network or connects where a district heating network exists. The policy also sets BREEAM standards for non-residential development to be achieved as a minimum.

14.1.4 Policy SH2 Shoreham Port encourages proposals for uses that support the Port's 'Eco-Port' status and in becoming a hub for renewable energy generation. It also supports the upgrade and refurbishment of sites to become more resource efficient.

The AAP 'as a whole'

14.1.5 The appraisal notes the amount of residential and employment based development proposed to be delivered across the plan area has potential for an increase in energy consumption locally. However, the plan is considered to contain policies that will help to ensure improvements in energy efficiency in the area, and encourages the use of established standards for new and existing development. The plan also strongly encourages the use of renewable energy sources, committing to the establishment of a decentralised energy and heat network.

14.1.6 Overall, it is likely that the plan will result in **significant positive effects** for energy efficiency in Shoreham Harbour in the long-term, however the appraisal notes that there is a risk that energy consumption across the area will increase as a result of development. The potential for adverse impacts are considered to be mitigated through the implementation of policies in the JAAP.

15 WATER

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
2: Encourage the sustainable use of water.	<ul style="list-style-type: none"> Will the plan encourage greater efficiency in the use of water? Will the plan encourage adoption of BREEAM for non-residential developments? Will the plan promote use of SuDS?
9: Reduce pollution and risk of pollution to water.	<ul style="list-style-type: none"> Will the plan affect surface watercourses, groundwater protection zones or bathing water quality? Will the plan minimise/reduce pollution to water. Will the plan facilitate necessary upgrades to infrastructure associated with foul and surface water? Will the plan ensure no deterioration of waterbodies designated under the Water Framework Directive and Bathing Water Directive, and will it contribute to achieving good ecological status or potential?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
2	+		+/-	+/-							+/-	+/-		+/-		+/-	
9			+/-	+/-		+	+			+/-	+/-	+/-		+/-		+/+	

Character Areas

15.1.1 The policies for character areas broadly speaking are likely to deliver new development that can lead to increased consumption of water, making further demands on the heavily exploited Brighton Chalk Aquifer. However, new development also presents an opportunity to incorporate water efficiency measures and therefore minimise the future increase in water consumption.

15.1.2 Ground and surface water in the South Quayside, Aldrington Basin, South Portslade, Southwick Waterfront and the Western Harbour Arm may be polluted through land contamination from former and current uses. Redevelopment supported by Policies CA1 South Quayside, CA2 Aldrington Basin, CA3 South Portslade and North Quayside, CA5 Fishersgate & Southwick and CA7 Western Harbour Arm will provide opportunities for remediation. However, there is also a risk that disturbing these contaminants may introduce further pollution to these groundwaters and also into the River Adur.

15.1.3 Policy CA1 states that the local planning authorities and Shoreham Port Authority will work closely with Southern Water to ensure that Waste Water Treatment infrastructure is safeguarded can accommodate future population changes.

Across the Harbour

15.1.4 Policy SH1 Climate Change, Energy and Sustainable Buildings - seeks to achieve high standards of water efficiency through the design of buildings, including requiring residential development to meet water efficiency standards of 110l/p/day and non-residential development to achieve BREEAM excellent standards.

15.1.5 Policy SH6 Flood Risk and Sustainable Drainage and SH7 Natural Environment, Biodiversity and Green Infrastructure have specific requirements that should minimise water pollution, including recommendations for piling methods, the requirement to protect water resources and to incorporate SUDS.

The AAP 'as a whole'

15.1.6 Ground and surface water in the Shoreham Harbour area, as well as the Harbour itself, has the potential to be polluted by contaminants resulting from current and former land uses. The redevelopment of this area offers opportunities for remediation of contaminated land. However there is a risk that disturbing these contaminants may introduce further pollution to these waters. The plan however responds **positively** hitherto by incorporating opportunities to promote SuDS, as well as encourages the sustainable use of water. Overall it is likely that water consumption will increase as a result of the amount of development delivered, however the achievement of 110l/p/day in residential development and the achievement of BREEAM excellent standards in other development will ensure that this increase is minimised as far as possible.

16 LAND

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
3: Improve land-use efficiency by encouraging the re-use of previously developed land, buildings and materials.	<ul style="list-style-type: none"> Will the plan direct development to brownfield areas before Greenfield?
8: Reduce pollution and the risk of pollution to land.	<ul style="list-style-type: none"> Will the plan minimise/reduce pollution to land? Will the plan facilitate the re-use of contaminated land?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
3		+	+	+	+					+	+	+		+	+	+	
8			+	+		+	+			+/-	+	+		+		+	

Character Areas

16.1.1 Policy CA1 – South Quayside - safeguards South Quayside as a focus for commercial port activity. The consolidation of port-related activities in this area will also enable the release of previously developed waterfront sites for alternative uses in other areas of the harbour, such as the Western Harbour Arm which should improve land use efficiency.

16.1.2 Aldrington Basin is located on previously developed land and includes a number of under-used and vacant sites. Policy CA2 - Aldrington Basin - states that the Partnership will work with developers to deliver approximately 90 new homes and 4,500m² of new employment floorspace. This is likely to improve the efficiency of land use in these areas.

16.1.3 South Portslade is located on previously developed land and includes a number of under-used and vacant sites. Policy CA3 - South Portslade and North Quayside - states that the Partnership will work with developers to deliver approximately 210 new homes and 3,000m² of new employment floorspace. This is likely to improve the efficiency of land use in these areas.

16.1.4 The Fishersgate and Southwick area is located on previously developed land and includes a number of under-used and vacant sites. Policy CA5 - Southwick and Fishersgate - proposes the delivery of approximately 4,000 m² of employment floorspace and improved marina facilities.

- 16.1.5 The Western Harbour Arm is located on previously developed land and includes a number of under-used and vacant sites. Policy CA7 - Western Harbour Arm - states that the Partnership will work with developers to deliver approximately 1,100 new homes and 12,000m² of new employment floorspace as well as incorporating active uses along the waterfront.
- 16.1.6 Current and former land uses in South Quayside, Aldrington Basin, South Portslade & North Quayside, Southwick and the Western Harbour Arm are likely to have caused contamination to the land. Redevelopment supported by Policies CA2, (Aldrington Basin), CA3 (South Portslade and North Quayside), CA5 (Southwick and Fishersgate) and CA7 (Western Harbour Arm) will provide opportunities for the remediation of the land. Opportunities to remediate contaminated land in the South Quayside area may not be provided due to the consolidation of Port related activities in this area.

Across the Harbour

- 16.1.7 Policy SH2 - Shoreham Port - states that development proposals will be assessed against the Shoreham Port Masterplan. This includes the consolidation of port-related activities along the Eastern Harbour Arm and Canal Basin. This will enable the release of previously developed waterfront sites for alternative uses in other areas of the harbour, such as the Western Harbour Arm.
- 16.1.8 Policy SH3 – Economy and Employment - promotes the delivery of approximately 23,500m² of new employment floorspace on previously developed land. Large parts of the Shoreham Harbour area are potentially contaminated. The redevelopment of this area offers opportunities for the remediation of contaminated land.
- 16.1.9 Policy SH4 – Housing and Community - proposes the delivery of approximately 1,400 new homes across the JAAP area on previously developed land. Large parts of the Shoreham Harbour area are potentially contaminated, the redevelopment of this area also offers opportunities for the remediation of contaminated land.
- 16.1.10 Policy SH6 – Flood Risk and Sustainable Drainage has various requirements relating to piling on contaminated sites to reduce risk of displacing contamination.
- 16.1.11 Policy SH7 – Natural Environment, Biodiversity and Green Infrastructure has various requirements to be undertaken for any for development within a 10 metre radius of a potentially contaminated site.

The AAP ‘as a whole’

- 16.1.12 The plan is likely to have **significant positive effects** in the harbour area by developing on previously developed land, facilitating the re-use and remediation of contaminated land and increasing land use efficiency. The delivery of a significant quantum of residential and commercial development offers significant opportunities for the remediation of contaminated land.

17 BIODIVERSITY

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
4: Conserve, protect and enhance biodiversity (flora and fauna) and habitats.	<ul style="list-style-type: none"> • Will the plan achieve a net gain in biodiversity? • Will the plan protect biodiversity and habitats? • Will the plan maintain and enhance existing biodiversity and habitats? • Will the plan allow the adaptation of biodiversity to a changing climate? • Will the plan contribute to any of the Biodiversity Opportunity Areas?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
4				+/-		+	+	+			+	+	+	+	+	+/-	

Character Areas

- 17.1.1 The Character Area policies generally present an opportunity to increase biodiversity, through requirements relating to green infrastructure.
- 17.1.2 Policy CA2 – Aldrington Basin, Policy CA3 – South Portslade and North Quayside, Policy CA5 – Fishersgate and Southwick, and Policy CA7 – Western Harbour Arm all require ecological and landscape improvements forming part of the green corridor.
- 17.1.3 Policy CA4 - Portslade & Southwick Beaches - supports the remediation and improved interpretation of the Basin Road South SNCI, and safeguards the site from future disturbance. The beach areas and adjacent public spaces will be safeguarded for the protection of coastal processes, marine habitats and the enjoyment of local communities and visitors.
- 17.1.4 Policy CA6 - Harbour Mouth – includes the requirement to protect the Shoreham Beach Local Nature Reserve and promotes opportunities to interpret the marine environment.
- 17.1.5 Policy CA7 - Western Harbour Arm – requires the incorporation of SuDS features such as suitable trees and vegetation into the waterfront route. This, and new areas of public open space have the potential to enhance the biodiversity of the area. Policy CA7 also requires development to incorporate enhancements to the riverine environment to promote biodiversity, with the provision of compensatory habitat, particularly intertidal habitat, to mitigate any loss or degradation of habitats that may occur due to the land-raising required as part of flood defence work. However impacts for this policy are considered to be mixed due to the ecological constraints of the area and the potential for land-raising in this area.

Across the Harbour

- 17.1.6 Policy SH6 – Flood Risk and Sustainable Drainage – includes requirements for appropriate planting, such as green roofs, as well as requirements that should minimise adverse ecological impacts resulting from piling.
- 17.1.7 Policy SH7 – Natural Environment, Biodiversity and Green Infrastructure – sets provision for all development to support the objectives of the Biosphere, to conserve the area’s environmental assets and to seek a net gain in biodiversity by creating new habitats. It seeks to deliver an improved green infrastructure network which includes a green corridor, creation of new areas of vegetated shingle, intertidal habitat creation and green roofs and walls. In particular, development must seek a net increase of habitats of principal importance, particularly those that may be disturbed indirectly through increased recreational activity in the area. Measures to mitigate against such disturbances and enhance biodiversity include landscaping of locally native species, SuDS, and creating, restoring or enhancing off-site habitats.
- 17.1.8 Policy SH8 – Recreation and Leisure – sets provision of open space, green infrastructure and links to green corridors which would support this objective.

The AAP ‘as a whole’

17.1.9 The Aldrington Basin character area is adjacent to the Basin Road South SNCI, a site of vegetated shingle that supports sensitive habitats and species, which may be sensitive to increased residential disturbance resulting from new residential development in the area. The Western Harbour Arm policy includes land-raising to form flood defence and this could disturb or result in loss of intertidal habitat. However, measures outlined in Policies CA2, CA4, CA6, CA7 and SH6, SH7 and SH8 have the potential to safeguard, maintain and enhance biodiversity and habitats in line with increased development and recreational activity in the harbour and are considered to mitigate adverse effects. The plan is considered therefore to have the potential to have **positive effects** on biodiversity in a coastal area that has shared boundaries between sensitive habitats and increasing development pressures of the harbour. See also Section 19.

18 CULTURAL HERITAGE & LANDSCAPE

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
5: Maintain local distinctiveness and protect and enhance the historic environment; including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.	<ul style="list-style-type: none"> • Will the plan maintain and enhance local distinctiveness? • Will the plan protect and enhance heritage assets? • Will the plan protect and enhance important views including those from and to the South Downs National Park?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
5								+	+		+	+	+	+	+	+	+

Character Areas

- 18.1.1 The Character Area policies present an opportunity to maintain or improve local distinctiveness.
- 18.1.2 Policy CA2 - Aldrington Basin – seeks to support development with appropriate mass and scale that responds to the maritime brightness and street environment along Kingsway.
- 18.1.3 Parts of the South Portslade and North Quayside Area are characterised by poor quality buildings and an unattractive streetscape. New development, including measures which will result in development of an appropriate scale and height, as well as transport measures outlined in Policy CA3 South Portslade and North Quayside are likely to have a positive impact on the local streetscape.
- 18.1.4 Policy CA4 - Portslade & Southwick Beaches - includes improvements to the route along Basin Road South, including lighting, landscaping and signage, and to the area around Carats Café
- 18.1.5 Policy CA5 – Fishersgate & Southwick - proposes the redevelopment of Lady Bee Marina, public realm improvements and a waterfront route for cyclists and pedestrians. The Southwick Waterfront includes the Riverside Section of the Southwick Conservation Area and the Grade II listed Royal Sussex Yacht Club.
- 18.1.6 Policy CA6 - Harbour Mouth - proposes improvements to the Kingston Beach area. It also proposes the conservation of Shoreham Fort, improving public realm, parking and access for both areas.

18.1.7 Policy CA7 - Western Harbour Arm - protects views of St Mary de Haura Church. It also prohibits development from prejudicing future development to the north of Brighton Road (A259). The policy should also result in townscape improvements around key junctions and has specific requirements relating to building heights.

[Across the Harbour](#)

18.1.8 Policy SH8 – Recreation and leisure – supports the development of public open space and green infrastructure, which will help enhance character.

18.1.9 Policy SH9 - Place making and design quality - supports the development of high quality places that are sensitive to their surroundings, the character of the marine environment, historic features, and to strategic views of the waterfront and surrounding landscape. Development is to be of a suitable scale and massing in relation to housing type and local context, including townscape character and historic environment.

[The AAP ‘as a whole’](#)

18.1.10 The plan is likely to have **significant positive effects** in enhancing the local distinctiveness of the harbour area by responding to the maritime setting of the built and natural environment, improving streetscapes and public realm, protecting views, restoring heritage assets, and delivering increased access to the waterfront through a dedicated pedestrian and cycling route. The delivery of high quality residential and commercial development offers significant opportunities for the enhancement of landscape and cultural heritage in the plan area.

19 OPEN SPACES

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
6: Protect, enhance and improve the accessibility of public open space and green infrastructure.	<ul style="list-style-type: none"> • Will the plan prevent inappropriate development on accessible public open space and other key areas of green infrastructure? • Will the plan facilitate a green infrastructure network? • Will the plan provide multifunctional green space including open green space, sustainable drainage and biodiversity? • Will the plan improve access to green infrastructure? • Will the plan protect playing fields and indoor and outdoor sports facilities? • Will the plan enhance biodiversity through the provision of green infrastructure?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
6					+	+	+	+	+	+	+	+	+	+	+	+	+

[Character Areas](#)

19.1.1 The Character Area policies present an opportunity to improve open space, or access to open space, including the beach areas where relevant through support for the England Coastal Path.

19.1.2 Policy CA1 - South Quayside - states that improvements will be sought to the pedestrian and cyclist crossing over the lock gates, the existing NCN and PROW, and to access to the beach.

- 19.1.3 Aldrington Basin is situated between the important open spaces of Portslade Beach and Hove Lagoon and seafront. Policy CA2 - Aldrington Basin states that opportunities will be sought to improve connections with the lagoon and to improve the cycle route along Basin Road South, as well as seeking the creation and enhancement of open space and green infrastructure, including the green corridor.
- 19.1.4 Policy CA3 South Portslade and North Quayside seeks to deliver high quality, multi-functional open space, as well as seeking the creation and enhancement of open space and green infrastructure, including the green corridor.
- 19.1.5 Policy CA4 Portslade & Southwick Beaches safeguards the beach areas and promotes improvements to the pedestrian and cyclist route along Basin Road South which will improve access to these areas and connections to adjacent areas.
- 19.1.6 Policy CA5 Fishersgate & Southwick proposes a waterfront route for pedestrians and cyclists, improved connections from Kingston Beach, through Lady Bee Marina and the North Canal Bank on to Fishersgate Recreation Ground and beyond. The policy also seeks the creation and enhancement of open space and green infrastructure, including the green corridor
- 19.1.7 Policy CA6 Harbour Mouth supports improvements to the open spaces of Kingston Beach, Shoreham Fort and the easternmost part of Shoreham Beach. It also supports planting as part of the green corridor.
- 19.1.8 Policy CA7 Western Harbour Arm requires new development to provide high quality, multi-functional public open space, as well as seeking the creation and enhancement of open space and green infrastructure, including the green corridor. The policy also seeks the provision of a new waterfront route improving connections between open spaces.

Across the Harbour

- 19.1.9 Policy SH5 – Sustainable Travel – will result in increased access and connectivity, including access to green infrastructure and open space.
- 19.1.10 Policy SH6 - Flood risk - requires development to incorporate open space, planting green walls and roofs.
- 19.1.11 Policy SH7 – Natural Environment, Biodiversity and Green Infrastructure – requires development to deliver various types of green infrastructure and supports provision of new areas of high quality public open space and improved linkages to existing spaces.
- 19.1.12 Policy SH8 - Recreation and Leisure – requires development to provide open space or improve nearby open space.
- 19.1.13 Policy SH9 - Place making and Design Quality – supports development proposals that improve the quality, accessibility, security and legibility of public spaces.

The AAP 'as a whole'

- 19.1.14 The plan has the potential to have **significant positive effects** on the protection and enhancement of existing open space and the increased accessibility of new public open space and green infrastructure within the harbour. The delivery of housing and employment space presents the opportunity to facilitate a new green infrastructure waterfront route, and a new green corridor, improving connections throughout the area as well as to adjacent areas and open spaces of Kingston Beach, Shoreham Fort and the easternmost part of Shoreham Beach. New development is to include provision for multifunctional open space, green infrastructure and sustainable drainage. The increase in green infrastructure is also likely to enhance biodiversity in the harbour area.

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
7: Reduce the risk and levels of air and noise pollution.	<ul style="list-style-type: none"> Will the plan minimise/reduce air, pollution? Have areas currently affected by air quality issues been adequately reflected in the plan? Will the plan help reduce levels of noise, vibration and light pollution? Will the plan contribute to a reduction in greenhouse gas emissions?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
7			+/-	+/-	+		+	+		+/-	+/-	+/-		+/-		+/-	

Character Areas

- 20.1.1 The policies for character areas broadly speaking are likely to deliver new development that can lead to increased vehicle movements, having potential for adverse air and noise impacts. However, the policies also include measures that should reduce impacts.
- 20.1.2 Policy CA2 Aldrington Basin supports the delivery of residential development which is likely to generate less air and noise pollution than industrial uses. However an increase in residential development can increase the number of journeys made. The policy does also include employment uses, which could generate transport movements, including B8, however these tend to be located at the Basin level. The policy seeks to deliver transport measures for Aldrington Basin, including the reconfiguration of Basin Road North to improve Port access which will have localised improvements in the Hove lagoon area. Mitigation will be provided by the transport requirements in the policy itself and also Policy SH5 Sustainable Travel.
- 20.1.3 Policy CA3 South Portslade and North Quayside supports the delivery of residential development which is likely to generate less air and noise pollution than industrial uses. An increase in residential development can however increase the number of journeys made in the area and levels of congestion, particularly during peak hours. The policy does also include employment uses, which could generate transport movements, including industrial uses, which could generate noise nuisance. Mitigation will be provided by the policy itself, including the requirement for a set back from the road to prevent a canyon effect, and also Policy SH5 Sustainable Travel.
- 20.1.4 Policy CA5 Fishersgate and Southwick supports delivery of new employment floorspace including B8, which could generate noise nuisance as well as increased journeys. Mitigation will be provided by the transport requirements in the policy itself and also Policy SH5 Sustainable Travel.
- 20.1.5 Policy CA7 Western Harbour Arm supports the delivery of residential development which can increase the number of journeys made. It also supports delivery of employment uses (B1) which could also increase the number of journeys, although is unlikely to generate noise nuisance. Mitigation is provided by the transport requirements in the policy itself, including the requirement for a set back from the road to prevent a canyon effect, and also Policy SH5 Sustainable Travel.

Across the Harbour

- 20.1.6 Policy SH5 Sustainable Travel aims to encourage the use of alternatives to the car which have the potential to have a significant impact on reducing air and noise pollution and includes a number of sustainable transport measures.

20.1.7 Policy SH7 Natural Environment, Biodiversity and Green Infrastructure includes sections on air quality and noise and requires air quality and noise impacts to be considered at an early stage of the design process and for appropriate mitigation measures to be incorporated. In addition, SH7 and Policy SH8 Recreation and Leisure both support the delivery of green infrastructure which can help to mitigate air quality impacts through natural absorption of particulates and nitrogen oxides.

The AAP 'as a whole'

20.1.8 The JAAP area includes parts of two AQMA's and is in close proximity to a third AQMA. New housing and employment floorspace both have the potential to exacerbate vehicle-related air quality and noise issues, particularly through increased vehicle movements. Employment uses within the Harbour itself could generate noise nuisance. New employment in the area could potentially reduce out-commuting which could offset such impacts to some degree and the coordinated approach to the location of various uses across the harbour area should minimise the impacts of noise from employment uses on residential amenity. The transport measures set out in various policies should mitigate impacts to some degree.

20.1.9 Policies in the plan set measures that have the potential to have **positive effects** on air and noise quality by promoting sustainable travel and incorporating noise and air quality considerations and mitigation measures within development design. However, the risk remains that air and noise quality could **worsen** as an indirect result of increased levels of development and the traffic it generates throughout the area.

21 CLIMATE CHANGE & FLOOD RISK

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
10: Ensure that all developments have taken into account the changing climate and adaptable and resilient to extreme weather events.	<ul style="list-style-type: none"> • Will the plan minimise/reduce air, pollution? • Will the plan encourage new residential and non-residential development to occur outside areas at risk of flooding? • Will the plan encourage the incorporation of green walls and/or green roofs in developments? • Will the Plan encourage adaptation techniques?
18: Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.	<ul style="list-style-type: none"> • Will the plan help to facilitate the improvement of coastal defences? • Will the plan promote a sequential approach to avoid development in areas at risk of flooding? • Will the plan promote use of SuDS? • Will the plan affect coastal erosion? • Will the plan work with natural processes and have regard to biodiversity?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
10	+	+				+	+	+			+/-	+/-		+/-		+/-	
18			+/-	+/-		+	+	+		+	+/-	+/-		+/-		+/-	+

Character Areas

- 21.1.1 All of the Character Areas have varying flood risks and therefore have the potential for mixed impacts based on the risk of flooding in these areas, combined with some of the positive measures set out in the policies. The exception is CA1 which was found to have positive impacts largely based on the type of uses, which are less vulnerable, supported there.
- 21.1.2 Policies CA2, CA3, CA and CA7 include requirements relating to open space and green infrastructure, which will support climate change adaptation and help with surface water flood risk. New development is also likely to be significantly more resilient to climate change and extreme weather events than existing buildings.

Across the Harbour

- 21.1.3 Policy SH1 Climate Change, Energy and Sustainable Buildings requires all development to reduce demand for water and therefore help adapt to climate change.
- 21.1.4 Policy SH2 Shoreham Port encourages proposals for uses that support the Port's 'Eco-Port' status and in becoming a hub for renewable energy generation. It also supports the upgrade and refurbishment of sites to become more resource efficient.
- 21.1.5 Policy SH6 Flood Risk requires development to incorporate open space, SuDS, and the planting of green infrastructure. It also seeks to ensure that where new development in areas at risk of flooding cannot be avoided, that it is appropriately flood resilient and resistant and safe for its lifetime.
- 21.1.6 Policy SH7 Natural Environment, Biodiversity & Green Infrastructure and Policy SH8 Recreation and Leisure both support the delivery of green infrastructure which can help with climate change adaptation through temperature regulation.

The AAP 'as a whole

- 21.1.7 The JAAP performs well in terms of encouraging sustainable building standards, ensuring that development can adapt to climate change as well as mitigate the impacts of climate change, such as through increased energy infrastructure and the support for renewable energy proposals within the 'Eco-Port'. SH6 Flood Risk and Sustainable Drainage policy now contains all requirements relevant to the entire Harbour, as well as specific requirements relating to certain parts including the Strategic Site Allocations. Policies include the promotion of SuDS and natural processes such as green walls and roofs and other green infrastructure, ensuring that existing and future built environment are appropriately flood resilient. Policy requirements are therefore considered to mitigate the potential for adverse impacts. Overall, the plan performs well and is likely to have **significant positive effects** in avoiding, reducing and managing the changing climate and extreme weather events, and all sources of flood risk to the built environment of the harbour.

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
11: Improve health and wellbeing and reduce inequalities in health.	<ul style="list-style-type: none"> • Will the plan facilitate healthy lifestyles? • Will the plan help secure necessary health related infrastructure, including for the elderly? • Will the plan help to increase participation in sport

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
11	+		+/-	+/-	+	+	+	+	+		+/-	+/-	+	+	+	+/-	+

Character Areas

- 22.1.1 Policies CA2 Aldrington Basin, CA3 North Quayside & South Portslade, CA5 Fishersgate & Southwick and CA7 Western Harbour Arm seek to address the wider determinants of health through the provision of housing, employment opportunities, improved quality and access to existing open space and to other local connections and leisure opportunities.
- 22.1.2 Policies CA2 Aldrington Basin, CA3 North Quayside & South Portslade, CA5 Fishersgate & Southwick and CA7 Western Harbour Arm all seek to deliver a package of transport measures as set out in the Shoreham Harbour Transport Strategy (2014) that include improvements to bus stops, the A259 cycle facility, the public realm, and crossing points which should facilitate travel by sustainable means and potentially support improvements to air quality. In addition, a set-back from the road to prevent the canyon effect is required.
- 22.1.3 Policy CA4 Portslade & Southwick Beaches supports improvements to the route along Basin Road South to encourage greater use of the open spaces of the beaches and the route for walking and cycling.
- 22.1.4 Policy CA5 Fishersgate & Southwick supports improvements to Fishersgate Recreation Ground. The provision of a new waterfront route for pedestrians and cyclists is also likely to increase usage of these facilities and promote more active lifestyles.
- 22.1.5 Policy CA6 Harbour Mouth supports improvements to Kingston Beach and improved connections with other areas to encourage greater use of this open space and the walking and cycling route. Improvements to the Kingston Beach and Shoreham Fort areas are likely to encourage greater footfall through the area, increasing the opportunities for natural surveillance.

Across the Harbour

- 22.1.6 Policy SH1 Climate Change, Energy and Sustainable Buildings requires all development to consider low and zero carbon energy opportunities, including the development of district energy and heat networks, which could reduce heating costs for residents.
- 22.1.7 Policies SH3 Economy and Employment and SH4 Housing and Community support the wider determinants of health and wellbeing by providing employment and residential opportunities in the area, including a mixture of tenures and affordable housing. Residential development will be required to contribute to improved social and community infrastructure.

- 22.1.8 Policy SH5 Sustainable Travel requires development to contribute to improvements which will allow more sustainable travel, including cycle and pedestrian facilities which will increase the opportunity for exercise. Measures to encourage the use of alternatives to the car could also have a significant impact on reducing air and noise pollution.
- 22.1.9 Policy SH6 Flood Risk and Sustainable Drainage seeks to ensure that where new development in areas at risk of flooding cannot be avoided, that it is appropriately flood resilient and resistant and safe for its lifetime.
- 22.1.10 Policy SH7 Natural Environment, Biodiversity & Green Infrastructure supports increasing biodiversity and green infrastructure in the plan area, as well as reducing various forms of pollutants, all of which have the potential to contribute to health and wellbeing.
- 22.1.11 Policy SH8 Recreation and Leisure supports the provision of new areas of public open space that has the potential to encourage more active lifestyles and make the area more attractive.
- 22.1.12 Policy SH9 Place Making and Design Quality supports the provision of a high quality public realm providing appropriate amenity and other public space.
- The AAP 'as a whole'
- 22.1.13 The plan performs well in terms of all 'community and wellbeing' related sustainability issues. The plan performs well with **significant positive effects** predicted in terms of facilitating healthy lifestyles in creating opportunities to improve cycle and pedestrian facilities, delivery of green infrastructure, providing new areas of public open space, generally encouraging more active lifestyles in an attractive urban realm. Access improvements to Kingston Beach and Shoreham Fort also encourage greater use of the harbour's natural and built heritage.
- 22.1.14 Within the character areas air quality is currently an issue which may **worsen** as a result of the traffic impacts of development, potentially bringing about negative impacts on health. The sensitive location and design of development has the potential to mitigate against any decrease in air quality. In addition, transport measures which support sustainable modes of transport will help to mitigate impacts.

23 CRIME

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
12: Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.	<ul style="list-style-type: none"> Will the plan improve community safety? Will the plan help to ensure crime prevention measures are incorporated into new and existing development?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
12		+							+		+	+	+	+	+	+	+

Character Areas

- 23.1.1 Policies CA2 Aldrington Basin, CA3 North Quayside & South Portslade, CA5 Fishersgate & Southwick and CA7 Western Harbour Arm support improvements to sustainable transport, the streetscape and public realm, and key gateway routes to the area.

- 23.1.2 Policy CA4 Portslade & Southwick Beaches supports improvements to the route along Basin Road South to encourage greater footfall through the area. The Partnership will promote opportunities to improve the quality of public access areas connected to the beaches including: improving fencing, general graffiti removal, better beach maintenance regime, signage and lighting.
- 23.1.3 Policy CA5 Fishersgate and Southwick supports improvements to Fishersgate Recreation Ground and the provision of a new waterfront route for pedestrians and cyclists are likely to increase usage of these facilities. This increases the opportunity for natural surveillance in these areas.
- 23.1.4 Policy CA6 Harbour Mouth supports improvements to the Kingston Beach and Shoreham Fort areas to encourage greater footfall through the area. This would increase the opportunities for natural surveillance.

Across the Harbour

- 23.1.5 Policy SH2 Shoreham Port requires development proposals to consider the security implications.
- 23.1.6 Policy SH9 Place Making and Design Quality supports the incorporation of the features to improve safety and security particularly in public streets and spaces.
- 23.1.7 Policy SH10 Infrastructure Requirements will enable the provision of social and community facilities which may help to reduce crime and antisocial behaviour.

The AAP 'as a whole'

- 23.1.8 The plan has the potential to have **significant positive effects** in increasing natural surveillance across the harbour by improving access points, providing cycling and pedestrian routes, enhancing streetscape and public realm, signage and lighting. Development is also able to ensure crime prevention measures are incorporated into new and existing development.

24 SUSTAINABLE TRANSPORT

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
13: Promote sustainable transport and reduce the use of the private car.	<ul style="list-style-type: none"> Will the plan help reduce the need to travel? Will the plan's strategic spatial policies help to establish a more sustainable pattern of settlements? Will the plan adequately integrate land uses, transport infrastructure and public transport? Will the plan increase the carbon efficiency of transport networks? Will the plan promote compact and balanced mixed use, and higher density development, which has adequate public transport infrastructure?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
13			+/-	+/-	+					+/-	+/-	+/-	+	+/-	+/-	+/-	+

Character Areas

- 24.1.1 The policies for character areas broadly speaking are likely to deliver new development that can lead to increased vehicle movements, having potential for adverse transport impacts. However, the policies also include measures that should reduce impacts.

- 24.1.2 Policy CA1 South Quayside states that improvements will be sought to the pedestrian and cyclist crossing over the lock gates as well as to the NCN and PROW routes.
- 24.1.3 Policy CA2 Aldrington Basin sets out the transport measures that will be pursued such as junction improvements, improvements to bus stops and the A259 cycle route and PROW. In addition, it supports delivery of the upgrade of Basin Road North and associated junctions to allow for re-routing of HGV traffic.
- 24.1.4 Policy CA3 North Quayside and South Portslade sets out the transport measures that will be pursued such as junction improvements, improvements to bus stops and the A259 cycle route and PROW.
- 24.1.5 Policy CA4 Portslade & Southwick Beaches supports improvements to the route along Basin Road South to encourage greater use of the route for walking and cycling.
- 24.1.6 Policies CA5 Fishersgate & Southwick and CA7 Western Harbour Arm support key interventions that will be promoted through the Transport Strategy to serve both Southwick Waterfront, Fishersgate and the Western Harbour Arm, including: A259 bus stop improvements and bus priority measures; creation of a new high-quality cycle and pedestrian route along the waterfront, improvements to the NCN2 cycle route across the lock gates; A259 cycle facility; improved formal and informal cycle and pedestrian crossing points; delivery of infrastructure to support and encourage sustainable modes of transport including electric vehicle charging points; and, waterside public realm and pedestrian / cycle link from the public right of way to the west to the expanded marina site to the east and beyond.

Across the Harbour

- 24.1.7 Policy SH5 Sustainable Travel has the potential to improve transport access and connectivity to the waterfront, coastline and beyond. The policy specifically aims to promote sustainable transport and requires development to contribute to an area wide “behaviour-change” programme to encourage the use of alternatives to the car, which would help to reduce congestion, air and noise pollution. The policy and the Transport Strategy to which they refer, set out clearly how this objective can be achieved by reducing the need to travel, improving connections, minimising on-street parking and leading to improvements to public transport, cycle and pedestrian facilities.
- 24.1.8 Policy SH8 Recreation & Leisure supports the provision of improved facilities for boat users such as additional moorings, floating pontoons/docks and slipways where appropriate and in discussion with Shoreham Port Authority.
- 24.1.9 Policy SH10 Infrastructure Requirements will enable the provision of transport infrastructure, including highways improvements, public transport and waterfront routes for pedestrians and cyclists.

The AAP ‘as a whole’

- 24.1.10 New development in the plan area is likely to increase the number of journeys made in and to the harbour, particularly during peak hours. The policies have been strengthened with references to the Transport Strategy, with measures identified to mitigate the negative impacts of increased journeys made in the area or to promote alternative modes of transport.
- 24.1.11 As the JAAP area includes parts of two AQMAs, the provision of employment and residential land has potential to reduce the need for travel out of the harbour, establishing a more sustainable pattern of sustainable transport, improving the health and wellbeing of those living and working in the immediate area.

- 24.1.12 Overall the plan has the potential to have **positive effects** in promoting sustainable transport and reducing private car use through the delivery of infrastructure to support and encourage sustainable modes of transport, however the risk remains that there could be an increase in transport movements resulting from development which could **worsen** congestion and air quality.

25 SOCIAL EXCLUSION

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
14: Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no one is seriously disadvantaged by where they live.	<ul style="list-style-type: none"> Will the plan avoid discrimination related to age, gender disability, race, faith, location and income?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
14	+		+	+							+	+		+		+	+

Character Areas

- 25.1.1 Policies CA2 Aldrington Basin, CA3 North Quayside and South Portslade, CA5 Southwick & Fishersgate and CA7 Western Harbour Arm support the development of new homes and/or jobs in the character areas. The provision of new residential development in these locations will provide the opportunity to create and sustain a vibrant community, while providing affordable housing.
- 25.1.2 Policies CA2 Aldrington Basin and CA3 North Quayside and South Portslade supports provision of 300 new homes which will provide the opportunity to create and sustain a vibrant community. The provision of approximately 7,500m² of new employment floorspace across the two character areas has the potential to create new jobs while improving the environment for businesses in the area.
- 25.1.3 Policy CA5 Fishersgate & Southwick supports the delivery of approximately 4,000m² employment floorspace, small business units suitable for marine-related industries, and a possible location for the Sea Cadets and Nautical Training Corps. All of these development measures support the provision of new jobs in the area. In addition, SH5 seeks to support Action Eastbrook Partnership and local service providers to deliver improvements and harness benefits arising for harbour-side communities. Priorities include: enhancing Fishersgate Recreation ground; supporting and enhancing local community facilities.
- 25.1.4 Policy CA7 Western Harbour Arm supports the delivery of approximately 12,000m² of new employment floorspace which has the potential to create new jobs, while improving the environment for businesses in the area. The development of 1,100 new homes in the Western Arm area will provide the opportunity to create and sustain a vibrant community.

Across the Harbour

- 25.1.5 Policy SH1 Climate Change, Energy and Sustainable Buildings supports the development of district energy and heat networks. This could reduce costs for residents in relation to fuel poverty and deprivation. High standards of energy efficiency should also reduce the risk of future fuel poverty in these dwellings.
- 25.1.6 Policy SH3 Economy and Employment includes a proactive approach to the provision of a significant amount of new employment generating floorspace in the Shoreham Harbour area, which will help increase job opportunities.

25.1.7 Policy SH4 Housing and Community proposes the delivery of approximately 1,400 new homes across the JAAP area. This will include a mixture of tenures and affordable housing. Residential development will be required to contribute to improved social and community infrastructure to meet the needs of various groups within the community.

25.1.8 Policy SH10 Infrastructure Requirements will enable the provision of social and community facilities (including education) which may help to tackle social exclusion and inequalities and deliver more vibrant communities.

The AAP ‘as a whole’

25.1.9 The plan performs well in terms of delivering employment and housing opportunities, an improved urban realm, the development of district energy and heat networks, and an integrated public transport links within the harbour and to the wider area. The plan has the potential to have a **significant positive effect** on the creation of vibrant mixed communities, reducing poverty, social exclusion and social inequalities.

26 HOUSING

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
15: Meet the need for housing, including affordable housing and ensure that all groups have access to decent and appropriate housing.	<ul style="list-style-type: none"> Will the plan facilitate delivery of housing, including affordable housing?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
15				+					+		+	+			+	+	

Character Areas

26.1.1 Policy CA2 Aldrington Basin and Policy CA3 North Quayside and South Portslade support the provision of approximately 300 new homes together which will include an element of affordable housing.

26.1.2 Policy CA6 Harbour Mouth supports Adur Homes to redevelop some of its existing housing sites, potentially making better use of land and increasing housing provision.

26.1.3 Policy CA7 Western Harbour Arm supports the provision of approximately 1,100 new homes on the south-side of the A259 within the plan period.

Across the Harbour

26.1.4 Policy SH4 Housing and Community proposes the delivery of approximately 1,400 new homes across the JAAP area. This will include a mixture of dwelling types, sizes and tenures. Affordable housing will be provided in accordance with Local/City Plan policies.

26.1.5 Policy SH9 Place Making and Design Quality seeks to ensure that housing provided is decent and of a high standard.

The AAP ‘as a whole’

26.1.6 The plan will have a **significant positive effect** in the delivery of housing in the plan area, including an element of affordable housing.

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
16: Create and sustain vibrant communities which recognise the needs and contributions of all individuals.	<ul style="list-style-type: none"> • Will the plan encourage mixed communities? • Will the plan seek to secure the necessary infrastructure to support communities?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
16			+	+				+	+		+	+		+		+	+

Character Areas

- 27.1.1 Policy CA2 Aldrington Basin and Policy CA3 North Quayside and South Portslade support the provision of approximately 300 new homes and new employment floorspace, as well as delivery of various infrastructure, which will provide the opportunity to create and sustain a vibrant community.
- 27.1.2 Policy CA5 Fishersgate and Southwick includes public realm and street scene improvements, enhancing Fishersgate Recreation Ground and supporting local community facilities. The provision of approximately 4,000m² of new employment floorspace is likely to help create job opportunities needed to sustain a vibrant community, with improvements to the streetscape likely to improve the environment for businesses in the area.
- 27.1.3 Policy CA6 Harbour Mouth safeguards existing port uses ensuring existing community employment through the securing of port infrastructure.
- 27.1.4 Policy CA7 Western Harbour Arm supports the provision of new residential development and employment floorspace at the Western Harbour Arm, which will provide the opportunity to create and sustain a vibrant community. The provision of approximately 12,000m² of new employment floorspace is likely to create new jobs, with improvements to the streetscape likely to improve the environment for businesses in the area.
- 27.1.5 Policy CA7 also includes public realm improvements, the provision of a waterfront route, additional moorings and the provision of active uses such as play areas and cafés along the waterfront.

Across the Harbour

- 27.1.6 Policy SH3 Economy and Employment supports the development of new employment floorspace which would lead to increased employment opportunities in and around the harbour. This would contribute to sustaining vibrant communities. New employment floorspace could also benefit the vitality and viability of existing town and district centres, particularly Shoreham-by-Sea and Boundary Road/Station Road through increased footfall. The policy also proposes ancillary retail uses to enliven and activate new developments.
- 27.1.7 Policy SH4 Housing and Community supports the provision of new residential development which has the potential to provide the opportunity to create and sustain a vibrant community. New housing could benefit the vitality and viability of existing town and district centres, particularly Shoreham-by-Sea and Boundary Road/Station Road through increased footfall. New development will also contribute to the provision of social and community infrastructure to meet the needs of various groups within the community and it is noted that this requirement is now included in this policy, as suggested by the SA at the previous stage.

- 27.1.8 Policy SH8 Recreation and Leisure supports the provision of facilities such as open spaces and play equipment which can help make local communities more vibrant. The policy supports the provision of high quality public open space and improved facilities for boat users.
- 27.1.9 Policy SH9 Place Making and Design Quality supports the delivery of a high quality public realm, which is likely to encourage greater use of public spaces and streets.
- 27.1.10 Policy SH10 Infrastructure Requirements will enable the provision of social and community facilities, including improved transport infrastructure, which may encourage more vibrant communities.

The AAP 'as a whole'

- 27.1.11 The plan has the potential to have **significant positive effects** on the creation of sustainable and vibrant mixed communities, supported by necessary infrastructure in terms of housing, employment floorspace and streets with retail frontage, public transport, waterfront route and improved public realm. However, the reconfiguration of certain sites for residential uses has the potential to reduce the amount of employment land in the area. Residential uses are also more sensitive to noise and air quality issues and this may limit the activities of businesses in the area.

28 ECONOMIC GROWTH

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
17: Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.	<ul style="list-style-type: none"> • Will the plan provide a focus on achieving the renaissance of town centres and deprived areas? • Is the delivery of development linked to the provision of adequate transport and other infrastructure? • Will the plan help facilitate a sustainable visitor economy? • Will the plan meet the needs of new employment opportunities and take account of the needs of existing local residents and businesses?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
17		+	+	+/-	+			+		+	+	+/-		+	+	+/-	

Character Areas

- 28.1.1 Policy CA1 South Quayside supports the safeguarding of the area for port-related activities and supports the consolidation of port-related activities in South Quayside to support Shoreham Port Authority in improving operational efficiency and developing new trade. It will allow for the release waterfront sites in other areas of the harbour, such as the Western Harbour Arm, for alternative uses, including employment floorspace.
- 28.1.2 Policy CA2 Aldrington Basin and Policy CA3 North Quayside and South Portslade support the provision of approximately 7,500m² of new employment floorspace (between Aldrington Basin and South Portslade) for the creation of new jobs, with improvements to the streetscape likely to improve the environment for businesses in the area. The policy also safeguards the North Quayside area as a focus for commercial port activities. However this policy also supports release of employment sites for other uses. Impacts however for policy SH3 are also mixed due to the anticipated release of employment sites for other uses.

- 28.1.3 Policy CA5 Fishersgate and Southwick supports the provision of approximately 4,500m² of new employment floorspace, with additional improvements to the streetscape likely to improve the environment for businesses in the area. The policy also safeguards port operational areas for future commercial port activities.
- 28.1.4 Policy CA6 Harbour Mouth safeguards existing port areas for future commercial Port activity.
- 28.1.5 Policy CA7 Western Harbour Arm supports the provision of approximately 12,000m² of new employment floorspace, with additional improvements to the streetscape likely to improve the environment for businesses in the area. However this policy also supports release of employment sites for other uses.

[Across the Harbour](#)

- 28.1.6 Policy SH2 Shoreham Port states that development proposals will be assessed against the Shoreham Port Masterplan. This includes the consolidation of port-related activities along the Eastern Harbour Arm and Canal Basin. This will assist in facilitating the Port Masterplan.
- 28.1.7 Policy SH3 Economy and Employment supports delivery of 23,500sqm of employment generating floorspace in the harbour area, increasing job opportunities and supporting economic growth. The policy should also help to ensure displaced occupiers can relocate within the Harbour area. The policy now also includes a reference to securing job and training opportunities for local people, which may help to reduce employment and economic deprivation.
- 28.1.8 Policy SH4 Housing & Community may result in the release of employment sites for residential uses and could result in development that is more sensitive to noise and air quality issues, potentially resulting in some conflict against this objective.
- 28.1.9 Policy SH5 Sustainable Travel supports a more sustainable transport system with improved public transport, pedestrian and cycling facilities which have the potential to support economic development over time by improving access.
- 28.1.10 Policy SH8 Recreation and Leisure supports the delivery of new waterfront facilities encouraging and enabling boat visitors to the harbour.

[The AAP 'as a whole'](#)

- 28.1.11 Overall the impacts are likely to be **positive**. However, the appraisal notes that the release of certain sites for residential uses will reduce the amount of employment land in the area. The continued economic growth for the harbour area is driven by the release of land for residential development that enables new employment floorspace, while taking account of the needs of existing local residents and businesses. Promoting sustainable economic development with supporting infrastructure to ensure high and stable levels of employment in a diverse economy is reliant on balancing land use reconfigurations for the release of land for new residential and commercial development while safeguarding necessary existing port facilities. The current policy approach is likely to yield **significant positive effects** in increasing economic growth in the JAAP. Certain areas within the JAAP area have moderately high levels of employment based deprivation and it is noted that the SH3 now refers to securing training or employment for local people, as suggested by the SA at the previous stage.

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
19: Improve the range, quality and accessibility of services and facilities and improve the integrated transport links with them.	<ul style="list-style-type: none"> • Will the plan help to improve accessibility to existing services/facilities? • Will the plan secure new infrastructure and/or encourage better use of existing infrastructure?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
19			+	+	+		+	+		+	+	+	+	+	+	+	+

Character Areas

- 29.1.1 The Character Areas include a range of measures that will improve access.
- 29.1.2 Policy CA1 South Quayside supports improvements to existing pedestrian and cycle facilities, including the lock gates, NCN route and PROW.
- 29.1.3 Policy CA2 Aldrington Basin supports delivery of a range of transport measures that will improve access. It also supports improvements to pedestrian and cycle facilities, including the the NCN route and PROW.
- 29.1.4 Policy CA3 South Portslade & North Quayside supports delivery of a range of transport measures that will improve access. It also supports delivery of a cycle facility and improvements to pedestrian and cycle crossing points and connections. It also supports public realm improvements.
- 29.1.5 Policy CA4 Portslade & Southwick Beaches supports improvements to the NCN and PROW.
- 29.1.6 Policy CA5 Fishersgate and Southwick supports delivery of a range of transport measures that will improve access. It supports delivery of a waterfront cycle/pedestrian access road linking to the east of the JAAP area, and includes public realm improvements, enhancing Fishersgate Recreation Ground and supporting local community facilities.
- 29.1.7 Policy CA6 Harbour Mouth supports public realm improvements to the Shoreham Fort area, including improved parking.
- 29.1.8 Policy CA7 Western Harbour Arm supports delivery of a range of transport measures that will improve access, includes public realm improvements, the provision of a pedestrian/cycle waterfront route, improved bus connections, additional moorings, and the provision of active uses such as play areas and cafés along the waterfront.

Across the Harbour

- 29.1.9 Policy SH3 Economy and Employment supports new employment floorspace that could benefit the vitality and viability of existing town and district centres, particularly Shoreham-by-Sea and Boundary Road/Station Road through increased footfall. It also proposes ancillary retail uses to enliven and activate new developments. However, larger scale retail will require an impact test.
- 29.1.10 Policy SH4 Housing & Community supports the delivery of new housing which could benefit the vitality and viability of existing town and district centres, particularly Shoreham-by-Sea and Boundary Road/Station Road through increased footfall. New development is also required to contribute to the provision of social and community infrastructure.

- 29.1.11 Policy SH5 Sustainable Travel promotes a more sustainable transport system with improved public transport, pedestrian and cycling facilities in addition to a range of measures that should improve the highway network and improve access
- 29.1.12 Policy SH7 Natural Environment and SH8 Recreation and Leisure will help to connect sites along the roadside through implementation of the green corridor, and through support for delivery of public spaces and improvement to access to open spaces.
- 29.1.13 Policy SH10 Infrastructure Requirements promotes the use of developer contributions to enable the provision of social and community facilities and improved transport infrastructure, as well as requires development to deliver infrastructure.

The AAP 'as a whole'

- 29.1.14 Overall, the plan has the potential to have a **significant positive effect** in improving the range, quality and accessibility of services and facilities in the area. The implementation of policy will also improve integrated transport links and access to services.

30 URBAN DESIGN

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
20: Create places and spaces that work well, wear well and look good.	<ul style="list-style-type: none"> Will the plan promote high standards of design?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
20			+			+		+	+	+	+	+	+	+	+	+	+

Character Areas

- 30.1.1 Policy CA1 South Quayside seeks improvements for pedestrian and cyclists crossing over the lock gates. Improvements are also to be sought to boundaries, surfacing, way finding and access to the beach.
- 30.1.2 Policies CA2 Aldrington Basin and Policy CA3 North Quayside & South Portslade includes specific requirements relating to height, orientation and positioning which should result in improvements to the townscape / streetscape in this area. High quality design will be required of new development, with provision of multi-functional open space.
- 30.1.3 Policy CA4 Portslade & Southwick Beaches supports improvements to the route along Basin Road South, including lighting, landscaping and signage, and to the area around Carats Café. The policy promotes improvements to the pedestrian and cyclist route along Basin Road South which will improve access to these areas and connections to adjacent areas.
- 30.1.4 Policy CA5 Fishersgate & Southwick supports the redevelopment of Lady Bee Marina, the creation of a new waterfront route, public realm improvements and the enhancement of Fishersgate Recreation Ground. The policy supports improving connections from Kingston Beach, through Lady Bee Marina and the North Canal Bank on to Fishersgate Recreation Ground and beyond.
- 30.1.5 Policy CA6 Harbour Mouth supports key urban design improvements to the open spaces of Kingston Beach and Shoreham Fort areas. Improved public realm, parking and access for both areas are also included.

30.1.6 Policy CA7 Western Harbour Arm promotes the provision of a new high quality active waterfront route, public realm and streetscape improvements and new public open spaces. New development is to provide high quality, multi-functional public open space in accordance with local standards in the Adur Local Plan.

Across the Harbour

30.1.7 Policy SH3 Economy and Employment requires development to contribute towards highway and public realm improvements which will both improve access and appearance.

30.1.8 Policy SH6 Flood Risk requires development to incorporate open space, planting green walls and roofs.

30.1.9 Policy SH7 Natural Environment, Biodiversity and Green Infrastructure promotes measures such as the provision of green walls and roofs, appropriate planting schemes and areas of vegetated shingle to make the area attractive, climate change resilient, while increasing biodiversity in the area.

30.1.10 Policy SH8 Recreation and Leisure supports the provision of new areas of high quality public open space that contribute to making the urban environment attractive and distinctive.

30.1.11 Policy SH9 Place Making and Design Quality supports the development of high quality places that are sensitive to their surroundings and historic features. This policy specifically aims to set a variety of requirements for new development in relation to urban design and public spaces.

30.1.12 Policy SH10 Infrastructure Requirements supports the provision of new areas of high quality public open space.

The AAP 'as a whole'

30.1.13 The policy approach to the creation of places and spaces that work well, wear well and look good draws upon the opportunities the delivery of the JAAP present in terms of new waterfront route, public open spaces, residential and commercial streets, and how the built and natural environment can adapt to climate change and to attract biodiversity through green infrastructure features. The plan overall has the potential to have **significant positive effects** on the provision of high quality public realm, with measures set out to improve the permeability and connection of adjacent areas, street legibility and enhancement of protected areas of cultural heritage.

31 EDUCATION & SKILLED WORKFORCE

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
21: Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.	<ul style="list-style-type: none"> • Will the plan help to improve accessibility to existing educational facilities? • Will the plan facilitate the provision of new educational facilities?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
21			+													+	+

Character Areas

31.1.1 Policy CA7 Western Harbour Arm includes a reference in the supporting text to identify a suitable approach to increasing school places throughout the area, however it is noted that this is an issue that is addressed at a district level and not necessarily through the JAAP.

Across the Harbour

31.1.2 Policy SH3 Economy & Employment requires development to provide opportunities to secure apprenticeships, training and job opportunities for local people. This was included as a policy requirement following a recommendation at previous SA stage.

31.1.3 Policy SH10 Infrastructure requires developers to provide or contribute to the provision of infrastructure made necessary by development, which will include social and community facilities, including education.

The AAP 'as a whole'

31.1.4 The provision of education facilities will be required as a result of the increase in residents across the area. At this stage it is not certain whether such facilities will be located on or off site as this is a matter for District/City Plans. The appraisal notes that some areas within the JAAP area suffer from education and skills based deprivation and that the policy SH3 now requires development to provide opportunities for apprenticeships, training and job opportunities for local people, which may help to improve skills and reduce employment based deprivation depending on uptake. Overall, the effect of the JAAP on raising educational achievement and skills is **positive**.

32 SUSTAINABLE WASTE MANAGEMENT

SA Objective	Appraisal criteria <i>Will the policy approach under consideration...</i>
22: Reduce waste generation and increase material efficiency and reuse of discarded material by supporting and encouraging development, business and initiatives that promote these and other sustainability issues.	<ul style="list-style-type: none"> Will the plan minimise waste disposal to landfill? Will the Plan help to improve accessibility to recycling and other waste management facilities? Will the Plan support and encourage development and business initiatives that promote this objective?

Table to show impacts across JAAP policies

	SH1	SH2	SH3	SH4	SH5	SH6	SH7	SH8	SH9	CA1	CA2	CA3	CA4	CA5	CA6	CA7	SH10
22							+				+/-	+/-		+/-		+/-	

Character Areas

32.1.1 An increase in development is likely to lead to an increase in the production of waste both during the construction phase and during the lifetime of the buildings. However new development provides the opportunity and potential to minimise waste and increase the recycling and reuse of materials.

Across the Harbour

32.1.2 Policy SH7 Natural Environment, Biodiversity & Green Infrastructure requires development to incorporate facilities to encourage high rates of recycling and reuse of materials, and requires development to reduce waste throughout all phases of development.

The AAP 'as a whole'

- 32.1.3 All development proposals are required to have a Site Waste Management Plan in accordance with local plans. This should help to minimise the waste produced at construction stage. All new development will be required to demonstrate that waste is minimised both during the lifetime of the building which should help to move waste up the waste hierarchy. The plan has the potential to have **positive effects** on reducing waste generation and encouraging high rates of recycling and re-use of waste and materials within development proposals.

33 CUMULATIVE IMPACTS

- 33.1.1 The previous sections help to describe the cumulative effects of the JAAP as a whole against the various Sustainability Objectives. The following table builds on this and helps to show the cumulative effects. The final row helps to show the overall impacts against each of the 22 Sustainability Appraisal objectives. The final column helps to show the overall impacts of each individual policy.

Table to show Cumulative Impacts

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	All	
SH1	+	+								+	+			+										+
SH2	+		+							+		+					+							+
SH3	+/-	+/-	+				+/-	+	+/-		+/-		+/-	+		+	+	+/-	+	+	+			+/-
SH4	+/-	+/-	+	+/-			+/-	+	+/-		+/-		+/-	+	+	+	+/-	+/-	+					+/-
SH5			+			+	+				+		+				+		+					+
SH6				+		+		+	+	+	+					+		+		+				+
SH7				+		+	+	+	+	+	+							+	+	+		+	+	+
SH8				+	+	+	+			+	+					+	+	+	+	+				+
SH9					+						+	+			+	+					+			+
CA1	+		+			+	+/-	+/-	+/-				+/-				+	+	+	+				+/-
CA2	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+	+	+/-	+	+		+/-	+/-
CA3	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+	+	+/	+	+		+/-	+/-
CA4				+	+	+					+	+	+							+	+			+
CA5	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+	+	+/-	+		+	+	+	+/-	+	+		+/-	+/-
CA6			+	+	+	+					+	+	+/-		+		+		+	+				+
CA7	+/-	+/-	+	+/-	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+	+/-	+/-	+	+	+	+/-	+/-
SH10					+	+					+	+	+	+		+		+	+	+	+			+
Overall	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+	+	+/-	+	+	+	+	+	+/-	+	+	+	+/-	

34.1.1

The appraisal presented above highlights that the draft plan performs well in terms of the majority of sustainability issues/objectives, with ‘significant positive’ and ‘positive’ effects identified within many issues appraised. However, this is based on the assumption that planning policies (both the JAAP and relevant Local Plan/City Plan) are fully implemented to ensure any potential adverse effects are mitigated, as outlined in each of the summaries. Any effects will depend on implementation of development as well as behaviour of residents.

Potential Positive Impacts

- Incorporation of low and zero carbon energy infrastructure including infrastructure to connect to future networks
- Measures to conserve water resources
- Improvements in tidal flood defences
- Delivery of SUDS, minimising the risk of water pollution and surface water flood risk
- Remediation of contaminated land
- Net gains in biodiversity in particular Habitats of Principal Importance
- Improved green infrastructure network including creation of green corridor and improvements to areas of vegetated shingle and intertidal habitats
- Improved access to existing open space and delivery of new open space
- Improved connectivity throughout and to the JAAP area
- Improvements to the road network, and measures to promote sustainable travel and reduce the need to travel by car
- Delivery of some of the wider determinants of health, including opportunities for active lifestyles
- Provides opportunities to reduce inequalities, such as through increased access, through district heating and through employment and housing opportunities
- Delivery of different types of housing including affordable housing
- Safeguarding of some existing, and delivery new employment floorspace of a range of types
- Creation of training and employment opportunities, including those for local residents
- Safeguarding of port-operational activity
- Improved land use efficiency
- Improved and increased access to a range of services and facilities
- Improved access to the waterfront
- Well-designed developments that respect the local area, including the historic built environment where relevant and contribute towards improved streetscapes
- Improved public realm

Potential Adverse Impacts

- Potential for an overall increase in energy consumption resulting from increased population
- Potential for an overall increase water consumption resulting from increased population
- Potential risk of flooding in certain locations
- Potential for pollution of water resulting from disturbance of contaminants
- Potential for loss of intertidal habitats in certain locations from landraising
- Potential increased transport movements resulting from increased population
- Potential worsening of air quality resulting from increased transport movements

- Potential for noise issues resulting from increased transport and incompatibility of neighbouring uses
- Potential for an overall increase in waste generation resulting from increased population

Recommendations at this current stage (August 2017)

34.1.2 Whilst the plan performs well, there could potentially be opportunities to further strengthen the performance of the plan. The following recommendation has been put forward at this stage.

Recommendations

1. **CA5: Fishersgate and Southwick** – The SA noted that this policy’s “Area Priorities” section did not include any reference to taking into account the findings and recommendations of the SFRA and Flood Risk Management Guide SPD. This is unlike other Character Area policies. The SA noted that this may be of particular pertinence to this character area due to the risk of tidal flooding for the Southwick Waterfront Site Allocation.

The SA recommended that the Area Priorities section was updated to include this, and this recommendation was implemented.

35 LIKELY EVOLUTION WITHOUT IMPLEMENTATION OF THE PLAN

34.1.1 The no plan scenario is considered to result in the following:

- limited piecemeal development that does not contribute towards a comprehensive regeneration scheme
- lower levels of housing and employment coming forward
- limited opportunities to increase land use efficiency
- lack of sustainable transport infrastructure
- no improvements to flood defences
- no improvements to existing community resources
- no coordinated approach to green infrastructure
- worsening of air quality, noise issues and congestion
- no improvement to streetscape, public realm and general appearance of the area

Part 4

What are the next steps?

The SA Report must include...

- A description of the measures envisaged concerning monitoring.

36.1.1 This Part of the SA Report explains the next steps that will be taken as part of the plan-making / SA process, including in relation to monitoring.

37 PLAN FINALISATION

37.1.1 The Publication JAAP will be subject to further consultation under Regulation 19 of the Town & Country Planning (Local Planning) Regulations 2012. Any consultation responses submitted at this stage can only be on the grounds of soundness and will be submitted to the Planning Inspectorate for Examination.

37.1.2 A Planning Inspector will consider the submitted Plan (post Publication consultation) alongside the SA Report and representations received through the consultation on the publication stage version. The Inspector will then oversee an 'Examination in Public' where those who made representations through the consultation will have an opportunity to influence the Plan.

37.1.3 After having heard representations the Inspector will either report back on the Plan's soundness or identify modifications that are necessary in order for the Plan to be sound. If the Inspector identifies the need for modifications to the Plan these will be prepared and then subjected to consultation. An SA Report Addendum may be published for consultation alongside the modifications if they are significant in nature.

37.1.4 Once found to be 'sound' the Plan will be formally adopted by the Council. At the time of Adoption a 'Statement' will be published that sets out (amongst other things) *'the measures decided concerning monitoring'*.

38 MONITORING

38.1.1 At the current stage – i.e. in the SA Report - there is a need to present *'a description of the measures envisaged concerning monitoring'* only. These monitoring indicators will be finalised and confirmed in the SA/SEA Post Adoption Statement. Therefore, the indicators proposed in the following table may change at a subsequent stage.

Table: Proposed monitoring indicators

Strategic Objective	Target	Indicator
1. Climate Change, energy and sustainable buildings	All development proposals to be accompanied by a Sustainability Statement (ADC) or Sustainability Checklist (BHCC)	<ul style="list-style-type: none"> • % of proposals accompanied by a Sustainability Statement/Checklist
	Increase energy efficiency	<ul style="list-style-type: none"> • % of applications approved for residential and non-residential development that meet minimum standards for energy • % of applications approved for residential and non-residential development that incorporating low/zero carbon technologies
	Increase the generation of renewable energy within the JAAP area (including Shoreham Port)	<ul style="list-style-type: none"> • No. and type of renewable energy developments/installations within the plan area • Amount of energy generated from renewable sources within the plan area
	Increase water efficiency	<ul style="list-style-type: none"> • % of applications approved for residential and non-residential development that meet minimum standards for water • % of applications approved for residential and non-residential development that incorporating measures to recycle, harvest and conserve water. • % of applications approved for residential and non-residential development that incorporating Sustainable Drainage Systems (SuDS)
2. Shoreham Port	Consolidate Shoreham Port operations in the eastern arm and canal	<ul style="list-style-type: none"> • Port-related operations relocated to the eastern arm/canal • New port-related development in the eastern arm/canal
3. Economy and employment	Deliver 23,500m ² employment floorspace <ul style="list-style-type: none"> • 16,000m² in Adur • 7,500m² in Brighton & Hove 	<ul style="list-style-type: none"> • Total amount of new employment floorspace by type (gross and net)
	Provide ancillary retail uses within the plan area to complement existing town/district centres	<ul style="list-style-type: none"> • Total amount of new retail floorspace by type (gross and net)
4. Housing and community	Deliver 1,400 new homes <ul style="list-style-type: none"> • 1,100 in Western Harbour Arm • 300 in South Portslade and Aldrington Basin 	<ul style="list-style-type: none"> • Net additional homes provided (BH/Adur) • Number of 1,2 and 3+ bed dwellings provided (BH/Adur)
	Deliver affordable housing according to local policy	<ul style="list-style-type: none"> • Net affordable housing completions secured (BH/Adur)
	Deliver social and community infrastructure to support new development	<ul style="list-style-type: none"> • Total amount of new D class floorspace (gross and net)

Strategic Objective	Target	Indicator
	Deliver new/improved routes for pedestrians and cyclists, including: <ul style="list-style-type: none"> • New waterfront route (Western Harbour Arm) • Improved east-west route (north of canal) • Improved Monarch's Way/Basin Road South • Improved lock gate crossing • New bridge over railway (Dolphin Road to Brighton Road) 	<ul style="list-style-type: none"> • New/improved routes for pedestrians and cyclist delivered
	Deliver improved priority corridors and junction improvements <ul style="list-style-type: none"> • A259 • A283 Old Shoreham Road • A293 Church Road – Trafalgar Road-Handleton Link Road 	<ul style="list-style-type: none"> • Improvements to priority corridors and junctions delivered
	Deliver improved access to port activities <ul style="list-style-type: none"> • Southwick Waterfront access road • Basin Road North 	<ul style="list-style-type: none"> • Improvements to port access delivered
	Deliver improved access to the waterfront <ul style="list-style-type: none"> • New waterfront route (Western Harbour Arm) • New/improved public slipway 	<ul style="list-style-type: none"> • Improvements to waterfront access delivered
	Deliver improvements and improve interchange with public transport network	<ul style="list-style-type: none"> • Improvements to bus services delivered • Improvements to bus stops delivered • Bus priority measures delivered • Improvements to interchanges at railway stations delivered
	Deliver new/improved routes and facilities for pedestrians and cyclists, including: <ul style="list-style-type: none"> • NCN2 • New waterfront route (Western Harbour Arm) • Improved east-west route (north of canal) • Improved Monarch's Way/Basin Road South • Improved lock gate crossing • New bridge over railway (Dolphin Road to Brighton Road) 	<ul style="list-style-type: none"> • New/improved routes and facilities for pedestrians and cyclist delivered

Strategic Objective	Target	Indicator
5. Flood risk and Sustainable Drainage	Deliver new/upgraded flood defences <ul style="list-style-type: none"> • Sussex Yacht Club • Western Arm • Kingston Beach • Lock gates • Canal 	<ul style="list-style-type: none"> • New/upgraded flood defences delivered • Developer contributions to flood defences
6. Natural environment, biodiversity and green infrastructure	All development to provide a net gain in biodiversity	<ul style="list-style-type: none"> • Number and type of new habitats delivered • Number and type of habitats lost • Developer contributions to biodiversity improvements
	Protect and enhance designated and non-designated sites and species: <ul style="list-style-type: none"> • Adur Estuary SSSI • Widewater Lagoon SNCI • Shoreham Beach SNCI/LNR • Basin Road South SNCI • North Canal Bank 	<ul style="list-style-type: none"> • State or condition of nationally and locally designated sites
	Improve the quality of groundwater Brighton Chalk Block), water bodies (River Adur) and bathing water (Southwick Beach)	<ul style="list-style-type: none"> • Quality of groundwater, water bodies and bathing water. • Number of pollution incidents affecting groundwater, water bodies or bathing water.
8.Recreation and leisure	Improve access to the waterfront for boat users <ul style="list-style-type: none"> • Western Harbour Arm • Lady Bee Marina 	<ul style="list-style-type: none"> • No and type of waterfront access improvements delivered • Developer contributions to waterfront access improvements
9. Place making and design quality	Deliver high quality public realm (new and existing)	<ul style="list-style-type: none"> • Developer contributions to public realm improvements
Infrastructure	Deliver infrastructure made necessary by the development	<ul style="list-style-type: none"> • Developer contributions to infrastructure

APPENDIX A: LEGAL AND POLICY BACKGROUND

SEA DIRECTIVE REQUIREMENTS

Information required in the Environment Report	Section in the SA Report
Preparation of an environmental report in which likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme, are identified, described and evaluated. The information to be given is:	This SA report and the SA reports for the Western Harbour Arm and South Portslade Industrial Estate and Aldrington Basin Development Briefs meet this requirement.
1. An outline of the contents, main objectives of the plan or programme.	The background to and vision of the regeneration project is included in Section 5. The Strategic Objectives are included in Section 5. The SA objectives are included in Section 8.
2. The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.	A summary of baseline information collected during the scoping stage, as updated is included in Section 7. The likely evolution of existing conditions has been considered following the appraisal of policies and proposals in the Draft JAAP. These are included in Section 34.
3. The environmental characteristics of areas likely to be significantly affected.	Baseline information collected during the scoping stage is summarised in Section 7.
4. Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.	Section 7 of this report outlines the sustainability problems and issues affecting the regeneration area. This includes environmental problems. In particular, biodiversity considerations can be found under section 7.3.23 onwards.
5. The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.	Section 6 of this report outlines the policy context for the Draft JAAP.

Information required in the Environment Report	Section in the SA Report
6. The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.	Sections 14-33 summarises the results of the appraisal of the JAAP. The full results are included in Appendix D – Policy Appraisals.
7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.	Mitigation measures are discussed throughout Sections 14-33 where relevant and in Appendix D.
8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.	A description of alternatives considered is covered in Sections 9 and 10 of this report.
9. A description of measures envisaged concerning monitoring in accordance with Article 10.	The proposed indicators to monitor the effects are set out in Section 37.
10. A non-technical summary of the information provided under the above headings.	This will be provided in a separate document.

SEA CONSULTATION REQUIREMENTS

SEA Directive consultation requirements	Where covered in the SA process
1. Authorities with environmental responsibility, when deciding on the scope and level of detail of the information to be included in the environmental report.	Initial consultation was undertaken through Scoping Report, published in February 2012. The Scoping Report (Update) was subject to a five week consultation period with the statutory environmental bodies.
2. Authorities with environmental responsibility and the public shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme.	This report accompanies the Publication JAAP during a period of public consultation. Much of the content has previously been consulted on during the scoping stage and the preparation of the Development Briefs.
3. Other EU Member States, where the implementation of the plan or programme is likely to have significant effects on the environment of that country.	Not applicable.
4. Taking the environmental report and the results of the consultations into account in decision-making.	All representations received during consultation will be taken into account in later stages of the preparation of the JAAP and SA. The SA recommendations have been taken into account at each stage of plan preparation.
5. When the plan or programme is adopted, the public and any countries consulted shall be informed and the following made available to those so informed: 6. The plan or programme as adopted 7. A statement summarising how environmental considerations have been integrated into the plan or programme 8. The measures decided concerning monitoring.	These requirements will be considered and acted upon once the JAAP is adopted
9. Monitoring of the significant environmental effects of the plan's or programme's implementation.	The significant effects of the JAAP will be monitored when adopted. The proposed monitoring arrangements are outlined in Section 37. These may be amended and will be finalised in the SEA Post Adoption Statement.

APPENDIX B CONSULTATION RESPONSES TO DRAFT JAAP SUSTAINABILITY APPRAISAL 2016

There were no consultation comments received that directly related to the Sustainability Appraisal at draft stage 2016.

Further information on other consultation comments received on the draft JAAP can be found on the following Shoreham Harbour Regeneration webpage:

<https://www.brighton-hove.gov.uk/content/planning/planning-policy/shoreham-harbour-regeneration>

APPENDIX C DRAFT JAAP 2016 SA RECOMMENDATIONS

The following table summarises the various recommendations that were put forward at the draft JAAP stage (2016) and the officer response.

SA Recommendations	Officer Response
<p>SH3: Economy & Employment. Currently the supporting text refers to encouraging proposals that incorporate opportunities which will secure training or job opportunities for local people however the policy itself does not have any reference to this. It is recommended that this is specifically included in the policy itself. This would result in a more positive impact for Objective 21 and further strengthen the positive impact awarded for Objective 14. See also recommendation under Policy SH14 and SH16.</p> <p>SH4: Housing & Community. The policy is entitled Housing and Community and is strongly linked to the Strategic Objective 4. However although the supporting text includes a section on social and community infrastructure this is not reflected in the policy with there not being any specific requirement to provide infrastructure in the policy itself. Recommend adding new policy point which links to JAAP Policy 17, or as follows “Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.” Or, remove “community” from title of policy and place relevant supporting text within Policy 17.</p> <p>SH14: Fishersgate & Southwick. There could be further scope for the policy to have a greater positive impact on objective 14 (deprivation) and a positive impact on objective 21 (education & skills) by encouraging developers to enter into training place agreements to secure training for local people. This could contribute towards addressing education and skills deprivation, which is particularly significant within the Fishersgate SOA in this Character Area. This could form a requirement in the policy itself, or through an overarching requirement in Policy SH3 Economy and Employment.</p> <p>SH16: Western Harbour Arm. There could be further scope for the policy to have a greater positive impact on objective 14 (deprivation) and a positive impact on objective 21 (education & skills) by encouraging developers to enter into training place agreements to secure training for local people. This could contribute towards addressing education and skills deprivation. This could form a requirement in the policy itself, or through an overarching requirement in Policy SH3 Economy and Employment.</p>	<p>SH3: Economy and Employment amended as follows: The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents</p> <p>SH4: Housing & Community amended as follows: Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.</p> <p>SH14 Fishersgate & Southwick No change to SH14 took place. See SH3.</p> <p>SH16 Western Harbour Arm No change to SH16 took place. See SH3.</p>

APPENDIX D – POLICY APPRAISALS

JAAP Policy Appraisal

The policies in the Publication JAAP have been appraised against the 22 Sustainability Objectives according to the following criteria:

+	Positive impacts / consistent with Sustainability Objective
+ / -	Mixed impacts / potential for conflict with Sustainability Objective
-	Negative impacts / significant conflict with Sustainability Objective
?	Uncertain impacts / dependent on implementation
	No impact / issue addressed by other policies in the JAAP

Spatial Strategy

Previous policy name:

JAAP1: Spatial Strategy

The Sustainability Appraisal notes that the Spatial Strategy is no longer referred to as a policy within the JAAP. The Spatial Strategy sets the Vision for the area and sets out the Strategic Objectives. The SA has undertaken an appraisal of the Strategic Objectives in Section 13 and therefore no further appraisal is required.

Area-wide Policies

Policy SH1: Climate Change, Energy and Sustainable Buildings

Previous SA recommendation (Draft JAAP September 2016)

- None

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- References to biofuels removed from supporting text
- Further update regarding status of Shoreham Harbour Hat Network Study 2016.
- Policy SH1 (1) New clause added from CA2, CA3 and CA7 requiring development proposals to demonstrate how they maximise supporting sustainability objectives
- Policy SH1 (3) – development now required to “seek to achieve” rather than “achieve” zero carbon status. Wording regarding “feasibility and viability” added.

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+	+								+	+			+								
Conclusion																					
+		The policies in this section strongly support the objectives concerned with energy, water, climate change, health and deprivation. The scores for objectives 11 (health and wellbeing) and 14 (deprivation, social exclusion and equality) are positive due to the indirect positive benefits that will arise from the delivery of district heating networks, such as reduced fuel poverty and improved health, particularly if it benefits more deprived communities.																			
Recommendation																					
No further recommendations.																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+	There are various requirements in the policy that specifically aim to address this objective. This will be achieved through the design of buildings, including the incorporation of passive design measures; as well as through energy efficiency measures that reduce the consumption of energy. The policy now requires development to “seek to achieve” zero carbon status rather than just “achieve” zero carbon status, and is now subject to feasibility and viability. Although this is not as strong as previous iterations, the various other requirements of the policy should ensure this objective is still achieved. The policy requires development to incorporate low and zero-carbon technologies and supports the development of decentralised energy and heat networks. The policy refers to the Shoreham Harbour Heat Network Study and includes specific technical requirements relating to district heating, including the requirement for all buildings to be “connection ready”. Impacts are considered to be positive, direct and significant, span all timescales and be permanent in nature.
2	Encourage the sustainable use of water.
+	There are various requirements in the policy that specifically aim to address this objective. This will be achieved through the design of buildings, including meeting high water efficiency standards, such as achieving 110 l/p/day in residential development and BREEAM excellent for commercial developments, and measures to recycle, harvest and conserve water resources. It also requires all development to connect to onsite recycled water network, where practical. Impacts are considered to be positive, direct and significant, span all timescales and be permanent in nature
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.

	This objective is addressed by other objectives in the JAAP. However this appraisal notes that BREEAM awards additional credits for development on previously developed land and awards credits for re-use of materials.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
	This objective is primarily addressed by other objectives in the JAAP. The appraisal notes that BREEAM awards credits for incorporating measures to protect and enhance biodiversity.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
	This objective is addressed by other policies in the JAAP.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
	This objective is addressed by other policies in the JAAP.
7	Reduce the risk and levels of air and noise pollution.
	This objective is addressed by other policies in the JAAP.
8	Reduce pollution and the risk of pollution to land.
	This objective is addressed by other policies in the JAAP.
9	Reduce pollution and the risk of pollution to water.
	This objective is addressed by other policies in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+	The policy includes requirements that aim to address this objective. This includes measures that will help reduce water demand as well as measures to recycle and conserve water. Impacts are considered to be positive and direct, will span all timescales and be permanent in nature.
11	Improve health and wellbeing and reduce inequalities in health.
+	The appraisal notes that the policy supports the development of district energy and heat networks. This could reduce costs for residents and therefore have a positive impact in relation to fuel poverty and deprivation. In addition, highly efficient homes will help to address the potential for fuel poverty. This would assist in meeting this objective. Impacts are considered to be positive and indirect, could be significant and are likely to span all timescales. Deliver of energy infrastructure is considered to be permanent in nature.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
	This objective is addressed by other policies in the JAAP.
13	Promote sustainable transport and reduce the use of the private car.
	This objective is addressed mainly by other policies in the JAAP.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	Although this objective is addressed by other policies in the JAAP, the appraisal notes that the policy supports the development of district energy and heat networks. This could reduce costs for residents and therefore have a positive impact in relation to fuel poverty and deprivation. This would assist in meeting this objective. Impacts are considered to be positive and indirect, could be significant and are likely to span all timescales. Deliver of energy infrastructure is considered to be permanent in nature.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
	This objective is addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
	This objective is addressed by other policies in the JAAP.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
	This objective is addressed by other policies in the JAAP.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
	This objective is mainly addressed by other policies in the JAAP.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
	This objective is addressed by other policies in the JAAP.

20	Create places, spaces and buildings that work well, wear well and look good.
	This objective is addressed by other policies in the JAAP.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
	This objective is addressed by other policies in the JAAP.

Policy SH2: Shoreham Port

Previous SA recommendation (Draft JAAP September 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017):

- Further details added to section in supporting text regarding Minerals Wharfs

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+		+							+		+					+					
Conclusion																					
+	The policy scores positively in relation to 5 of the 22 sustainability objectives. These include land use efficiency, energy efficiency, climate change, economy and employment. The proposals will support the Port, which is a vital part of the local economy. The policy also reflects the Port's Eco-Port status and renewable energy hub, and requires the impacts of climate change to be a key consideration.																				
Recommendation																					
No recommended changes																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+	The policy encourages proposals for uses that support the Port's 'Eco-Port' status and in becoming a hub for renewable energy generation. It also supports the upgrade and refurbishment of sites to become more resource efficient. Impacts are considered to be positive, direct and significant. Impacts will span all timescales and be permanent in nature.
2	Encourage the sustainable use of water.
0	This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	The policy states that development proposals will be assessed against the Shoreham Port Masterplan. This includes the consolidation of port-related activities along the Eastern Harbour Arm and Canal Basin. This will enable the release of previously developed waterfront sites for alternative uses in other areas of the harbour, such as the Western Harbour Arm. Impacts are considered to be positive, direct and significant. Impacts will span all timescales and be permanent in nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
0	This objective is addressed by other policies in the JAAP.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
0	This objective is addressed by other policies in the JAAP.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
0	This objective is addressed by other policies in the JAAP.
7	Reduce the risk and levels of air and noise pollution.
0	This objective is addressed by other policies in the JAAP.
8	Reduce pollution and the risk of pollution to land.
0	This objective is addressed by other policies in the JAAP.
9	Reduce pollution and the risk of pollution to water.

0	This objective is addressed by other policies in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+	The policy encourages proposals for uses that support the Port's 'Eco-Port' status and in becoming a hub for renewable energy generation. It also supports the upgrade and refurbishment of sites to become more resource efficient. Impacts are considered to be positive, direct and significant. Impacts will span all timescales and be permanent in nature.
11	Improve health and wellbeing and reduce inequalities in health.
0	This objective is addressed by other policies in the JAAP.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	The policy requires development proposals to consider the security implications and to discuss these with Shoreham Port Authority. Impacts are considered to be positive and direct. Impacts will span all timescales.
13	Promote sustainable transport and reduce the use of the private car.
0	This objective is addressed by other policies in the JAAP.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
0	This objective is addressed by other policies in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	This objective is addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
0	This objective is addressed by other policies in the JAAP.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	The policy states that development proposals will be assessed against the Shoreham Port Masterplan. This includes the consolidation of port-related activities along the Eastern Harbour Arm and Canal Basin. This will assist in facilitating the Port Masterplan. Overall the impacts are likely to be positive. However, this appraisal notes that the release of certain sites for residential uses will reduce the amount of employment land in the area. Residential uses are also more sensitive to noise and air quality issues and this may limit the activities of businesses in the area. Overall impacts are considered to be positive, direct and significant. Impacts are considered to span all timescales and be permanent in nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
0	This objective is addressed by other policies in the JAAP.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
0	This objective is addressed by other policies in the JAAP.
20	Create places, spaces and buildings that work well, wear well and look good.
0	This objective is addressed by other policies in the JAAP.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other policies in the JAAP.

Policy SH3: Economy and Employment

Previous SA recommendation (Draft JAAP September 2016)

- It is recommended that the policy includes a reference to how training or job opportunities will be secured for local people.

Summary of amendments (between draft JAAP 2016 and publication JAAP 2017 stages):

- SH (4) New policy requirement added to secure appropriate training and job opportunities for local residents (based on SA recommendation).

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+/-	+/-	+				+/-	+	+/-		+/-		+/-	+		+	+	+/-	+	+	+	
Conclusion																					
<p>+/- The policy scores well in relation to education & skills, economy and employment, as well as land use efficiency, creating vibrant communities, improving accessibility and improving design. It will also have positive impacts in relation to a number of social objectives such as improving health and reducing deprivation. However there is potential conflict with some environmental objectives reflected in the mixed scores. It is considered that these potential impacts could be mitigated by other policies in the JAAP.</p> <p>The SA of the Draft JAAP 2016 recommended that the policy be amended to include a reference to securing training or job opportunities. This has been incorporated into the policy and resulted in a positive score being awarded to objective 21 (education & skills).</p>																					
Recommendation																					
No further recommendations																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+/-	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that new development (23,500sqm employment floorspace) is likely to lead to increased energy consumption. However, new development also presents an opportunity to improve the energy efficiency of buildings that they are replacing. Overall, impacts are considered to be mixed and indirect. Positive impacts could be significant. Mitigation would be provided by policy SH1 Climate Change, Energy and Sustainable Buildings.
2	Encourage the sustainable use of water.
+/-	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that new development is likely to lead to increased water consumption. However, new development also presents an opportunity to improve the water efficiency of buildings that they are replacing. Overall, impacts are considered to be mixed and indirect. Positive impacts could be significant. Mitigation would be provided by policy SH1 Climate Change, Energy and Sustainable Buildings.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	The policy promotes the delivery of approximately 23,500m ² of new employment floorspace on previously developed land. Impacts are considered to be positive, direct and significant. Impacts are likely to span all timescales and will be permanent in nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
0	This objective is addressed by other policies in the JAAP.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
0	This objective is addressed by other policies in the JAAP.

6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
0	This objective is addressed by other policies in the JAAP.
7	Reduce the risk and levels of air and noise pollution.
+ / -	The JAAP area includes parts of two AQMAs. New employment floorspace has the potential to exacerbate vehicle-related air quality and noise issues, particularly through increased vehicle movements. However, new employment in the area could potentially reduce out-commuting which could offset such impacts to some degree. In addition, dust and noise nuisance could arise from certain industrial uses. Overall impacts are considered to be mixed and indirect. Impacts could be significant and will span all timescales and will depend upon when development is delivered. Mitigation would be provided by policy SH5 Sustainable Travel.
8	Reduce pollution and the risk of pollution to land.
+	Large parts of the Shoreham Harbour area are potentially contaminated. The redevelopment of this area offers opportunities for the remediation of contaminated land. Overall impacts are positive and indirect, will span all timescales and be permanent in nature.
9	Reduce pollution and the risk of pollution to water.
+ / -	Ground and surface water in the Shoreham Harbour area are potentially polluted by contaminated land. The redevelopment of this area offers opportunities for remediation of contaminated land. However there is a risk that disturbing these contaminants may introduce further pollution to these waters. Overall impacts are considered to be mixed and indirect. Impacts will span all timescales. Mitigation would be provided by policy SH7 Natural Environment, Biodiversity and Green Infrastructure.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
0	This objective is addressed by other policies in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
+ / -	This objective is primarily addressed by other policies in the JAAP. However this appraisal notes that the provision of employment opportunities should help to bring about positive impacts, with employment one of the wider determinants of health. However, air quality is an issue at certain points across the JAAP area and air quality may worsen as a result of the traffic impacts of development, potentially bringing about negative impacts on health. This is reflected in the mixed score. This will be dependent on where and how sensitive development is situated and could be mitigated through careful design. However there may also be impacts on adjacent areas that already suffer from poor air quality and that do not have the capacity to change. Overall, impacts are mixed and indirect. Impacts could be significant and are likely to span all timescales.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
0	This objective is addressed by other policies in the JAAP.
13	Promote sustainable transport and reduce the use of the private car.
+ / -	New employment floorspace has the potential to exacerbate vehicle-related air quality and noise issues, particularly through increased car movements. However, new employment in the area could potentially reduce out-commuting which could offset such impacts to some degree. Overall impacts are considered to be mixed and indirect. Impacts could be significant and will span all timescales depending on when development is delivered. Mitigation would be provided by policy SH5 Sustainable Travel.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	The policy includes a proactive approach to the provision of a significant amount of new employment generating floorspace in the Shoreham Harbour area. This will help increase job opportunities and is, therefore, considered to have positive impacts for this objective. The policy also refers to preventing the loss of employment opportunities and will aid any occupiers displaced with the regeneration, which should further help to protect existing jobs. The policy now also includes a reference to secure training and job opportunities for local people, which could help reduce skills and employment based deprivation.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	This objective is addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	This objective is primarily addressed by other policies in the JAAP. However, the development of new employment floorspace would lead to increased employment opportunities in and around the harbour. This would contribute to sustaining vibrant communities. Impacts are considered to be positive and indirect, would span all timescales and be permanent in nature.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.

+	The policy takes a proactive approach to providing a significant amount of new employment generating floorspace in the harbour area. This will increase job opportunities and have a positive impact in relation to this objective. The policy is also considered to have strong requirements to ensure employment floorspace and jobs are not lost through regeneration and that displaced occupiers will be supported to relocate within the JAAP area. Impacts are considered to be positive, direct and significant, will span all timescales and be permanent in nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+ / -	Although this objective is primarily addressed by other objectives in the JAAP, this appraisal notes that new employment floorspace will be provided on land which has significant flood risk issues. However, both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. It should also be noted that employment is a 'less vulnerable' use in relation to flood risk. Impacts are considered to be mixed and indirect. Impacts will span all timescales and become more significant in the longer term (beyond plan period). Mitigation will be provided by policy SH6 Flood Risk .
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	New employment floorspace could benefit the vitality and viability of existing town and district centres, particularly Shoreham-by-Sea and Boundary Road/Station Road through increased footfall. The policy requires new development to contribute to highway and public realm improvements which will improve access. The policy proposes ancillary retail uses to enliven and activate new developments. However, larger scale retail will require an impact test.
20	Create places, spaces and buildings that work well, wear well and look good.
+	The policy requires new development to contribute to highway and public realm improvements which will improve access. This will have positive impacts on this objective.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
+	The supporting text refers to encouraging proposals which provide opportunities to secure apprenticeships, training and job opportunities. The policy now also requires development to secure training and job opportunities for local people. This will have positive impacts on this objective. Impacts will be direct, could be significant, could be both temporary and permanent and span all timescales.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other policies in the JAAP.

Policy SH4: Housing and Community

Previous SA Recommendations (Draft JAAP September 2016)

- Recommended to add a policy point which requires development to contribute towards provision of community and social infrastructure, or remove “community” from the title of the policy

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2016 stages):

- New supporting text setting out that the type of residential development is expected to be multi-story flats based on viability appraisal.
- Policy SH4 (4) – Text regarding requirements to work towards lifetime neighbourhoods and age friendly cities deleted.
- Policy SH4 (5) - Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan (based on previous SA recommendation)

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+ / -	+ / -	+	+ / -			+ / -	+	+ / -		+ / -		+ / -	+	+	+	+ / -	+ / -	+			
Conclusion																					
+ / -	<p>Generally the policy scores positively in relation to social objectives including reducing deprivation, meeting housing need, delivering vibrant communities, and improving health although there is some conflict with the health objective due to possible impacts on air quality. There are a number of potential conflicts with economic objectives due to the change of use from land in employment uses to residential uses and the potential for conflicts between co-location and the environmental objectives mainly resulting from development impacts including energy and water consumption, biodiversity, air pollution, water pollution, sustainable transport and flood risk. It is considered that these impacts can be mitigated by implementation of other policies in the JAAP.</p> <p>The SA of the Draft JAAP 2016 recommended that the policy be amended to include a reference to ensuring development contributes towards community and social infrastructure and it is noted that this was included in the revised policy.</p>																				
Recommendation																					
No further recommendations (July 2017)																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+ / -	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that new development is likely to lead to increased energy consumption. However, new development also presents an opportunity to improve the energy efficiency of buildings, and to incorporate renewable energy generation and passive design measures. Overall, impacts of the policy are considered to be mixed and indirect. Impacts could be significant. Mitigation would be provided by policy SH1 Climate Change, Energy & Sustainable Buildings.
2	Encourage the sustainable use of water.
+ / -	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that new development is likely to lead to increased water consumption. However, new development also presents an opportunity to improve the water efficiency of buildings. Overall, impacts of the policy are considered to be mixed and indirect. Impacts could be significant. Mitigation would be provided by policy SH1 Climate Change, Energy & Sustainable Buildings.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.

+	Policy SH4 proposes the delivery of approximately 1,400 new homes across the JAAP area on previously developed land. Impacts are considered to be positive, direct, significant, span all timescales and be permanent in nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+ / -	The JAAP area includes 2 SNCIs, an LNR and is adjacent to an SSSI. New residential development is likely to bring increased recreational usage which may have negative impacts in relation to this objective. However new development offers opportunities to enhance biodiversity through contributions and enhancement measures both on and off site. Overall, impacts of the policy are considered to be mixed and indirect. Adverse impacts could be significant and could be permanent due to the sensitivity of the environment. Mitigation would be provided by policy SH7 Natural Environment, Biodiversity & Green Infrastructure, and the relevant Character Area policies which have various biodiversity requirements.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
0	This objective is addressed by other policies in the JAAP.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
0	This objective is addressed by other policies in the JAAP.
7	Reduce the risk and levels of air and noise pollution.
+ / -	The JAAP area includes parts of two AQMAs within Adur District and Brighton & Hove. New housing has the potential to exacerbate vehicle-related air quality and noise issues, particularly through increased car and other vehicle movements. However, it is less likely to contribute to air quality and noise issues than existing employment and port-related uses. Impacts are considered to be mixed, indirect and could be significant given the sensitivity of the area and the amount of proposed development. Impacts are considered to span all timescales, however are not permanent in nature. Mitigation would be provided by policy SH7 Natural Environment, Biodiversity & Green Infrastructure and policy SH5 Transport and the relevant Character Area policies which have various transport requirements.
8	Reduce pollution and the risk of pollution to land.
+	Large parts of the Shoreham Harbour area are potentially contaminated. The redevelopment of this area offers opportunities for the remediation of contaminated land. Impacts are considered to be positive and indirect and could be significant. Impacts are considered to span all timescales and are likely to be permanent in nature.
9	Reduce pollution and the risk of pollution to water.
+ / -	Ground and surface water in the Shoreham Harbour area are potentially polluted by contaminated land. The redevelopment of this area offers opportunities for remediation of contaminated land. However there is a risk that disturbing these contaminants may introduce further pollution to these waters. Overall the impacts of considered to be mixed, direct and could be significant. Impacts are considered to span all timescales. The risk of adverse impacts is not considered to be permanent in nature. Mitigation will be provided by policies SH7 Natural Environment, Biodiversity and Green Infrastructure and SH6 Managing Flood Risk.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
0	This objective is addressed by other policies in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
+ / -	This objective is primarily addressed by other policies in the JAAP. However this appraisal notes that the provision of new housing should help to bring about positive impacts, with being one of the wider determinants of health. The policy no longer requires development to incorporate the principles of Lifetime Neighbourhoods and Age-Friendly Cities, however these principles are still referred to in the supporting text. However, air quality is currently an issue in some parts of the JAAP area, and air quality may worsen as a result of the traffic impacts of development, potentially bringing about negative impacts on health. This is reflected in the mixed score. This will be dependent on where and how sensitive development is situated and could be mitigated through careful design. However there may also be impacts on adjacent areas that already suffer from poor air quality and that do not have the capacity to change. Overall, adverse impacts are considered to be indirect. Positive impacts are considered to be more direct and significant, will span all timescales and be permanent in nature.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
0	This objective is addressed by other policies in the JAAP.
13	Promote sustainable transport and reduce the use of the private car.
+ / -	New residential development at the amount set out in the policy is likely to increase the number of journeys made in this area, particularly during peak hours. Overall the impact is considered to be mixed and direct. Colocation of residential and employment uses has the potential to reduce transport movements. Impacts are considered to span all timescales and could become more significant in the long-term based on patterns of traffic growth increasing. Measures identified within the policy and the Transport strategy, as well as Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.

	Overall impacts are considered to be mixed and indirect. Impacts could be significant and will span all timescales depending on when development is delivered. Mitigation would be provided by policy SH5 Sustainable Transport.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	The policy proposes the delivery of approximately 1,400 new homes across the JAAP area. This will include a mixture of dwelling types, sizes and tenures, as well as a range of different types of affordable housing. Although the policy no longer requires development to incorporate the principles of Lifetime Neighbourhoods and Age-Friendly Cities, these schemes are still referred to in the supporting text, and the achievement of the principles of these schemes would have various positive benefits for different communities, including those of protected characteristics under the Equalities Act. Overall impacts are considered to be positive, direct, will span all timescales and be permanent in nature.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
+	The policy proposes the delivery of approximately 1,400 new homes across the JAAP area. This will include a mixture of dwelling types, sizes and tenures as well as affordable housing. Impacts are considered to be positive, direct and significant. Impacts are considered to span all timescales and will depend on when development comes forward. Impacts will be permanent in nature.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	The policy will lead to delivery of housing, across a range of types and should help to meet the varying needs of different people. The policy now also includes a requirement for development to contribute towards any community and social infrastructure in accordance with the Infrastructure Delivery Plan and this should help to ensure a community's wider needs are met. Impacts are considered to be positive and direct, will span all timescales and be permanent in nature.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+ / -	The policy proposes residential development, some of which is on land currently used for employment or port-related uses. Residential development is more sensitive to air quality issues and noise nuisance than employment and this could cause conflict with employment uses. This may have negative impacts. It is noted that the policy encourages innovative solutions to mitigation to allow co-location to exist and to address this issue. In addition, residential development itself will provide employment opportunities. Overall impacts are considered to be mixed and direct. Adverse impacts associated with co-location could become significant. Mitigation is provided by the policy itself and through SH3 Economy and Employment which prevents the loss of employment floorspace and jobs and will support relocation within the JAAP area.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+ / -	Although this objective is primarily addressed by other objectives in the JAAP, this appraisal notes that new housing will be provided on land which has significant flood risk issues. However, both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. It should also be noted that although housing is a 'more vulnerable' use in relation to flood risk, it is possible to mitigate the risks. New development will also contribute to the provision of new flood defences. Impacts are considered to be mixed and indirect. Impacts will span all timescales and become more significant in the longer term (beyond plan period).
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	New housing could benefit the vitality and viability of existing town and district centres, particularly Shoreham-by-Sea and Boundary Road/Station Road through increased footfall. The policy now also includes a requirement for development to contribute towards any community and social infrastructure in accordance with the Infrastructure Delivery Plan and this should help to ensure communities can access the service they need. This will have a positive impact in relation to this objective. Impacts are considered to be indirect, will span all timescales and be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
0	This objective is addressed by other objectives in the JAAP.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This objective is addressed by other objectives in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other objectives in the JAAP.

Policy SH5: Sustainable Travel

SA Recommendations (Draft JAAP September 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Paragraph regarding Shoreham Beach removed from supporting text (outside JAAP area)
- New paragraphs added to supporting text on walking routes, including Monarchs Way and the England Coastal Path; cycling routes, including NCN2; and issues regarding cycling along the A259.
- Policy SH5.12 – text regarding cycle parking added

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
		+			+	+				+		+				+		+			
Conclusion																					
+	Generally the policies in this section score positively in relation to transport and access issues. This is likely to have a number of secondary benefits including a reduction in noise and air pollution, health benefits and economic development.																				
Recommendation																					
No recommended changes																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
0	This objective is addressed by other objectives in the JAAP.
2	Encourage the sustainable use of water.
0	This objective is addressed by other objectives in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	Promotion of a sustainable transport system may help to regenerate areas of land which are currently vacant or under-used. Impacts are considered to be positive and indirect. Impacts will span all timescales and be permanent in nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
0	This objective is addressed by other objectives in the JAAP.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
0	This objective is addressed by other objectives in the JAAP.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The proposals in the policy will result in improved transport access and connectivity including to the waterfront, coastline and beyond. Impacts are considered to be positive and direct, will span all timescales and will be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
+	Road traffic is the biggest contributor to air and noise pollution in the JAAP area. The policy specifically aims to encourage the use of alternatives to the car. This could

	have a significant impact on reducing air and noise pollution. Impacts are considered to be positive, direct and could be significant. Impacts will span all timescales.
8	Reduce pollution and the risk of pollution to land.
0	This objective is addressed by other objectives in the JAAP.
9	Reduce pollution and the risk of pollution to water.
0	This objective is addressed by other objectives in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
0	This objective is addressed by other objectives in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
+	The policies in this section should contribute to this objective in two key ways. Improvements in cycle and pedestrian facilities would increase the opportunity for exercise. Measures to encourage the use of alternatives to the car could have a significant impact on reducing air and noise pollution. This would improve health and wellbeing for residents. Impacts are considered to be positive, direct and could be significant. Impacts will span all timescales.
12	Reduce crime, the fear of crime and antisocial behavior through planning and design processes.
0	This objective is addressed by other objectives in the JAAP.
13	Promote sustainable transport and reduce the use of the private car.
+	The policies in this section specifically aim to promote sustainable transport and to encourage the use of alternatives to the car. The policies, and the Transport Strategy to which they refer, set out clearly how this objective can be achieved by reducing the need to travel and improvements to public transport, cycle and pedestrian facilities. It requires development to contribute towards an area wider behavior change and travel choice programme. As a result the policy should contribute positively to this objective. Impacts are considered to be positive, direct and significant, will span all timescales and be permanent in nature.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
0	This objective is addressed by other objectives in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	This objective is addressed by other objectives in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
0	This objective is addressed by other objectives in the JAAP.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	A more sustainable transport system with improved public transport, pedestrian and cycling facilities would support economic development over time by improving access and reducing congestion, which can have adverse impacts on the economy. Impacts are considered to be positive, direct and significant. Impacts will span all timescales and be permanent in nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
0	This objective is addressed by other objectives in the JAAP.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	A more sustainable transport system with improved public transport, pedestrian and cycling facilities would improve access to services and facilities and provide better integrated transport links. Impacts are considered to be positive, direct and significant. Impacts will span all timescales and be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
0	This objective is addressed by other objectives in the JAAP.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This objective is addressed by other objectives in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other objectives in the JAAP.

Policy SH6: Flood Risk & Sustainable Drainage

SA Recommendation (Draft JAAP February 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Change to policy name and linked objective (6) to incorporate "Sustainable Drainage"
- New paragraph SH6.2 regarding the need for consent from EA for any works within 16m of the River Adur and the need for a setback where flood defence is required.
- Various paragraphs moved from Character Area policies to this policy to ensure all flood risk requirements are included within one policy area and to reduce repetition: SH6.4, SH6.5, SH6.6, SH6.7, SH6.8, & SH6.9 which include specific details for residential and non-residential developments, details on where land-raising may be required, details on piling, details on the type of surveys required for retention of wharf walls, and requirements relating to pontoons and moorings including those relating to loss of habitat.

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
			+		+		+	+	+	+					+		+		+		
Conclusion																					
+	This policy has the potential to have significant positive impacts in relation to flood risk, climate change adaptation, water pollution and creating vibrant communities. The policy will also have additional benefits relating to biodiversity, land pollution, open space, design and health.																				
Recommendation																					
No recommended changes.																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
0	This objective is addressed by other policies in the plan
2	Encourage the sustainable use of water.
0	This objective is addressed by other policies in the plan
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
0	This objective is addressed by other policies in the plan
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	The requirement for appropriate planting including green roofs and green walls could have benefits for biodiversity. In addition, the policy now recommends certain types of piling, and certain timings, to minimize impacts on migratory fish, which would have benefits for biodiversity. Also, the policy now requires new compensatory habitats to be created if lost through construction of moorings or pontoons as part of flood defences. Impacts are considered to be positive, direct and span all timescales.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
0	This objective is addressed by other policies in the plan

6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The policy requires development to incorporate open space, and the planting of green walls and roofs. This would contribute positively to this objective. Impacts are considered to be positive, direct, will span all timescales and be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
0	This objective is addressed by other policies in the plan
8	Reduce pollution and the risk of pollution to land.
+	The policy requires certain types of piling to be carried on contaminated sites which prevent the release of contaminants. Although this won't result in remediation as such, it will prevent the contaminants from migrating elsewhere and should prevent further contamination from taking place.
9	Reduce pollution and the risk of pollution to water.
+	SuDS can be effective in reducing the amount of pollution reaching groundwater and watercourses. The requirement that development should incorporate SuDS should contribute positively to achieving this objective. In addition, the requirements regarding using certain types of piling methods should also help to prevent contamination of water resources. Impacts are considered to be positive, direct, and significant. Impacts will span all timescales and be permanent in nature.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+	The policy seeks to ensure that where new development in areas at risk of flooding cannot be avoided, that it is appropriately flood resilient and resistant and safe for its lifetime, therefore contributing to this objective. Impacts are considered to be positive, direct, and significant. Impacts will span all timescales and be permanent in nature.
11	Improve health and wellbeing and reduce inequalities in health.
+	Ensuring that new development is flood resilient and resistant, and does not worsen flood risk elsewhere will clearly contribute to the health and wellbeing of residents. Impacts are considered to be positive, direct, and significant. Impacts will span all timescales.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
0	This objective is addressed by other policies in the plan
13	Promote sustainable transport and reduce the use of the private car.
0	This objective is addressed by other policies in the plan
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
0	This objective is addressed by other policies in the plan
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	This objective is addressed by other policies in the plan
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	The policy provides details of flood prevention infrastructure that will be required in order to support new and existing communities, helping to create and sustain vibrant communities and impacting positively on this objective. Impacts are direct and significant. Impacts will span all timescales and be permanent in nature.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
0	This objective is addressed by other policies in the plan
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+	The policy has various requirements relating to flood risk, including complying with the Flood Risk Management technical guidance, measures to reduce surface water flood risk including SUDS, and the inclusion of various green infrastructure. In addition, the policy seeks to ensure that where new development in areas at risk of flooding cannot be avoided, that it is appropriately flood resilient and resistant and safe for its lifetime, therefore contributing to this objective. It includes specific requirements relating to residential and non-residential development, as well as sets out when land raising may be required. Impacts are considered to be positive, direct, and significant. Impacts will span all timescales and be permanent in nature.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
0	This objective is addressed by other policies in the plan
20	Create places, spaces and buildings that work well, wear well and look good.
+	The policy requires development to incorporate open space, planting green walls and roofs which will improve aesthetics and design.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.

0	This objective is addressed by other policies in the plan
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other policies in the plan

Policy SH7: Natural Environment, Biodiversity and Green Infrastructure

SA Recommendation (Draft JAAP February 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Change to related Objective 7 from conservation and protection to a more proactive approach
- Changes to supporting text section on water quality to reflect most up to date results and emphasise importance for developments to comply with the Water Framework Directive.
- Additional paragraphs to supporting text section on contamination
- Additional supporting text regarding areas safeguarded for future waste management
- Policy SH7.1 – new clause to ensure mechanisms to implement green infrastructure are identified
- Policy SH7.7 – text moved from Character Areas regarding incorporating ecological enhancements to the marine/estuarine environment
- Policy SH7.8 – text moved from Character Areas regarding requiring compensatory actions where biodiversity impacts cannot be mitigated
- Policy SH7.9 – text moved from Character Areas regarding requirements for green infrastructure
- Policy SH.10 - text moved from Character Areas requiring compliance with WFD and to ensure consideration of surface waters as well as groundwater quality and pollution control
- Policy SH7.11 – new clause for marina developments to consider pump out facilities to reduce any risks to water quality from boating
- Policy SH7.12 – text deleted regarding incorporating SUDS and reducing surface water run-off. (moved to SH6)
- Policy SH7.13 – new text regarding considering the impacts of development on water supply network.
- Policy SH7.19 – new text regarding requirements relating to information on contaminated site investigation

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
			+		+	+	+	+	+	+							+	+	+		+
Conclusion																					
+																					
This policy scores positively in relation to biodiversity, green infrastructure, air and noise quality, land pollution, water pollution, climate change adaptation, health and wellbeing, flood risk , accessibility, design and waste.																					
Recommendation																					
No recommended changes																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
0	This objective is addressed by other policies in the JAAP.
2	Encourage the sustainable use of water.
0	This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
0	This objective is addressed by other policies in the JAAP.

4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	This policy specifically aims to address this objective and has various requirements such as improving the green infrastructure network including A259 green corridor and creation of coastal vegetated shingle habitat ensuring no net loss of biodiversity, and incorporation of measures which protect and enhance biodiversity such as green walls, bird boxes and enhancements to off-site habitats. In addition, the use of SuDS and the pollution prevention techniques will have wider ecosystem benefits. The policy now also requires development to incorporate ecological enhancements to the marine/estuarine environment, where appropriate and requires compensatory habitats to be provided where impacts cannot be mitigated. The policy should therefore have significant positive impacts. Impacts are direct and will span all timescales.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
0	This objective is addressed by other policies in the JAAP.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	Measures such as the provision of green walls and roofs, appropriate planting schemes and areas of vegetated shingle should contribute positively to this objective. In addition, the policy requires the creation and enhancement of open space. Impacts are considered to be significant, direct and will span all timescales, and be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
+	There are various requirements in the policy that specifically aim to address this objective. This includes the requirement for air quality and noise impacts to be considered at an early stage of the design process and for appropriate mitigation measures to be incorporated. It is also recognised that green infrastructure and the natural environment contributes positively to reducing air pollutants e.g. through absorption of nitrogen oxides and particulate matter. Impacts are considered to be significant, positive and indirect. Impacts will span all timescales.
8	Reduce pollution and the risk of pollution to land.
+	There are various requirements in the policy that specifically aim to address this objective. The policy requires various investigations to be undertaken for development within a 10 metre radius of a potentially contaminated site and that assessments of contamination should not be limited to site boundaries due to the ability of contaminants to migrate. Impacts are considered to be positive, direct and significant, span all timescales and be permanent in nature.
9	Reduce pollution and the risk of pollution to water.
+	There are various requirements in the policy that specifically aim to address this objective. This includes the requirement for development to protect surface water, groundwater and river water quality and incorporation of pollution prevention techniques, such as SUDS and pump out facilities. The policy now also requires pollution control measures to deal with surface water run-off where this discharges straight into the River Adur. In addition the policy requires development to consider implications for sewerage and water supply. Impacts are considered to be positive, direct and significant, span all timescales and be permanent in nature.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+	The policy includes requirements that aim to address this objective. This includes requirements relating to SUDS that will help to mitigate flood risk and requirements relating to green infrastructure which can also mitigate flood risk and also help to reduce the urban heat island effect. Impacts are considered to be positive and indirect, will span all timescales and be permanent in nature.
11	Improve health and wellbeing and reduce inequalities in health.
+	Biodiversity and open space make an important contribution to health and wellbeing. In addition, policy requirements relating to controlling noise, considering air quality impacts, and protection of water quality all contribute towards ensuring long-term health. This policy is therefore likely to have positive impacts. Impacts are considered to be direct and will span all timescales.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
0	This objective is addressed by other policies in the JAAP.
13	Promote sustainable transport and reduce the use of the private car.
0	Although this objective is addressed mainly by other policies in the JAAP, the appraisal notes that the policy requires development which is within or adjacent to an AQMA, to contribute towards AQAP objectives, which could include sustainable transport improvements.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
0	This objective is addressed by other policies in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.

0	This objective is addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
0	This objective is addressed by other policies in the JAAP.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
0	This objective is addressed by other policies in the JAAP.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+	This objective is mainly addressed by other policies in the JAAP. However the appraisal notes the requirement for SUDS, mainly relating to reducing risk of pollution, however this will also have benefits in terms of managing surface water flood risk, as will incorporation of green infrastructure. In addition, intertidal habitat creation, as part of flood defence works, is included within the range of green infrastructure measures to be delivered. Impacts are direct, will span all timescales and be permanent in nature.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	This objective is mainly addressed by other policies in the JAAP, however the appraisal notes that the green corridor along the A259 will connect sites along the roadside, potentially improving access between these sites. Impacts are positive and direct, will span all timescales and be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
+	The policy promotes measures such as the provision of green walls and roofs, appropriate planting schemes and areas of vegetated shingle which will make the area attractive.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
+	The policy specifically aims to address this objective. Development will be required to incorporate facilities to encourage high rates of recycling and reuse of materials and will be required to minimise waste. Impacts are considered to be positive and direct, could be significant and are likely to span all timescales.

Policy SH8: Recreation and Leisure

SA Recommendation (Draft JAAP February 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Amendment and new text to supporting text regarding the use of the beach and harbour by surfers and the need for facilities
- Policy SH8 (1) – reference to multi-functional open space added
- Policy SH8 (5) – new clause relating to support for measures to enhance water-sports / coastal activities
- Policy SH8 (10) – new clause relating to supporting the delivery of England Coastal Path (moved from CA2, CA6 and CA7)

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
			+	+	+	+			+	+					+	+	+	+	+		
Conclusion																					
+	The policy has the potential to contribute to a range of objectives. This includes biodiversity, townscape, open space, air quality, climate change adaptation, health, vibrant communities, economic development, flood risk, accessibility and urban design.																				
Recommendation																					
No recommended changes																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
0	This objective is addressed by other policies in the JAAP.
2	Encourage the sustainable use of water.
0	This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
0	This objective is addressed by other policies in the JAAP.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	The provision of new areas of high quality public open space and green infrastructure and improved links to green corridors would be likely to support this objective and could have benefits for biodiversity. Impacts are considered to be positive and direct, will span all timescales and be permanent in nature.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	The provision of new areas of high quality public open space would be likely to support this objective. In addition features that improve access to the waterfront would also support achieving this objective. Impacts are considered to be positive, direct, span all timescales and be permanent in nature.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The policy is clearly intended to contribute significantly to this objective. The provision of new areas of high quality public open space of various typologies and green infrastructure, and improved linkages to existing spaces would support this objective. Impacts are considered to be positive, direct and significant, span all timescales and be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
+	This objective is mainly addressed by other policies in the JAAP, however it is recognised that green infrastructure contributes positively to reducing air pollutants e.g. through absorption of nitrogen oxides and particulate matter. Impacts are considered to be positive and indirect. Impacts will span all timescales.
8	Reduce pollution and the risk of pollution to land.

0	This objective is addressed by other policies in the JAAP.
9	Reduce pollution and the risk of pollution to water.
0	This objective is addressed by other policies in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+	This objective is mainly addressed by other policies in the JAAP, however the SA notes that provision of green infrastructure can help to reduce the urban heat island effect, which will become more important with future temperature increases. Impacts are considered to be positive and indirect. Impacts will span all timescales.
11	Improve health and wellbeing and reduce inequalities in health.
+	The provision of new areas of public open space could encourage more active lifestyles and make the area more attractive. Delivery of facilities such as toilets etc, that support watersports and coastal activities could also help to facilitate activity, as could delivery of the England Coastal Path. All these factors would contribute to this objective. Impacts are considered to be positive and direct. Impacts will span all timescales.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
0	This objective is addressed by other policies in the JAAP.
13	Promote sustainable transport and reduce the use of the private car.
0	Although this objective is mainly addressed by other policies in the JAAP, the appraisal notes that improved linkages and support for the delivery of the England Coastal Path could promote sustainable travel.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
0	This objective is addressed by other policies in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	This objective is addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	The provision of facilities such as open spaces and opportunities for recreation and leisure can help make local communities more vibrant. Impacts are considered to be positive, direct, will span all timescales and be permanent in nature.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	This objective is mainly addressed by other policies in the JAAP, however the appraisal notes that provision of new waterfront facilities for boat users could help support the local economy by enabling visiting boats to use the harbor, as could provision of facilities for other watersports. This would have positive impacts. Impacts are considered to be positive, indirect and span all timescales depending on when development happens.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+	This objective is mainly addressed by other policies in the JAAP, however the appraisal notes that open space and green infrastructure can contribute towards reducing surface water flood risk. Impacts are considered to be positive and indirect and will span all timescales.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy supports the provision of improved facilities for boat users and measures which support watersport activity. The policy also supports the provision of new areas of high quality public open space, as well as improved links to and between open space. These are likely to have positive and direct impacts in relation to this objective.
20	Create places, spaces and buildings that work well, wear well and look good.
+	The types of open space covered by the policy will contribute to making an urban environment attractive and distinctive. The policy would therefore contribute to this objective. Impacts are considered to be positive, direct, will span all timescales and be permanent in nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other policies in the JAAP.

Policy SH9: Place Making and Design Quality

SA Recommendation (Draft JAAP February 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Former SH9.3 policy text regarding design review process moved to supporting text.

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
				+						+	+			+	+				+		
Conclusion																					
+	This policy is likely to contribute to achieving a number of environmental and social objectives including townscape and urban design, health, crime, housing, and the creation of vibrant communities.																				
Recommendation																					
No recommended changes.																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
0	This objective is addressed by other policies in the JAAP.
2	Encourage the sustainable use of water.
0	This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
0	This objective is addressed by other policies in the JAAP.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
0	This objective is addressed by other policies in the JAAP.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	This policy supports the development of high quality places that are sensitive to their surroundings and historic features. It requires development to improve the public realm and deliver good urban design. Supporting text now includes the reference regarding the possibility of subjecting major developments to a design review process, which should also help contribute towards achieving this objective. Impacts are positive, direct and significant. Impacts will span all timescales and be permanent in nature.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	This objective is addressed mainly by other policies in the JAAP however the policy requires development to improve the quality, accessibility, security and legibility of public streets and spaces, which positively supports this objective. Impacts are direct and positive and will span all timescales and be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
0	This objective is addressed by other policies in the JAAP.
8	Reduce pollution and the risk of pollution to land.
0	This objective is addressed by other policies in the JAAP.
9	Reduce pollution and the risk of pollution to water.

0	This objective is addressed by other policies in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
0	This objective is addressed by other policies in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
+	The provision of private amenity space is likely to increase the wellbeing of residents, as will delivery of a high quality public realm. Impacts are considered to be positive, indirect and will span all timescales.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	The policy supports the incorporation of features which improve safety, particularly within the public realm. This will contribute to positively to this objective. Impacts are considered to be positive, direct, will span all timescales and be permanent in nature.
13	Promote sustainable transport and reduce the use of the private car.
0	This objective is addressed by other policies in the JAAP.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
0	This objective is addressed by other policies in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
+	Although the policy will not contribute to housing provision, it will help to ensure that the housing provided has appropriate internal and external space standards and requires private amenity space for residential dwellings. Impacts are considered to be positive, direct, will span all timescales and be permanent in nature.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	The policy requires delivery of a high quality public realm and improved access particularly to the waterfront areas, which is likely to contribute to this objective. Impacts are considered to be positive, direct and significant and will span all timescales.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
0	This objective is addressed by other policies in the JAAP.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
0	This objective is addressed by other policies in the JAAP.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
0	This objective is addressed by other policies in the JAAP.
20	Create places, spaces and buildings that work well, wear well and look good.
+	This policy specifically aims to address this objective. It sets a variety of requirements for new development in relation to urban design and public spaces, including public art. The supporting text now specifies that major developments may be subject to design review, rather than the policy text, however this is not considered to impact on the achievement of this objective and should still help to improve the standards of design. The policy is therefore likely to contribute positively to this objective. Impacts are considered to be positive, direct and significant. Impacts will span all timescales and be permanent in nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other policies in the JAAP.

Character Area Appraisals Policy CA1: South Quayside

SA Recommendation (Draft JAAP February 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Policy name amended from SH10 to CA1
- Supporting text updated to reflect that the Shoreham Wastewater Treatment Works currently has capacity to accommodate development levels being proposed.

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+		+			+	+ / -	+ / -	+ / -				+ / -				+	+	+	+		
Conclusion																					
+ / -	The policy does not have a direct impact on 12 of the 22 sustainability objectives. The policy scores positively in relation to renewable energy and energy efficiency, the re-use of previously developed land, improved access to open space, sustainable economic development, avoiding flood risk and creating spaces that work well. Impacts are likely to be more mixed in relation to pollution (land, water, air and noise) and sustainable transport, where there is some potential for conflict. It is considered that these impacts can be mitigated through implementation of other policies in the JAAP, such as the Natural Environment, Biodiversity & Green Infrastructure policy, and Sustainable Travel, and through the Development Management process.																				
Recommendations																					
No SA Recommendations.																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+	The area priorities for South Quayside refer to supporting Shoreham Port Authority in exploring opportunities for sustainable energy generation. The policy includes the clause: to promote the Character Area as a hub for renewable energy generation. The impacts of the policy on this objective are considered to be positive, direct and significant. Impacts are considered to span various timescales and be of a permanent nature.
2	Encourage the sustainable use of water.
0	No direct link. This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	The policy safeguards South Quayside as a focus for commercial port activity. The consolidation of port-related activities in this area will also enable the release of previously developed waterfront sites for alternative uses in other areas of the harbour, such as the Western Harbour Arm. The impacts of the policy on this objective are considered to be positive, direct and significant. Impacts are considered to span various timescales and be of a permanent nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
0	No direct link. This objective is addressed by other policies in the JAAP. The appraisal notes however that South Quayside is adjacent to the Basin Road South SNCI, which could be effected by development in this location.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.

0	No direct link. This objective is addressed by other policies in the JAAP
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The policy states that improvements will be sought to the pedestrian and cyclist crossing over the lock gates and to access to the beach. The policy also states that improvements will be sought to the Basin Road South NCN2 and Monarch's Way Public Right of Way. The impacts of the policy on this objective are considered to be positive and direct. Impacts are considered to span various timescales and be of a permanent nature.
7	Reduce the risk and levels of air and noise pollution.
+ / -	South Quayside already accommodates port operations as well as the existing Shoreham Power Station and a Waste Water Treatment Plant. Some of these activities may have negative impacts in terms of noise and air quality. The consolidation of port-related activities in this area has the potential to exacerbate these issues. Increased port activity in this area could also result in an increase in the amount of traffic, particularly HGVs, using Basin Road South to access these sites. This may be partially offset by improvements to air quality and reduced noise disturbance due to reduced HGV movements in other areas of the harbour, such as the Western Harbour Arm, where nearby residential uses are more sensitive and at a greater risk of adverse impact. The impacts of the policy on this objective are considered to be mixed, indirect and could be significant, particularly due to the sensitivity of nearby roads within air quality management areas. Impacts are considered to span various timescales but are not considered to be of a permanent nature. Mitigation would be provided by policies SH7 Natural Capital, Biodiversity & Green Infrastructure and CA3 Sustainable Travel.
8	Reduce pollution and the risk of pollution to land.
+ / -	Existing and current land uses in South Quayside are likely to have caused contamination to the land. The consolidation of port-related activities in this area may not provide the opportunity to remediate the land, although pollution could be contained and minimised. However the release of sites elsewhere in the harbour, such as the Western Harbour Arm, would provide significantly greater scope for remediation in those areas. The impacts of the policy on this objective are considered to be mixed, indirect and could be significant, due to the likely contamination issues. Impacts are considered to span various timescales. Mitigation would be provided by policy SH7 Natural Environment, Biodiversity & Green Infrastructure.
9	Reduce pollution and the risk of pollution to water.
+ / -	The Waste Water Treatment Plant plays an important role in maintaining water quality. The Policy states that waste water infrastructure is safeguarded to serve future population changes. However the consolidation of port-related activities in South Quayside, re-development of sites which are likely to be contaminated and the consequent redevelopment of waterfront sites elsewhere, such as the Western Harbour Arm, have the potential for water pollution to the River Adur. The impacts of the policy on this objective are considered to be mixed, indirect and could be significant, due to the likely contamination issues and sensitivity of local water courses. Impacts are considered to span various timescales and are not considered to be of a permanent nature. Mitigation would be provided by policy SH7 Natural Environment, Biodiversity & Green Infrastructure.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
0	No direct link. This objective is addressed by other policies in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
0	There is a link between air and noise pollution and health, however the policy itself is not considered to have a direct link on this objective.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
0	No direct link. This objective is addressed by other policies in the JAAP.
13	Promote sustainable transport and reduce the use of the private car.
+ / -	The policy states that improvements will be sought to the pedestrian and cyclist crossing over the lock gates, as well as to the NCN route and PROW, which will facilitate sustainable transport use. However, the consolidation of port-related activities in South Quayside could also result in an increase in the amount of traffic, particularly HGVs, using Basin Road South to access this area. The impacts of the policy on this objective are therefore considered to be mixed. The potential for adverse impacts could be significant, particularly due to the sensitivity of nearby roads within air quality and congestion issues. Impacts are considered to span various timescales. The positive impacts resulting from the improvement to the lock gates, NCN and PROW are considered to be of a permanent nature. Mitigation would be provided by policies SH7 Natural Environment, Biodiversity & Green Infrastructure, and SH5 Sustainable Travel.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
0	No direct link. This objective is addressed by other policies in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	No direct link. This objective is addressed by other policies in the JAAP.

16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
0	No direct link. This objective is addressed by other policies in the JAAP.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	Consolidation of port-related activities in South Quayside will support Shoreham Port Authority in improving operational efficiency and developing new trade. The safeguarding of the area for port activities provides clarity over future uses. Consolidation will allow for the release of waterfront sites in other areas of the harbour, such as the Western Harbour Arm, for alternative uses, including employment floorspace. These measures are likely to have a positive impact in relation to this objective. The impacts of the policy on this objective are considered to be positive, direct and significant. Impacts are considered to span various timescales and be of a permanent nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+	The Shoreham Harbour Area as a whole includes areas within the flood zones 1, 2 and 3. Flood Risk from different sources including tidal, fluvial and surface water varies across the site and therefore a sequential approach should ensure that flood risk is minimised. Commercial port activities and the waste-water treatment works are considered to fall into the “less vulnerable” category of development and these types of uses are therefore considered to be suitable in flood zones 1, 2 and 3a. . The safeguarding of the Character Area for less vulnerable uses is considered to promote a sequential approach that avoids more vulnerable development being at risk of flooding and is therefore considered to have a positive impact on this objective. Any development within Flood Zones 2 and 3a would require a site-based Flood Risk Assessment which would identify any mitigation required. Impacts are considered to be positive, indirect and could be significant based on the flood risk in the area. Policy SH6 Managing Flood Risk should also ensure risks of flooding are reduced.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy supports improvements to existing pedestrian and cycle facilities, including the lock gates, NCN route and PROW. The impacts of the policy on this objective are considered to be positive and direct. Impacts are considered to span various timescales and be of a permanent nature.
20	Create places, spaces and buildings that work well, wear well and look good.
+	Although this objective is primarily addressed by other policies in the JAAP, improvements to the pedestrian and cyclist crossing over the lock gates, and to the boundaries, surfacing, way finding and access to the beach are likely to have a positive impact in relation to this objective. Impacts are considered to be positive, direct but not of significance. Impacts are considered to span various timescales and be of a permanent nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	No direct link. This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	No direct link.

Policy CA2: Aldrington Basin

SA Recommendation (Draft JAAP February 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Policy name amended from SH11 to CA2
- New paragraph in supporting text referring to the disused minerals wharf, which is also a safeguarded waste site.
- Some supporting text deleted regarding the shape of the turning area within the basin
- New supporting text paragraph in flood risk and drainage section regarding the range of existing ground levels across the area
- Further details in paragraph 4.2.30 with regards to suitable uses on sites AB1, AB2, and AB3 with support for modern employment floorspace as well as some ancillary leisure, retail and food and drink uses supported on some of the site to improve connections, and reference to the minerals wharf site which is safeguarded unless wharf provision can be re-provided elsewhere.
- New text in paragraph 2.2.31 which sets out that port operational areas will be safeguarded for commercial port operations.
- CA2 (2) Total quantum of development amended to reflect amounts to be delivered within CA2 only: to 90 dwellings and a minimum of 4,500m² B uses; new reference to support for ancillary leisure, retail and food/drink uses.
- CA2 (3) - sites AB1, 2, 3, and 4 will now be allocated, rather than safeguarded for various uses (employment, leisure, food and drink and ancillary retail)
- CA2 (4) – new requirement stating port operational areas will be safeguarded
- CA2 (5) – new policy requirement safeguarding certain sites for employment generating uses.
- CA2 (7) – amended wording regarding building heights, the need to maintain openness, and provision of attractive street-scene.
- Deletion of various policy paragraphs (formerly: CA2.1(1), (2), (3), (4), (5); CA2.2(1), (2), (3); CA2.3(1), (2), (3); CA2.4(2), (3)) which refer to flood risk, sustainable building, green infrastructure and transport, with all paragraphs either moved to other policies or already within other policies (SH1, SH5, SH6, SH7 and SH8)

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+	+/-	+	+		+/-
Conclusion																					
+/- The policy scores positively in relation to 12 of the 22 sustainability objectives. These include objectives relating to land-use efficiency, biodiversity, green infrastructure, housing, economy and employment, communities, access and urban design. The policies have a mixed score in relation to 9 of the 22 sustainability objectives. These include objectives relating to energy and water consumption, air/noise, land and water pollution, climate change adaptation, flood risk, sustainable transport, health and waste, as although the policy either includes measures that will result in positive impacts for these objectives or provides the opportunity for improvements, there is some potential for conflict, with adverse impacts likely to result from development. Mixed and adverse impacts are considered to be addressed by other policy requirements in the JAAP. It is considered that these impacts can be mitigated, and will need to be addressed through the Development Management processes.																					
Recommendations																					
No further recommendations.																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of
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	established standards for new and existing development.
+ / -	The policy includes development of 90 dwellings and minimum of 4,500sqm employment floorspace. Any new development is likely to lead to increased energy consumption although redevelopment of existing sites provides the opportunity to improve energy efficiency. The policy no longer has any specific requirements relating to sustainable buildings as this is already addressed in policy SH1. Overall, the impacts of the policy on this objective are considered to be mixed and indirect. The positive impacts resulting from improved energy efficiency are considered to be of a permanent nature. Mitigation would be provided by policy SH1 Climate Change, Energy and Sustainable Buildings.
2	Encourage the sustainable use of water.
+ / -	The policy includes development of 90 dwellings and minimum of 4,500sqm employment floorspace. Any new development is likely to lead to increased water consumption, making further demands on the heavily exploited Brighton Chalk Aquifer. However, new development also presents an opportunity to improve the water efficiency of buildings. Overall, impacts of the policy are considered to be mixed and indirect. Impacts could be significant. Mitigation would be provided by policy SH1 Climate Change, Energy & Sustainable Buildings.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	Aldrington Basin is located on previously developed land and includes a number of under-used and vacant sites. The policy states that the Partnership will work with developers to deliver approximately 90 new homes and minimum 4,500m ² of new employment floorspace, including through the redevelopment of existing sites. This is likely to improve the efficiency of land use in these areas. Also, the Policy clearly defines the building heights which will be considered acceptable in different locations, some of which will help increase land-use efficiency. Overall, the impacts of the policy on this objective are considered to be positive, direct and significant, will span all timescales and be of a permanent nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	Aldrington Basin itself consists mainly of previously developed land and existing buildings with low biodiversity value. New or redevelopment in this location is likely to provide opportunities to incorporate biodiverse features. In addition, although some policy requirements relating to biodiversity have been deleted, as are covered by other policy, this policy still contains requirements to support ecological and landscaping improvements as part of the green corridor, which should have positive impacts on this objective. It is noted that Aldrington Basin is adjacent to the Basin Road South SNCI. The vegetated shingle, and the habitats and species which it supports, may be sensitive to increased residential disturbance resulting from new residential development in the area, however the potential for impacts should be mitigated by Policy SH7 Natural Environment, Biodiversity & Green Infrastructure. Overall, the impacts of the policy on this objective are considered to be positive and direct and will span all timescales.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	Aldrington Basin is a unique location with a distinct character and identity. However parts of the area, such as Basin Road North, are characterised by poor quality buildings and an unattractive streetscape. The policy has specific requirements relating to the development of the Kingsway sites, which should have a positive impact on streetscape and the character, including the protection of the openness of the area, the appropriate height of buildings, the scale of development, maintaining openness and views through the Harbour all of which should ensure that development has a positive impact on the street environment along Kingsway. Overall, the impacts of the policy on this objective are considered to be positive, direct and significant, will span all timescales and be of a permanent nature.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	Aldrington Basin is situated between the important open spaces of Portslade Beach and Hove Lagoon and seafront. The policy includes support for development that may improve connections between the area and the lagoon and to improve the cycle route along Basin Road South which will have positive impacts on this objective. In addition, the policy includes support for ecological and landscaping improvements as part of the green corridor, as well as indicating where contributions will be sought to improve open space outside the area. Overall, the impacts of the policy on this objective are considered to be positive, direct and will span all timescales.
7	Reduce the risk and levels of air and noise pollution.
+ / -	Kingsway (A259), Wharf Road and Basin Road North are within the Brighton & Hove AQMA. Residential development fronting Kingsway is likely to generate less air and noise pollution than industrial uses. However, it will also be more sensitive to these issues, particularly given the proximity of port-related activities and the policy requires residential development to be able to demonstrate compatibility with employment uses. Residential and employment development are both likely to increase the number of journeys made in this area, particularly during peak hours. Reconfiguration of Basin Road North to improve access to the port is likely to have mixed impacts. Whilst there would be increased traffic, including HGVs, on this

	route, this would be offset by localised improvements in the vicinity of Hove Lagoon and a reduction in this kind of traffic along the section of Kingsway between Church Road/Trafalgar Road and Norman Road. Overall impacts are considered to be mixed, direct and are significant, particularly given the existing local air quality issues. Impacts are considered to span various timescales but are not considered to be of a permanent nature. Measures identified within the policy and the Transport strategy, as well as Policy SH7 Natural Environment, Biodiversity and Green Infrastructure, and Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.
8	Reduce pollution and the risk of pollution to land.
+	Existing and former land uses in Aldrington Basin may have caused contamination to the land. Where an issue arises, redevelopment will provide opportunities for the remediation of the land, in accordance with policy SH7 Natural Environment, Biodiversity and Green Infrastructure which has specific requirements relating to contaminated land. Impacts are considered to be positive and indirect and could be significant. Impacts are considered to span all timescales and are likely to be permanent in nature.
9	Reduce pollution and the risk of pollution to water.
-/+	Existing and former land uses in Aldrington Basin may have caused contamination to the land and ground and surface water in the area could be or become polluted by contaminated land, particularly if contaminants are disturbed. However, redevelopment will provide opportunities for remediation, as well as installation of measures to reduce future water pollution, e.g. SUDS. Impacts could be mixed and indirect. Any adverse impacts are not considered to be permanent in nature. Mitigation should be provided by policies SH7 Natural Environment, Biodiversity and Green Infrastructure and SH6 Flood Risk.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+ / -	The SFRA identifies much of the Aldrington Basin area as being situated within flood zones 2 (medium probability) and 3a (high probability). Therefore, new development in some parts of this area is considered to have a significant risk of flooding. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. It is noted that employment is a 'less vulnerable' use in relation to flood risk. Residential uses are only proposed fronting Kingsway which is on higher ground and within flood zone 1. New development is also likely to be significantly more resilient to climate change and extreme weather events than existing buildings. It is noted that one of the Area Priorities is that development takes the findings and recommendations of the SFRA and the Flood Risk Management SPD into account. In addition, the policy requirements relating to open space and green infrastructure will also assist with climate change adaptation. The policy no longer contains any specific requirements relating to flood risk as these are addressed or have been moved to other policy (SH6 – Flood Risk). Overall, impacts are considered to be mixed and direct. Adverse impacts could be significant given the level flood risk of the area. Impacts are considered to span all timescales, although are likely to become more significant in the long-term beyond the plan period due to climate change impacts. Policy SH1 Climate Change, Energy and Sustainable Buildings and SH6 Flood Risk will contribute towards mitigating negative impacts.
11	Improve health and wellbeing and reduce inequalities in health.
+ / -	The provision of housing, employment opportunities, improved quality and access to existing open space and to other local connections and leisure opportunities should help to bring about a positive impacts on this objective, all being wider determinants of health. However, air quality is currently an issue in this area, and air quality may worsen as a result of the traffic impacts of development, potentially bringing about negative impacts on health. This is reflected in the mixed score. This will be dependent on where and how sensitive development is situated, and could be mitigated through careful design. However there may also be impacts on adjacent areas that already suffer from poor air quality and that do not have the capacity to change. According to the IMD2015, the SOA within the Aldrington Basin Character Area is within the 40% most deprived in the domain of "living environment" (which includes air quality as a measure). However the adjacent two SOAs are within the most 10% and most 20% deprived under this domain. The SOAs either within the Character Area or immediately adjacent are in the 40% most deprived, 50% most deprived and 40% least deprived within the Health domain. Overall, impacts are considered to be mixed and indirect and are considered to span all timescales. Positive impacts associated with meeting the wider determinants of health are considered to be more permanent in nature, and adverse air quality impacts are considered to be less permanent. Measures identified within the policy and the Transport strategy, as well as Policy SH7 Natural Environment, Biodiversity and Green Infrastructure, and Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that improvements to sustainable transport, improvements to the streetscape and public realm, and improvements to key gateway routes all have potential to bring about positive impacts. Overall impacts are considered to be positive and indirect. Impacts are considered to span all timescales and be permanent in nature.

13	Promote sustainable transport and reduce the use of the private car.
+ / -	The policy has strong links to the Transport Strategy and clearly sets out the transport measures that will be pursued in the area, including junction improvements, bus stop improvements, and improvements to the cycle route and PROW. However, new residential and employment-based development in the area is likely to increase the number of journeys made in this area, particularly during peak hours. Reconfiguration of Basin Road North to improve access to the port is likely to have mixed impacts. Whilst there would be increased traffic, including HGVs, on this route, this would be offset by localised improvements in the vicinity of Hove Lagoon and a reduction in this kind of traffic along this section of Kingsway. Overall the impact is considered to be mixed and direct. Impacts are considered to span all timescales and could become more significant in the long-term based on patterns of traffic growth increasing. Measures identified within the policy and the Transport strategy, as well as Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	According to the IMD 2015, overall deprivation within the three SOAs that are either within or immediately adjacent to the Character Area varies enormously from being within the 30% least deprived (within Character Area) to within the most 40% and most 50% deprived. Although this objective is primarily addressed in other policies in the JAAP, this appraisal notes that new development will provide new homes and jobs in the area and this will have positive impacts for this objective. Impacts are considered to be positive and indirect. Impacts are considered to span all timescales and will become more significant as and when development is delivered.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
+	The provision of 90 new homes will have positive impacts. Affordable housing is addressed by other policies in the JAAP. This will make a positive contribution towards housing need. Impacts are considered to be positive and direct, and be permanent in nature.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	This objective is mainly addressed by other policies in the JAAP. However this appraisal notes that the provision of new residential and employment-based development at Aldrington Basin will provide the opportunity to sustain a vibrant community. The delivery of various infrastructure, including green infrastructure and flood related infrastructure will also support delivery of vibrant communities. Impacts are considered to be positive and indirect. Impacts are considered to span all timescales.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	The provision of minimum 4,500m ² of new employment floorspace is likely to have positive impacts on this objective, as will the safeguarded of port and other sites offering employment floorspace. In addition, delivery of any new ancillary retail or food/drink uses will also impact positively on this objective. New jobs will be created, and the improvements to the streetscape are likely to improve the environment for businesses in the area. Infrastructure is addressed mainly by other policies in the JAAP. Overall, impacts are considered to be positive, direct, permanent and significant, becoming more significant as and when development is delivered.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+ / -	The SFRA identifies much of the Aldrington Basin area as being situated within flood zones 2 (medium probability) and 3a (high probability). The SFRA also considers wave over-topping to be a significant risk in this area. Therefore, new development in this area is considered to have a significant risk of flooding. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. It is noted that employment uses are 'less vulnerable' uses in relation to flood risk and these are proposed in areas of higher flood risk within the basin area. Residential uses (more vulnerable) are proposed fronting Kingsway which is within Flood Zone 1. One of the Area Priorities is that development takes the findings and recommendations of the SFRA and Flood Risk Management SPD into account. In addition, Policy SH6 Flood Risk will also be applicable. These should mitigate the negative impacts of building in this area. Overall, impacts are considered to be mixed and direct. Adverse impacts could be significant if breaches occur, although would not be permanent.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy will lead to transport improvements throughout the Character Area and delivery of new employment floorspace, as well as potentially some retail provision. This should have positive impacts on this objective. Overall impacts are considered to be positive and direct, will span all timescale and be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
+	The policy includes specific requirements for certain plots within the Character Area, including scale, height, design, orientation and positioning, all of which should have positive impacts on townscape and streetscape in this area. High quality design will be required of new development. Also, green infrastructure requirements will also impact positively on this objective. Overall, impacts are considered to be positive, direct and have a significant influence, will span all timescale and be permanent.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.

0	This objective is addressed by other policies in the JAAP
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
+ / -	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that an increase in development is likely to lead to an increase in the production of waste both during the construction phase and during the lifetime of the buildings. However, there may be opportunities to minimise waste and increase the recycling and reuse of materials. It is noted that the Character Area includes a safeguarded waste and minerals site. As such there are likely to be mixed positive and negative impacts in relation to this objective. Impacts are considered to be indirect and will depend on delivery of development. Mitigation will be provided by Policy SH7 Natural Environment, Biodiversity & Green Infrastructure.

Policy CA3: South Portslade & North Quayside

SA Recommendation (Draft JAAP 2016)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Reference added to supporting text regarding the role of the Lead Local Flood Authority
- Further details in paragraph 4.3.28 with regards to suitable uses on sites SP1, SP2, SP3, SP4, SP5, SP6, and SP7 with support for various uses (A1, A2, A3, B1, B2, B8, C3 and some D uses) across the different sites
- Paragraph 4.3.32 confirms the South Portslade Industrial Estate as being safeguarded for employment generating uses.
- CA3 (3) Total quantum of development amended to reflect amounts to be delivered within CA3 only: to 210 dwellings and minimum 3,000m² B uses; new text supporting ancillary leisure uses.
- CA3 (4) Further clarity on the mix of uses supported on each site. Merging of various paragraphs. Also, wording confirming that each site is allocated.
- CA3 (5) New text to safeguard South Portslade Industrial Estate for employment uses.
- Deletion of various policy paragraphs (CA3.1(1), (2); CA3.2(1), (2), (3); CA3.3(1), (3), (5); CA3.4(2)) which refer to flood risk, sustainable building, green infrastructure and transport, with all paragraphs either moved to other policies or already within other policies (SH1, SH5, SH6, SH7 and SH8)

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+ / -	+ / -	+	+	+	+	+ / -	+	+ / -	+ / -	+ / -	+	+ / -	+	+	+	+	+ / -	+	+		+ / -
Conclusion																					
+ / -	The policy scores positively in relation to 11 of the 22 objectives. Positive impacts include biodiversity enhancements, improvements to the built environment, open space, opportunities to reduce land pollution, delivery of new housing, increased land use efficiency and economic development. The policies have a mixed score in relation to 11 of the 22 sustainability objectives. These include objectives relating to energy and water consumption, flood risk, sustainable transport, air pollution, water pollution, climate change, and health as although the policy either includes measures that will result in positive impacts for these objectives or provides the opportunity for improvements, there is some potential for conflict with adverse impacts likely to result from development. Mixed and adverse impacts are considered to be addressed by other policy requirements in the JAAP. It is considered that these impacts can be mitigated, and will need to be addressed through the Development Management processes. In addition, see recommendation.																				
Recommendation																					
No recommendations																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+ / -	The policy includes development of 210 dwellings and minimum of 3,000sqm employment floorspace. Any new development is likely to lead to increased energy consumption although redevelopment of existing sites provides the opportunity to improve energy efficiency. The policy no longer has any specific requirements relating to sustainable buildings as this is already addressed in policy SH1. Overall, the impacts of the policy on this objective are considered to be mixed and indirect. The positive impacts resulting from improved energy efficiency are considered to be of a permanent nature. Mitigation would be provided by policy SH1 Climate Change, Energy and Sustainable Buildings.
2	Encourage the sustainable use of water.

+ / -	<p>The policy includes development of 210 dwellings and minimum 3,000sqm employment floorspace. Any new development is likely to lead to increased water consumption, making further demands on the heavily exploited Brighton Chalk Aquifer. However, new development also presents an opportunity to improve the water efficiency of buildings.</p> <p>Overall, impacts of the policy are considered to be mixed and indirect. Impacts could be significant. Mitigation would be provided by policy SH1 Climate Change, Energy & Sustainable Buildings.</p>
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	<p>South Portslade & North Quayside area is located on previously developed land and includes a number of under-used and vacant sites. The policy states that the Partnership will work with developers to deliver approximately 210 new homes and minimum 3,000m2 of new employment floorspace, including through the re-development of sites, as well as safeguarding some sites. This is likely to improve the efficiency of land use in these areas. Overall, the impacts of the policy on this objective are considered to be positive, direct and significant, will span all timescales and be of a permanent nature.</p>
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	<p>The Character Area consists mainly of previously developed land and existing buildings, with low biodiversity value. The policy includes specific requirements including support for ecological and landscaping improvements as part of the green corridor. These measures will have positive impacts for this objective. Impacts are considered to be positive, direct and will span all timescales.</p>
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	<p>Parts of the area are characterised by poor quality buildings and an unattractive streetscape. New development is likely to have a positive impact on the local streetscape. The policy has specific requirements relating to the development of the South Portslade sites, which should have a positive impact on streetscape and the character, including the appropriate height of buildings, the scale of development and improving connections with the local area which should ensure that development has a positive impact on the street environment. In addition, the policy requires improvements to local existing areas of open space, if on-site requirements can't be met. Overall impacts are considered to be positive, direct and significant, span all timescales and be permanent in nature.</p>
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	<p>The policy includes support for ecological and landscaping improvements as part of the green corridor and indicates where contributions will be sought to improve open space outside the area. Overall, the impacts of the policy on this objective are considered to be positive, direct and will span all timescales.</p>
7	Reduce the risk and levels of air and noise pollution.
+ / -	<p>Wellington Road (A259), Boundary Road / Station Road and Church Road are within the Brighton & Hove AQMA. Residential development is likely to generate less air and noise pollution than industrial uses. However, it will also be more sensitive to these issues, particularly given the proximity of port-related activities. Residential development is also likely to increase the number of journeys made in the area and add to levels of congestion, particularly during peak hours, as will employment-based development. This is likely to have a negative impact on this objective. There may also be impacts on adjacent areas that already suffer from poor air quality and do not have the capacity to change.</p> <p>Road traffic is also the main contributing factor to noise pollution in the area. Whilst residential development is likely to produce lower levels of noise than employment uses, it is also significantly more sensitive to noise nuisance. This might include noise from industrial and port-related uses, particularly during the earlier part of the plan period prior to relocation of these uses.</p> <p>Relocation of industrial uses may reduce air and noise pollution related to HGV movements in this area. However these movements may be displaced to other areas of the harbour.</p> <p>Both air quality and noise issues can be exacerbated by a canyoning effect. The policy requires a set back from the road to prevent a canyoning effect which will mitigate some noise and air quality impacts.</p> <p>Reconfiguration of Basin Road North to improve access to the port is likely to lead to increased traffic, including HGVs, on this route. This is likely to have a negative impact on air quality and noise in the vicinity of the Wellington Road/Church Road junction. This may be partially offset by localised improvements in the vicinity of Hove Lagoon and a reduction in this kind of traffic along the A259. This appraisal also notes that residential uses are not proposed for sites adjacent to the Wellington Road/Church Road junction</p> <p>The policy has strong links to the Transport Strategy and sets out the interventions that will be promoted, some of which will have benefits for air and noise quality. However, overall the impact is considered to be mixed, direct and significant, particular given the location of the AQMA. Impacts are likely to span all timescale but are not considered to be permanent in nature. The measures identified in the policy itself, policy SH5 Sustainable Travel and the Transport strategy will contribute to mitigating negative impacts.</p>

8	Reduce pollution and the risk of pollution to land.
+	Existing and former land uses within the Character Area may have caused contamination to the land. Redevelopment will provide opportunities for the remediation of the land, in accordance with policy SH7 Natural Environment, Biodiversity & Green Infrastructure, which has specific requirements relating to contaminated land. Impacts are considered to be positive and indirect and could be significant. Impacts are considered to span all timescales and are likely to be permanent in nature.
9	Reduce pollution and the risk of pollution to water.
+/-	Ground and surface water in the area could become polluted by contaminated land. Redevelopment will provide opportunities for remediation, however, there is also a risk that disturbing these contaminants may introduce further pollution to these waters. In addition, it is noted that the South Portslade area is at risk of surface water flooding in both the 1 in 30 and 1 in 200 year events, and that surface water flooding can result in pollution to water. However, redevelopment will provide opportunities for remediation, as well as installation of measures to reduce future water pollution, e.g. SUDS. Impacts could be mixed and indirect. Any adverse impacts are not considered to be permanent in nature. Mitigation should be provided by policies SH7 Natural Environment, Biodiversity and Green Infrastructure and SH6 Flood Risk.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+ / -	The SFRA identifies much of the North Quayside area as being situated within flood zones 2 (medium probability) and 3a (high probability). This area is therefore considered to have a significant risk of flooding. The South Portslade area (which will deliver all the anticipated development set out in this policy) is situated within flood zone 1, and is therefore not at risk of tidal or fluvial flooding, although some parts of the area are at risk of surface water flooding in both the 1 in 20 and 1 in 200 year events. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. New development is also likely to be significantly more resilient to climate change and extreme weather events than existing buildings. It is noted that one of the Area Priorities is that development takes the findings and recommendations of the SFRA and Flood Risk Management SPD into account. In addition, the policy requirements relating to open space and green infrastructure will also assist with climate change adaptation. The policy no longer contains any specific requirements relating to flood risk as these are addressed or have been moved to other policy (SH6 – Flood Risk). Overall, impacts are considered to be mixed and direct. Impacts are considered to span all timescales, although are likely to become more significant in the long-term beyond the plan period due to climate change impacts. Measures identified in the policy, as well as SH7 Natural Environment, Biodiversity and Green Infrastructure ,and SH6 Flood Risk will contribute towards mitigating negative impacts.
11	Improve health and wellbeing and reduce inequalities in health.
+ / -	This objective is primarily addressed by other policies in the JAAP. However this appraisal notes that the provision of housing, employment opportunities, improved quality and access to existing open space and to other local connections and leisure opportunities should help to bring about positive impacts, with all being wider determinants of health. However, air quality is currently an issue in this area, and air quality may worsen as a result of the traffic impacts of development, potentially bringing about negative impacts on health. This is reflected in the mixed score. This will be dependent on where and how sensitive development is situated and could be mitigated through careful design. However there may also be impacts on adjacent areas that already suffer from poor air quality and that do not have the capacity to change. According to the IMD2015, the SOA within this Character Area is found within the 20% most deprived in the domain of “living environment” (which includes air quality as a measure). The SOA within the Character Area is within the 40% most deprived in the Health domain, although SOAs adjacent to it are found within the most 20% deprived (health domain). Overall, impacts are considered to be mixed and indirect and are considered to span all timescales. Positive impacts associated with meeting the wider determinants of health are considered to be more permanent in nature, and adverse air quality impacts are considered to be less permanent. Measures identified within the policy and the Transport strategy, as well as Policy SH7 Natural Environment, Biodiversity and Green Infrastructure and Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that improvements to sustainable transport, improvements to the streetscape and public realm, and improvements to key gateway routes all have potential to bring about positive impacts. Overall impacts are considered to be positive and indirect. Impacts are considered to span all timescales and be permanent in nature.
13	Promote sustainable transport and reduce the use of the private car.
+ / -	The policy has strong links to the Transport Strategy and clearly sets out the transport measures that will be pursued in the area, including junction improvements, bus stop improvements, and improvements to the pedestrian and cycle route. However, new residential and employment-based development in the area is likely to

	increase the number of journeys made in this area, particularly during peak hours. Reconfiguration of Basin Road North to improve access to the port is likely to have mixed impacts. Whilst there would be increased traffic, including HGVs, on this route, this would be offset by localised improvements in the vicinity of Hove Lagoon and a reduction in this kind of traffic along Wellington Road/ Kingsway. Overall the impact is considered to be mixed and direct. Impacts are considered to span all timescales and could become more significant in the long-term based on patterns of traffic growth increasing. Measures identified within the policy and the Transport strategy, as well as Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	According to the IMD 2015, overall deprivation within the three SOAs that are either within or immediately adjacent to the Character Area varies from being within the 40% most deprived (within Character Area) to within the 20% most deprived in the adjacent SOAs. Although this objective is primarily addressed in other policies in the JAAP, this appraisal notes that new development will provide new homes and jobs in the area and this will have positive impacts for this objective. Impacts are considered to be positive and indirect. Impacts are considered to span all timescales and will become more significant as and when development is delivered.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
+	The provision of 210 new homes is likely to have positive impacts. Affordable housing is addressed by other policies in the JAAP. Delivery of 210 dwellings will make a significant positive contribution towards housing need. Impacts are considered to be positive and direct, and be permanent in nature. Delivery of 210 homes in this area will make a significant contribution towards this objective, which will become more significant as and when development is delivered.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	This objective is addressed by other policies in the JAAP. However this appraisal notes that the provision of new residential and employment-based development throughout the area will provide the opportunity to sustain a vibrant community. The delivery of various infrastructure, including green infrastructure will also support delivery of vibrant communities. Impacts are considered to be positive and indirect. Impacts are considered to span all timescales.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	The provision of minimum 3,000m2 of new employment floorspace is likely to have positive impacts. New jobs will be created, and the improvements to the streetscape are likely to improve the environment for businesses in the area. Additionally, the policy now safeguards South Portslade Industrial Estate for employment uses, and although releases other sites for mixed uses, these tend to be allocated for employment at ground level and residential above. The sites are now allocated which brings greater certainty for their redevelopment as the proposed uses. Infrastructure is addressed by other policies in the JAAP. The policy will result in gains to employment land, and should have positive, direct and significant impacts which span all timescales and be permanent in nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+ / -	The SFRA identifies much of the North Quayside area as being situated within flood zones 2 (medium probability) and 3a (high probability). This area is therefore considered to have a significant risk of flooding, although the appraisal notes that this area will not deliver any of the quantum of development set out in the policy. The South Portslade area (which will deliver all the anticipated development) is situated within flood zone 1, and is therefore not at risk of tidal or fluvial flooding, although some parts of the area are at risk of surface water flooding in both the 1 in 20 and 1 in 200 year events. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. One of the Area Priorities and policy requirements is that development takes the findings and recommendations of the SFRA and Flood Risk Management SPD into account. In addition, policy SH6 will be applicable. Overall, impacts are considered to be mixed and direct. Impacts are considered to span all timescales. Measures identified in SH7 Natural Environment, Biodiversity and Green Infrastructure and SH6 Flood Risk will contribute towards mitigating negative impacts.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy will lead to transport improvements throughout the Character Area and will lead to an increase in the range and type of employment generating uses. The policy also supports delivery of a range of transport measures that will improve access. It also supports delivery of a A259 cycle facility and improvements to pedestrian and cycle crossing points and connections. This should have positive impacts on this objective. Overall impacts are considered to be positive and direct, will span all timescale and be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
+	New development is likely to improve the quality of the built environment in this area. Additionally, improvements to the key linkages and junctions will have a positive impact. The policy includes specific requirements for certain plots within the Character Area, including height and consideration of possible amenity impacts. The policy also expects development to enhance townscape and connect with surrounding areas. This should have positive impacts on townscape and streetscape in this area.

	Also, green infrastructure requirements will also impact positively on this objective. Overall, impacts are considered to be positive, direct and have a significant influence, will span all timescales and be permanent in nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
+ / -	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that an increase in development is likely to lead to an increase in the production of waste both during the construction phase and during the lifetime of the buildings. However, there may be opportunities to minimise waste and increase the recycling and reuse of materials. As such there are likely to be mixed positive and negative impacts in relation to this objective. Impacts are considered to be indirect and will depend on delivery of development. Mitigation will be provided by Policy SH7 Natural Environment, Biodiversity and Green Infrastructure.

Policy CA4: Portslade & Southwick Beaches

SA Recommendation (Draft JAAP February 2016):

- None.

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Policy name changed from SH13 to CA4
- Policy CA4 (2) – new text to signify responsibility for delivery of enhancement and creation of vegetated shingle habitats
- Policy CA4 (5) – deleted paragraph regarding England Coastal Path (moved to CH8)

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
			+	+	+					+	+	+						+	+		
Conclusion																					
+	This policy is not likely to have any direct impacts in relation to 15 of the 22 sustainability objectives. There are likely to be positive impacts in relation to the remaining 7 objectives. These include direct benefits in relation to public realm open space, biodiversity and sustainable transport and indirect benefits in relation to health and crime reduction.																				
Recommendation																					
No recommended changes																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
	This objective is addressed by other policies in the JAAP.
2	Encourage the sustainable use of water.
	This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
	This objective is addressed by other policies in the JAAP.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	This objective is primarily addressed by other policies in the JAAP. However, this area includes the Basin Road South SNCI. This is an area of coastal vegetated shingle, an important and rare habitat for a number of species. The site has, however, been subject to recent disturbance and may be degraded. The policy includes enhancement and creation of vegetated shingle habitats in order to create a continuous corridor, and improved interpretation of the site which will have positive impacts. The policy also ensures that compensation will be sought for any loss or disturbance to existing habitats. Overall, the impact is positive, direct, significant and is considered to span all timescales.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	The policy includes improvements to the route along Basin Road South, including lighting, landscaping and signage, and to the area around Carats Café. These are likely to have positive impacts. Impacts are also considered to be direct, span all timescales and be permanent in nature.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The policy safeguards the beach areas, promotes improvements to the pedestrian and cyclist route along Basin Road South which will improve access to these areas and connections to adjacent areas. Impacts are also considered to be positive, direct, span all timescales and be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.

	This objective is addressed by other policies in the JAAP.
8	Reduce pollution and the risk of pollution to land.
	This objective is addressed by other policies in the JAAP.
9	Reduce pollution and the risk of pollution to water.
	This objective is addressed by other policies in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
	This objective is addressed by other policies in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
+	Improvements to the route along Basin Road South are likely to encourage greater use of the open spaces of the beaches and may encourage greater use of the route for walking and cycling. These are likely to have positive impacts. Impacts are considered to be indirect and span all timescales.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	Improvements to the route along Basin Road South may encourage greater footfall through the area. This would increase the opportunities for natural surveillance and may have a positive impact. Impacts are considered to be direct and span all timescales.
13	Promote sustainable transport and reduce the use of the private car.
+	Improvements to the route along Basin Road South are likely to encourage greater use of the route for walking and cycling. This is likely to have positive impacts. Impacts are considered to be direct and span all timescales and be permanent in nature.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
	This objective is addressed by other policies in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
	This objective is addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
	This objective is addressed by other policies in the JAAP.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
	This objective is addressed by other policies in the JAAP.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
	This objective is addressed by other policies in the JAAP.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy supports improvements to the NCN and PROW.
20	Create places, spaces and buildings that work well, wear well and look good.
+	The policy includes improvements to the route along Basin Road South, including lighting, landscaping and signage, and to the area around Carats Café. These are likely to have positive impacts. Impacts are considered to be direct, span all timescales and be permanent in nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
	This objective is addressed by other policies in the JAAP.

Policy CA5: Fishersgate & Southwick

SA Recommendation (Draft JAAP February 2016)

- There could be further scope for the policy to have a greater positive impact on objective 14 (deprivation) and a positive impact on objective 21 (education & skills) by encouraging developers to enter into training place agreements to secure training for local people. This could contribute towards addressing education and skills deprivation, which is particularly significant within the Fishersgate SOA in this Character Area. This could form a requirement in the policy itself, or through an overarching requirement in Policy SH3 Economy and Employment. No changes to CA5 took place in regards to this recommendation, however this recommendation was included within policy SH3.

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Change in policy name from SH14 to CA5
- Deletion of support for A uses from Area Priorities as SPA no longer proposing
- Additional paragraph in Support Text referring to the various land levels
- Acknowledgement that lower amounts of employment floorspace may be delivered if buildings are refurbished.
- CA5 (2) change in wording to confirm a minimum of 4,000sqm employment floorspace will be delivered
- CA5 (3) deletion of support for café/bar, toilets and youth sailing centre from Lady Bee Marina, as no longer being pursued
- Deletion of various policy paragraphs (CA5.1(1), (2), (3), (4); CA5.2(1), (2); CA5.4(1), (3); CA5.5(2),(4)) which refer to flood risk, sustainable building, green infrastructure and transport, with all paragraphs either moved to other policies or already within other policies (SH1, SH5, SH6, SH7 and SH8)

Additional amendments made following initial SA of draft Publication Version, July 2017

- Area Priorities text amended to include a reference to taking into account the findings of the SFRA and Shoreham Harbour Flood Risk Management Guide.

Summary Appraisal (following incorporation of SA recommendation)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+ / -	+ / -	+	+	+	+	+/-	+	+/-	+ / -	+	+	+ / -	+		+	+	+/-	+	+		+ / -
Conclusion																					
+ / -	The policy scores positively in relation to 12 of the 22 objectives. Positive impacts include improving land use efficiency, biodiversity enhancements, improved public realm, the built environment and open space, opportunities to reduce land pollution, improved health, and reduced crime and deprivation, the provision of employment floorspace and job opportunities, and improved access throughout the area. The policies have a mixed score in relation to 8 of the 22 objectives. These include objectives relating to energy and water consumption, air pollution, water pollution, climate change, flood risk and sustainable transport, as although the policy either provide opportunities for positive impacts or includes various measures or requirements that will result in positive impacts for these objectives, there is potential for conflict with adverse impacts likely to result from development or due to the nature of the location. These matters are addressed mainly by other policies in the JAAP. The previous SA (2016) recommended that there could be further scope for the policy to have a greater positive impact on objective 14 (deprivation) and a positive impact on objective 21 (education & skills) by encouraging developers to enter into training place agreements to secure training for local people and recommended that this could form a requirement of the policy itself, or be an overarching requirement in Policy SH3 Economy and Employment. It is noted that this requirement has been included within policy SH3.																				
Recommendations																					
The initial SA of the draft Publication JAAP noted that unlike some of the other Character Area policies "Area Priorities" sections, this policy did not include any reference to taking into account the findings and recommendations of the SFRA and Flood Risk Management Guide SPD. The SA noted that this may be of particular pertinence to this policy due to the risk of tidal flooding for SS3 (Southwick Waterfront). The SA recommended that the policy "Area Priorities" section was updated to include this, to ensure consistency between policies. This recommendation was implemented and the score for objective 18 (flooding) was improved to an adverse impact to a mixed impact. No further recommendations.																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+ / -	The policy includes development of minimum 4,000sqm new employment floorspace and redevelopment/reconfiguration of existing sites. Any new development is likely to lead to increased energy consumption, although re-development presents the opportunity improve the energy efficiency of existing buildings. The policy no longer has any specific requirements relating to sustainable buildings as this is already addressed in policy SH1. Overall, the impacts of the policy on this objective are considered to be mixed and indirect. The positive impacts resulting from improved energy efficiency are considered to be of a permanent nature. Mitigation would be provided by policy SH1 Climate Change, Energy and Sustainable Buildings.
2	Encourage the sustainable use of water.
+ / -	The policy includes development of minimum 4,000sqm new employment floorspace and redevelopment of existing sites. Any new development is likely to lead to increased water consumption, making further demands on the heavily exploited Brighton Chalk Aquifer, although also present the opportunity to improve the efficiency and sustainability of water consumption. Overall, impacts of the policy are considered to be mixed and indirect. Impacts could be significant. Mitigation would be provided by policy SH1 Climate Change, Energy & Sustainable Buildings.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	The Fishersgate and Southwick Character Area is located on previously developed land and includes a number of under-used and vacant sites. The policy proposes the delivery of minimum 4,000 m ² of employment floorspace, redevelopment of existing sites, and improved marina facilities. This will have positive impacts on this objective. Overall, the impacts of the policy on this objective are considered to be positive, direct and significant, will span all timescales and be of a permanent nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	The Supporting Text notes that the North Canal Bank is an area of coastal grassland which is an important habitat for common lizards and slow worms. SA of the Draft JAAP (2014) recommended that the policy be amended to refer to the protection of the coastal grassland on the North Canal Bank, and that the proposals map be amended to reflect this, however at the time this amendment was not carried forward. The policy includes specific requirements including support for ecological and landscaping improvements to the Fishersgate Recreation Ground, and to the North Canal Bank as part of the green corridor. These measures will have positive impacts for this objective. Impacts are considered to be positive, direct and will span all timescales.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	Southwick Waterfront includes parts of the Riverside Conservation Area and the Grade II listed Royal Sussex Yacht Club. The policy proposes the redevelopment of Lady Bee Marina, public realm improvements and a waterfront route for cyclists and pedestrians. These are likely to have positive impacts on the local area
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The policy proposes a waterfront route for pedestrians and cyclists, proposes improved cycle and pedestrian crossing points, and requires improvements to the lock gates. These proposals would have a positive impact on this objective, improving connections from Kingston Beach, through Lady Bee Marina and the North Canal Bank on to Fishersgate Recreation Ground and beyond. The policy also requires ecological and landscaping improvements as part of the green corridor, which will support delivery of green infrastructure. Overall, the impacts of the policy on this objective are considered to be positive, direct, significant and will span all timescales.
7	Reduce the risk and levels of air and noise pollution.
+ / -	Although the Character Area is not situated directly within the Brighton & Hove AQMA or in either of the Shoreham AQMAs, it is located in close proximity to all three. Development of 4,000sqm new employment floorspace is likely to result in additional journeys to/from the area, which could impact on air quality, including on the quality of air in nearby locations which is currently poor. Road traffic is the main contributing factor to noise pollution in the area, however there may also be noise impacts resulting from new employment based development, although this appears to be separated from the existing residential development which would be sensitive to any noise impacts. The policy sets out specific requirements relating to the Transport Strategy which promote sustainable transport which would have positive effects on air quality. Overall, impacts are considered to be mixed and direct, and could be significant, given the proximity of the nearby AQMAs, all of which are on route to the Character Area. Impacts are likely to span all timescale but are not considered to be permanent in nature. The measures identified in the policy itself, policy SH5 Sustainable

	Travel and the Transport strategy, and SH7 Natural Environment, Biodiversity and Green Infrastructure will contribute to mitigating negative impacts.
8	Reduce pollution and the risk of pollution to land.
+	Existing and former land uses in the port operational areas are likely to have caused contamination to the land. Redevelopment will provide opportunities for the remediation of the land, in accordance with policy SH7 Natural Environment, Biodiversity and Green Infrastructure, which has specific requirements relating to contaminated land. Impacts are considered to be positive and indirect and could be significant. Impacts are considered to span all timescales and are likely to be permanent in nature.
9	Reduce pollution and the risk of pollution to water.
+/-	Ground and surface water in the area could become polluted by contaminated land. Redevelopment will provide opportunities for remediation, however, there is also a risk that disturbing these contaminants may introduce further pollution to these waters. In addition, it is noted that the supporting text states the area is at risk of surface water flooding, which may further increase the risk. However, redevelopment will provide opportunities for remediation, as well as installation of measures to reduce future water pollution, e.g. SUDS. Impacts could be mixed and indirect. Any adverse impacts are not considered to be permanent in nature. Mitigation should be provided by policies SH7 Natural Environment, Biodiversity and Green Infrastructure and SH6 Flood Risk.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+ / -	The SFRA identifies much of the Southwick and Fishersgate area as being situated within flood zones 2 (medium probability) and 3a (high probability). The Flood Risk Management SPD indicates that with climate change, all of the Strategic Site Allocation 3 is at risk of tidal flooding. The supporting text also suggests that surface water flooding is a risk in this area. Therefore, new development in this area is considered to be at significant risk of flooding. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. New development is also likely to be significantly more resilient to climate change and extreme weather events than existing buildings. It should also be noted that employment is a 'less vulnerable' use in relation to flood risk. Residential uses are not proposed at the site allocation. Some of the policy requirements relating to open space and green infrastructure will also assist with climate change adaptation. The policy no longer contains any specific requirements relating to flood risk as these are addressed or have been moved to other policy (SH6 – Flood Risk). Overall, impacts are considered to be mixed and direct. Impacts are considered to span all timescales, although are likely to become more significant in the long-term beyond the plan period due to climate change impacts. Measures identified in the policy, as well as SH7 Natural Environment, Biodiversity and Green Infrastructure, and SH6 Flood Risk will contribute towards mitigating negative impacts.
11	Improve health and wellbeing and reduce inequalities in health.
+	This objective is primarily addressed by other policies in the JAAP. However this appraisal notes that the provision of employment opportunities, improved quality and access to existing open space, including Fishersgate Recreation Ground and to other local connections, the provisions of a new waterfront route and leisure opportunities should help to bring about positive impacts, with all being linked to health. According to the IMD2015, the SOAs within this Character Area covering the Southwick and Fishersgate areas are both found within the 30% most deprived in the domain of "health". Any positive benefits arising from this policy could therefore help to reduce health-based deprivation. Overall, impacts are considered to be positive and indirect and are considered to span all timescales. Impacts are considered to be more permanent in nature.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	Improvements to Fishersgate Recreation Ground and the provision of a new waterfront route for pedestrians and cyclists are likely to increase usage of these facilities. This increases the opportunity for natural surveillance in these areas. Overall impacts are considered to be positive and indirect. Impacts are considered to span all timescales and be permanent in nature.
13	Promote sustainable transport and reduce the use of the private car.
+ / -	The policy has strong links to the Transport Strategy and clearly sets out the transport measures that will be pursued in the area, including junction improvements, bus stop improvements, and improvements to pedestrian and cycle routes, including at the lock-gates crossing. However, new employment-based development, and re-development of existing sites in the area is likely to increase the number of journeys made in this area, particularly during peak hours. Overall the impact is considered to be mixed and direct. Impacts are considered to span all timescales and could become more significant in the long-term based on patterns of traffic growth increasing. Measures identified within the policy and the Transport strategy, as well as Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	According to the IMD 2015, levels of overall deprivation within the two SOAs that are within the Character Area are within the 20% (Fishersgate area) and 30%

	(Southwick area) most deprived SOAs in the country. In the Education & Skills Domain, both SOAs are within the 20% most deprived. Although this objective is primarily addressed in other policies in the JAAP, this appraisal notes that new development will provide new jobs in the area, and may also provide opportunities for training, and this will have positive impacts for this objective. Impacts are considered to be positive and indirect. Impacts are considered to span all timescales and will become more significant as and when development is delivered.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	There is no quantum of housing associated with delivery of this policy. This objective is therefore addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	The policy includes public realm and street scene improvements and improvements to housing estates, enhancements to Fishersgate Recreation Ground and supporting and enhancing local community facilities. The delivery of various infrastructure will support delivery of vibrant communities. Impacts are considered to be positive, direct and will span all timescales.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	Southwick Waterfront is designated as a strategic employment area. The provision of approximately 4,000m ² of new employment floorspace in this area is likely to have positive impacts, with new jobs being created as well as jobs in supporting ancillary (A) uses. The policy includes the reconfiguration of the Lady Bee Marina which will improve the marina facilities and possibly have economic benefits in terms of increased patronage. The policy also includes the safeguarding of the port-operational areas for port related activities, which also has economic benefits. Jobs created in this location could help to reduce levels of local employment based deprivation. Improvements to the streetscape are also likely to improve the environment for businesses in the area. The policy sets out the requirements relating to flood infrastructure to ensure development in this location is safe for the lifetime of the development. Overall the impacts are considered to be positive, direct and significant. Impacts are considered to span all timescales and will be permanent in nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+/-	The SFRA identifies much of the Southwick & Fishersgate area as being situated within flood zones 2 (medium probability) and 3a (high probability). The Flood Risk Management SPD indicates that with climate change, all of the Strategic Site Allocation is at risk of tidal flooding. Surface water flood risk is also an issue in this area. Therefore, new development in this area is considered to have a significant risk of flooding. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area. It is noted that employment is a 'less vulnerable' use in relation to flood risk. New residential uses are not proposed in this area. The policy no longer includes any requirements in relation to flood risk as these can be found in SH6 Flood Risk. It was initially noted that the Area Priorities section did not include any reference to taking into account the recommendations of the SFRA and Flood Risk Management SPD, which was unlike other Character Area policies that include a Strategic Site Allocation. The SA recommended that this reference should be included within the Area Priorities. Overall the impacts of the policy are considered to be mixed and direct. Impacts are considered to span all timescales. Measures identified in SH7 Natural Environment, Biodiversity and Green Infrastructure and SH6 Flood Risk will contribute towards mitigating negative impacts.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy includes public realm improvements, enhancing Fishersgate Recreation Ground and supporting local community facilities. In addition, the policy includes various transport interventions such as improved waterfront access road, improved junction, bus stop improvements, and improved pedestrian and cycle crossings and routes. All of these will have positive impacts. Impacts are considered to be positive and direct, will span all timescales and will be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
+	The redevelopment of Lady Bee Marina, the creation of a new waterfront route, public realm improvements, the improvement of local housing estates, the enhancement of Fishersgate Recreation Ground, and the integration of various types of green infrastructure including green walls, green roofs as part of the green corridor are likely to have positive impacts on this objective. Impacts are considered to span all timescales and be permanent in nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
0	This is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
+ / -	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that an increase in development is likely to lead to an increase in the production of waste both during the construction phase and during the lifetime of the buildings. However, there may be opportunities to minimise waste and increase the recycling and reuse of materials. As such there are likely to be mixed positive and negative impacts in relation to this objective. Impacts are considered to be

indirect and will depend on delivery of development. Mitigation will be provided by Policy SH7 Natural Environment, Biodiversity and Green Infrastructure.

Policy CA6: Harbour Mouth

Previous SA Recommendation (Draft JAAP February 2016)

- No recommendations

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Change in policy name from SH15 to CA6
- Further information added to supporting text regarding the LNR designation.

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
		+	+	+	+					+	+	+/-		+		+		+	+		
Conclusion																					
+	This policy scores positively in relation to most the sustainability objectives which are of relevance. These include Improvements to historic assets, protection of biodiversity, improved open space and public realm, health, reduced crime, and economic development. There is also some potential for positive impacts on improving land use efficiency and housing delivery due to the potential redevelopment of certain sites within the Character Area. There is potential for mixed impacts in relation to sustainable transport as car park improvements could encourage the use of the private car.																				
Recommendation																					
No recommended changes																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
	This objective is addressed by other policies in the JAAP.
2	Encourage the sustainable use of water.
	This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	This objective is mainly addressed by other policies in the JAAP. However the policy supports Adur Homes who are considering redeveloping some of its housing sites which could increase land use efficiency and have a positive impact on this objective. In addition, finding an alternative use for the lorry park could increase the land use efficiency of the site. However impacts will be dependent on these coming forward.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+	The Harbour Mouth Character Area includes part of the Shoreham Beach LNR and SNCI. This is an area of vegetated shingle which is an important and rare habitat for a number of species. The policy now includes a requirement to protect the LNR/SNCI as well as promote opportunities for interpretation. In addition, the policy promotes planting along the Albion Street/Brighton Road, which could have benefits for biodiversity. Overall the impacts are considered to be positive and direct and will span all timescales.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	The Harbour Mouth includes the Grade II listed Kingston Buci Lighthouse and Shoreham Fort; a Scheduled Monument. The policy proposes improvements to the Kingston Beach area. The policy no longer proposes the restoration of Shoreham Fort and now proposes the conservation of the Fort. It is understood that this is because of financial viability. This is not considered to have a significant impact on the SA score, although will have an impact on the Fort itself. The policy also includes improved public realm, parking and access for both areas are also included. Impacts are considered to be positive, direct and significant, will span all

	timescales and be permanent in nature.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The Harbour Mouth area includes the open spaces of Kingston Beach Village Green, Shoreham Fort and the easternmost part of Shoreham Beach. The policy includes protection and improvements to these areas which will have positive impacts. The policy also includes exploring options to ensure the waterfront route is delivered which should increase access. In addition, the policy includes the promotion of planting as part of the green corridor, which will also have positive impacts. Impacts are considered to be positive, direct, will span all timescale and will be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
	This objective is addressed by other policies in the JAAP.
8	Reduce pollution and the risk of pollution to land.
	This objective is addressed by other policies in the JAAP.
9	Reduce pollution and the risk of pollution to water.
	This objective is addressed by other policies in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
	This objective is addressed by other policies in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
+	Improvements to Kingston Beach and improved connections with other areas are likely to encourage greater use of this open space and may encourage greater use of the route for walking and cycling. These are likely to have positive impacts. Impacts are considered to be indirect and will span all timescales.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	Improvements to the Kingston Beach and Shoreham Fort areas are likely to encourage greater footfall through the area. This would increase the opportunities for natural surveillance. This is likely to have a positive impact. Impacts are considered to be indirect and will span all timescales
13	Promote sustainable transport and reduce the use of the private car.
+ / -	There are likely to be mixed impacts in relation to this objective. Whilst the policy promotes improved way-finding connections to the footbridge, it also supports improved car parking facilities at both Kingston Beach and Shoreham Fort. This might encourage increased car usage to visit these sites.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
	This objective is addressed by other policies in the JAAP.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
+	This objective is mainly addressed by other policies in the JAAP. However it is recognised that the policy supports Adur Homes to maximise the use of its sites including redevelopment. This could increase housing provision in the area and have positive impacts.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
	This objective is addressed by other policies in the JAAP.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+	The policy safeguards existing port uses which will support this objective. In addition, the policy supports the potential for a new café/visitor centre around the Shoreham Fort, which could have economic benefits. Impacts are considered to be positive, direct, span all timescales and be permanent in nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
	This objective is addressed by other policies in the JAAP.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy includes improvements to car parking around Shoreham Fort which could improve access.
20	Create places, spaces and buildings that work well, wear well and look good.
+	Improvements to the Kingston Beach and Shoreham Fort areas are likely to have a positive impact. In addition, street planting and green infrastructure will also have a positive impact. Impacts are considered to be direct and will span all timescales.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
	This objective is addressed by other policies in the JAAP.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and

	initiatives that promote these and other sustainability issues.
	This objective is addressed by other policies in the JAAP.

Policy CA7: Western Harbour Arm

Previous SA Recommendation (Draft JAAP 2016)

- There could be further scope for the policy to have a greater positive impact on objective 14 (deprivation) and a positive impact on objective 21 (education & skills) by encouraging developers to enter into training place agreements to secure training for local people. This could contribute towards addressing education and skills deprivation. This could form a requirement in the policy itself, or through an overarching requirement in Policy SH3 Economy and Employment. No changes to CA5 took place in regards to this recommendation, however this recommendation was included within policy SH3.

Summary of amendments (between draft JAAP 2016 and Publication JAAP 2017 stages):

- Change in policy name from SH16 to CA7
- Amendment to supporting text regarding mitigating biodiversity impacts as the preferred approach
- New paragraph setting out the various sites within the Western Harbour Arm allocation, and information on likely phasing.
- Deletion of paragraph 4.7.43 which referenced the Port Masterplan, as no longer applies
- Additional wording regarding the need for EA consent for works within 16m of the River Adur.
- Amended paragraphs 4.7.72 and 4.7.73 to reflect findings of tall building study
- CA7 (2) amended to refer to “minimum” 12,000sqm employment floorspace
- CA7 (5) densities increased to 100dph
- CA7 (6) & (7) amended to reflect results of tall building study in that buildings higher than 5 storeys may be acceptable in certain locations.
- CA7 (8) amended to include protection of views of Kingston Buci Lighthouse
- CA7 (10) requirement for distance of setback to be agreed with EA
- Deletion of various policy paragraphs (CA7.1(1), (2), (3), (4), (5), (6), (7), (9), (10), (11), (12), (13); CA7.2(1), (2), (3); CA7.3(1), (3), (5); CA7.4(2), (3); CA7.5(2), (3)) which refer to flood risk, sustainable building, green infrastructure and transport, with all paragraphs either moved to other policies or already within other policies (SH1, SH5, SH6, SH7 and SH8)

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
+/-	+/-	+	+/-	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+/-	+/-	+	+	+	+/-
Conclusion																					
<p>The policy scores positively in relation to 11 of the 22 sustainability objectives. Positive impacts include land-use efficiency, biodiversity, the built environment, open space, opportunities to reduce land and water pollution, reduced crime and deprivation, provision of housing, access and urban design. The policies have a mixed score in relation to 11 of the 22 sustainability objectives. These include objectives relating to energy consumption, water consumption, air quality, climate change adaptation, flood risk, employment, sustainable transport, air pollution and health, as although the policy has various measures that will result in positive impacts for these objectives, there is some potential for conflict with adverse impacts likely to result from development or due to the nature of the location. These matters are addressed in either in the policy itself or through other policies in the JAAP. It is considered that these impacts can be mitigated, and will need to be addressed through Development Management processes.</p>																					
Recommendation																					
No further recommendations																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
+/-	The policy includes development of a minimum 1,100 residential units and minimum 12,000sqm new employment floorspace. Any new development is likely to lead to increased energy consumption, although re-development presents the opportunity improve the energy efficiency of existing buildings. One of the Area Priorities is to facilitate the delivery of an exemplar sustainable, mixed-use residential area. Overall, the impacts of the policy on this objective are considered to be mixed, direct and significant. Mitigation would be provided by policy SH1 Climate Change, Energy & Sustainable Buildings.
2	Encourage the sustainable use of water.
+ / -	The policy includes development of a minimum 1,100 residential units and minimum 12,000sqm new employment floorspace. Any new development is likely to lead to increased water consumption, making further demands on the heavily exploited Brighton Chalk Aquifer, although re-development also presents the opportunity to improve the efficiency and sustainability of water consumption of existing buildings. The policy includes the requirement to incorporate SUDS features, which can help support water efficiency. Overall, the impacts of the policy on this objective are considered to be mixed, direct and significant. Mitigation would be provided by policy SH1 Climate Change, Energy & Sustainable Buildings which requires new residential and commercial development to meet various standards relating to water efficiency.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
+	The Western Harbour Arm is located on previously developed land and includes a number of under-used and vacant sites. The policy states that the Partnership will work with developers to deliver a minimum of 1,100 new homes and minimum 12,000m ² of new employment floorspace as well as incorporating active uses along the waterfront. This is likely to improve the efficiency of land use in these areas. In addition, the policy supports increasing land use efficiency through delivery of taller buildings in certain locations. Impacts are considered to be positive, direct and significant. Impacts are likely to span all timescales and be permanent in nature.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
+/-	The Western Harbour Arm is adjacent to the Adur Estuary SSSI (an area of inter-tidal mudflats which is an important habitat for a range of species, such as wading birds) and is within the Natural England Impact Risk Zone. It is also close to Shoreham Beach LNR and SNCI (an area of vegetated shingle which is an important and rare habitat for a number of species). Both sites are potentially vulnerable to disturbance and it is, therefore, important that development take account of the impacts on these sites. There could be loss in intertidal habitat at this location resulting from development or flood defences and it is noted that the supporting text refers to these risks. The policy has some specific requirements that should be beneficial for biodiversity, although most of these have been removed as they are already contained in the overarching policy SH7. The policy does specifically require ecological and landscaping improvements as part of the green corridor and biodiverse SUDS features along the waterfront route. However, overall, the impacts of this policy are considered to be mixed and direct and could be significant. Impacts are considered to span all timescales. Impacts will be mitigated through SH7 Natural Environment, Biodiversity and Green Infrastructure.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	Parts of the area are characterised by poor quality buildings and an unattractive streetscape. However the Western Harbour Arm also includes parts of the Shoreham-by-Sea Conservation Area which contains numerous listed buildings. Tall buildings in particular could adversely affect these historic assets. However, the policy has various requirements that should ensure new development has a positive impact on the local streetscape such as townscape improvements around key junctions, and requirements relating to building heights in certain areas. In addition, the policy protects views of St Mary de Haura Church (Grade I listed) and Kingston Buci Lighthouse. It also prohibits development from prejudicing future development to the north of Brighton Road (A259). The high-quality waterfront route will also contribute to achieving this objective. Overall, impacts are considered to be positive, direct and significant, will span all timescale and be permanent in nature.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	The policy requires the provision of a new waterfront route, including active uses such as parks and squares, and which will also improve connections between open spaces. The policy also requires a setback from the waterfront to enable delivery of a pedestrian and cyclist route, which will also improve access, and for it to include biodiverse SUDS, which will increase green infrastructure. The policy also shows support for ecological and landscape improvements along the waterfront and A259 to extend the green corridor. The policy includes clear requirements for if open space requirements cannot be met, including improvements to existing open spaces. Overall, impacts are considered to be positive, direct and significant, will span all timescales and be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
+ / -	Parts of the Western Harbour Arm fall within the Shoreham High Street AQMA. Road traffic is the principal cause of air pollution in the area, especially along Brighton

	<p>Road (A259). Residential development is likely to generate less air pollution than industrial uses. However, it is also likely to increase the number of journeys made in the area and levels of congestion, particularly during peak hours. This is likely to have a negative impact, although the measures outlined in the policy should encourage some shift to less polluting forms of travel. There may also be impacts on adjacent areas that already suffer from poor air quality and do not have the capacity to change.</p> <p>Road traffic is also the main contributing factor to noise pollution in the area. Whilst residential development is likely to produce lower levels of noise than employment uses, it is also significantly more sensitive to noise nuisance. This might include industrial and port-related noise, particularly during the earlier part of the plan period prior to relocation of these uses.</p> <p>Relocation of industrial uses may reduce air and noise pollution related to HGV movements in this area. However these movements may be displaced to other areas of the harbour.</p> <p>Both air quality and noise issues can be exacerbated by a canyoning effect. The policy includes the requirement for a setback along Brighton Road to prevent this effect. This will contribute towards mitigating any negative impacts on air quality and noise. Overall, impacts are considered to be mixed and direct, and could be significant, given the proximity of the nearby AQMAs. Impacts are likely to span all timescales but are not considered to be permanent in nature. The measures identified in the policy itself, Policy SH5 Sustainable Travel and SH7 Natural Environment, Biodiversity & Green Infrastructure will contribute to mitigating negative impacts.</p>
8	Reduce pollution and the risk of pollution to land.
+	Existing and former land uses in the Western Harbour Arm are likely to have caused contamination to the land. Redevelopment will provide opportunities for remediation of the land. The impacts of the policy on this objective are considered to be positive, indirect and could be significant, due to the likely contamination issues. Impacts are considered to span various timescales.
9	Reduce pollution and the risk of pollution to water.
+/-	Groundwater and surface water in and around the Western Harbour Arm could be polluted by contaminated land. Whilst remediation of contaminated land as part of redevelopment offers the opportunity to reduce this pollution, there is also a risk that disturbing these contaminants may introduce further pollution to these waters. The policy includes a requirement for SUDS to be included in development, particularly along the water front route which should have positive impacts on this objective. However, given the significant risk of pollution to water resulting from contaminants and surface water run-off in this area, impacts are considered to be mixed. SH7 Natural Environment, Biodiversity & Green Infrastructure will contribute to mitigating negative impacts.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
+ / -	<p>The SFRA identifies much of the Western Harbour Arm area as being situated within flood zones 2 (medium probability) and 3a (high probability), with many sites currently being at risk of flooding. The Flood Risk Management SPD indicates that with climate change, almost all of Strategic Site Allocation 4 will be at risk of tidal flooding. Therefore, new development in this area is considered to have a significant risk of flooding both currently and in the future. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area.</p> <p>The provision of a comprehensive flood defence solution is one of the Area Priorities. Most of the specific requirements relating to flood risk have been moved to SH6 Flood Risk, however the policy does include some requirements that will help minimise flood risk and therefore contribute towards adapting to climate change, including the requirement of an 8 metre set-back from the harbour wall, and the requirement for biodiverse SUDS along the waterfront route. In addition, new development is also likely to be significantly more resilient to climate change and extreme weather events than existing buildings.</p> <p>Overall, impacts are considered to be mixed and direct. Impacts are considered to span all timescales, although are likely to become more significant in the long-term beyond the plan period due to climate change impacts. Measures identified in the policy, as well as SH7 Natural Environment, Biodiversity & Green Infrastructure and SH6 Flood Risk will contribute towards mitigating negative impacts.</p>
11	Improve health and wellbeing and reduce inequalities in health.
+ / -	<p>The appraisal notes that the provision of housing, employment opportunities, improved quality and access to existing open space and to other local connections and leisure opportunities should help to bring about a positive impacts, with all being wider determinants of health and wellbeing. Improvements in cycle and pedestrian facilities would increase the opportunity for exercise. Measures to encourage the use of alternatives to the car could have a significant impact on reducing air and noise pollution. This would improve health and wellbeing for residents.</p> <p>However, air quality is currently an issue in this area, and air quality may worsen as a result of the traffic impacts of development, potentially bringing about negative impacts on health. This is reflected in the mixed score. This will be dependent on where and how sensitive development is situated and could be mitigated through careful design. However there may also be impacts on adjacent areas that already suffer from poor air quality and that do not have the capacity to change. Both air</p>

	<p>quality and noise issues can be exacerbated by a canyoning effect, with the policy requiring prevention of this, which should help to minimise air and noise quality impacts.</p> <p>According to the IMD2015, the two SOAs within this Character Area, which includes the Shoreham Town Centre area, are within the 30% and 40% most deprived in the domain of "health". Any positive benefits arising from this policy could therefore help to reduce health-based deprivation. It is noted that the Shoreham Town Centre is also within the most 20% deprived "Living Environment" domain, likely to be partly attributable to air quality. Overall, impacts are considered to be mixed and indirect and are considered to span all timescales. Positive impacts associated with meeting the wider determinants of health are considered to be more permanent in nature, and adverse air quality impacts are considered to be less permanent. Measures identified within the policy and the Transport strategy, as well as Policy SH7 Natural Environment, Biodiversity & Green Infrastructure and Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.</p>
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that improvements to sustainable transport, improvements to the streetscape and public realm, and improvements to key gateway routes all have potential to bring about positive impacts.
13	Promote sustainable transport and reduce the use of the private car.
+ / -	The policy has strong links to the Transport Strategy and clearly sets out the transport measures that will be pursued in the area, including for example junction improvements, access improvements, new pedestrian/cyclist waterfront route and bus stop improvements. However, new residential and employment-based development at the amount set out in the policy is likely to increase the number of journeys made in and to this area, particularly during peak hours. Overall the impact is considered to be mixed and direct. Impacts are considered to span all timescales and could become more significant in the long-term based on patterns of traffic growth increasing. Measures identified within the policy and the Transport strategy, as well as Policy SH5 Sustainable Travel will contribute to mitigating negative impacts.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	According to the IMD 2015, levels of overall deprivation within the two SOAs that are within the Character Area are within the 30% and 40% most deprived SOAs in the country. In the Education & Skills Domain, the area to the east of the town centre is within the 20% most deprived. Although this objective is primarily addressed in other policies in the JAAP, this appraisal notes that new development may provide new jobs in the area and this will have positive impacts for this objective. In addition, any potential future district heating network could help address fuel poverty. Impacts are considered to be positive and indirect. Impacts are considered to span all timescales and will become more significant as and when development is delivered. There could be further scope for the policy to have greater positive impacts by encouraging developers to enter into training place agreements to secure training for local people, which could contribute towards addressing education and skills deprivation where this is an issue, however this is considered to be addressed through SH3 Economy and Employment.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
+	The provision of a minimum 1,100 new homes will have positive impacts on this objective. Affordable housing is addressed by other policies in the JAAP. Impacts are considered to be positive and direct, and be permanent in nature. Delivery of 1,100 homes in this area will make a significant impact towards this objective and will be permanent in nature.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	This objective is addressed by other policies in the JAAP. However this appraisal notes that the provision of new residential development at the Western Harbour Arm will provide the opportunity to create and sustain a vibrant community. The delivery of various infrastructure, including green infrastructure and flood related infrastructure will also support delivery of vibrant communities. Impacts are considered to be positive and indirect. Impacts are considered to span all timescales.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
+ / -	The provision of 12,000m ² of new employment floorspace is likely to have positive impacts. New jobs will be created, and the improvements to the streetscape are likely to improve the environment for businesses in the area. However, the release of some sites for residential uses will reduce the amount of employment land in the area. The SA notes that the supporting text recognises that the release of sites is a long term process and that the partnership will ensure that local business and jobs are retained in the area. It is also recognised that the release of sites and relocation of businesses to other areas within the harbour area to free up the prominent waterfront location forms part of the overall JAAP strategy. Residential uses are also more sensitive to noise and air quality issues and this may limit the activities of businesses in the area. Infrastructure is addressed by other policies in the JAAP. Impacts are considered to be significant and more negative in the short term but becoming more positive in the long term. Impacts are considered permanent in nature.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+ / -	The SFRA identifies much of the Western Harbour Arm area as being situated within flood zones 2 (medium probability) and 3a (high probability), with many sites

	<p>currently being at risk of flooding. The Flood Risk Management SPD indicates that with climate change, almost all of Western Harbour Arm Strategic Site Allocation will be at risk of tidal flooding. Therefore, new development in this area is considered to have a significant risk of flooding both currently and in the future. Both Adur and Brighton & Hove are constrained by the sea to the south and the South Downs to the north. Therefore it is not possible to avoid flood risk entirely whilst trying to meet the development needs of the area.</p> <p>The provision of a comprehensive flood defence solution is one of the Area Priorities. The policy also includes various additional requirements relating to flood risk management including the requirement of an 8 metre set-back and biodiverse SUDS along the waterfront route, however it is noted that other specific requirements relating to flood risk have been moved to SH6 Flood Risk.</p> <p>The measures required in the policy should mitigate the negative impacts of building in this area and reduce flood risk. In addition, the policy requirements relating to open space, green infrastructure and SUDS will also assist with flood risk mitigation.</p> <p>Overall, impacts are considered to be mixed and direct. Impacts are considered to span all timescales, although are likely to become more significant in the long-term beyond the plan period due to climate change impacts. Measures identified in the policy, as well as SH1 Climate Change, Energy & Sustainable Buildings and SH6 Flood Risk will contribute towards mitigating negative impacts.</p>
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	The policy includes public realm improvements, the provision of a waterfront route, additional moorings and the provision of active uses such as play areas and cafés along the waterfront. In addition, the policy includes various transport interventions such as improved waterfront access road, improved junction, bus stop improvements, and improved pedestrian and cycle crossings and routes. All of these will have positive impacts. Impacts are considered to be positive and direct, will span all timescales and will be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
+	New development is likely to improve the quality of the built environment in this area. Additionally, the provision of an active waterfront route, public realm improvements and new public open spaces and the integration of various types of green infrastructure including green walls, green roofs as part of the green corridor are likely to have positive impacts. Impacts are considered to be direct, span all timescales and be permanent in nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
+	The development of 1,100 new homes in the Western Arm area will require the provision of education facilities, including a primary school. At this stage it is not certain whether such facilities will be located on or off site, and whether this will be through a new school or through an expansion to an existing school. However the supporting text refers to this need. <p>It is noted that the previous SA recommendation with regards to securing training and employment opportunities for local people has been included within the overarching SH3 Economy and Employment, which may help to address the high levels of education and skills based deprivation within local SOAs having potential for positive impacts on this objective depending on implementation.</p>
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
+ / -	Although this objective is primarily addressed by other policies in the JAAP, this appraisal notes that an increase in development is likely to lead to an increase in the production of waste both during the construction phase and during the lifetime of the buildings. However, there may be opportunities to minimise waste and increase the recycling and reuse of materials. As such there are likely to be mixed positive and negative impacts in relation to this objective. Mitigation is provided by policy SH7 Natural Environment, Biodiversity and Green Infrastructure.

Policy SH10: Infrastructure Requirements

SA Recommendation (Draft JAAP 2017)

- No recommended changes

Summary of amendments (between draft JAAP 2016 and publication JAAP 2017 stages):

- Change of Policy name from SH17 to SH10
- SH10.3 – new requirement relating to the potential need for agreements with utility providers

Summary Appraisal

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
				+	+					+	+	+	+		+		+	+	+	+	
Conclusion																					
+	Overall this policy scores positively in relation to many of the objectives that relate to the provision of infrastructure, including maintaining local distinctiveness, open space, health, crime reduction, sustainable transport, poverty reduction, creating vibrant communities, flood risk, access, urban design and education.																				
Recommendation																					
No recommended changes.																					

Full Appraisal

1	Increase energy efficiency; encourage the use of renewable energy sources; increase the uptake of passive design measures; encourage use of established standards for new and existing development.
0	This objective is addressed by other policies in the JAAP.
2	Encourage the sustainable use of water.
0	This objective is addressed by other policies in the JAAP.
3	Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
0	This objective is addressed by other policies in the JAAP.
4	Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
0	This objective is addressed by other policies in the JAAP.
5	Maintain local distinctiveness; protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
+	Developer contributions will enable the provision of new areas of high quality public open space. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
6	Protect, enhance, and improve the accessibility of public open space and green infrastructure.
+	Infrastructure provision, or developer contributions will enable the provision of new areas of high quality public open space. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
7	Reduce the risk and levels of air and noise pollution.
0	This objective is addressed by other policies in the JAAP.

8	Reduce pollution and the risk of pollution to land.
0	This objective is addressed by other policies in the JAAP.
9	Reduce pollution and the risk of pollution to water.
0	This objective is addressed by other policies in the JAAP.
10	Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
0	This objective is addressed by other policies in the JAAP.
11	Improve health and wellbeing and reduce inequalities in health.
+	Infrastructure provision, or developer contributions towards infrastructure should enable the provision of social and community facilities, including healthcare. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
12	Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
+	Developer contributions will enable the provision of social and community facilities which may help to reduce crime and antisocial behaviour. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
13	Promote sustainable transport and reduce the use of the private car.
+	Infrastructure provision, or developer contributions towards infrastructure will enable the provision of transport infrastructure, including highways improvements, public transport and waterfront routes for pedestrians and cyclists. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
14	Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
+	Infrastructure provision, or developer contributions will enable the provision of social and community facilities which may help to tackle social exclusion and inequalities. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
15	Meet the need for housing, including affordable housing, and ensure that all groups have access to decent and appropriate housing.
0	This objective is addressed by other policies in the JAAP.
16	Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
+	Infrastructure provision or developer contributions will enable the provision of social and community facilities which may encourage more vibrant communities. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
17	Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy.
0	This objective is addressed by other policies in the JAAP.
18	Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
+	Infrastructure provision, or developer contributions will enable the provision of flood defences which would support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
19	Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
+	Infrastructure provision, or developer contributions will enable the provision of social and community facilities and improved transport infrastructure. These would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
20	Create places, spaces and buildings that work well, wear well and look good.
+	Infrastructure provision, or developer contributions will enable the provision of new areas of high quality public open space. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
21	Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
+	Infrastructure provision, or developer contributions will enable the provision of social and community facilities, including education. This would be likely to support this objective. Impacts are positive and direct and will span all timescales and be permanent in nature.
22	Reduce waste generation and increase material efficiency and re-use of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.
0	This objective is addressed by other policies in the JAAP.

Shoreham Harbour Regeneration

Adur District Council

Portland House
44 Richmond Road
Worthing
West Sussex
BN11 1HS

Brighton & Hove City Council

Hove Town Hall
Norton Road
Hove
East Sussex
BN3 4AH





SHOREHAM HARBOUR REGENERATION

SUSTAINABILITY

APPRAISAL

NON-TECHNICAL SUMMARY



PROPOSED SUBMISSION

SHOREHAM HARBOUR

JOINT AREA ACTION PLAN

DRAFT FOR APPROVAL—AUGUST 2017

Contents

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Section 1: Purpose of this report

1.1 This report is the non-technical summary of the combined Sustainability Appraisal and Strategic Environmental Assessment of the Publication stage Shoreham Harbour Joint Area Action Plan (2017). The JAAP and full SA report are available from www.adur-worthing.gov.uk/shoreham-harbour-regeneration

1.2 The requirement for a Non-technical summary is set out in part 10 of Schedule 2 of the Regulations¹ and must include a summary of the following information:

- a. An outline of the contents and main objectives of the Plan
- b. The relevant aspects of the current state of the environment and likely evolution without implementation of the Plan
- c. The environmental characteristics of areas likely to be significantly affected
- d. Any existing environmental problems including those relating to areas of particular importance
- e. The environmental protection objectives which are relevant to the Plan
- f. The likely significant effects on the environment
- g. The measures envisaged to prevent, reduce and offset significant effects
- h. An outline of why the alternatives were selected and a description of how the assessment was undertaken
- i. A description of the measures to monitor implementation of the Plan

1.3 The purpose of the SA/SEA is to ensure that the environmental, economic and social objectives are considered during the preparation of the plan. It assesses the effects of the policies in the plan against these objectives.

1.4 An SA/SEA has been carried out and published at the following stages:

- Scoping Report (Update) (December 2012)
- SA – Development Briefs (January/July 2013)
- SA – Draft JAAP (February 2014)
- SA – Draft JAAP (September 2016)

1.5 In addition there have been two further stages of SA/SEA that have not been published; one carried out by consultants URS in 2015 as part of an independent review, and the second on a version of the draft JAAP in March 2016 that was circulated for internal comments only. This interim Sustainability Appraisal work fed into the Sustainability Appraisal, September 2016.

1.6 Additionally, some SA work took place during the 2008-2010 period that looked at early options for delivering higher quantum of development as required by the South East Plan.

¹ The Environmental Assessment of Plans and Programmes Regulations 2004

Section 2: Consultation

2.1 The SA, Non-Technical Summary and the Publication Joint Area Action Plan will be now published for consultation under Regulation 19 (Publication stage) of the Town & Country Planning (Local Planning) (England) Regulations 2012. Representations made at this stage can only be those that relate to soundness of the Area Action Plan.

2.2 Representations should be sent to:

Email: consultation@shorehamharbour.com

Post: Shoreham Harbour Regeneration
Adur District Council
Portland House
44 Richmond Road
Worthing
West Sussex
BN11 1HS

Section 3: What is the Plan seeking to achieve?

The SA NTS must include:

- *An outline of the contents, main objectives of the plan or programme*

Contents of the JAAP

3.1 The Shoreham Harbour JAAP is being prepared by the Shoreham Harbour Regeneration Partnership comprising Adur District Council (ADC), Brighton & Hove City Council (BHCC), West Sussex County Council (WSCC) and Shoreham Port Authority.

3.2 The JAAP will set out the future vision and development priorities for the Shoreham Harbour area. It will be used to guide investment and planning decisions. The aim of the JAAP will be to provide a framework for future development that responds to local economic and social needs as well as environmental considerations.

3.3 The JAAP will be adopted by both ADC and BHCC and will form part of the Development Plan for each area.

3.4 An outline of the contents of the Plan is provided in the following table.

Character Area/Strategic Objective	Policy Number	Policy Name
Strategic Objective 1	SH1	Climate Change, Energy and Sustainable Buildings
Strategic Objective 2	SH2	Shoreham Port
Strategic Objective 3	SH3	Economy & Employment
Strategic Objective 4	SH4	Housing & Community
Strategic Objective 5	SH5	Sustainable Travel
Strategic Objective 6	SH6	Flood Risk & Sustainable Drainage
Strategic Objective 7	SH7	Natural Environment, Biodiversity & Green Infrastructure
Strategic Objective 8	SH8	Recreation and Leisure
Strategic Objective 9	SH9	Place Making & Design Quality
Character Area 1	CA1	South Quayside
Character Area 2	CA2	Aldrington Basin
Character Area 3	CA3	South Portslade & North Quayside
Character Area 4	CA4	Portslade & Southwick Beaches
Character Area 5	CA5	Fishersgate & Southwick
Character Area 6	CA6	Harbour Mouth
Character Area 7	CA7	Western Harbour Arm
	SH10	Infrastructure

Section 4: What is the sustainability context?

The SA NTS must include:

- *The environmental protection objectives which are relevant to the plan*

Relevant objectives

4.1 Plans, programme and policies of relevance to the JAAP have been reviewed and must be taken into account during the preparation of the JAAP. This includes European legislation as well as national legislation including the NPPF, regional policy and local strategies. Strategies produced for both Adur District and Brighton & Hove must be taken into consideration by the JAAP. Key messages and objectives that the JAAP must support include:

- Protection and enhancement of biodiversity and ecological networks
- Avoidance of flood risk
- Movement of waste up the waste hierarchy
- Protection and enhancement of water quality and quantity
- Promotion of energy efficiency and renewable energy
- Improvement in air quality
- Management of environmental noise
- Minimisation of travel and improvements in access to sustainable forms of transport
- Protection of soils and prevention of soil pollution
- Delivery of a wide choice of quality homes
- Ensure ongoing sustainable economic growth
- Promote social inclusion and reduce inequalities
- Improve health and reduce health inequalities

Section 5: What is the sustainability baseline?

The SA NTS must include:

- *The relevant aspects of the current state of the environment*
- *The environmental characteristics of areas likely to be effected*
- *Any existing environmental problems, particular those relating to an area of importance such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.*
- *The likely evolution within implementation of the Plan*

The relevant aspects of the current state of the environment and the environmental characteristics of areas likely to be effected

5.1 The SA scoping report and analysis of baseline data identified the following sustainability challenges and issues for the Shoreham Harbour area:

5.2 Environmental

- Climate change will result in sea level rise and more frequent and extreme weather events including flooding and droughts. Of these, flooding in particular puts a significant amount of the regeneration area at risk, particularly on the western side of Shoreham Harbour.
- In terms of 'water', there is high water stress (i.e. limited water supply and high demand) and both the groundwater resource and the River Adur estuary are currently failing to achieve good overall status as required by the Water Framework Directive.
- Traffic congestion is an issue, and also has air quality implications. There are designated AQMAs, and there is poor air quality associated with the A259. Noise and dust are also issues locally.
- Sensitive habitats are present within the regeneration area and nearby, which are under pressure including as a result of climate change. There is a need to contribute to identified strategic green infrastructure opportunities.
- There is a distinctive historic and built heritage that must be preserved and enhanced. More generally, much of the built environment and public realm is in need of enhancement.
- Opportunities exist around the remediation of contaminated brownfield sites.

5.3 Socio-economic

- There are specific needs in terms of employment floorspace, but there is a lack of demand for employment floorspace in parts of the JAAP area. Adur is not perceived as an office location.
- High levels of congestion on the A259 hinder economic growth, as does low skill levels.
- Various issues indicate some degree of relative deprivation / social exclusion associated with the regeneration area and nearby communities.

- There are identified deficiencies in terms of access to services, community infrastructure, housing and education / skills training.
- There is a high degree of housing need, and a shortage of affordable housing provision.
- There is an ageing population with increasing demands on health and social care. The working age population has remained fairly static over the last 20 years in Adur, compared to a steady increase in Brighton & Hove.

Any existing environmental problems, particular those relating to an area of importance

5.4 There are no Special Areas of Conservation (SAC) or Special Protected Areas (SPA) within the JAAP boundary. The approximate distances to SACs or SPAs within 20 miles of a central point within the JAAP boundary are shown on the following table. Consideration of impacts on SACs and SPAs has been through the Habitats Regulations Screening Assessments undertaken for the Adur Local Plan and Brighton & Hove City Plan.

Castle Hill SAC	8 miles
Lewes Downs SAC	12 miles
Arun Valley SAC/SPA	14 miles
The Mens SAC	18 miles
Duncton to Bignor Escarpment SAC	18 miles

The likely evolution without implementation of the Plan

- 5.5 The no plan scenario is considered to result in the following:
- limited piecemeal development that does not contribute towards a comprehensive regeneration scheme
 - lower levels of housing and employment coming forward
 - limited opportunities to increase land use efficiency
 - lack of sustainable transport infrastructure
 - no improvements to flood defences
 - no improvements to existing community resources
 - worsening of air quality, noise issues and congestion
 - no improvement to streetscape, public realm and general appearance of the area

Section 6: How was the sustainability appraisal undertaken?

The SA NTS must include:

- *A description of how the assessment was undertaken*

Methodology

6.1 At this stage, the SA has identified and evaluated the likely effects of each of the individual JAAP policies against the SA Framework. In addition, a cumulative analysis of the effects of the JAAP policies has also been undertaken to determine the overall effect on each of the sustainability objectives.

6.2 The SA Objectives are as follows:

1. Increase energy efficiency; encourage the use of renewable energy sources; increase the take-up of passive design and encourage use of established standards for new and existing development.
2. Encourage the sustainable use of water.
3. Improve land use efficiency by encouraging the re-use of previously developed land, buildings and materials.
4. Conserve, protect and enhance biodiversity (flora and fauna) and habitats.
5. Maintain local distinctiveness and protect and enhance the historic environment including townscapes, buildings and their settings, archaeological heritage, parks and landscapes.
6. Protect and enhance public open space / green infrastructure and accessibility to it.
7. Reduce the risk and levels of air and noise pollution.
8. Reduce pollution and the risk of pollution to land.
9. Reduce pollution and the risk of pollution to water.
10. Ensure that all developments have taken into account the changing climate and are adaptable and resilient to extreme weather events.
11. Improve health and wellbeing and reduce inequalities in health.
12. Reduce crime, the fear of crime and antisocial behaviour through planning and design processes.
13. Promote sustainable transport and reduce the use of the private car
14. Reduce poverty, social exclusion and social inequalities and narrow the gap between the most and least deprived areas so that no-one is seriously disadvantaged by where they live.
15. Meet the need for housing, including affordable housing and ensure that all groups have access to decent and appropriate housing.
16. Create and sustain vibrant communities which recognise the needs and contributions of all individuals.
17. Promote sustainable economic development with supporting infrastructure, and ensure high and stable levels of employment and a diverse economy

18. Avoid, reduce and manage the risk from all sources of flooding to and from the development and to minimise coastal erosion where possible.
19. Improve the range, quality and accessibility of services and facilities and to improve integrated transport links with them.
20. Create places and spaces and buildings that work well, wear well and look good.
21. Raise educational achievement and skills levels to enable people to remain in work, and to access good quality jobs.
22. Reduce waste generation and increase material efficiency and reuse of discarded material by supporting and encouraging development, businesses and initiatives that promote these and other sustainability issues.

6.3 The following key was used throughout the appraisals:

+	Positive impacts / consistent with sustainability objective
+/-	Mixed impacts / potential for conflict with sustainability objective
-	Negative impacts / conflict with sustainability objective
?	Uncertain impacts / dependent on implementation
	No impact / issues addressed by other policies in the plan

6.4 In addition, the narrative throughout the policy appraisals described whether the effects were considered to be significant and gave an indication of whether the effects would be direct or indirect, temporary or permanent.

Section 7: What are the appraisal findings at this current stage?

The SA NTS must include:

- *The likely significant effects on the environment.*
- *The measures envisaged to prevent, reduce and offset adverse effects*

Likely Effects

7.1 The appraisal identified the following effects:

7.2 Potential Positive Impacts

- Incorporation of low and zero carbon energy infrastructure including infrastructure to connect to future networks
- Measures to conserve water resources
- Improvements in tidal flood defences
- Delivery of SUDS, minimising the risk of water pollution and surface water flood risk
- Remediation of contaminated land
- Net gains in biodiversity in particular Habitats of Principal Importance
- Improved green infrastructure network including creation of green corridor and improvements to areas of vegetated shingle and intertidal habitats
- Improved access to existing open space and delivery of new open space
- Improved connectivity throughout and to the JAAP area
- Improvements to the road network, and measures to promote sustainable travel and reduce the need to travel by car
- Delivery of some of the wider determinants of health, including opportunities for active lifestyles
- Provides opportunities to reduce inequalities, such as through increased access, through district heating and through employment and housing opportunities
- Delivery of different types of housing including affordable housing
- Safeguarding of some existing, and delivery of new employment floorspace of a range of types
- Creation of training and employment opportunities, including those for local residents
- Safeguarding of port-operational activity
- Improved land use efficiency
- Improved and increased access to a range of services and facilities
- Improved access to the waterfront
- Well-designed developments that respect the local area, including the historic built environment where relevant and contribute towards improved streetscapes
- Improved public realm

7.3 Potential Adverse Impacts

- Potential for an overall increase in energy consumption resulting from increased population

- Potential for an overall increase in water consumption resulting from increased population
- Potential risk of flooding in certain locations
- Potential for pollution of water resulting from disturbance of contaminants
- Potential for loss of intertidal habitats in certain locations from landraising
- Potential increased transport movements resulting from increased population
- Potential worsening of air quality resulting from increased transport movements
- Potential for noise issues resulting from increased transport and incompatibility of neighbouring uses
- Potential for an overall increase in waste generation resulting from increased population

7.4 All effects, whether positive or negative will depend how development is implemented and resident behaviour.

The following table summarises the appraisal findings for each policy against the Sustainability Appraisal Framework. The final row helps to show the overall impacts against each of the 22 Sustainability Appraisal objective. The final column helps to show the overall impacts of each individual policy.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	All	
SH1	+	+								+	+			+										+
SH2	+		+							+		+					+							+
SH3	+/-	+/-	+				+/-	+	+/-		+/-		+/-	+		+	+	+/-	+	+	+			+/-
SH4	+/-	+/-	+	+/-			+/-	+	+/-		+/-		+/-	+	+	+	+/-	+/-	+					+/-
SH5			+			+	+				+		+				+		+					+
SH6				+		+		+	+	+	+					+		+		+				+
SH7				+		+	+	+	+	+	+							+	+	+		+	+	+
SH8				+	+	+	+			+	+					+	+	+	+	+				+
SH9					+						+	+			+	+					+			+
CA1	+		+			+	+/-	+/-	+/-				+/-				+	+	+	+				+/-
CA2	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+	+	+/-	+	+		+/-	+/-
CA3	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+	+	+	+		+/-	+/-	+/-
CA4				+	+	+					+	+	+							+	+			+
CA5	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+	+	+/-	+		+	+	+	+/-	+	+		+/-	+/-
CA6			+	+	+	+					+	+	+/-		+		+		+	+				+
CA7	+/-	+/-	+	+/-	+	+	+/-	+	+/-	+/-	+/-	+	+/-	+	+	+	+	+/-	+/-	+	+	+	+/-	+/-
SH10					+	+					+	+	+	+		+		+	+	+	+			+
Overall	+/-	+/-	+	+	+	+	+/-	+	+/-	+/-	+	+	+/-	+	+	+	+	+	+/-	+	+	+	+/-	

Mitigation

7.4 The following measures are anticipated to mitigate against adverse impacts. All measures are identified within JAAP policies.

7.4.1 Potential for increased energy consumption:

- Requirement for energy efficient infrastructure
- Support for and connection to future district heating network
- BREEAM standards
- Passive design

7.4.2 Increased water consumption:

- Measures to recycle, harvest and conserve water resources
- Dwellings to achieve 110l/p/day
- BREEAM standards

7.4.3 Pollution of water:

- Pollution prevention techniques
- SUDS to reduce surface water run-off

7.4.4 Loss of intertidal habitats:

- Ecological enhancements
- Avoidance, mitigation and compensation
- Creation of intertidal habitats
- Creation, restoration or enhancement of off-site habitats

7.4.5 Risk of flooding in certain locations:

- SUDS to reduce surface water run-off
- Provision of open space and green infrastructure
- Finished floor levels for residential development
- Non-residential development to be safe for the lifetime of development
- Land-raising in certain locations and set-backs

7.4.6 Worsening of air quality:

- Sustainable transport improvements
- Measures implemented to reduce exposure to air pollutants

7.4.7 Increased congestion/transport noise issues:

- Implementation of travel behaviour change programme
- Pedestrian and cycle priority across strategic sites
- Transport infrastructure improvements such as junction improvements, bus and rail improvements and improvements to cycle and pedestrian routes
- Delivery of new waterfront route
- Improved connectivity throughout the area
- Minimisation of surface and on-street parking
- Provision of cycle storage

7.4.8 Increased waste generation:

- Facilities to encourage high rates of recycling

- Waste to be minimised during construction
- Site Waste Management Plans

Section 8: What has plan-making involved up to this point?

The SA NTS must include:

- *An outline of the reasons for selecting the alternatives dealt with*

8.1 Consideration of alternatives

At this late stage of plan-making, the SA has carried out an appraisal of policies, rather than appraisal of alternatives. Alternatives have been considered at earlier stages of plan-making as outlined below.

8.2 2006-2009: Work driven by SEEDA and the South East Plan

The South East Plan included a target for delivery of 10,000 homes and 8,000 jobs in the harbour area. SA work undertaken at this time assessed the following broad strategies:

- 10,000 homes and 7,750 jobs with a new link road to the A259
- 10,000 homes and 7,750 jobs without a new link road
- 7,750 homes and 6,000 jobs with a new link road to the A259
- 10,000 homes and 6,000 jobs without a new link road

8.3 A second phase of SA was carried out that assessed options relating to the following issues:

- Transport
- Economy
- Housing
- Open space and outdoor recreation
- Port development
- Retail
- Community Facilities
- Waste and Energy (Sustainable Living)

Various detailed studies undertaken during this time concluded that these amounts of development were not viable or deliverable, however that it was worthwhile continuing with the regeneration project but at a much reduced scale.

8.4 2010-2012: Progress following changes to government

Capacity and viability work undertaken during this time helped to shape the quantum that were anticipated to be delivered to around 2,000 homes and 3,000 jobs. No further SA work was undertaken during this time.

8.5 2012-2013: Development Briefs and Emerging Proposals Report

Development Briefs for the Western Harbour Arm, Aldrington Basin and South Portslade Industrial Estate were developed. This included consideration of options, as follows, which were subject to Sustainability Appraisal.

8.5.1 Western Harbour Arm:

- Option 1 suggested a courtyard structure with improved access to the waterfront and employment uses at ground floor level. This approach retained the existing Brighton Road (A259) on its current alignment.
- Option 2 proposed a more radical approach, realigning the A259 to run along the waterfront.

8.5.2 South Portslade Industrial Estate:

- Option 1 proposed the comprehensive redevelopment of the area as a residential neighbourhood.
- Option 2 proposed a more incremental approach leading to a mixed use scenario.

8.5.3 Aldrington Basin:

- Option 1 proposed a mixture of commercial uses alongside existing employment and port uses.
- Option 2 proposed the introduction of residential uses to certain sites.

8.5.4 The Emerging Proposals report (October 2012) outlined a direction of change for each of the “areas of change” as follows. The Emerging Proposals report was subject to Sustainability Appraisal.

8.5.6 Western Harbour Arm:

Given the complex land-ownerships and the likelihood of development coming forward at different times, the realignment of the A259 was ruled out as an option. The Emerging Proposals Report envisaged an additional route along the waterfront which would improve access to developments.

8.5.7 South Portslade:

The need to retain employment space ruled out ‘comprehensive redevelopment’ as an option. Instead it was suggested that a limited number of specific sites should be released from employment use.

8.5.8 Aldrington Basin:

The need to retain port-operational and other employment uses ruled out the wider introduction of residential development, i.e. this is not a reasonable option. The report suggested a limited amount of residential development fronting Kingsway and a mixture of commercial uses on specific sites.

8.5.9 The SA made a number of recommendations, the majority of which were included in the Development Briefs, which were subsequently incorporated into the draft JAAP.

8.6 2013-2017: Draft and Publication Stage JAAP

The work on the Development Briefs and the Emerging Proposals report helped to inform the policies within the JAAP. The JAAP was also informed by policies contained within the Adur Local Plan and the Brighton & Hove City Plan, both of which have been subject to separate SA process. The draft JAAP and Publication stage JAAP therefore did not contain options for consideration, as these had been explored in previous stages. SA work at this stage consisted of refinement to policies.

Section 9: Proposals for Monitoring

The SA NTS must include:

- A description of measures envisaged concerning monitoring

9.1 The indicators to be used to measure progress and impacts of the JAAP will be finalised in the SA/SEA post adoption statement. The following table presents some of the monitoring indicators that are being considered at this stage.

Strategic Objective	Target	Indicator
1. Climate Change, energy and sustainable buildings	All development proposals to be accompanied by a Sustainability Statement (ADC) or Sustainability Checklist (BHCC)	<ul style="list-style-type: none"> • % of proposals accompanied by a Sustainability Statement/Checklist
	Increase energy efficiency	<ul style="list-style-type: none"> • % of applications approved for residential and non-residential development that meet minimum standards for energy • % of applications approved for residential and non-residential development that incorporating low/zero carbon technologies
	Increase the generation of renewable energy within the JAAP area (including Shoreham Port)	<ul style="list-style-type: none"> • No. and type of renewable energy developments/installations within the plan area • Amount of energy generated from renewable sources within the plan area
	Increase water efficiency	<ul style="list-style-type: none"> • % of applications approved for residential and non-residential development that meet minimum standards for water • % of applications approved for residential and non-residential development that incorporating measures to recycle, harvest and conserve water. • % of applications approved for residential and non-residential development that incorporating Sustainable Drainage Systems (SuDS)
2. Shoreham Port	Consolidate Shoreham Port operations in the eastern arm and canal	<ul style="list-style-type: none"> • Port-related operations relocated to the eastern arm/canal • New port-related development in the eastern arm/canal

Strategic Objective	Target	Indicator
3. Economy and employment	Deliver 23,500m ² employment floorspace <ul style="list-style-type: none"> • 16,000m² in Adur • 7,500m² in Brighton & Hove 	<ul style="list-style-type: none"> • Total amount of new employment floorspace by type (gross and net)
	Provide ancillary retail uses within the plan area to complement existing town/district centres	<ul style="list-style-type: none"> • Total amount of new retail floorspace by type (gross and net)
4. Housing and community	Deliver 1,400 new homes <ul style="list-style-type: none"> • 1,100 in Western Harbour Arm • 300 in South Portslade and Aldrington Basin 	<ul style="list-style-type: none"> • Net additional homes provided (BH/Adur) • Number of 1,2 and 3+ bed dwellings provided (BH/Adur)
	Deliver affordable housing according to local policy	<ul style="list-style-type: none"> • Net affordable housing completions secured (BH/Adur)
	Deliver social and community infrastructure to support new development	<ul style="list-style-type: none"> • Total amount of new D class floorspace (gross and net)
	Deliver new/improved routes for pedestrians and cyclists, including: <ul style="list-style-type: none"> • New waterfront route (Western Harbour Arm) • Improved east-west route (north of canal) • Improved Monarch's Way/Basin Road South • Improved lock gate crossing • New bridge over railway (Dolphin Road to Brighton Road) 	<ul style="list-style-type: none"> • New/improved routes for pedestrians and cyclist delivered
	Deliver improved priority corridors and junction improvements <ul style="list-style-type: none"> • A259 • A283 Old Shoreham Road • A293 Church Road – Trafalgar Road- Hangleton Link Road 	<ul style="list-style-type: none"> • Improvements to priority corridors and junctions delivered

Strategic Objective	Target	Indicator
	Deliver improved access to port activities <ul style="list-style-type: none"> • Southwick Waterfront access road • Basin Road North 	<ul style="list-style-type: none"> • Improvements to port access delivered
	Deliver improved access to the waterfront <ul style="list-style-type: none"> • New waterfront route (Western Harbour Arm) • New/improved public slipway 	<ul style="list-style-type: none"> • Improvements to waterfront access delivered
	Deliver improvements and improve interchange with public transport network	<ul style="list-style-type: none"> • Improvements to bus services delivered • Improvements to bus stops delivered • Bus priority measures delivered • Improvements to interchanges at railway stations delivered
	Deliver new/improved routes and facilities for pedestrians and cyclists, including: <ul style="list-style-type: none"> • NCN2 • New waterfront route (Western Harbour Arm) • Improved east-west route (north of canal) • Improved Monarch's Way/Basin Road South • Improved lock gate crossing • New bridge over railway (Dolphin Road to Brighton Road) 	<ul style="list-style-type: none"> • New/improved routes and facilities for pedestrians and cyclist delivered
5. Flood risk and Sustainable Drainage	Deliver new/upgraded flood defences <ul style="list-style-type: none"> • Sussex Yacht Club • Western Arm • Kingston Beach • Lock gates • Canal 	<ul style="list-style-type: none"> • New/upgraded flood defences delivered • Developer contributions to flood defences
6. Natural environment , biodiversity and green infrastructur	All development to provide a net gain in biodiversity	<ul style="list-style-type: none"> • Number and type of new habitats delivered • Number and type of habitats lost • Developer contributions to biodiversity improvements

Strategic Objective	Target	Indicator
e	Protect and enhance designated and non-designated sites and species: <ul style="list-style-type: none"> • Adur Estuary SSSI • Widewater Lagoon SNCI • Shoreham Beach SNCI/LNR • Basin Road South SNCI • North Canal Bank 	<ul style="list-style-type: none"> • State or condition of nationally and locally designated sites
	Improve the quality of groundwater Brighton Chalk Block), water bodies (River Adur) and bathing water (Southwick Beach)	<ul style="list-style-type: none"> • Quality of groundwater, water bodies and bathing water. • Number of pollution incidents affecting groundwater, water bodies or bathing water.
8.Recreation and leisure	Improve access to the waterfront for boat users <ul style="list-style-type: none"> • Western Harbour Arm • Lady Bee Marina 	<ul style="list-style-type: none"> • No and type of waterfront access improvements delivered • Developer contributions to waterfront access improvements
9. Place making and design quality	Deliver high quality public realm (new and existing)	<ul style="list-style-type: none"> • Developer contributions to public realm improvements
Infrastructure	Deliver infrastructure made necessary by the development	<ul style="list-style-type: none"> • Developer contributions to infrastructure

Shoreham Harbour Regeneration

Adur District Council

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44 Richmond Road
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Brighton & Hove City Council

Hove Town Hall
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Appendix 5 - Extract from minutes of Adur Planning Committee 18/09/17

ADC-PC/027/17-18

Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP)

The report sought consideration and comment on the Proposed Submission Shoreham Harbour Joint Area Action Plan (JAAP), together with supporting documents.

The JAAP is a strategy for the regeneration of Shoreham Harbour and surrounding areas. It includes proposals and policies for new housing and employment generating floorspace; and for upgrading flood defences, recreational and community facilities, sustainable travel, environmental and green infrastructure improvements.

The Principal Planning Officer reminded Members the last time the report was brought before the Adur Planning Committee was last autumn when they were asked to comment on the draft version of the Plan.

The Councils consulted on the revised draft between December 2016 and February 2017 and received 46 representations which had been taken into account in the preparation of the proposed submission JAAP.

The Officer advised the structure of the Plan had been simplified to avoid less confusion; references had been added to individual sites within the Western Harbour Arm; and repetition also avoided.

The Officer raised significant issues Members may feel need further consideration i.e. the building heights policy and the setting of the Kingston Lighthouse.

Members raised a number of queries which were answered in turn by the Principal Planning Officer and Head of Planning & Development.

The Committee considered the report and appendices and thanked the Officer for the excellent work carried out on the Plan.

Decision

The Planning Committee considered the report, the Proposed Submission Shoreham Harbour Joint Area Action Plan and Sustainability Appraisal, and agreed no substantive comments for the Joint Strategic Committee other than:-

- within the report, under 3. Context, 3.6, paragraph 4 (page 19), should read 'Proposed Submission Joint Area Action Plan' and not 'Proposed Submission Adur Local Plan'; and
- on page 164 of the report, under Strategic Objectives, Objective 6 should read 'flood risk and sustainable drainage and not 'flood risk and drainage'.

The Committee also raised concerns about transport infrastructure and stressed a need to ensure appropriate mitigation to avoid worsening the existing traffic and air quality issues along the A259.

These comments will be submitted to the Joint Strategic Committee meeting scheduled to take place on 10 October 2017.

The Joint Strategic Committee will be asked to recommend that Adur District Council, at their meeting on 2 November 2017 agree to the publication and submission of the plan.



ADUR & WORTHING COUNCILS

Joint Strategic Committee
10 October 2017
Agenda Item 12

Key Decision [No]

Ward(s) Affected: All

Health Related Development on Worthing Town Hall Car Park

Report by the Director for the Economy

Executive Summary

1. Purpose

- 1.1 The report seeks agreement for Officers to continue negotiations and feasibility work in partnership with various local NHS delivery organisations, the Coastal West Sussex Coastal Clinical Commissioning Group (CCG) to allow for a future integrated healthcare development on part the Worthing Town Hall Car park site. The development provides an opportunity for the delivery of a new integrated healthcare model involving primary care facilities, community care services, mental health, health and wellbeing services, and office space for the use of Coastal West Sussex CCG.
- 1.2 The report recommends to Members a preferred approach to deliver the proposal based on securing sign up from partner organisations to a development agreement, and preparation of an outline business case, securing planning permission and confirming the detailed business case.
- 1.3 The report seeks confirmation of guiding commercial principles as the way forward to develop the site and as a basis for ongoing negotiations with NHS partners; and requests funding to support the project through to the submission of a planning application.

2. Recommendations

- 2.1 That the Committee notes the contents of the feasibility study contained as part of this agenda and agree it as a basis for continuing negotiations with NHS partner organisations to develop the Town Hall car park.
- 2.2. The Committee notes the key financial information for the development project outlined in section 7 and agree to the guiding commercial principles for the project contained in section 4.
- 2.3 That the remaining £64,343 of One Public Estate money be used to support further detailed work to prepare schedules of accommodation and the preparation of a Development Agreement for partner organisations as set out in paragraph 5.4.
- 2.4 The Head of Planning and Development, in consultation with the Executive Member for Regeneration, be authorised to continue and conclude negotiations and enter into a Development Agreement on behalf of Worthing Borough Council.
- 2.5 Subject to this Development Agreement, the Committee agrees to recommend to Worthing Borough Council to amend the 2017/18 Capital Programme by £262,000 funded by prudential borrowing to fund the necessary studies outlined in paragraphs 5.5 and 5.6 subject to NHS partners committing to the project via a Development Agreement and underwriting the cost of the studies if they should chose to withdraw from the project.
- 2.6 Subject to a viable business case being achieved as a result of 2.5, that a report on the final proposed scheme will return to the Joint Strategic Committee for consideration, and to recommend to Worthing Borough Council to add the scheme to the Capital Programme for 2018/19 and 2019/20.

3. Context

3.1. Background

- 3.1.1 Worthing Borough Council owns the freehold of the Town Hall car park site, which occupies a prime position close to the town centre. The Council is

continually looking to identify opportunities to develop its own sites and assets to maximise revenue income and/or capital receipts.

- 3.1.2 Platforms for Places also sets a commitment for the Council to “partner with local health providers to deliver a hub facility consistent with new models of health provision”. Joint Strategic Committee considered a report at its meeting in December 2016 and supported using funding received through the Cabinet Office’s One Public Estate programme. Since then officers have been working with partners in the NHS and community to investigate the feasibility of development a new integrated primary and community care facility, and identify a route to deliver the proposed facility.
- 3.1.3 As well as increasing the value of, and income derived from, the Council’s property assets, other Council priorities in Platforms for Places include ensuring that the Borough remains an attractive place to live, work and do businesses, to encourage existing businesses to thrive and grow, and to attract new businesses.
- 3.1.4 The Council is actively exploring opportunities to enhance Worthing, and to nurture “social economies” in the town, In particular this is focusing on promoting good physical and mental health of our communities. Platforms for Places includes a number of commitments towards improved health and wellbeing outcomes.
- 3.1.5 The development of a new community and primary care health hub on the Town Hall car park will make a position contribution towards achieving these objectives.

3.2 Final Feasibility Study

- 3.2.1 The study was completed in August 2017 and identifies that the preferred solution should comprise a new, purpose-built health care hub located on the Worthing Town Hall car park site, into which a number of existing services and sites are co-located. The study has also identified the following main benefits and drivers for delivering the proposed scheme:
- Much of the existing primary & community care estate is old and compromised (e.g. condition, functional suitability)
 - There is a legacy of limited investment in local primary and community care infrastructure, and without essential investment and reconfiguration in premises and services, the position is becoming increasingly unsustainable

- Existing services are distributed and fragmented across multiple sites and buildings
- Some buildings have limited remaining service capacity
- 10 or more existing health premises may be released and funds reinvested
- Local population and health needs continue to grow
- There is an opportunity to realise significant operational efficiencies
- New patient care infrastructure will support new and emerging models of care and services delivery, e.g. the Worthing Local Communities Network

3.2.2 It proposes that this facility should contain / comprise the following services:

- Primary Care services, including 2 large GP practices co-located from 3 existing premises in Worthing
- A range of Community Health services by Sussex Community Foundation Trust, including those relocated from Central Clinic in Worthing
- A range of Mental Health services by Sussex Partnership Foundation Trust, including those relocated / co-located from at least 6 existing sites in Worthing
- Accommodation for Community Nursing teams, Social Care teams and Services management & administration teams
- Staff and Patient amenities, including a café and on-site under-croft car parking provision
- A Pharmacy

3.2.3 The feasibility study identifies that a headline cost for the construction of the premises is approximately £15 million, though this may change as more detailed plans are developed. A key criteria for NHS organisations investing in new premises is that the revenue cost of the new facility does not exceed the cost of the existing provision. Members should note that the final feasibility study identifies a revenue shortfall in the financial business case meaning the cost of the new facility exceeds the costs of the existing facilities. However, your officers are confident that there are a number of opportunities available to resolve this challenge to enable the project to move forward by involving relocation of existing services and introducing more commercial elements.

3.2.4 It is recognised that the proposal will result in a loss of car parking in a town centre location. This will primarily affect Council staff and members of the public who currently park there at evenings and weekends. Overall parking requirements in Worthing Town Centre are currently being reviewed as part of a wider Town Centre Parking strategy being commissioned and the effect of this proposal will be taken into account through this study.

4. Proposed Commercial Approach

- 4.1 A key challenge in the development of the proposal has been in identifying the most suitable commercial approach to delivering the facility. The proposed development is being brought forward based on the following commercial principles:
1. The Council will finance the delivery of the new building (via Capex + cost of borrowing) on a site it retains ownership.
 2. The commitment to invest (approved business case) will be predicated on gaining pre-construction undertakings amongst the respective NHS stakeholders (as prospective tenants) as Parties to a Development Agreement, to estimated revenue contributions for their respective demises (i.e. rental income to the Council), to service delivery specifications and activity thresholds, co-sponsored by the CWS CCG, based on Commissioning intentions, Coastal Care objectives and STP alignment
 3. A 'before and after' site & development valuation will be used to reconcile the investment model and determine/validate threshold rates for income/expense and Return on Investment etc., tested against comparable buildings and sites with the District Valuer
 4. The Council(s) will procure a 'specialist' development delivery partner for the Health Facility who will undertake and complete on behalf of the Council the CCG and Tenants (as Parties to the Development Agreement) all requisite healthcare planning, design, approvals, procurement, construction, commissioning and equipping to deliver the new facility ready for service use. To date this role has been fulfilled by Community Solutions the local LiFTCO.
 5. The Council will become the freehold owners of the completed property.
 6. The Council internally will assign a head-lease and the building will be sublet to tenants in line with the Heads of Terms set out in the Development Agreement.

5. Progressing the Scheme

- 5.1 This options and feasibility study has concluded that it is feasible for the Worthing health care centre to be designed and delivered as a substantially standalone new facility on the allocated site, but that this should be planned

and integrated as part of the wider site master plans being developed and coordinated by Adur & Worthing Councils. To this extent proposals for the remaining part of the site are being prepared independently of the health hub proposals and will be considered by Joint Strategic Committee in due course.

5.2 The feasibility study also advises on the future steps to progress the scheme through the next stages of planning and design, and through business case preparation and approvals. The demand for improved local health and care facilities is extremely pressing, and swift progress needs to be made to see the project through to occupation. The next steps are set out below:

5.3 It is proposed that the scheme should be taken forward in a managed phased approach with different stages once recognised milestones have been achieved. A summary of the stages is set out below:

- Stage 1: Scheme feasibility (completed)
- Stage 2: Proof of viability, develop scheme designs, detailed scope and development agreement
- Stage 3: Prepare outline business case approvals
- Stage 4: Scheme design to Planning Application and Approval.
- Stage 5: Prepare detailed business case for NHS approvals.
- Stage 6: Building contract award to completion and occupation.

5.4 Stage 2 Proof of Viability and Scheme Design - includes working up more detailed scheme designs, demonstrating viability and ensuring a signed Development Agreement is in place to reduce risk for the Council. This stage will be funded using the remaining OPE funding.

5.5 Stage 3 Outline Business Case - The main output will be an Outline Business Case which develops the preferred option, is suitable to gain initial financial approval and identifies the preferred procurement approach. The Business case would also verify and validate the preferred option including assessing design options. This work is estimated to cost approximately £105,000

5.6 Stage 4 - Scheme Design will include the preparation of detailed technical reports required to support the submission of a planning application including design, planning, transport, environmental and archaeological reports. This stage is estimated to cost approximately £157,000

5.7 Stage 5 - Full business Case is required to ensure sufficient completeness and robustness in the investment and commitment decisions and will include a detailed delivery programme. This will include detailed management to

maintain health service provision throughout and provide detailed information for stakeholder organisations to ensure confidence in the programme across all of the partners including patients. The estimated cost of this stage is £300,000.

- 5.8 Stage 6 – Implementation and contract award for construction. The estimated investment costs are outlined in section 7 below.

6. Alternative Options Considered

- 6.1 Option 1 - Proceed with the development of a health facility on part of the Council's car park based on the commercial approach outlined in Section 4. This is the most financially attractive development option creating a larger income stream for the Council, and ensures that control of delivery is maintained. **This is the recommended option.**
- 6.2 Option 2 - Proceed with the development based on disposing of the land to a third party specialist health care developer. This is not the recommended option as the Council would lose control over the form and timing of the development, other than as planning authority and does not share in the potential upside in value from property development. This would also lead to a substantial delay while the Council markets the site for a health care use.
- 6.3 Option 3 – Retain the car parking on site in its existing configuration. This is not the recommended option as it will not facilitate a development that maximises capital receipts or revenue income from Council assets.

7. Financial Implications

- 7.1 The overall project is likely to cost the Council in excess of £18.4m:

	Overall cost	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000
Potential build cost	15,000	0	3,000	12,000
Preliminary costs	262	262	0	0
Contingency (10%)	1,500	0	0	1,500
Allowance for other fees	1,676	0	300	135

Proposed scheme budget	18,438	262	3,300	13,635
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7.2 The annual debt charges associated with a project of this scale is estimated to be £628,990 per year for 40 years once the project is completed and operational. For the Council to assume this level of financial risk, the partners will need to have formally committed to renting the property for a substantial period of time.

7.3 The Council's Strategic Property Investment Fund would normally seek a return of 2% in addition to a sufficient return to fund the cost of borrowing on any development or acquisition. This would equate to an initial annual rental of £1,000,000 per year from the occupiers. If there are strategic advantages to the development, then a smaller initial rent can be accepted of 1% which would be £820,000 per year.

7.4 The Council will need to fund interest costs whilst the building is being constructed prior to its occupation by the NHS partners. This is estimated to be:

	2017/18	2018/19	2019/20
	£'000	£'000	£'000
Interest (1%)	2	20	105

The cost in 2017/18 can be accommodated within existing budgets. If the scheme approved, these costs will need to be built into the budgets for 2018/19 and 2019/20.

Finance Officer: Sarah Gobey

Date: 28th September 2017

8. Legal Implications

8.1 Section 1 of the Localism Act 2011 confers on Local Authorities general powers of competence to do anything that an individual may do, including the power to do it for a commercial purpose, and for the benefit of its area and persons resident within it. This provision would allow the Council to engage (inter alia) in commercial activities even if these are for profit making only (with certain provisos).

8.2 The Council has the power to dispose of the developed plots on the site under section 123 of the Local Government Act 1972 which places a duty on Local Authorities to dispose of land for best consideration, ie not for less than the

best that can reasonably be obtained, except in specific circumstances or with the consent of the Secretary of State.

Legal Officer Susan Sale

Date: 2nd October 2017

Background Papers

- Report to Joint Strategic Committee Meeting 06/12/2017 - “Worthing Town Hall Car Park Redevelopment”
- Development Brief for the Town Hall Car Park Site 2011
- Worthing Town Centre Investment Prospectus 2016
- Draft Local Estate Strategy and Sustainable Transformation Plan for Coastal West Sussex CCG
- Platforms for Places

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Sustainability & Risk Assessment

1. Economic

The project is strategically interlinked with a planned wider investment programme connected with future developments at other key sites in Worthing.

Redevelopment of the town hall car park for a medical building will contribute to the creation of an enhanced civic quarter providing a suitable location for public service consolidation, an economic boost to existing businesses, and encouraging an increase in investment.

2. Social

2.1 Social Value

Development on the existing surface car park would send a positive message to the community, visitors, commuters and business, that change is taking place in Worthing and improvements to the built environment will be seen in the near future.

The existing car park does little to enhance this part of Worthing from road or rail, and its demolition will help to bring forward the redevelopment of this important gateway site to enhance the streetscene and act as a catalyst for the regeneration of the wider area.

2.2 Equality Issues

Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified.

Works will be managed under the Construction Design & Management (CDM) Regulations 2015.

2.4 Human Rights Issues

Matter considered and no issues identified.

3. Environmental

It is intended that redevelopment will bring forward a health centre in a sustainable town centre location and will enable released sites to come forward for suitable redevelopment.

Noise, dust and highway obstructions will be kept to a minimum using industry

standard techniques, and monitored by the Council throughout the works.

4. Governance

A dedicated project board would oversee the governance of the project ensuring:

- 1) Due diligence
- 2) Alignment with Council policies and priorities
- 3) Legal issues and compliance with legislation
- 4) Risk management including health and safety
- 5) Statutory approvals
- 6) Stakeholder management
- 7) Change control