

Committee Manager : Erica Keegan (Ext 37547)

05 July 2018

CABINET

A meeting of the Cabinet will be held in Committee Room 1 (Pink Room) at the Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF on **Monday, 23 July 2018 at 5.00 pm** and you are requested to attend.

Members : Councillors Mrs Brown (Chairman), Wensley (Vice-Chairman), Bence, Charles, Clayden, Haymes, and Wotherspoon.

A G E N D A

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officers should make their declaration by stating :

- a) the item they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial
- c) the nature of the interest
- d) if it is a pecuniary or prejudicial interest, whether they will be exercising their right to speak under Question time

3. QUESTION TIME
 - a) Questions from the public (for a period of up to 15 minutes).
 - b) Questions from Members with prejudicial interests (for a period of up to 15 minutes).

4. URGENT BUSINESS

The Cabinet may consider items of an urgent nature on functions falling within their responsibilities where special circumstances apply. Where the item relates to a key decision, the agreement of the Chairman of the Overview Select Committee must have been sought on both the subject of the decision and the reasons for the urgency. Such decisions shall not be subject to the call-in procedure as set out in the Scrutiny Procedure Rules at Part 6 of the Council's Constitution.

5. MINUTES

To approve as a correct record the Minutes of the Special Cabinet meeting held on 22 June 2018 (previously circulated).

6. BUDGET VARIATION REPORT

To consider any reports from the Head of Corporate Support (Standard Item).

7. *PROPOSED OFFER TO MARKET FOR REDEVELOPMENT THE CAR/LORRY PARK AT LONDON ROAD, BOGNOR REGIS

With an increased demand for student accommodation in Bognor Regis it is proposed that the Council offer to market for redevelopment its interest in land currently used for car and lorry/coach parking including public convenience off London Road, Bognor Regis. The proposed redevelopment to include both student accommodation, a public car park and retain gateway to Hotham Park.

(Please note that this report contains Exempt background papers under Part 1 of Schedule 12A of the Local Government Act 1972 – Paragraph 3 – Information relating to Business Affairs - which will be circulated to Members of the Committee only).

8. EXEMPT INFORMATION

The Cabinet is asked to consider passing the following resolution: -

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of the business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

9. *ACTIVITIES FOR OLDER PEOPLE (EXEMPT- PARAGRAPH 3 - INFORMATION RELATING TO BUSINESS AFFAIRS)

In February 2018 Cabinet resolved to extend the current contract with Age UK West Sussex to provide day activities for older people until March 2019. West Sussex County Council is reviewing its contracts for social support services which include provision for day activities. This report provides an update to Members.

Note : *Indicates report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

AGENDA ITEM NO. 7**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 23 JULY 2018****PART A : REPORT**

SUBJECT: London Road Car Park, Bognor Regis.

REPORT AUTHOR: Nat Slade, Group Head of Technical Services.
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DATE: 28 June 2018

EXTN: 37683

PORTFOLIO AREA: Technical Services

EXECUTIVE SUMMARY:

With an increased demand for student accommodation in Bognor Regis it is proposed that the Council offer to market for redevelopment its interest in land currently used for car and lorry/coach parking including public convenience off London Road, Bognor Regis. The proposed redevelopment to include student accommodation, a public car park and retained gateway access to Hotham Park.

RECOMMENDATIONS:

1. That cabinet approves the open marketing of Council freehold land at London Road, Bognor Regis for the purpose of redevelopment for student accommodation and a public car park retaining and enhancing access to Hotham Park. Control and income from public car parking to be retained throughout and following the redevelopment. Temporary public car parking provision to be maintained throughout construction on the site at the maximum practicable capacity. The freehold of the public car parking area to be retained/returned to the Council at completion of the redevelopment. Income derived from the car park to be retained by the Council. No re-provision of public conveniences on this site in accordance with previous decisions regarding the provision of public toilets.
2. That cabinet approves the disposal of part of the land located at London Road, Bognor Regis for best consideration. Disposal could be either on a leasehold or freehold basis depending on the terms offered and agreed following the planned marketing exercise.
3. That Cabinet delegate authority to the Director for Place and the Section 151 Officer, in consultation with the Cabinet Member for Technical Services, to agree terms for suitable disposal including selection of developer from the offers received following the open marketing of the site and to conclude any and all matters necessary to complete disposal and conveyance of the leasehold / freehold in order to facilitate early development.
4. That Cabinet delegate authority to the Director for Place, in consultation with the Cabinet Member for Planning Services, to take appropriate action under section

203 of the Housing and Planning Act 2016.

1. BACKGROUND:

- 1.1. The site to the west of Hotham Park is currently owned by Arun District Council and operated by it as a lorry/coach park with access off Hotham Way, separate car park for use exclusively by Chichester University, and car park for the public accessed off London Road, including a public convenience. The site also acts as a gateway to Hotham Park.
- 1.2. The lorry/coach parking area also includes 12 bays which are used exclusively by Royal Mail delivery vans for which an annual permit is purchased. An area of former lorry park is allocated for exclusive use for car parking by Chichester University who issue permits for it to their students from which the Council derives no income. On the car park side of the site, there are 98 publically available spaces plus 6 disabled bays and 1 motorcycle bay.
- 1.3. Alternative lorry parking provision is available. According to hgv.com lorry parking is available overnight at St. Martins Road car park in Littlehampton, on Lineside, Littlehampton, at Walberton (Yapton Lane/A27 junction), Crossbush services, in Chichester in layby off A27, on Terminus Road and near Waitrose. A recent Department for Transport publication "National Survey of Lorry Parking" did not identify Bognor or anywhere in West Sussex as one of the national parking shortage hotspots. Usage of the Crossbush facility is running at a high 87%.
- 1.4. An average of only <2 tickets per day were bought for lorry/coach parking at London Road lorry park in 2017/18, equivalent to less than £5k income per annum. It is not therefore proposed that alternative lorry parking facilities be provided at this time. Enquiries will be made into whether alternative coach parking provision can be made available. It is proposed that a similar number of publically available car parking spaces to those currently available would be retained within any future development scheme and included clearly within the brief, but not to replace the University car parking provision nor the Royal Mail van spaces. It is not proposed that public conveniences be retained on the site.
- 1.5. The usage information we have from the 2017/18 year is that 42,294 car parking tickets were purchased, plus 739 tickets for lorries/coaches. Edward Bryant School also issues permits to parents allowing them to park for a limited duration during term times at start/finish of the school day. The income from the pay and display tickets was £67k in 2017/18 and £5k from Royal Mail. The total gross annual income from the site in 2017/18 was just over £72k.
- 1.6. There are currently no electric vehicle charge points at London Road car/lorry park. There are currently electric vehicle charge points at the Council's Regis Centre car park in Bognor Regis, and at the St. Martins car park in Littlehampton. Sussex Air Quality Partnership are investigating introducing a pan-Sussex network of electric vehicle charge points including at public car parks. Officers would include provision of some electric vehicle charge points in a development brief.
- 1.7. The future of the public conveniences in the district has been considered within the

Strategic Vision for the future of public convenience services in Arun which was approved by Cabinet on 12 February 2018. The vision did not include any specific proposals for the London Road public conveniences due to the ongoing consideration of redevelopment of this site. The strategic vision document states *“London Road, Bognor – Will be considered separately through future proposals likely to come forward in 2018, relating to regeneration proposals for this area”*.

- 1.8. The original strategic vision report to the Environmental Services and Leisure Development Working Group on 28 June 2016 recommended closure and demolition of the London Road toilets based on a methodology outlined in that report (para 4.1, page 18). The summary for the London Road toilets was: *“Scoring 5 out of 12 this site was historically used by coach and lorry drivers, usage of the site has been low over the last few years, the site is located away from the town centre at the back of Hotham Park, which itself is covered from a facility in the park as well as facilities provided by the park café. It is recommended that the site is closed”*.
- 1.9. Consultation on this proposed closure took place with Bognor Regis Town Council ahead of an Arun Cabinet meeting on 14 November 2016. Their response is summarised as:
- Not prepared to take on running of facilities
 - The Town Council are happy for fewer toilets if they are to be replaced with upgraded individual, fully furnished cubicles.
 - The Town Council believe that the original need for London Road conveniences to service the visiting coaches is no longer required. The coach park is rarely used and the facilities within the park (Hotham) should be sufficient
- 1.10. The London Road toilets were excluded from the scope of the later reports as their future was to be determined as part of the decision on the future of the site as a whole. Alternative toilet provision is available within Hotham Park by way of the Council operated public toilets within 400 metres, and to the south on Bedford Street which are within 500 metres.
- 1.11. The nearby Chichester University Bognor Regis Campus is currently expanding with an associated increase in demand for residential accommodation for students anticipated.
- 1.12. A report was taken to Cabinet on 14th November 2016 tabling a number of possible options. The decision was taken at that time to continue to work with Chichester University (CU) as a priority to deliver additional student accommodation. The principle being that CU would manage the accommodation and the public parking on site would not be compromised.
- 1.13. Subsequently an exclusivity agreement was agreed between ADC and CU in late 2016 for a period of six months. This was to afford CU time to obtain pre-application planning advice and draw up a potential development scheme as well as undertaking certain essential due diligence works on the site.

- 1.14. CU did seek and obtain pre-application advice which necessitated some re-working of their plans. CU were given additional time to consider their options (in addition to the terms of the exclusivity agreement) but elected to withdraw from the site and development scheme.
- 1.15. Our Property & Estates team confirm that there has been significant interest in the site from private operators and developers but there has been no further progress to date as the site has been under discussion in order to agree the way forward, hence this report.
- 1.16. CU have subsequently put forward a series of options to be considered in summer 2017. This was briefly commented upon at a university liaison meeting with ADC.
- 1.17. All of the options have been considered but it is officers' view that best consideration would be achieved by instructing suitable commercial agents (with significant experience in delivering student accommodation) to act for the Council in order to offer the site to the market "for expressions of interest". This would serve to tease out all interested parties to offer and show interest, potentially in different forms, rather than asking simply for the highest capital bid thus presenting the Council with sound commercial opportunities to consider in order to determine best consideration.
- 1.18. Any offers made to the Council will be subject to obtaining the necessary planning permission.
- 1.19. ADC has already received a number of offers in writing for this site. There have been numerous enquiries and a number of suggestions have been made as to how a potential sale could be structured indicating that we can expect keen interest in the site.
- 1.20. The Council's recently adopted Property Investment Strategy will also assist with the decision making process on how to proceed with its advice and other property opportunities that could be presented following completion of the open marketing exercise for this site. In accordance with that strategy, 75% of capital receipts will be retained in the Property Investment Fund and re-invested in commercial property in order to generate revenue for the Council. The other 25% will be added to the Council's general fund reserves.
- 1.21. In summary, officers' advice is that the Council approach the open market with a clear brief and objective to provide student accommodation, a public car park with similar numbers of publically available spaces as at present including some electric vehicle charge points, and acting as a gateway to Hotham Park, remaining open minded to offers presented in order to secure best consideration and understand that the greater the number of requirements that are placed on the potential developers, the greater the financial risks to them which may ultimately be reflected in the number and value of the offers received.

2. PROPOSAL(S):

- 2.1 That cabinet approves the open marketing of Council freehold land at London Road, Bognor Regis for the purpose of redevelopment for student accommodation and a

<p>public car park with enhanced access to Hotham Park. Control and income from the public car park to return to Arun District Council following completion of the redevelopment. Temporary public car parking provision to be maintained throughout construction on the site at the maximum practicable capacity. The freehold of the public car parking area to be retained/returned to the Council at completion of the redevelopment. Income derived from the car park to be retained by the Council. No re-provision of public conveniences on this site in accordance with previous decisions regarding the provision of public toilets.</p>		
<p>2.2 That cabinet approves the disposal of part of the land located at London Road, Bognor Regis for best consideration. Disposal could be either on a leasehold or freehold basis depending on the terms offered and agreed following the planned marketing exercise.</p>		
<p>2.3 That Cabinet delegate authority to the Director for Place and the Section 151 Officer, in consultation with the Cabinet Member for Technical Services, to agree terms for suitable disposal including selection of developer from the offers received following the open marketing of the site and to conclude any and all matters necessary to complete disposal and conveyance of the leasehold / freehold in order to facilitate early development.</p>		
<p>2.4 That Cabinet delegate authority to the Director for Place, in consultation with the Cabinet Member for Planning Services, to take appropriate action (if required) under section 203 of the Housing and Planning Act 2016.</p>		
<p>3. OPTIONS:</p>		
<p>3.1 See Exempt Background Paper.</p>		
<p>4. CONSULTATION:</p>		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		
Chichester University	X	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment	X	
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X

Asset Management/Property/Land	X	
Technology		X
Other (please explain)		X

6. IMPLICATIONS:

Financial:

Generation of increased revenue (depending on option selected following proposed open market exercise) either directly from this site or following investment of capital receipt in accordance with the adopted Property Investment Strategy.

Legal:

The Council will require Legal Services in respect of freehold / leasehold conveyance (depending on option selected following proposed open market exercise) should Cabinet approve the recommendations of this report.

Human Rights/Equality Impact Assessment:

Amongst the publically available car parking spaces there are 6 disabled parking bays at present. Although there is no proposal to reduce the number of disabled parking spaces, following redevelopment, the proposed redevelopment could have the effect of reducing the total number of available car parking spaces during the construction phase. The assessment shows that any temporary reduction in disabled parking bays has been mitigated against. It is proposed that the public conveniences on this site, which include disabled facilities, would not be re-provided on this site. The assessment demonstrates the proximity of equivalent alternative facilities.

Asset Management / Property / Land:

The decision to proceed to develop the Councils current freehold site, if approved, will require Property & Estates to manage the process in house taking forward negotiations with preferred parties that have presented initial offers in order to present relevant information to those delegated with the relevant authority to determine and decide upon what presents best value for the Council.

7. REASON FOR THE DECISION:

- 7.1 Delivery of student accommodation on the London Road site will assist in preserving and improving the financial and other resources available to the Council in support of the Council's 2020 Vision and beyond.
- 7.2 The potential disposal of land is supported by the Councils property investment strategy and depending on the option chosen should see generation of additional revenue income for the Council that can be utilised to underpin both statutory and non-statutory services delivered to the community.
- 7.3 The new Chichester University campus will see the introduction of circa 1500 additional students into Bognor Regis by ultimately placing pressure on the local private sector rented housing market. If this is not mitigated then this could have a detrimental impact on the statutory housing function of the Council. The location of London Road is directly adjacent to the University campus and so is ideally placed to provide part of the overall student accommodation solution. This is considered to be in the best interests of the Council.

8. BACKGROUND PAPERS:

- A) Plan of Land Under Consideration (hatched)
<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n12409.pdf&ver=12426>
- B) Strategic Vision for the future of public convenience services in Arun, report to Environment & Leisure Working Group 19 December 2017
<http://www1.arun.gov.uk/PublicViewer/Tempfiles/e994c9f0a6d84a4.pdf> approved by Cabinet 12 February 2018
<http://www1.arun.gov.uk/PublicViewer/Tempfiles/eaaf5d2011334e6.pdf>
- C) Strategic Vision for Public Conveniences within Arun, report to Cabinet 14 November 2016 Item 7, pages 15-25
<http://www1.arun.gov.uk/PublicViewer/Tempfiles/86b9ffedb44d414.pdf>
- D) 25 July 2016 Cabinet considered proposal to close and demolish public conveniences at London Road but asked for consultation with Town Council first reference C/013/250716
<http://www1.arun.gov.uk/PublicViewer/Tempfiles/885137c72b34482.pdf>
- E) 28 June 2016 Report to Environmental Services and Leisure Development Working Group Item 8 “Strategic Vision for the future of public convenience services in Arun”
<http://www1.arun.gov.uk/PublicViewer/Tempfiles/19106c5233a44e0.pdf>
- F) DfT National Survey of Lorry Parking of Lorry Parking
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707123/national-survey-of-lorry-parking-report.pdf
- G) Equality Impact Assessment
<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n12466.pdf&ver=12484>

Please note that Exempt Background Papers have been circulated under separate cover