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CABINET

10 April 2017 at 5.00 pm

Present : Councillors Mrs Brown (Chairman), Wensley (Vice-Chairman), Bence, Bower, Chapman, Dendle and Wotherspoon.

Councillors L Brown, Charles, Clayden, Cooper, Elkins and Mrs Oakley were also in attendance for either all or part of the meeting.

538. WELCOME

The Chairman welcomed Councillors, representatives of the public, press and Officers to the meeting.

539. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a "Prejudicial Interest" this will, in the interest of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

There were no Declarations of Interest made.

540. QUESTION TIME

In line with Council Procedure Rules relating to Public Question Time a number of questions had been submitted in writing within the permitted deadline, prior to the meeting, and were responded to at the meeting by the Leader of the Council, Councillor Mrs Brown. This was confirmed in the

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circulated response to these questions. The questions and responses are set out below:

- (1) Councillor Mrs Brown, the Leader of the Council, was asked, *in the light of the decision of the Coastal Communities Fund (CCF) not to award Littlehampton any money for the first phase of its bid for the Town Centre: (1) how much money had been spent on the bid so far both in house, on consultants and the Arun conference; (2) what feedback had been received from the CCF on the reasons for rejection; (3) Would lessons be learnt in terms of how the bid was put together, in particular on linking it to jobs and economic growth, the amount asked for, linking it to drawing in funding from elsewhere and linking it to the regeneration of key sites such as St Martins and ex Waitrose; (4) Would this have any implications on continuing the design work on the seafront proposals as envisaged? (6) Does the Littlehampton Regeneration Committee have enough local input and listen to the representations made to it? (7) What happens next?*

Response

Councillor Mrs Brown thanked the questioner for the questions regarding the Council's bid for funding for new Public Realm in Littlehampton.

Regarding the costs it was advised that we do not keep records of the officer time spent on this stage of the bidding process. Regarding external costs it was advised that to date we have spent a total of £73k with the majority of funding coming from Section 106 contributions and the Coastal Revival Grant. This was spent on detailed designs and contractors to assist with preparatory material to meet CCF funding. A further £2.5k was spent on the Arun Coastal Conference, although this also involved arts, design and the provision of events.

The questioner was informed that the Council was awaiting feedback from the Department for Communities and Local Government on the bid, although the Council had noted that it was heavily oversubscribed with in excess of £80 million pounds worth of bids and only £40 million pounds available. Nearly all the successful bids were in the west and north.

Councillor Mrs Brown believed the bid was a very attractive and well-crafted bid, but ultimately a competitive process and the Council needed to recognise that sometimes it would be successful as in the past, and other times it would not, as in this case. Making it a more complex proposal as has been suggested by referencing other sites where there are not yet clear regeneration plans would not, it was felt, assisted the bid.

Fourthly, as far as the seafront design work is concerned, (a Coastal Revival Funded project) at this stage the Council were currently analysing the many responses that had been received. The results would be presented to the Littlehampton Regeneration Sub-Committee in June 2017. The Sub-Committee will have the opportunity to consider the many and varied responses received and consider recommendations on the way forward. Councillor Mrs Brown was satisfied that they would do that in a positive and constructive manner.

Finally, returning to the Public Realm bid, it remains deliverable, and officers were currently exploring other opportunities to secure funding. Councillor Mrs Brown welcomed confirmation from the questioner as a Littlehampton Town Councillor that he supported the on-going efforts to deliver this worthwhile scheme.

- (2) A question was put forward to Councillor Mrs Brown, the Leader of the Council as follows: *The amendments being made to the new Littlehampton Leisure Centre and Swimming Pool were made due to financial restraints, and Arun District Council was trying to pass the amendments as a planning matter and that the plans just needed to be adjusted because of pipework that has recently been found to be in the way. Just because the building was moved 16 degrees doesn't mean that the original size could not be kept by adding a bit somewhere else, if you look at the new plans is there a chance that the space at the rear could be extended, it does not appear to foul anything.*

Response

Councillor Mrs Brown responded that it was such good news that the Council has committed to investing millions in a brand new, modern leisure Centre at a time of austerity.

The Centre was being built at the local community's preferred location and would sit well within the setting of Mewsbrook Park and close to the seafront.

The project would support the Arun Youth Aqua Centre which would benefit from enhanced facilities including new fencing and improved changing units.

During any project it would be standard procedure to continually review the design against estimated costs. These have been considered against the project objectives to ensure the agreed core facility mix is retained. This review was being undertaken at a similar time as the precise location of the sewer was confirmed. All the changes in the application were planning matters and would have had to have been submitted as a Non-Material

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Amendment (NMA) application at some point prior to construction. Although a NMA application does not need to be advertised, for transparency, key stakeholders were informed and the website updated with details of the application, detailing the change to the design. Also, as this is an application on Arun District Council land we elected to take the NMA to Development Control which is outside the normal procedure. Extending the building would impact on the project cost.

- (3) A further question was put forward to Councillor Mrs Brown, the Leader of the Council as follows: *I fully understand that there are many modern energy saving being incorporated into the new Centre, however there are to be no solar energy panels and no foul water saving, just because it might cost a bit more. What we are supposed to be doing is saving the planet, not perpetuating old ways of gaining energy, surely there some grants for these types of items that could be applied for.*

Response

In response Councillor Mrs Brown explained that the design of the building follows a fabric-first approach to ensure the building is as energy efficient as possible. It had been designed in such a way that photovoltaic panels can be retrofitted. Combined heat and power (CHP) would offer the best reduction in carbon emissions and the inclusion of this will be considered by Cabinet following the receipt of final tenders. The cost of installing a grey water system was found to exceed the economic life of the building. As the design of the building allows for some green technology to be retrofitted there may be opportunities to look for grant funding to support this.

- (4) If you look off shore now the Rampion Wind Farm is showing the way, it would appear we are looking the other way. As we are in an area that has a lot of light and sunshine, surely, we should be leading the way with new buildings. I would welcome the thinking in this matter.

Response

Councillor Mrs Brown responded that the cost benefits of all elements of the building need to be assessed against the facility mix the Council has committed to deliver, however the inclusion of low carbon technologies will be reviewed following the receipt of final tenders.

541. MINUTES

The Minutes of the Cabinet meeting held on 6 February 2017 were approved by the Cabinet as a correct record and signed by the Chairman.

542. HOUSING WHITE PAPER FEBRUARY 2017 – FIXING OUR BROKEN HOUSING MARKET

In presenting the report to Cabinet, the Director of Place highlighted the following key points:

- The Government published its Housing White Paper in February 2017 setting out its proposals to fix what is described as a broken housing market.
- The report outlined the Council's response which was largely planning related. The Director of Place stated that one concern was to ensure, that whilst the Local Authority had their role, the Development Industry must also take on their share of responsibility.
- The Director of Place outlined a further concern with Developers that the Completion Notices referred to them by Local Authorities did not always work. He felt that the Government would need to provide Councils with increased authority to help enforce delivery of developments.
- It was pointed out that the Government would hold the Council into account for the delivery of homes and not developers.
- The Director of Place emphasised that the quality of homes built in the District were important and the Council would not support building homes as quickly as possible if it caused poor quality. It was also noted that it was important to ensure delivery of infrastructure at the earliest possible opportunity.

In discussion, Cabinet agreed with the report's recommendations and agreed with the Director of Place that although the Government were requesting a more rapid house building development system the Council was in a difficult position in terms of ensuring quality of developments and their associated infrastructure. The Cabinet Member for Planning stated that the Council would look to jointly resource any enforcement issues with other authorities in the Coastal West Sussex partnership.

The Cabinet then confirmed its decision as per Decision Notice C/054/100417, a copy of which is attached to the signed copy of the Minutes.

543. COMMUNITY HOUSING FUND – EXPENDITURE AND FUTURE USE

The Chairman announced that this report had been withdrawn and would, instead, be put forward at the next meeting of Cabinet on 19 June 2017.

544. BUDGET MONITORING REPORT TO 28 FEBRUARY 2017

The Group Head, Corporate Support, presented the Budget Monitoring

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Report outlining the Capital Housing Revenue and General Fund Revenue budget performance to the end of February 2017.

The following key points were noted:

- This was the last Budget Monitoring Report for the 2016/17 Financial Year.
- With respect to the current year's bed & breakfast budget this would be increased by a supplementary estimate of £80k. It was noted that even the increased budget may not now be sufficient. The Group Head, Corporate Support, notified Members that the Head of Housing was preparing a report which would assess the reasons for this, and the implications for 2017/18 and future years. The Head of Housing would also outline other, innovative ways to tackle homelessness issues that could be implemented without an increased budget.
- Members were informed that the Council had gained significant benefits over the past few years from the work of the Empty Homes officer. The benefits included additional Council Tax income and New Homes Bonus as well as the non-financial benefits associated with bringing empty properties back into use. The Empty Homes officer post was a temporary one, but a sustainable funding source had now been identified which would enable the post to be made permanent. It was noted that over a four year period the Empty Homes Officer had produced £800,000 in Council income.
- Referring to Arun Leisure Centre improvements, the Group Head, Corporate Support, emphasised that any investment would be offset by the improvement in the Leisure Contract where the costs of works would be borne by Council's Leisure Management Provider, over the course of the contract.
- The Group Head, Corporate Support, drew attention to the Council's offer from the Department for Communities and Local Government on 21st February 2017 to increase the statutory planning fees by 20% from July 2017, subject to the Authority earmarking the additional income for expenditure to improve the planning service. The deadline for accepting this offer was 13th March 2017. The Head of Finance and Property accepted the offer on behalf of the Council. Cabinet was requested to endorse this action.
- To avoid any confusion it was pointed out that the Arun Leisure Centre works were going to start in September 2017.
- It was noted that Arun District Council in conjunction with the Housing Department had taken action against the Domestic Gas Installation programme contractor and decided to retain payments due to poor workmanship. These matters had since been resolved and the boiler replacement programme was now

moving forward again. It was requested that any remaining balance, up to £250k, be carried forward to 2017/18 so that the 5 year replacement programme could continue to stay on track.

Cabinet welcomed the Budget Monitoring Report as positive and the Chairman referred Members to the report's recommendations which were agreed.

The Cabinet then confirmed its decision as per Decision Notice C/055/100417, a copy of which is attached to the signed copy of the minutes.

545. LITTLEHAMPTON LEISURE CENTRE

Cabinet received a report that provided update on the progress for the delivery of the new Leisure Centre including the programme for procurement and early site works.

The Principal Landscape Officer reminded Members that the project had submitted a Planning Application in January 2017 which had been approved. It was noted that an update to the approved plans was submitted as a non-material amendment which included rotation of the building and a few design changes. This was approved by the Development Control Committee in March 2017. It was pointed out that the design would still meet the facility mix agreed at the outset of the project.

Members were informed that the project team was now working on the detail of internal finishes and tendering of the scheme. The main construction would commence in September 2017 but a series of early works had been undertaken including, tree removal, sports dome closure asbestos surveys, the relocation of the Arun Youth Aqua Centre.

It was also noted that:

- The design would be continually reviewed against costs.
- The tendering of different contract packages was underway.
- The enabling works package was due to be awarded via an Individual Cabinet Member Decision so that off-site work could commence in May 2017.
- Sports England continued to be involved in the project and the Council had been asked to prepare an application for submission to them in Summer 2017.
- The project team had met with Science, Technology, Engineering and Maths (STEM) Sussex to learn how the project could positively impact on the wider community. The Council

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would work in partnership with STEM to liaise with employers and schools to use the Leisure Centre project to help enthuse and inspire young people.

The Cabinet welcomed the progress that had been made on the new Leisure Centre and were pleased at the positive impact this facility would have on the residents of Arun.

The Cabinet then confirmed its decision as per Decision Notice C/056/100417, a copy of which is attached to the signed copy of the Minutes.

546. UPDATE ON ACCESS MANAGEMENT AT PAGHAM HARBOUR

The Principal Conservation Officer presented a report that updated Cabinet on work connected with the strategic approach for mitigating potential impacts to Pagham Harbour or its features due to recreational disturbance from new residential development.

Pagham Harbour was described as an important natural asset, protected by legislation and Cabinet was reminded that the Council had a duty to ensure that the site was protected from harm, especially with any new development. As part of the work undertaken on the emerging local plan, the Council identified that new development, within a 5km buffer of the harbour, would result in recreational disturbance to the bird population. Members were reminded that a strategy to mitigate these impacts was agreed by Cabinet in July 2015 and this imposed a financial contribution from all new development within the 5km buffer of the harbour.

It was noted that further work had been undertaken as a result of the increase in the number of homes that the local plan has to accommodate. This work concluded that the likely significant effects from development would still occur through recreational disturbance and so a revised financial contribution had been determined. The average sum charges would be £871 per dwelling and Chichester District Council would be responsible for the handling of funds for both authorities.

Members were advised that discussions had begun with the Solent Recreation Mitigation Partnership about how the Pagham Mitigation could be integrated.

In discussion, Cabinet agreed with the report's recommendations recognising that the Council needed to fulfill its requirements to ensure that sustainable development would be achieved, across the District, whilst meeting its legal responsibilities to ensure that no deterioration of the features and species at Pagham Harbour occurred.

The Cabinet then confirmed its decision as per Decision Notice C/057/100417, a copy of which is attached to the signed copy of the Minutes.

547. ARUN WELLBEING & HEALTH PARTNERSHIP – 28 FEBRUARY 2017

The Cabinet received and noted the Minutes of the meeting of the Arun Wellbeing Health Partnership held on 28 February 2017.

548. OVERVIEW SELECT COMMITTEE

The Cabinet received the Minutes of the meeting of the Overview Select Committee held on 21 March 2017, which had been circulated prior to the meeting. A recommendation had been put forward at Minute 513 – Engineering Services Annual Review 2017.

In presenting the Minutes, the Engineering Services Manager provided Cabinet with an informative presentation on Pagham Beach with a series of slides that illustrated the natural movement of the spit. The Engineering Services Team continued to monitor the beach closely and did what was required under the 'Adaptive Management Policy'.

The Cabinet then confirmed its decision as per Decision Notice C/058/100417, a copy of which is attached to the signed copy of the Minutes.

549. HOUSING & CUSTOMER SERVICES WORKING GROUP

The Cabinet received the minutes of the Housing & Customer Services Working Group held on 23 March 2017. A recommendation had been put forward at Minute 36 – Amendments to Allocation Scheme.

The Cabinet then confirmed its decision as per Decision Notice C/059/100417, a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 5.42pm)