

Committee	P&TC
Date	5.10.21
Item	6, 7, 8, & 9

Report:	Item 6: Temporary Delegated Authority – to consider continued usage on a limited basis for those MSDC Planning Applications received where response dates do not align with Lindfield Parish Council Planning & Traffic Committee dates.
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Summary

In order to respond to planning applications received from MSDC after the publication of P&TC’s Agenda which require a response before the date of the subsequent P&TC, it is proposed to extend use of the Temporary Scheme of Delegation introduced in May 2021 for non-contentious applications which fall into this category. This is designed to ensure that suitable responses are made on a timely basis.

Background

In May 2021, in recognition of the expiry of the legislation to allow virtual meetings, Council agreed the **Temporary Scheme of Delegation 2021** (Covid 19) which states “6. *Planning applications will be received by the Clerk and responses determined by the Clerk following consultation with a minimum of two Members who are currently members of the Planning Committee.*” This is due to be reviewed in May 2022.

The Council’s **Standing Orders** Section 15 xviii states “*The Parish Clerk, or, in the absence of the Parish Clerk, the Deputy Parish Clerk or the Responsible Financial Officer, in consultation with the Chairman and Vice Chairman of a committee, or in the absence of one of them, additionally with another member of the committee, may take action deemed desirable on any matter in respect of which the committee concerned has delegated powers but which requires urgent attention.*” This therefore addresses urgent matters but not ‘routine’ planning applications where consultation dates and P&TC meeting dates do not properly align.

Current Position

With Council committee meetings now recommencing, in the ordinary course of events planning applications referred to LPC by MSDC will be considered by Planning and Traffic Committee in the usual way.

However, both MSDC’s Planning Department and LPC’s P&TC operate on a 21 day cycle for consultations and meetings respectively. This period has been effectively tightened up by MSDC following a revamp in their Weekly List processes earlier this year. Due to the legal notice periods required for P&TC Agendas to be published a minimum three working days before the meeting (i.e., a Tuesday Meeting requires the agenda to be published on the previous Wednesday), there are often planning applications which are referred to LPC for consultation after the agenda has been published but for which the expiry date is before the next P&TC meeting.

Historically, this issue has been managed by either seeking extensions in the expiry date from MSDC or including in the agenda notice to the effect that LPC’s P&TC meeting may consider applications which were not on the agenda but have since been received from MSDC.

Both approaches have their drawbacks, in as much as MSDC could refuse an extension to the expiry date and as, on occasion, it can be up to six or seven applications which fall between dates, there is the danger that LPC is seen as seeking special treatment with multiple expiry date extensions. Equally, where items are to be considered by P&TC following a ‘short notice’ consultation, the reviewing councillors may have very limited time to review the application, possibly as little as one day.

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Way Forward

Given the effectiveness of the approach utilised under the Temporary Scheme of Delegation whereby reviewing councillors look at applications in the usual way, their views are pulled together in a proposed response which is then determined in conjunction with the Chair and Vice-Chair of P&TC, it is proposed that this approach continues to be utilised for non-controversial applications which require a response outside of the usual P&TC meeting cycle.

For more contentious applications, the scope would remain to seek an extension from MSDC and /or to seek urgent review by councillors at short notice for the next meeting. Accordingly, the following options have been considered: -

1. Not to respond to applications where expiry dates and P&TC meetings are not aligned.
2. For non-contentious applications where expiry dates and P&TC meetings are not aligned, to continue to allow the Chair and Vice Chair of P&TC to determine responses with the Deputy Parish Clerk, following an initial review of the application by two councillors. This approach to be reviewed alongside the review of the Temporary Scheme of Delegation in May 2022.
3. To seek extensions from MSDC for all applications where expiry dates and P&TC meetings are not aligned and / or require short notice reviews by Councillors to allow consideration of all applications at the next P&TC meeting.

Recommended Action

Members are asked to approve Option 2, which will be reviewed in May 2022. This should facilitate the smooth running of P&TC and delivery of timely responses to MSDC. Decisions made in this way will be advised to the next P&TC.

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Report:	Item 7: Proposed Lewes Road TRO – update on current position and next steps
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Summary

Public Consultation completed with a very positive level of support. Now need to address the concerns raised by Haywards Heath Town Council (HHTC) and progress towards formal application. Member's approval sought for the P&TC Chair, Graham Turner (as the original proposer of the scheme) and the Deputy Parish Clerk to arrange to meet with HHTC representatives to consider their concerns and how they may be resolved. Full Council to be updated at its next meeting in November.

Background

Article Published in Lindfield Life following approval by the TRO Working group:-
The consultation organised by the Project Centre for Lindfield Parish Council has now closed and the findings are being reviewed. Many thanks to the 508 people who responded, with 94% in support of the proposed restriction to HGVs from using the route as a shortcut, particularly recognising the difficulties that such vehicles navigating the narrow junction with the High Street face, the knock-on effect on other traffic, and the potential danger for pedestrians using the narrow single footpath at this location.

Objections were primarily focussed on potential environmental concerns of such vehicles using alternative routes and as to any negative impact on servicing and deliveries for local businesses. These objections are now being reviewed and will be discussed with West Sussex Highways to consider the most appropriate way forward. Certainly, there is no intention to limit vehicle movements accessing businesses across Lindfield. Hopefully such concerns can be appropriately addressed, following which a formal application to West Sussex County Council would be the next step.

Current Position

Typos and wordsmithing of the draft consultant's report currently being finalised following which the report will be shared with councillors and published.

The main issue which emerged is objections from Haywards Heath Town Council with concerns over pollution and environmental impact of potentially sending HGVs on a longer route and that the TRO restriction may lead to more HGVs passing through Haywards Heath. This *may* be due to misunderstandings over the intended route which should use the A272 including the Haywards Heath by-pass and the pollution 'trade off' between HGVs currently blocking the junction and generating pollution locally through the ensuing tailbacks within Lindfield compared with the HGVs travelling slightly further but more efficiently with such pollution generated outside of both the village and town centres.

Way Forward

The proposed next steps are:-

1. PC to issue amended report once finalised
2. Discuss with Richard Speller for WSCC Highways and obtain recommendations / issues to be addressed / clarify next steps
3. Consider when / how / if to engage again directly with Ward Councillors (JAE, AL & AL) County Councillor (GW) and MP
4. Present to P&TC

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5. Present to Council in the light of P&TC's recommendation
6. Respond formally to HHTC, following guidance from PC / Richard Speller and seek response accordingly
7. Submit formal application to WSCC

Recommended Action

P&TC Members are requested to agree that the Chair and others meet with HHTC to discuss their concerns. Depending on progress, the steps detailed above to be pursued.

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Report:	Item 8: Scaynes Hill - Lindfield Active Travel Group – update on current position from Cllr Grace and consideration of future involvement.
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Summary

Members to consider the future level of involvement with this group.

Background

This group has been formed by the Scaynes Hill Sustainability Group, with a view to achieving a safe route for cyclists and walkers between Scaynes Hill and Lindfield.

In the absence of face-to-face P&TC meetings to discuss LPC's involvement, Cllr Grace has been attending this group in a listening only capacity and will provide an update on discussions to date. It is worth highlighting that the **Lindfield and Lindfield Rural Neighbourhood Plan 2014-31** on page 47 states "*The Parish councils will support proposals ... to establish a dedicated safe cycle route from Scaynes Hill through to the Lewes Road in Lindfield.*"

Recommended Action

Agree whether and, if so who, is to represent LPC with this group recognising that any decisions sought by the group will need to be referred to P&TC or Full Council as appropriate. The appointment members parameters for attending should also be clarified. In addition, it is anticipated the member will regularly report back to P&TC.

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Report:	Item 9: Draft West Sussex Transport Plan 2022-36 – to consider whether any response is required to the consultation which ends on 8 th October 2021.
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Summary

Members are requested to consider whether to submit a response to this consultation.

Background

A copy of the plan has been provided to Councillors and it is noted that the only specific mention of Lindfield is in relation to on street charging infrastructure as detailed below:-

5.6 facilitate provision of on-street charging infrastructure, initially in East Grinstead, Lindfield, Ardingly and Balcombe

7.119 We will facilitate the shift to electric vehicles initially by facilitating provision of on-street charging infrastructure in the East Grinstead, Lindfield, Cuckfield Ardingly and Balcombe areas where communities rely on on-street parking.

7.123 On-street electric vehicle charging infrastructure in Lindfield, Ardingly, Cuckfield and Balcombe

Current Position

It is perhaps worth noting that the on-street parking within the village is currently free and generally very well used. Depending on how it is implemented, there is the possibility that such charging infrastructure reduces the available parking by restricting spaces to electric vehicles only. Equally, as electric cars become more numerous the demand for that charging may lead to problems as multiple users seek to use the facility and effectively 'policing' an agreed usage period may be difficult.

Recommended Action

Noting the limited timescale with responses required by 8th October, Members are requested to identify the issues (if any) that they would look to see addressed in any response to the consultation and allow the Deputy Parish Clerk to agree the wording in conjunction with P&TC's Chair and Vice Chair.

David Parsons
Deputy Parish Clerk

30th September 2021