

Committee Manager : Erica Keegan (Ext 37547)

03 October 2017

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, 16th October 2017 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 personal and/or prejudicial interests that they may have in relation to items on this Agenda.

You should declare your interest by stating :

- a) the item you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial interest
- d) if it is a prejudicial interest, whether you will be exercising your right to speak under Question Time

You then need to re-declare your interest and the nature of the interest at the commencement of the item or when the interest becomes apparent.

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. MINUTES

To approve as a correct record the Minutes of the meeting held on 31 July 2017 (previously circulated).

5. *REVENUE AND CAPITAL OUTTURN EXPENDITURE 2016/17

The report provides a summary of revenue and capital outturn expenditure for 2016/17 and compares this expenditure with the approved budget.

6. *FINANCIAL PROSPECTS 2017/18

The Council's Medium Term Financial Strategy (MTFS) covering the period up to 2022/23 rolls forward the data in the existing approved MTFS. The strategy amends certain assumptions contained in it to reflect changes in the Council's circumstances and other issues that have a strategic bearing on the Council's financial prospects.

7. *WEST SUSSEX COUNCILS' 100% BUSINESS RATES RETENTION PILOT 2018/19

Local authorities in England have been invited to participate in a second round of 100% business rate retention pilots. With this in mind West Sussex Councils (including Arun) are investigating the feasibility of a county wide business rates pilot for 2018/19. This report is submitted to Cabinet for noting.

8. *LOCAL DISCRETIONARY RATE RELIEF SCHEME TO PROVIDE REVALUATION SUPPORT TO ARUN BUSINESSES

This report sets out proposals for a new local Discretionary Rate Relief Scheme for Arun District Council to assist businesses facing an increase in their bills for 2017/18 arising from the revaluation.

9. *CONSULTATION RESPONSE - A27 TRUNK ROAD IMPROVEMENTS AT ARUNDEL

The report highlights the options put forward by Highways England in a consultation regarding options for improvements to the Arundel section of the A27 Trunk Road and seeks authorisation to respond with a corporately preferred option.

10. *AGENCY AGREEMENT RELATING TO CIVIL PARKING ENFORCEMENT AND TENDER FOR LABOUR ONLY

Arun District Council has a contract to act as the agent for West Sussex County Council in carrying out Civil Parking Enforcement (CPE) and other associated services. This contract is due to expire on the 31st March 2018 and this report outlines the options beyond this date and by association the labour only contract for Civil Parking and Associated Services which is also due to expire on the 31st March 2018.

11. *AUTHORITY FOR FUNDING TO CREATE PERMENANT HOUSING FRAUD INVESTIGATOR POST

Following the success of a secondment to the newly created post of Housing Fraud Investigator, authority is sought to make the post permanent with effect from 1 January 2018.

12. *FUNDING FOR THE PROVISION OF SELF-CONTAINED TEMPORARY ACCOMMODATION

This report seeks the Cabinet's approval to an additional supplementary estimate to cover the costs of purchase.

13. *GIGABIT WEST SUSSEX - AN ULTRAFAST BROADBAN MODEL FOR THE COUNTY

This report is requesting support for West Sussex County Council (WSSCC) to proceed with the procuring of external providers to supply ultrafast fibre networks to local authority sites in Worthing, Shoreham, Chichester, Bognor Regis, Horsham, Haywards Heath, Burgess Hill and Crawley through a 20 year lease agreement with a single supplier.

14. *SCRAP METAL DEALERS - POLICY AND DELEGATIONS

This report concerns the proposal to adopt a new Scrap Metal Policy following the introduction of the Scrap Metal Dealers Act 2013. The report deals with the delegation of functions, fee setting and proposed constitutional amendments.

15. *ESTABLISHMENT OF ADVISORY GROUPS TO ASSIST WITH DELIVERY OF LARGE SCALE DEVELOPMENTS

It is proposed that 3 additional Advisory Groups are now established to consider the implementation of strategic development sites in Bersted, Aldwick/Pagham and Ford/Yapton & Clymping to be formed following the model of the previous groups. It is also proposed that the Fontwell and West Bank proposals be added to the terms of reference of existing groups.

These Groups would meet 4-6 times a year and provide advice and guidance in respect of the issues arising out of the proposals as well as the on-going delivery in conjunction with significant highways infrastructure improvements associated with the locations.

16. *UPDATE ON THE COUNCIL'S 2020 VISION - WORKING TOGETHER FOR A BETTER FUTURE

This report sets out proposals across a range of services to contribute towards the required financial savings to assist reducing the Council's continued reliance on its General Fund Balances. This report updates Members on the outcome and savings identified from Members and Officers working together over the last year or so, leading toward the 2018/19 budget that will come forward to Council in February 2018.

17 JOINT AREA COMMITTEES

To consider and note the Minutes of the meetings of the Joint Area Committees as follows:-

- (a) Joint Western Arun Area Committee - 28 June 2017; and
- (b) Joint Eastern Arun Area Committee - 11 July 2017

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.5**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16th October 2017****PART A : REPORT**

SUBJECT: Revenue and Capital Outturn Expenditure 2016/17

REPORT AUTHOR: Alan Peach	DATE: September 2017	EXTN: 37558
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EXECUTIVE SUMMARY: The attached report provides a summary of revenue and capital outturn expenditure for 2016/17 and compares this expenditure with the approved budget.

RECOMMENDATIONS

Cabinet is recommended to:

- (i) Consider the attached outturn report in appendix 1;
- (ii) Note the revenue and capital outturn expenditure and earmarked reserve transactions for 2016/17;
- (iii) Approve the level of balances and unused S.106 sums at 31 March 2017; and
- (iv) Note the £1.547m contribution to the Littlehampton Leisure Centre earmarked reserve.

1. BACKGROUND:

The Council approved the revenue and capital budgets for 2016/17 on 23 February 2016. This report shows a comparison between the actual expenditure and income for 2016/17 and the budget approved by Full Council plus supplementary estimates and virements approved during the year.

Progress against the budget was closely monitored during the year and monitoring statements were considered by Cabinet at regular intervals. Unforeseen requirements were reported to Cabinet members or Cabinet and where no funding source could be identified approval for supplementary estimates were sought from full Council. During the year a number of expenditure items were identified as corporate underspend which was utilised as a source for virement to minimise the number of supplementary estimates during the year.

The Council's Statement of Accounts for 2016/17 was approved by the Audit and Governance Committee on 28 September 2017 and the audited Statement of Accounts and Annual Governance Statement are available on the Council's website using the link: [Financial Information](#).

2. PROPOSAL(S):

Cabinet is requested to consider the attached report which contains details of the revenue and capital outturn expenditure and specific reserve transactions for 2016/17; and the level of balances and unused S.106 sums at 31 March 2017.

3. OPTIONS:		
n/a		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓
6. IMPLICATIONS:		
The report provides Cabinet with a comparison between the actual income and expenditure for 2016/17 and the final budget approved for the year.		

7. REASON FOR THE DECISION:
To ensure that Members are fully aware of the Council's outturn for 2016/17; and the level of reserves at 31 March 2017, which will be available for use in future years.

8. BACKGROUND PAPERS:
Revenue and Capital Estimates 2016-2017 Financial Information .

ARUN DISTRICT COUNCIL REVENUE AND CAPITAL OUTTURN REPORT 2016/17 – Cabinet 16 October 2017

1. Introduction

- 1.1 This report sets out the Capital, Housing Revenue and General Fund Revenue outturn performance against budget for 2016/17. The report compares actual expenditure and income with the budget originally approved by Council on 23 February 2016 plus supplementary estimates and virements approved during the year.
- 1.2 The report comprises of:
- General Fund Revenue Summary (Appendix A);
 - Housing Revenue Account (Appendix B);
 - Capital and Asset Management Statement (Appendix C);
 - Capital Receipts (Appendix D);
 - Earmarked Reserves Statement (Appendix E); and
 - S.106 Summary Statement (Appendix F).

2. General Fund Summary (Appendix A)

- 2.1 The General Fund outturn summary is included at appendix A. The original budget anticipated a draw down from General Fund Reserve of £0.719m. During the year additional supplementary estimates totalling £1.199m were approved resulting in a revised budget draw down of £1.918million. The outturn for 2016/17 of £1.918m draw down from balances is a nil variation against approved budget. It is important to note that the outturn position is comprised of a significant number of underspends, which allowed an additional contribution to be made to the Littlehampton Leisure Centre Reserve (£892k) and to finance the works to the Arun Leisure Centre (£1.004m) which are mainly revenue in nature (as reported to Cabinet 10 April 2017).
- 2.2 The change in the planned original budget General Fund Reserve movement due to supplementary estimates and approved virement is shown in the table below:

Reconciliation of Original to Current Budget Reserve Movement March 2017		Original Budget £'000	Current Budget £'000	Change £'000
Taken from / (Added to) Balances		719	1,918	1,199
Local Property Company	FC/091116/299(1)		130	
The Council's Vision - Restructure	FC/200716/146(5)C/009/110716		100	
Littlehampton Town Centre Public Realm progression works	FC/200716/137(1) LRS 6/7/16		75	
Regeneration of Regis Centre and Hothampton car park sites	FC/200716/145(1)		260	
Management Restructure	FC/110117/397 C/041/121216		410	
Homelessness B&B provision	FC/080317/485 C/044/160117		80	
Leisure Management	FC/080317/485(ii) C/047/160117		219	
Regeneration of Regis Centre and Hothampton car park sites	not required bid not advancing		-75	
Total Estimated Supplementary Approvals to end of March 2017			1,199	

Appendix 1

- 2.3 It is important to note that some of the variations against the original budget are due to accounting requirements (e.g. IAS19 pension adjustments) and the way the original budget is presented (Contingency budget). The current budget takes account of the virement and supplementary estimates that have been approved during the year and therefore provides a better analysis of budget against outturn. During the year contingency and miscellaneous budget items are vired to: service areas; capital schemes; and contributions to earmarked reserves (if required for future years). Alternatively, if unrequired they are made available as part of identified savings (corporate underspend) that can be vired to fund unforeseen expenditure in order to minimise the use of supplementary estimates during the year.
- 2.4 During the year income and expenditure variations and the estimated outturn General Fund position were monitored and reported on a regular basis. The final budget monitoring report (Cabinet 10 April 2017) anticipated a drawdown of £1.668m from General Fund Reserve (estimated General Fund closing balance of £8.493m). When the budget for 2016/17 was prepared the precise nature of the works at the Arun Leisure Centre was unknown, since these works are mainly revenue in nature and therefore cannot be financed as capital expenditure. It should be noted that the costs of these works are effectively borne by the Council's leisure management provider in the form of increased annual revenue contributions. The net effect of the ALC works is £1.004m in 2016/17. There were some additional underspends/income (£892k); earmarked reserves that were no longer required (£536k); and s106 maintenance in perpetuity contributions (£119k) which allowed a further contribution of £1.547m to be made to the Littlehampton Leisure Centre reserve (balance £2.352m at 31 March 2017).

The variations +/- £100k against current budget are summarised in the table below:

	£'000
Establishment (above £473k vacancy target)	(183)
Housing Benefit	(256)
Major Contracts	(152)
Income	(492)
s106 developer contributions in perpetuity	(119)
Unrequired earmarked reserves applied to LLC	(536)
Transfer to Littlehampton Leisure Centre (LLC) Reserve	1,547
Financing of Arun Leisure Centre works	1,004
HRA recharge	(243)
Retained Business Rates	254
Other Variations < £100k	(824)
Total Variation	0

- 2.5 It is worth noting that the improved variation against budget was due in no small part to robust financial management. Members and officers received regular monitoring reports which highlighted the Council's financial position including the predicted underspend against current budget.
- 2.6 Portfolio holders and Senior Managers are responsible for the income and expenditure budgets including the establishment for their service areas. However,

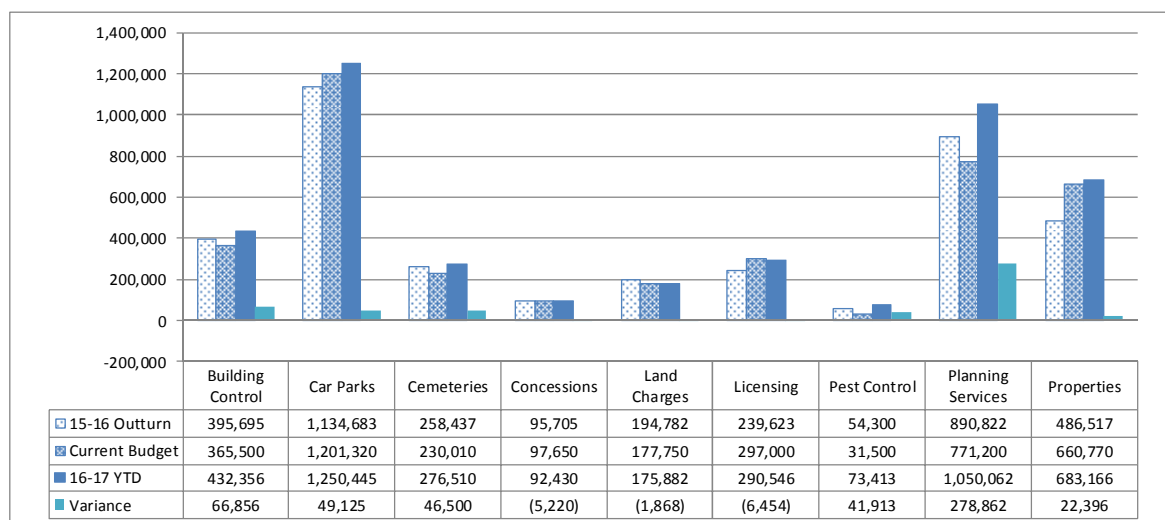
Appendix 1

Corporate Management Team is also collectively responsible for achieving the revised Vacancy Management target of (£473k). The current budget includes, earmarked reserve funded posts; additional grant funded posts, virements to fund backfill arrangements and supplementary estimates. The current budget saving was exceeded by (£183k). The performance against target is summarised in the table below:

Establishment Variation to Current budget 2016/17				
	Original Budget £'000	Current Budget £'000	Actual £'000	Variance £'000
Community Services	475	891	816	(75)
Corporate Governance	1,606	1,710	1,618	(92)
Council Strategy	325	322	305	(17)
Environmental Services	1,340	1,380	1,313	(67)
Housing	664	659	631	(28)
Leisure and Amenities	667	672	609	(63)
Planning & Infrastructure	2,112	2,120	2,115	(5)
Support Services	6,010	6,016	5,707	(309)
Vacancy Management	(450)	(473)	0	473
Total	12,749	13,297	13,114	(183)

- 2.7 The favourable outturn on Housing Benefit (£256k) was broadly in line with the forecast. The outturn variation comprised of Rent Allowances (£130k) and Rent Rebates (£126k). The main reasons for the favourable outturn against budget are; lower expenditure due to the reduction in the value of claims (benefit cap and 1% rent reduction for HRA dwellings); and an improved overpayment collection rate.
- 2.8 Service related income from fees, charges and rents are included within net cost of service. In total this amounts to an overall financing of £4.3 million in 2016/17 (£3.8 million previous year). Income is a key risk area to the budget as it is predominantly externally influenced, without direct link to service cost and each source is unique.

The graph below analyses (£0.469m) favourable outturn income variation by source and value.



- 2.9 The increased central support recharge (£243k) to the Housing Revenue Account is mainly due to capital and special project (asset management and IT rolling programme) of which a proportion is allocated to the HRA.

Appendix 1

2.10 During the year contingency and miscellaneous items are vired to service areas; capital schemes; added to earmarked reserves if required for future years; or if unrequired are made available as part of identified savings that can be vired to fund unforeseen expenditure in order to minimise the need for supplementary approvals during the year. In addition service related savings that are identified during the year are vired to the contingency and miscellaneous items budget to form part of the corporate underspend available for virement during the year. This included (£174k) additional investment income which was achieved despite extremely difficult market conditions. The net budget remaining from the corporate underspend (£170k) was vired to an earmarked reserve to fund potential additional costs related to the restructure in 2017/18 (as approved by Cabinet for training and minor redundancy costs).

2.11 The outturn General Fund Reserve movement is summarised in the table below:

General Fund Reserve Movement estimated outturn 2016/17	Original Budget £'000	Current Budget £'000	Outturn 2016/17 £'000
Net Budget Requirement	23,974	25,619	25,619
Financed by:			
Government Grants and Retained Business Rates	(9,718)	(10,164)	(10,164)
Council Tax	(13,537)	(13,537)	(13,537)
Taken From / (Added to) Balances	719	1,918	1,918
General Fund Balance 01 April 2016	10,161	10,161	10,161
Outturn on General Fund	(719)	(1,918)	(1,918)
General Fund Balance 31 March 2017	9,442	8,243	8,243

2.12 Members are asked to approve the General Fund balance of £8.243m and Earmarked General Fund Reserves of £14.781m (appendix E) at 31 March 2017.

3.0 Housing Revenue Account (HRA) (Appendix B)

3.1 Taken together the HRA and Major Repairs Reserve showed a surplus of £565k for the year, compared with a budgeted deficit of £115k. The improved position is mainly due to additional income and savings on both Supervision and Management and Repairs.

3.2 Members are asked to note the balance of £8.505m (£7.940m previous year) of which £1.212m is committed for funding slippage of the 2016/17 capital programme. A further £0.224m has been earmarked for funding additional repairs expenditure in 2017/18, leaving an uncommitted balance of £7.069m.

4. Capital and Asset Management (Appendix C)

4.1 The Council's budget for 2016/17 included several projects which although included in the Capital budget for project management and monitoring purposes cannot,

Appendix 1

under current accounting regulations, actually be charged to the capital accounts. Expenditure on these projects is transferred from capital to revenue at the end of the financial year and is included in the relevant cabinet portfolio or support service. The result of this transfer is an increase in service expenditure and a corresponding reduction in the amount of capital expenditure financed from revenue (there is accordingly no effect on the Council's total net expenditure).

- 4.2 A budget of £6.788m for capital and special revenue projects was approved by the Council for 2016/17. In addition £10.111m slippage (delayed progress on schemes) was brought forward from 2015/16 (£2.946m GF and £7.165m HRA). Actual expenditure for the year amounted to £8.151m (£3.783m GF and £4.368m HRA).
- 4.3 Of the £8.151m actual expenditure on capital and special revenue projects, £5.594m was charged to the capital accounts and £2.557m to revenue.
- 4.4 Capital slippage to 2017/18 was £10.506m (£4.673m General Fund and £5.833m HRA). The most significant elements of slippage relate to delayed asset management schemes (General Fund) and stock development (HRA).
- 4.5 Appendix C shows, for comparison purposes, all Capital, Asset management and other projects expenditure for the year, including sums transferred to revenue at the end of the year.

5. Capital Receipts (Appendix D)

- 5.1 The capital receipts statement in appendix D shows total capital receipts of £13.197m at 31st March 2017. This figure includes £2.846m of retained right-to-buy receipts ("1 for 1" receipts) which can only be spent on the provision of new social housing, failing which they must be returned to the Government. The remaining £10.351m of receipts may be used for any capital purposes, though most have been earmarked for the Littlehampton Sports Centre new build project.

6. Earmarked Reserves (Appendix E)

- 6.1 The earmarked reserves statement 2016/17 in appendix E shows the amounts set aside from the General Fund in earmarked reserves for future expenditure plans and the amounts posted back from earmarked reserves to meet General Fund expenditure in 2016/17. These reserves were reviewed regularly during 2016/17 to ensure that they are being drawn down as appropriate or returned to General Fund reserve. Members are asked to approve the level of earmarked reserves of £14.781 million.

7. Section 106 Receipts (Appendix F)

- 7.1 Section 106 agreements, also known as planning obligations, are agreements between developers and Arun District Council (as the local planning authority) that are negotiated as part of a condition of planning consent. The Town and Country Planning Act 1990 enables Arun to negotiate contributions towards a range of infrastructure and services, such as community facilities, public open space, transport improvements and/or affordable housing.

Appendix 1

7.2 Appendix F shows the S.106 sums received for each agreement, analysed by its intended application, showing the allocation belonging to Arun and the status of the application of the funding. Members and officers were updated on S.106 sums at regular intervals during 2016/17.

8.0 Recommendations

8.1 Cabinet is recommended to:

- (i) Consider the outturn report;
- (ii) Note the revenue and capital outturn expenditure and earmarked reserve transactions for 2016/17;
- (iii) Approve the level of balances and unused S.106 sums at 31st March 2017; and
- (iv) Note the £1.547m contribution to the Littlehampton Leisure Centre earmarked reserve.

Appendix A

General Fund Revenue Budget and Outturn 2016/17 Summary

	Original Budget £'000	Current Budget £'000	Actual £'000	Variance £'000
Cost of service				
Community Services	301	(287)	(293)	(6)
Corporate Governance	443	484	78	(406)
Council Strategy	120	1,199	1,165	(34)
Environmental Services	459	468	283	(185)
Housing	337	438	346	(92)
Leisure & Amenities	3,067	4,443	4,171	(272)
Planning & Infrastructure	(889)	(1,401)	(1,793)	(392)
Support Services	2,061	2,779	2,546	(233)
Establishment	12,751	13,297	13,114	(183)
Rates	435	479	490	11
Insurance	243	244	256	12
Recharges	(1,136)	(1,170)	(1,413)	(243)
Total Cost of Service	18,192	20,973	18,950	(2,023)
Corporate Costs				
Parish Precepts	3,783	3,783	3,783	0
Grant payments to parishes	144	144	144	0
Other precepts and levies	210	210	210	0
Interest and investment income	(470)	(590)	(644)	(54)
Contingencies / miscellaneous	1,270	90	0	(90)
Contribution to / (from) earmarked reserves	(2,208)	765	1,603	838
Capital expenditure financed from revenue	1,864	(945)	0	945
Pension deficit contributions	1,189	1,189	1,218	29
Total Corporate Costs	5,782	4,646	6,314	1,668
Total net budget requirement	23,974	25,619	25,264	(355)
Financed by:				
Revenue Support Grant	(1,666)	(1,666)	(1,666)	0
Retained Business Rates (incl. s31 grants)	(3,183)	(3,249)	(2,891)	358
New Homes Bonus	(4,014)	(4,014)	(4,014)	0
Other non-ringfenced grants	(855)	(1,235)	(1,238)	(3)
Council Tax income	(13,397)	(13,397)	(13,397)	0
Collection Fund deficit / (surplus)	(140)	(140)	(140)	0
Total external finance	(23,255)	(23,701)	(23,346)	355
Transfer (to) / from General Fund Reserve	719	1,918	1,918	0

Housing Revenue Account (HRA) Summary 2016/17

Actual 2015-16 £'000	Description	Budget 2016-17 £'000	Actual 2016-17 £'000
	Expenditure		
4,468	Supervision and management	4,991	4,563
3,789	Repairs and maintenance	4,434	4,052
2,096	Financing of capital expenditure	2,255	2,555
5,250	Net loan charges	5,250	5,249
15,603	Total Expenditure:	16,930	16,419
	Income		
(16,362)	Rents (dwellings, garages, hostels, other property)	(16,092)	(16,057)
(729)	Charges for services and facilities	(631)	(819)
(74)	Interest on balance	(92)	(108)
(17,165)	Total Income:	(16,815)	(16,984)
(1,562)	HRA (surplus) / deficit	115	(565)
(6,378)	Balance brought forward	(5,478)	(7,940)
(7,940)	Balance carried forward	(5,363)	(8,505)

Appendix C

Capital, Asset Management and other projects Summary 2016/17

<i>Portfolio</i>	<i>Original Budget £,000</i>	<i>Current Budget £,000</i>	<i>Outturn £,000</i>
Corporate Governance			
Asset Management	1,450	3,456	913
Arun Improvement Programme	170	600	21
Information Technology	0	170	78
FMS replacement	0	156	31
Print Unit	0	35	35
Total	1,620	4,417	1,078
Council Strategy			
Economic Regeneration	0	882	884
Total	0	882	884
Environmental Services			
Land Drainage	0	51	1
Play Areas	100	116	9
Total	100	167	10
Leisure & Amenities			
Leisure Centres	1,913	2,093	1,163
Total	1,913	2,093	1,163
Housing			
Private Housing Services	800	849	558
Public Housing Services	2,255	10,444	4,367
Total	3,055	11,093	4,925
Planning & Infrastructure			
Registered Social Landlords	100	290	90
Total	100	290	148
Summary			
GENERAL FUND	4,533	8,698	3,783
HOUSING REVENUE ACCOUNT	2,255	10,244	4,368
Total	6,788	18,942	8,151

Capital Receipts 2016/17

	£,000
Balance at 1st April 2016	11,775
Receipts during year (net of pooling)	2,720
Financing of capital expenditure	(1,298)
Balance at 31st March 2017	13,197

Balance at 31st March 2017 includes £2,846k “1 for 1” receipts which can only be used for the acquisition or building of new social housing.

Appendix E

Earmarked Reserves 2016/17

	Balance at 31 Mar 2016 £'000	Net Movement £'000	Balance at 31 Mar 2017 £'000
Delayed capital and special projects	2,557	1,732	4,289
Pension deficit financing	4,104	(951)	3,153
Community Services	269	133	402
Corporate Governance	1,744	(922)	822
Council Strategy	1,639	(1,149)	490
Environmental Services	157	188	345
Housing	404	727	1,131
Leisure & Amenties	1,134	1,573	2,707
Planning & Infrastructure	1,169	273	1,442
Total	13,177	1,604	14,781

Appendix F

Section 106 sums held on deposit as at 31 March 2017

	Affordable Housing £'000	Community Facilities and other £'000	Play Grounds £'000	Open Spaces £'000	Bus Shelters £'000	Non Arun £'000	TOTAL £'000
Lec Site, Shripney road Bognor		13					13
Rustington Retail Park, New Road		69					69
Site 6, Land at North Bersted		37					37
Site 6, Land North of Felpham		125	51				176
The Wick site, Courtwick		57					57
Bognor Regis Community College		6	57	46			109
Fitzalan Road & Church Street							0
Hollyacre Toddington*		87	56	22		25	190
Courtwick Lane Land South of Railway*		116			170	411	697
Land North of Toddington**		22				91	113
Land at Pound Nursery***		36	66			473	575
Other****	1039		182	100		171	1492
Total	1,039	568	412	168	170	1,171	3,528

* Non Arun: Highway £265k & NHS £171k

** Non Arun: NHS £59k, Town Council £32k

*** Non Arun: NHS £21k & School £452k

**** Non Arun: NHS £123k, Pagham in Advance £28k, Parish Council £20k

AGENDA ITEM NO.6**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
on 16th October 2017****PART A : REPORT**

SUBJECT: Financial Prospects 2017/18 to 2022/23
REPORT AUTHOR: Group Head of Corporate Support DATE: August 2017 EXTN: 37558
EXECUTIVE SUMMARY: The Council's Medium Term Financial Strategy (MTFS) covering the period up to 2022/23 rolls forward the data in the existing approved MTFS. The strategy amends certain assumptions contained in it to reflect changes in the Council's circumstances and other issues that have a strategic bearing on the Council's financial prospects.
RECOMMENDATIONS: <ol style="list-style-type: none"> 1. Agree the core assumptions set out in the Medium Term Financial Strategy and the current financial position 2. Note and agree the significant risks to local government finance that have been clearly outlined in the report 3. That the Medium Term Financial Strategy is to be used to set the Budgetary framework in preparing the 2018/19 budget.

<p>1. BACKGROUND:</p> <p>1.1 The latest financial forecast has been prepared against a backdrop of continuing and increasing uncertainty over Government funding and the economy. At the time of the last update of the Medium Term Financial plan last autumn the Council was facing significant budget deficits in future years (2021/22 onwards), with corresponding reductions in General balances. This report contains the latest version of the Medium Term Financial Strategy (MTFS) which uses the most recent information available to forecast the Council's income and expenditure over the next 5 years resulting in a broadly neutral budget position. However, as is further explained later on in the report the forecast is heavily dependent on the Local Plan and housing numbers. The forecast has been updated to reflect estimates on growth in the district and the cuts in expenditure that have occurred in part 2 of the Councils Vision. There is also still significant uncertainty over funding from Central Government and when and if the Fair Funding Review will be implemented and what effect this will have on future funding of the council. . The Government is looking for expressions of interest by 27th October 2017 for additional 100% Retained Business Rates pilots and are particularly interested in a pilot in a two tier area. Discussions</p>
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on whether there should be a bid from the West Sussex councils commenced very recently (please see separate report on this agenda for more detail). It is not possible to forecast with certainty how these changes will work out. In addition funding is based upon growth and this is, inevitably, difficult to project forward.

1.2 The current assumptions based on growth, which have been reviewed and agreed by CMT, have been input into the financial model. This uses a wide range of strategically important financial assumptions and variables to obtain an informed view on year end balances, and to quantify the potential of any capital programme resources whilst maintaining a minimum level of General Fund balances of £4million. The assessment of the various assumptions is always considered carefully taking a prudent view. An important point to appreciate with a financial strategy is that it consists of a series of assumptions using the best available information to inform a financial forecast.

1.3 It has been considered necessary to make changes/updates to some of the previous assumptions to address both announcements from government and wider economic factors which affect the Council and these have, inevitably, been affected by the “Brexit” vote. The principal assumptions made are:

- Council Tax increases by £5 (Band D equivalent) per annum which is broadly in line with the previous strategy, and will start to address the reduction, in real terms, of the Council Tax Income Base which was frozen for 5 years. It has been assumed that the £5 dispensation will last beyond 2017/18 and cover the whole period of the forecast, but this could, potentially, be changed due to the new Secretary of State,
- Salary costs increase by 1% for 4 years until 2020/21 and then 2% reflecting the Chancellor’s announcements on public sector pay but this may have to be revisited if inflationary pressure results in a change in Government policy.
- The model assumes relatively low levels of inflation for goods and services over the period of the forecast.
- The 4 year funding for RSG (Revenue Support Grant) agreed in the Multi Year Settlement accepted last year (culminating in a tariff of £430k per annum in 2019/20) continues at this level for the remainder of the forecast and does not deteriorate further.
- The triennial pension fund revaluation has resulted in an increased annual contribution (for back-funding) with a broadly compensating reduction in the percentage employer pension contributions paid as oncost to salaries. This contribution is currently financed by a specific reserve. The reserve will be exhausted by 2019/20 leading to a stepped increase of £1.3M falling on to the General Fund from 2020/21. It is assumed that the funding of the Pension Fund stays constant for the remainder of the period.

1.4 The strategy continues to be heavily influenced by the decision to proceed with the new Leisure Centre at Littlehampton and includes the increase in construction costs reported to full Council on 13th September 2017. Additional funding/financing has been identified for the project (as reported in the outturn 2016/17) including the use of additional capital receipts and

s106 contributions. The capital programme assumes a balance of approximately £1M to be funded through prudential borrowing. Every effort will be made to minimise the extent of the borrowing as it impacts upon the revenue account and would, effectively, negate some of the vision savings that have been made. It is important to note that savings from the new leisure contract are heavily dependent upon a new leisure facility being open in Littlehampton by no later than April 2019 and the project continues to be on track.

- 1.5 The enhancements to the capital programme have also been included in the appropriate year. The inclusion of future capital schemes, for financial modelling purposes, does not necessarily dictate that these schemes will be included in future budgets. There will also, inevitably, be a requirement for additional investment in our IT systems and infrastructure as systems fall out of maintenance/support and become life expired.
- 1.6 The most volatile and significant variables continue to be the New Homes Bonus (NHB) and Retention of Business Rates and that these are driven by the Government's growth agenda as outlined above. NHB in the future will be dependent on both The Council's growth in taxbase and the overall growth nationally (via the deadweight or baseline adjustment for growth deemed to have happened anyway) The outcome of the General Election has resulted in further uncertainty for Local Government finance. The previous government had intended to introduce 100% retention of Business rates by 2019-20 or 2020-21 with the latter year looking increasing more likely.
- 1.7 The likely shifts in funding resulting from the Fair Funding Review (due to be implemented 2020/21 to be confirmed), is unknown, however the impact will be subject to damping. The review is based on changes in demographics (population and need) and may result in a shift from districts to county councils in two-tier areas.
- 1.8 The following section outlines a number of risks that are associated with the MTFS and how these may be mitigated.

2. PROPOSAL(S):

2.1 Risks

- 2.1.1 The most serious financial risk that the Council is facing is the fundamental change in Local Government funding as outlined in the preceding section.
- 2.1.2 There are a number of risks around the retention of Business Rates which is the major funding source from central government and may, ultimately, be the sole source. Whilst we have used the best available information there is a risk that the level of business rate appeals will be more than has been anticipated and this risk lies with local government. Looking ahead a future risk is around the 100% retention of Business Rates the implementation date for which is highly uncertain (previously 2020) as referred to above. Until the scheme has been formulated it is not possible to assess the effect on this Council.

Furthermore there are plans to reset the system in 2020 which will change the current tariffs, top ups and baselines which is likely to adversely affect the growth that Arun has experienced. **In the absence of any firm information it has currently been assumed that the new system would have a neutral impact** Therefore it is clear that there are a number of issues around Business Rates that will have to be closely monitored.

2.1.3 A significant inherent to the strategy is that the additional housing identified in the Local Plan does not materialise due to macro economic conditions significantly reducing NHB and Council tax income.

2.1.4 As outlined above it is not certain that the Council will be able to increase its Council Tax by £5 (Band D equivalent) per year and this remains a risk, probably, until the settlement is announced in December. It's important to note the cumulative impact of Council Tax increases.

2.1.5 Whilst the extent of funding cuts on Arun remains unknown it is vitally important to mitigate, as much as possible, against such significant risks. The most effective mitigation against this risk is firstly to hold sufficient balances to ensure that the Council has enough time to plan and implement any reductions in expenditure and are not obliged to make ill informed decisions. Secondly it is important to continue to set a corporate target to fund the Council's priorities by delivering agreed savings/increased income as soon as possible through the Vision programme.

2.2 Indicative Projections

2.2.1 The following table shows the current situation given all of the assumption and omissions outlined above. These will be, inevitably, be fine tuned as more information becomes available

2.2.2 The effect of the above assumptions are summarised in the table below:

	2017/18 £'000	Revised 2017/18 £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
Net Expenditure	24,861	26,201	22,519	23,414	24,651	25,146	25,754
Surplus/ (Deficit)	(14)	(1,354)	902	57	(522)	(198)	143
Balances	8,229	6,889	7,791	7,849	7,327	7,129	7,272

2.2.3 When considering the figures above it is important to consider the issues outlined earlier in the report and, especially, the uncertainty regarding central government funding and the outlook for the economy. The underlying financial position is masked to a certain extent by the earmarked reserve contributions to cover the pension deficit in 2018/19 and 2019/20 (when the reserve is exhausted). The adverse effect of pay and price increases is steadily offset by projected increases in Council Tax and NHB due to anticipated growth in housing. These

<p>projections must be viewed with extreme caution given the high risks associated with New Homes Bonus highlighted above and the low levels of inflation assumed over the period of the forecast. For example if pay inflation was increased to 2% over the period of the forecast this would result in a budget deficit in the region of £300k by 2022/23.</p>		
<p>3. OPTIONS:</p> <p>To accept the assumptions outlined in the strategy</p> <p>To not accept the assumptions outlined in the strategy</p>		
<p>4. CONSULTATION:</p>		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability	✓	
Asset Management/Property/Land	✓	
Technology		✓
Other (please explain)		✓
<p>6. IMPLICATIONS:</p> <p>To formulate the Council's Financial Strategy and to inform any consequent decisions on capital investment and revenue savings plans to be taken by Full Council and Cabinet.</p>		
<p>7. REASON FOR THE DECISION:</p> <p>To formulate the Council's Medium Term Financial Strategy and set the financial context and framework for decisions to be taken by the Council</p>		
<p>8. BACKGROUND PAPERS: None</p>		

AGENDA ITEM NO.7**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 OCTOBER 2017****PART A : REPORT****SUBJECT: West Sussex 100% Business Rates Retention Pilot 2018/19****REPORT AUTHOR: Alan Peach DATE: 21 September 2017 EXTN: 37558****EXECUTIVE SUMMARY:**

Local authorities in England have been invited to participate in a second round of 100% business rate retention pilots. With this in mind West Sussex Councils (including Arun) are investigating the feasibility of a county wide business rates pilot for 2018/19.

RECOMMENDATIONS:

Cabinet is requested to note the contents of this report and to authorise the Group Head of Corporate Support to enter into detailed discussions with other West Sussex Councils, and the Department of Communities and Local Government (DCLG), concerning the feasibility of a county wide business rates pilot for 2018/19.

BACKGROUND :

There are currently five pilots for 100% business rate retention and the Government is looking to expand on this by inviting local authorities in England to participate in a second round of 100% pilots from April 2018. With this in mind, West Sussex Councils (including Arun) are investigating the feasibility of a county wide business rates pilot for 2018/19. This pilot would include all West Sussex Councils (the current West Sussex Pool, based on 50% local rate retention, does not include Crawley, Horsham or Mid-Sussex).

The key advantage of a 100% rate retention pilot is that all business rate growth is retained locally;- currently 50% of growth has to be paid to the Government. However, there are risks in that any losses (for example businesses closing) would also fall to be met entirely locally, although there will be a measure of protection for more significant losses through an enhanced Government funded safety net.

Financial modelling is currently being carried out with a view to getting as clear a picture as possible of the risks and rewards of the proposed pilot.

PROPOSALS :

To authorise the Group Head of Corporate Support to enter into detailed discussions with other West Sussex Councils, and the DCLG, about the proposed pilot scheme.

OPTIONS :		
Not to enter into detailed discussions with other West Sussex Councils and the DCLG. This may mean that an opportunity to retain additional funding locally is lost.		
CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (Cabinet Working Party)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Safeguarding		✓
Other (please explain)		✓
6. IMPLICATIONS:		
Detailed discussions with other West Sussex Councils and the DCLG, together with financial modelling, will give the Council a much clearer picture of the risks and rewards of the proposed pilot.		

7. REASON FOR THE DECISION:
To obtain a clearer picture of the risks and rewards of the proposed pilot.

8. BACKGROUND PAPERS:
DCLG paper;- "Invitation to Local Authorities in England to pilot 100% Business Rate retention in 2018/19 and to pioneer new pooling and tier-split models."

AGENDA ITEM NO. 8**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 October 2017****PART A : REPORT**

SUBJECT: LOCAL DISCRETIONARY RATE RELIEF SCHEME TO PROVIDE REVALUATION SUPPORT TO ARUN BUSINESSES
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REPORT AUTHOR: Sue Priest DATE: 14/09/2017 EXTN: 37522

EXECUTIVE SUMMARY:

This report sets out proposals for a new local Discretionary Rate Relief Scheme for Arun District Council to assist businesses facing an increase in their bills for 2017/18 arising from the revaluation.

1. Councils have been given funding from the Government to distribute to businesses facing increases in Business Rates following the revaluation and have the power to design their own relief schemes. Arun District Council has £617,000 to award over 4 years with £360,000 available in 2017/18.
2. The proposed scheme targets relief at independent, small and medium sized businesses in Arun facing an increase in their Business Rates of £300 or more following the revaluation. It is proposed that £20,000 is allocated to a fund to support businesses facing additional hardship. Allocation of the remaining £340,000 allows for a rate of relief of 55% of the increase to eligible businesses, which would be automatically deducted from bills for 2017/18.

RECOMMENDATIONS:

Cabinet is requested to adopt the new Local Discretionary Rate Relief Scheme for revaluation support as set out in this report.

1. BACKGROUND:

In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over 4 years from 2017/18 to support those businesses that faced increases in their business rates as a result of the recent business rates revaluation (the first in 7 years).

Each authority within England has been provided with a share of the £300 million fund to support local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Finance Act 1988.

The funding is not provided equally over the four-year period but in the following percentage terms:

Year 1	Year 2	Year 3	Year 4
58%	28%	12%	2%

Arun District Council's allocation of the Government funding for discretionary relief is set out below:

Amount of discretionary fund awarded (£000s) – Arun District Council				
2017-18	2018-19	2019-20	2020-21	Total
360	175	72	10	617

Any un-used funding will need to be returned. Also a condition of this grant funding will be that all Billing Authorities will consult with major precepting authorities when designing their scheme. In Arun's case this is West Sussex County Council.

Overall in Arun as a result of the revaluation, 457 business premises have seen a reduction in their rateable value, 1490 no change and 2823 an increase. The overall percentage change experienced by businesses ranges from a 78% decrease to a 1782% increase in rateable value.

There is a transitional relief scheme in place, with increase in bills limited based on the size of the business. Small businesses are defined as having a rateable value up to £20,000, medium between £20,000 and £100,000 and large at over £100,000: Transitional relief limits the increase in bills arising from the revaluation as follows:

Year	Small property	Medium property	Large property
2017/18	5%	12.5%	42%
2018/19	7.5%	17.5%	32%
2019/20	10%	20%	49%
2020/21	15%	25%	16%
2021/22	15%	25%	6%

There are also other Government schemes in place to support businesses following the revaluation. These include support for pubs that have a rateable value of below £100,000, which will receive a £1,000 discount on their bill for 2017/18. In Arun 67 pubs have already received this help. There is also a Supporting Small Businesses scheme, which provides relief to businesses who as a consequence of the revaluation have lost relief under the small business or rural rate relief schemes. 43 Arun businesses have received help amounting to £49,021 under this scheme.

In establishing a local scheme with regard to the Government's conditions on payment of the grant the options to be considered include the need to:

- Target relief at businesses that are facing an increase in their business rates.
- Distribute the relief in a way that is fair and proportionate to the increase in the bills of affected businesses.
- Ensure that the relief is distributed to local businesses smoothly and as quickly as possible.
- Be administered in a cost effective way for the Council.

- Consult with major precepting authorities before the scheme is implemented.

2. PROPOSAL(S):

It is proposed that for 2017/2018 £20,000 of the funding is allocated to support businesses that are facing exceptional hardship due to the increase in their bills following revaluation but fail to meet the schemes criteria as set out below or continue to suffer hardship after the award of relief.

It is proposed that relief under the scheme will be awarded using the following criteria:

- a) The scheme is designed to assist ratepayers who have suffered increases in rate liability due to the revaluation and the subsequent increase to their Rateable Value;
- b) Relief will **not** be awarded when mandatory or small business rate relief is granted;
- c) Relief will only be granted to ratepayers who were in occupation at 31st March 2017 and in occupation on the 1st April and for each day subsequently;
- d) Ratepayers taking up occupation after the 1st April 2017 will **not** eligible for relief on the basis that new ratepayers would have not suffered from increases due to valuation;
- e) Relief may be awarded for more than one premises as long as all other criteria are met;
- f) The proposed scheme will target relief at small and medium sized businesses with a rateable value up to £100,000. To be eligible businesses need to be facing an increase in their bill in 2017/18 of £300 or more net of all other reliefs. The £300 threshold is suggested in order to target businesses hardest hit and takes into account administrative costs of paying what would be comparatively low levels of relief;
- g) It is also proposed to exclude premises occupied by wider public sector organisations, such as health, fire, police and local authority;
- h) State Aid is the means by which the EU regulates state funded support to businesses. Providing discretionary relief would fall within the definition and in order to be compliant with the De Minimis Regulations, they must demonstrate that the award of relief is within the threshold of €200,000 received over a rolling 3 year period. Businesses will be required to declare to the council if they exceed this threshold.

Applications for relief under this scheme.

The relief will be applied automatically in accordance with the agreed criteria. This will ensure that the help reaches qualifying businesses promptly and with minimum fuss. However where an award is made the recipient will be advised of the state aid requirements and issued a form to enable them to refuse the award if they fall outside of the requirements above.

Where it is identified that the state aid threshold is likely to be exceeded (eg a multi –national business) they will be invited to complete the declaration before the award is made.

We estimate that approximately 420 businesses will receive an automatic award and 20 will be required to complete the declaration prior to the award. This will keep administration costs to a minimum whilst ensuring that awards are not made unnecessarily.

Applications for Exceptional Hardship Relief.

Applications for an award from the £20,000 contingency fund will each be considered on their own merits. Businesses will be required to demonstrate that the hardship is linked to the revaluation. As the contingency fund will be available for year one only they will also need to demonstrate that they have a realistic prospect of meeting their business rates obligations in future years. Evidence will be sought to support each application. This will include copies of the latest accounts where appropriate.

Calculation of relief

The £20,000 contingency fund leaves £340,000 to be distributed in relief for 2017/18. Analysis of those small and medium sized businesses in the district that meet the criteria, suggests that distributing the relief on a proportional basis would allow the award of relief at 55% of the increase.

It is proposed that the same criteria are applied across all 4 years (with the exception of the contingency fund). The amounts shown in the table below are best estimates subject to the limit of available funding.

Estimated relief by year as a percentage of increase – Arun District Council				
2017-18	2018-19	2019-20	2020-21	Total
55%	27%	12%	6%	100%

Variation and amendment of relief under the scheme

As with all reliefs, the amount of relief awarded under the Discretionary Business Rates relief scheme will be recalculated in the event of a change of circumstances. This will include, for example, a backdated change in rateable value of the hereditament. This change of circumstances could arise during the year in question or during a later year. The Non-Domestic Rating Regulations 1989 (SI 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect from at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

Consultation

The initial response to the consultation with West Sussex County Council is supportive of the proposed scheme. The email response states:

“Thank you for the document. Our initial comments would be:

- *We welcome the scheme you have brought forward to support businesses detrimentally impacted by the revaluation of business rates, and the opportunity to comment on it.*
- *We note that it is targeted at smaller and medium sized business, and the ones*

facing the largest increase, which seems wholly appropriate. The scheme sets out future support criteria after the current year, which we believe is helpful as it provides certainty for businesses.

- *We note the scheme appears to be relatively simple to help keep the overheads down.*
- *We note the creation of a separate fund of £20k for exceptional hardship, but where the criteria may not be met for any reason. This provides for a degree of flexibility, but we also note any unused funds are expected to be returned to Government so the position needs careful monitoring”*

Summary

The proposed scheme offers much needed support to small and medium sized businesses in Arun who are facing increases in their business rates bills in excess of £300. The scheme has been designed to be easy to administer and by offering an automatic award removes the risk of businesses missing out on this help if they fail to make an application.

3. OPTIONS:

The proposed scheme as set out above is the preferred option. Other options could be considered such as:

- Target all help through a relief fund which businesses would apply for on a case by case basis. This option would be expensive to administer and may not target all local businesses affected by an increase in their business rates. Businesses would have to prove how the increase in rates has affected their business and that this was a direct result of the revaluation rather than an underlying financial problem with the business.
- A set discount across all business within the district. This option would be easy to administer however with over 2000 businesses within the district seeing a rise in business rates the limited allocated funding would result in the fund allocation being spread very thinly across the district and would be less effective in assisting small and medium businesses with rate increases.

4. CONSULTATION:

	YES	NO
Has consultation been undertaken with:		
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)	✓	
West Sussex County Council		
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES:	YES	NO

(Explain in more detail at 6 below)		
Financial	✓	
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Safeguarding		✓
Other (please explain)		✓
6. IMPLICATIONS:		
Financial – Failure to implement a scheme to use this funding will result in these funds being returned to Government. Lack of support could lead to business rates arrears and loss of revenue under rates retention		

7. REASON FOR THE DECISION:

To approve the design of a new local Discretionary Rate Relief Scheme for Arun District Council to assist businesses facing an increase in their bills for 2017/18 arising from the business rates revaluation

8. BACKGROUND PAPERS:

None

AGENDA ITEM NO. 9**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 OCTOBER 2017****PART A : REPORT****SUBJECT: A27 TRUNK ROAD IMPROVEMENTS AT ARUNDEL****REPORT AUTHOR:** Roger Spencer – Engineering Services Manager**DATE:** August 2017 **EXTN:** 37812**EXECUTIVE SUMMARY:**

The report highlights the options put forward by Highways England in a consultation regarding options for improvements to the Arundel section of the A27 Trunk Road and seeks authorisation to respond with a corporately preferred option.

RECOMMENDATIONS:**1. The Council respond to the Public Consultation with the following principles:**

- i. **The Council supports the principle of creating a bypass to dual carriageway standards for Arundel that links the A27 to the west of the White Swan Hotel with the Crossbush junction in order to improve the economic well-being of the Arundel and the region, and the social and environmental well-being of residents in Arundel and Walberton, Storrington and surrounding communities.**
- ii. **In pursuance of (i) above the Council supports Option 5a as set out in the Public Consultation document produced by Highways England.**
- iii. **The Council would urge Highways England to consider any potential revisions to the Option 5a route corridor to the North, which would further reduce the impact upon residents and the environment.**
- iv. **To improve accessibility to and from communities existing and proposed, south of the railway and the residential amenity of residents in Ford Road, Arundel, the Council would encourage Highways England to consider amending the preferred route to provide, ideally, a full junction between the A27 Bypass and Ford Road, or at least the minimum of a restricted access/egress junction.**
- v. **The Council would encourage Highways England to construct any bypass and consequential bridges to the highest possible architectural standard and to take appropriate account of any potential flooding issues**
- vi. **The Council would encourage Highways England to support, through their ‘Designated Funds’, the creation of a cycleway between the South Downs National Park via Arundel and the coast along the River Arun and provide improved parking for commuters, tourists and residents at Ford railway station.**

- vii. **The Council would encourage Highways England to consider using the port of Littlehampton and the River Arun to barge construction materials and aggregate to the construction site.**
- 2 **The commissioning and submission of any Local Impact Statement required as part of a formal Development Consent Order process shall be delegated to the Director of Place. The Council would support the principle of working collaboratively with West Sussex County Council, Arundel Town Council, Walberton Parish Council and the South Downs National Park Authority to submit a single Local Impact Statement on behalf of all the named authorities.**

1. BACKGROUND:

1.0 Introduction

- 1.1 Highways England (HE), the Government company responsible for operating, maintaining and improving England's major A roads (and motorways) has developed a number of options to meet the Government's current Road Investment Strategy (RIS).
- 1.2 From a long list of options, three have been put forward into the current consultation; the consultation runs from 22 August to 16 October 2017. More details of the consultation are at 2.0 below and on the HE website.
- 1.3 Members will recall that there have been a number of previous proposals and studies around improvements to the A27 at Arundel. The Council's position prior to the latest consultation was for the "pink/blue route". This equates to the current "Option 3" – figure 1 below.

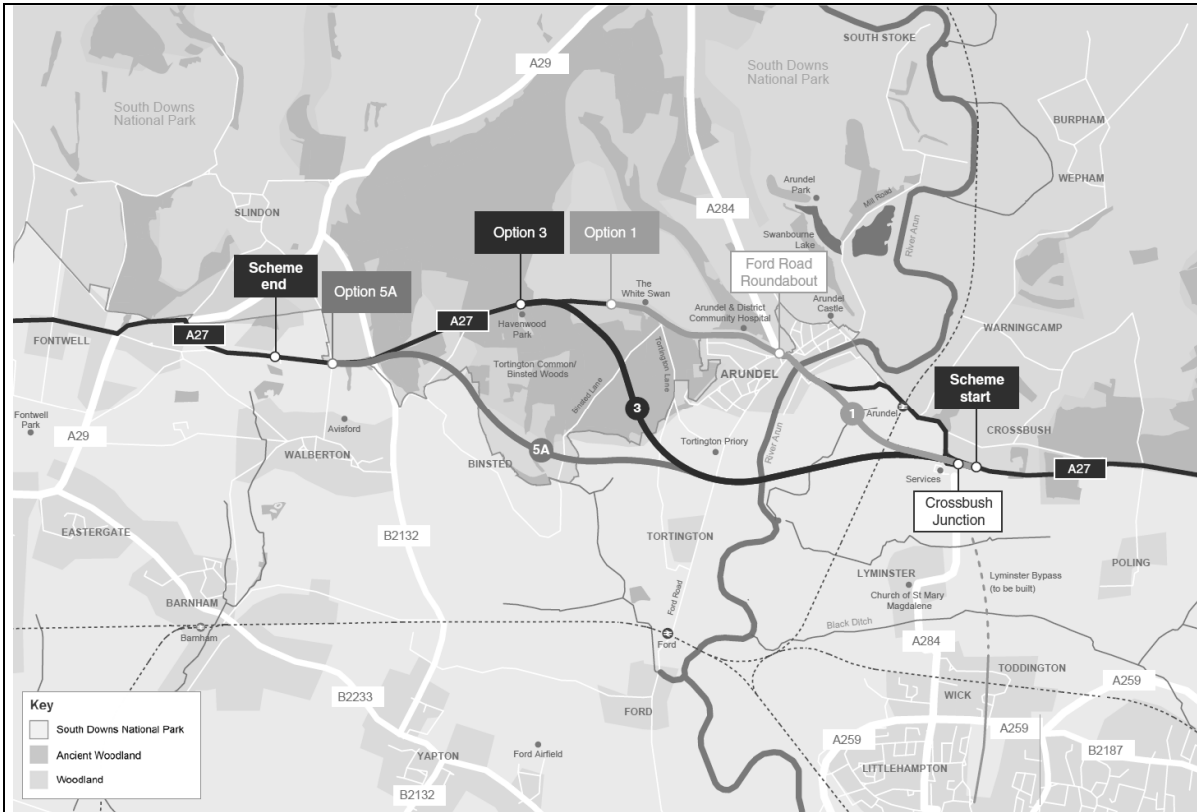


Fig. 1 Highways England's Options

- 1.4 Prior to the announcement of the Options, Cabinet resolved, at its meeting of 31 July 2017, to enter into a Memorandum of Understanding with Arundel Town Council. This set out common principles for working towards a single solution to what was considered a much needed highways improvement scheme.
- 1.5 As noted above, the pink/blue route (now Option 3) has previously been the Council's favoured route and has been safeguarded in the emerging Local Plan.
- 1.6 The proposal for an improved A27 at Arundel fits in the Dept. of Transport RIS Package of 4 schemes on the A27 'corridor', alongside Chichester, Worthing & Lancing and East of Lewes.
- 1.7 The scope for the Arundel section, in the RIS, calls for a dual carriageway bypass linking the two existing sections of dual carriageway; whilst it forms part of a wider package, it is considered a standalone scheme, of significant benefit to traffic and one that is capable of being implemented independently of the others in the package.
- 1.8 There are a number of challenges and constraints (that apply to all three options), including routing through Ancient Woodland, being within the South Downs National Park, passing close to housing and other settlements, rail and river crossings (flood plain) and being close to Scheduled Monuments and Heritage Assets
- 1.9 Whilst there are these challenges, there are also benefits to improving the A27:-
 Reducing queues; improved journey times, air quality and road safety; removal of traffic from other, less suitable, routes in the National Park; helping businesses and supporting the growth of tourism.
- 1.10 The consultation documentation includes two tables worthy of highlight here and they relate to a comparison of the benefits and Impacts and a summary of the Environmental appraisal.

2.0 Consultation Process

- 2.1 The consultation runs from 22 August to 16 October 2017 with 8 manned exhibitions in and around Arundel and Littlehampton. Consultation material (maps & posters etc.) will be available at 5 locations (unmanned).
- 2.2 A comprehensive 44 page brochure has been produced and this, with the accompanying questionnaire, is available at libraries and mobile libraries and Arun DC offices.
- 2.2 It is considered that the consultation should be as inclusive and as far ranging as possible; to this end Arun DC has worked with HE to involve local businesses in the process (in a neutral, facilitating process).
- 2.3 Coast to Capital (Local Enterprise Partnership) has already stated a very strong view about the importance of investment in the A27 as a regional priority.
- 2.4 Responses to the consultation may be made via the hardcopy questionnaire available with the brochure, online, by email or telephone (all details within the brochure)

3.0 Options put forward by Highways England

- 3.1 From a long list of 8 options there are now three that meet the criteria set down i.e. are affordable against the available budget (£100m - £250m); are value for money (cost:benefit ratio greater than 1) and meet other scheme objectives. The routes of all three Options start in the east at the Crossbush Junction and are dual carriageway construction.

Option 1 - follows a north-easterly line across the water meadows, crossing the River Arun with a new two lane bridge (alongside the existing bridge), meeting up with the existing A27 at Ford Road (new signal controlled roundabout with pedestrian overpass) and then is dualled towards Chichester;

Option 3 – follows a westerly line across the water meadows to a new River crossing south of Tortington Priory, then north-westerly through the Ancient Woodland to re-join the existing A27 near to Havenwood Park. The by-passed section of the existing A27 would revert to single carriageway with an enhanced cycle-way into Arundel.

Option 5A – follows a similar route to Option 3 but tracks further west, around most of the Ancient Woodland and closer to Binsted, before turning north-west to re-join the existing A27 north of Walberton. Existing road as Option 3.

3.2 Headline facts and figures

	Option 1	Option 3	Option 5A
Most likely cost	£135	£260m	£250m
Benefit:Cost Ratio	3.6	2.0	2.6
Value for Money	High	High	High
Westbound Journey time saving by 2041	7 mins	8 mins	10 mins
Eastbound Journey time saving by 2041	5 mins	6 mins	7 mins

3.3 Disadvantages

Option 1	Option 3	Option 5A
Little change in air quality	Adverse effect on nature conservation – ancient woodland would need to be compensated for elsewhere	Adverse effect on nature conservation – ancient woodland would need to be compensated for elsewhere (less than Option 3)
A27 would continue to divide the town (geographically)	As they stand, proposals do not provide for a Junction with Ford Road	As they stand, proposals do not provide for a Junction with Ford Road
Slight impact on Landscape	Moderate impact on Landscape	Moderate impact on Landscape
Adverse effect on noise levels	Need for mitigating loss of flood plain storage	Need for mitigating loss of flood plain storage

- 3.4 The water meadows crossing could be either on an embankment or on a viaduct. The emerging Local Plan calls for high design standard; HE has provided examples of both embankment and viaduct in the consultation media, the former potentially helping with flood mitigation in the future and the latter being an elegant solution. Much of option 3 & 5A routes west of the river crossing would be in cutting, with the need for over-bridges to take existing lanes and footpaths.
- 3.5 Deliverability: the potential risks to completing the scheme on time will have a bearing on the preferred option. Option 3 has a major risk to challenge, environmental lobbying and finding (and the cost of) sufficient land for compensating for the loss of Ancient Woodland. There would be major requirements in terms of traffic management during construction for Option 1.
- 3.6 The currently proposed alignment for Options 3 & 5A go south of Tortington Priory (to avoid anticipated archaeological conflict north of the Priory) but there are currently no plans in Options 3 & 5A for a junction with Ford Road
- 3.7 There is currently nothing within Options 3 & 5A for a junction with Ford Road (see “A” on Fig 2); rather, the new Carriageway would be at a level, from crossing the river, to bridge over Ford Road. This would leave the current congestion at the northern end of Ford Road, with potential for a worsening situation as and when the developments within the emerging Local Plan at Ford and elsewhere start to add to traffic counts.
- 3.8 The alignment in the consultation documentation for Options 3 & 5A skirt south of Tortington Priory (to avoid anticipated archaeological conflict north of the Priory). It is considered that there should be scope to cater for a new junction at the Ford Road bridge, if necessary by taking to the alignment slightly further south to provide space for slip-roads etc.
- 4.0 It is clear that there is no ‘ideal scheme’ but whilst Option 1 is the cheapest and shortest route, it seems to be the worst of the three for a number of other reasons including but not limited to; dividing the town, noise and pollution, traffic management (during the work) and limitations of the route west of Ford Road.
- 4.1 Option 3 has major impacts on the environment and consequential risks to deliverability and Option 5A has the disadvantage of encroaching nearer to the

communities of Binsted and Walberton than the other options – both of these issues could, however, be mitigated to an extent by a realignment at the western extremity of any new road. This realignment suggestion has the benefit of less routing through the Ancient Woodland (than Options 3 or 5A) and is further away from residential areas. It is shown in schematic terms at Fig 2 below.

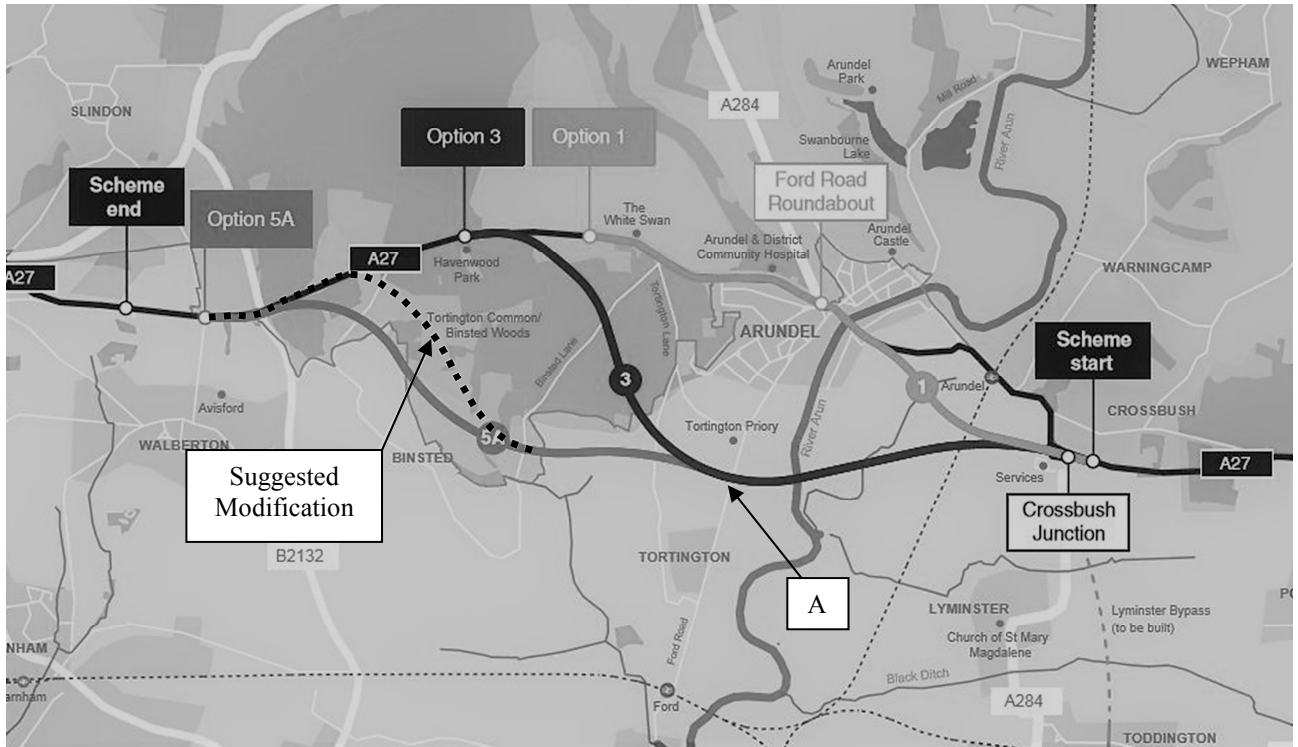


Fig. 2 Suggested Modified Option

5.0 Planning – The scheme is defined as a *Nationally Significant Infrastructure Project* (Planning Act 2008) and as such HE will need to obtain an Development Consent Order – to be lodged with the Planning Inspectorate and available to further comment. This will be part of the Statutory Consultation Stage (see below).

6.0 Timeline

Winter 2017/18	Analysis of feedback from Public Consultation
Winter 2017/18	<i>Publication of Public Consultation Report</i>
Spring 2018	Statement of Community Consultation published
Spring 2018	Statutory public consultation on details of preferred route
2019	Submit Development Consent Order
2019/20	Planning Inspectorate to evaluate
2020	Government to decide whether to give the

		scheme consent	
	2020	Construction commence	
	2023	New road fully open	

7.0 Other opportunities – Highways England have a fund (Designated Fund) allocated to supporting local initiatives that are linked to their scheme but are outside of their core ‘business as usual’ framework – candidates for this could be the support of a cycle route from the south, to Arundel Railway Station and potentially beyond, into the National Park and improved parking provision for commuters, residents and residents at Ford railway station.

2. PROPOSAL(S):

- 1 Prepare a response to Highways England’s consultation exercise based upon the recommendations in 1 Recommendations (above) and
- 2 Commission and submit a Local Impact Statement required as part of a formal Development Consent Order process.

3. OPTIONS:

- 1 Provide a response and prepare a Local Impact Statement
- 2 Not to provide a response at this point but accept that a Local Impact Statement may be required as part of any future Statutory consultation.

4. CONSULTATION:

Wide ranging Public consultation undertaken by Highways England, including around 67,000 letter to householders and a wide ranging approach to businesses; exhibitions (manned and static) and a widely available brochure & questionnaire.

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	See above	
Relevant District Ward Councillors		
Other groups/persons (please specify)		
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓

Sustainability	✓	✓
Asset Management/Property/Land		✓
Technology		✓
Safeguarding		✓
Other (please explain)	✓	

6. IMPLICATIONS:

Sustainability – Highways England will need to undertake a full environmental assessment
 Other – The general route of Option 3 has been safeguarded in the Emerging Local Plan

7. REASON FOR THE DECISION:

To enable a formal response to be made to Highways England's public consultation with the aim of securing an improvement to the economic well-being of the Arundel and the region.

8. BACKGROUND PAPERS:

A27 Arundel Bypass consultation brochure (with technical supporting papers) & questionnaire – Highways England

All available via <https://highwaysengland.citizenspace.com/he/a27-arundel-bypass/>

AGENDA ITEM NO.10**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16th October 2017****PART A : REPORT****SUBJECT:**

Agency Agreement relating to Civil Parking Enforcement and tender for labour only contract.

REPORT AUTHOR: Calvin Baylis

DATE: 31st May 2017

EXTN: 37649

EXECUTIVE SUMMARY:

Arun District Council has a contract to act as the agent for West Sussex County Council in carrying out Civil Parking Enforcement (CPE) and other associated services. This contract is due to expire on the 31st March 2018 and this report outlines the options beyond this date and by association the labour only contract for Civil Parking and Associated Services which is also due to expire on the 31st March 2018.

RECOMMENDATIONS:

Cabinet is recommended:

1. Agree to enter into a new Agency Agreement with West Sussex County Council to carry out Civil Parking Enforcement and other associated services from the 1st April 2018 for an initial period of 5 years with a possible extension of 4 years.
2. Agree that subject to (1) being approved the labour only contract which is due to expire on the 31st March 2018 and provides the Civil Enforcement Officer provision and associated parking services is re- tendered using the EU Open Tender procedure with a target commencement date of the 1st April 2018.
3. Agree that subject to (2) being approved the award of the Contract be delegated to the Cabinet Member for Neighbourhood Services, in consultation with the Group Head for Neighbourhood Services and the Group Head of Corporate Support.

1. BACKGROUND:

- 1.1 The Road Traffic Act 1991 (RTA) brought in Decriminalised Parking Enforcement (DPE) giving civil powers to Local Authorities in England & Wales to enforce on street parking restrictions.
- 1.2 As the responsible Local Authority under the RTA 1991 Act, West Sussex County Council (WSSCC) as the Highway Authority entered into arrangements with all the District and Borough Councils in West Sussex to undertake and manage CPE.
- 1.3 Cabinet agreed on the 15th June 2009 that the management of CPE be commenced within Arun District with a target date of June 2010.

- 1.4 WSCC provided an Agency Agreement for Arun District Council to act as the agent for WSCC for a period running from July 2010 to July 2015 with a possible extension to the 31st March 2018.
- 1.5 Cabinet agreed on the 10th March 2014 to take up option of extending the Agency Agreement for the management of CPE up to the 31st March 2018.
- 1.6 The overall costs of CPE is balanced by the separate and ring fenced Joint Enforcement Account which is funded by the payment of Penalty Charge Notices. After the initial payment of the start-up costs the account has produced surpluses which are shared with the WSCC. Since the introduction of CPE Arun District Council has received a total surplus of £180,249 which is ring fenced and can only be used on parking related matters. Part of this surplus has been used for purchasing new pay & display machines.
- 1.7 Although issuing parking fines is never popular there have been very few official complaints about enforcement. Instead there has been an increasing demand from residents, Parish Councils and Schools for enforcement. Civil Parking Enforcement has allowed Arun District Council to respond to these concerns.
- 1.8 WSCC are very pleased with Arun District Council's management of CPE and have proposed a new Agency Agreement relating to CPE to run for a period of five years from the 1st April 2018 to the 31st March 2023 with a possible extension of four years.
- 1.9 On the 17th October 2011 Cabinet took the decision to contract for the supply of Civil Enforcement Officers and associated services such as supervision, car park engineering services and cash collection. It was further agreed and in line with WSCC views and terms of the agreement that the Contract should be a "labour only" style with all management, scheduling, resources deployment and other aspects such as performance management being retained by Arun District Council.
- 1.10 It is considered that the best value would be achieved by awarding a full 5 year contract with a possible extension of 4 years giving a target start date of the 1st April 2018.
- 1.11 The indicative value of the contract exceeds the European Union thresholds for service contracts. Therefore all of the Tender submissions and basis of the award will be set out in an advertisement placed in the EU and relevant journals.
- 1.12 It is recognised that the potential Contract Value would normally involve a recommendation for the Contract award to come to Cabinet. However because of the delay in WSCC making a formal approach regarding CPE and in order to meet the target date of the 1st April 2018 it is proposed that delegated authority to receive details of the award of the Contract be given to the Cabinet Member for Neighbourhood Services in consultation with the relevant officers.

2. PROPOSAL(S):

- 2.1. It is proposed that it would in the best interest of Arun to agree to the request from the WSCC to enter into a new CPE Agency Agreement to start from the 1st April 2018.
- 2.2. Should Cabinet agree to enter into the CPE Agency Agreement it is proposed that in order to deliver CPE and other associated car park work that it is in the best

interests of the Council to tender for a “labour only contract” to commence from the 1 st April 2018.		
3. OPTIONS:		
3.1. To enter into an Agency Agreement with the WSCC for CPE and other associated services		
3.2. Subject to 3.1 being approved to tender for a “labour only contract” in order to deliver the CPE and other associated car park work.		
3.3. Not to enter into an Agency Agreement with the WSCC for CPE and other associated services.		
3.4. Not to tender for a “labour only contract” in order to deliver the CPE and other associated car park work.		
3.5. Other options determined by Cabinet.		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) Cabinet Member for Neighbourhood Services who supports the recommendations.	✓	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Safeguarding		✓
Other (please explain)		✓
6. IMPLICATIONS:		
Financial: considered positive going forward		
Legal: Entering into a long term Agency and Service Level Agreement with WSCC		

7. REASON FOR THE DECISION:

To best serve the financial interests of Arun and provide a clear and well managed approach to Civil Parking Enforcement.

8. BACKGROUND PAPERS:

[Cabinet Report 15 June 2009](#)

[Cabinet Report 10 March 2014](#)

AGENDA ITEM NO.11**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 October 2017****PART A : REPORT**

SUBJECT: Authority to make the post of Housing Fraud Investigator permanent.

REPORT AUTHOR: Satnam Kaur, Group Head of Residential Services

DATE: 18 September 2017

EXTN: 37718

1.

EXECUTIVE SUMMARY:

Following the success of a secondment to the newly created post of Housing Fraud Investigator, authority is sought to make the post permanent with effect from 1 January 2018. This is a grade S01 post.

RECOMMENDATIONS:

It is recommended that:

1. The post of Housing Fraud Investigator is made permanent with effect from 1 January 2018.

1. BACKGROUND:

1.1 The new Housing Fraud Act came into force in October 2013 – Prevention of Social Housing Fraud Act 2013. Previously the Council had limited powers to tackle Housing Fraud. The Act enables use of penalties including a custodial sentence of up to 5 years and/or a fine of up to £5,000.

1.2 Housing Fraud can take many forms including:

- Non occupation by the tenant(s) as their sole or principal home
- Sub-letting the property
- Making false claims to the housing register
- Providing false documentation
- Leaving a property vacant
- Make a false application to Right to Buy
- Breaches of Tenancy agreement
- Criminal behaviour

- 1.3 Prior to January 2016, the detection of social housing fraud was part of the role undertaken by Neighbourhood Housing Officers. The importance of having a dedicated approach to this area of work was recognised and on 20 July 2015 Cabinet approved funding for a newly created post of Housing Fraud Investigator, initially on a one year secondment commencing January 2016. This was subsequently extended for a further year until December 2017.
- 1.4 The dedicated approach has proven to be very effective. 144 referrals have been received to date with 100 of these having been investigated. The post holder has achieved a number of successful outcomes as outlined in the table below. Each case requires active investigation with time and effort to gather evidence to support any allegation of sub-letting, abandonment, breach of tenancy or fraudulent application.
- 1.5 In 2013 the Audit Commission estimated that nationally the value of recovering a social housing property to the public purse is £18,000 per annum per unit. This equates with an average cost of housing a small family in temporary accommodation for a 12 month period. More recently, some organisations have calculated the value based on the cost of building replacement properties to compensate for those that are being occupied fraudulently. For ADC this would equate to £200,000 per replacement dwelling. The cost of preventing a fraudulent right to buy application is estimated at £77,900 which is the maximum discount available. A by-product of tackling tenancy fraud is the savings that can be achieved through detection of fraudulent claims of council tax support, single person discount and housing benefit.

Successful Outcomes January 2016 to Date		
Fraud Type	Number Recovered/Prevented	Prevention Value
Social housing tenancy fraud	20	£360,000 (20 x £18,000)
Fraudulent Right to Buy applications	3	£233,700 (3 x £77,900)
Fraudulent Housing Register applications	2	£36,000 (2 x £18,000)
Residual Council Tax and Housing Benefit Fraud	-	£3,200
Total	25	£632,900

- 1.6 Government figures acknowledge that on average 5 per cent of all social housing have some indicators of fraud. Taking into account the success to date, for ADC this translates into a further potential 140 cases which might be subject to investigation.

2. PROPOSAL(S):		
2.1 Authority is being sought to make the post of Housing Fraud Investigator permanent. Building on the success of this post in addressing housing fraud and given that the demand for social housing far outweighs supply, it is vital that the Council ensures that it is making the best use of housing stock by meeting the housing needs of those that are genuinely eligible and in greatest need.		
3. OPTIONS:		
3.1 To approve the recommendation as set out to ensure that the best use is made of the Council's social housing stock in addressing the needs of those that are eligible and in greatest need.		
3.2 Not to approve the recommendation and bring to an end the secondment to the post of Housing Fraud Investigator on the 31 December 2017.		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons: Cabinet Member for Residential Services	✓	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment	✓	
Community Safety including Section 17 of Crime & Disorder Act	✓	
Sustainability	✓	
Asset Management/Property/Land	✓	
Technology		✓
Safeguarding		✓
6. IMPLICATIONS:		
6.1 Tackling tenancy fraud will enable the recovery of properties that are unlawfully occupied, thereby maximising appropriate use of the limited housing stock.		
6.2 It is crucial that social housing is used appropriately and effectively, to help reduce the use of temporary accommodation which is detrimental both financially and in terms of social wellbeing.		
6.3 Detection of fraud ensures the rights of other individuals to be housed.		

6.4 Community Safety is supported by ensuring that housing is being used lawfully.

6.5 Ensuring that housing is used appropriately, supports sustainability and effective management of the stock in general.

7. REASON FOR THE DECISION:

7.1 This is an ongoing and essential piece of work within Residential Services and for the reasons outlined above, it is recommended that the post of Housing Fraud Investigator be made permanent.

8. BACKGROUND PAPERS:

[Cabinet Decision 20.7.15](#)

AGENDA ITEM NO. 12**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 October 2017****PART A : REPORT**

SUBJECT: Funding for the provision of self-contained temporary accommodation

REPORT AUTHOR: Satnam Kaur, Group Head of Residential Services

DATE: 25 September 2017

EXTN: 37718

EXECUTIVE SUMMARY:

Following a report to Cabinet on 15 June 2017 on the increase in homeless pressures in the District and the subsequent increase in the use and cost of temporary accommodation, Cabinet approved a supplementary estimate of up to £1 million for the purchase of suitable properties to be used as temporary accommodation. Once acquired, these properties will be held in the General Fund and will help to improve quality, supply and cost of temporary accommodation.

A further opportunity has arisen to purchase additional homes to use as self-contained temporary accommodation. This report seeks the Cabinet's approval to an additional supplementary estimate to cover the costs of purchase.

RECOMMENDATIONS:

It is recommended to Full Council that:

1. An additional supplementary estimate up to £1.1 million (equivalent to a Band D Council Tax of £18.50) is approved for the purchase of temporary accommodation.

1 BACKGROUND:

1.1 Following a report to Cabinet on 15th June 2017 on the increase in homeless pressures in the District, and the subsequent increase in the use of and rising cost of temporary accommodation, Cabinet approved a supplementary estimate of up to £1 million for the purchase of suitable properties to be used as temporary accommodation.

1.2 Once acquired, these properties will be held in the General Fund. They will help to improve the quality of temporary accommodation, increase supply, offer stability to

homeless households and reduce the use and cost of Bed and Breakfast budget.

- 1.3 This model will have no ongoing financial burden on the Council's General Fund and will yield revenue savings through reduced Bed and Breakfast costs, plus achieve income through a steady and regular rental stream. In addition to this, the properties may increase in value over time and if the demand on temporary accommodation reduces, the Council could decide to dispose of these properties to realise a capital receipt or they could be transferred internally for other accommodation uses.
- 1.4 A further opportunity has arisen for the Council to purchase 10 homes for use as self-contained temporary accommodation. The cost of this purchase is higher than the remaining £800k available from the initial allocation of £1m. A negotiated offer has been made by the Property and Estates Team which would require an additional £1.1million to be allocated to meet the purchase and transaction costs.
- 1.5 The scheme design, location and mix and size of property lend itself for ideal use as temporary accommodation, being close to local amenities and good transport links. Furthermore, it addresses the shortage of good quality self-contained temporary accommodation in this part of the District.
- 1.6 The accommodation schedule is as follows:
 - 4 x 1 bedroom apartments
 - 4 x 2 bedroom apartments
 - 1 x 3 bedroom house
 - 1 x 4 bedroom house
- 1.7 A financial appraisal of the scheme has been undertaken and the table below illustrates the income generated by the 10 unit scheme if rents are set at the maximum levels of subsidy we receive from Government for this type of self-contained temporary accommodation. The limit set by Government on rent for self-contained temporary accommodation managed by a local authority is 90% of 2011 Local Housing Allowance (LHA) and rents will therefore be set at this level.
- 1.8 As can be seen, after allowing for running costs, the scheme will generate a net income of £48.5k per annum.

Property Type	Number	Rent level	2011 LHA Rate
1 Bedroom Apartment	4	£109	£121
2 Bedroom Apartment	4	£140	£156
3 Bedroom House	1	£171	£190
4 Bedroom House	1	£234	£260
Gross Rent Per Annum	10	£73,000	
Running costs per property per annum	Total running costs per annum		
Management £350	£3,500		
Maintenance £700	£7,000		
Major Repairs 1% of build costs	£10,000		
Void & Bad Debt Provision 5% of rent	£4,000		
	£24,500		
Net Rent Per Annum	£48,500		

1.9 In comparison the actual cost of Bed and Breakfast varies between £45 and £100 per night depending on the establishment and the size of the household, this averages out to £60 per night. To place 10 households in Bed and Breakfast for a period of 12 months, would cost approximately £219k gross and with only a maximum of £56k able to be reclaimed in subsidy (90% of 2011 LHA rate, £109 per week, irrespective of the size of the family) the net cost to the Council is circa £160k per annum.

1.10 Therefore, if Members approve the recommendation for the additional £1.1 million in funding to enable the Council to acquire these properties for use as temporary accommodation, the scheme will save the Council £160k per annum, as this would be the additional annual cost, unmet by subsidy, of placing 10 households in Bed and Breakfast accommodation

1.11 The Council will also have the benefit of a net income stream (after allowing for management and repair costs) of £48.5k per annum and meet the aims of its Property Investment Strategy.

1.12 The method of financing of the purchase of the property will be determined at the end of the financial year having regard to the Council's other capital commitments.

2.1 PROPOSAL(S)

2.1 It is proposed that the supplementary estimate up to £1.1 million budget to acquire 10 new self-contained properties for use as temporary accommodation is approved, from the General Fund, to enable the Council to reduce the use and cost of Bed and Breakfast accommodation.

3 OPTIONS:		
3.1 To approve the recommendation of a supplementary estimate up to £1.1 million for the reasons set out above.		
3.2 Not to approve the recommendation. However, this will not reduce the use of Bed and Breakfast accommodation or the cost of its use to the Council.		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons: Cabinet Member for Residential Services	✓	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment	✓	
Community Safety including Section 17 of Crime & Disorder Act	✓	
Sustainability	✓	
Asset Management/Property/Land	✓	
Technology		✓
Safeguarding		✓
6. IMPLICATIONS:		
6.1 The purchase of the property will enable the Council to reduce the use of Bed and Breakfast accommodation.		
7. REASON FOR THE DECISION:		
7.1. By acquiring these properties the Council is taking steps to mitigate it's spend on bed and breakfast and will be providing temporary accommodation that is of a higher standard. The Council will effectively acquire an asset which provides flexibility in terms of future retention or disposal.		
8. BACKGROUND PAPERS:		
Tackling Homelessness Cabinet Report 19.06.17		

AGENDA ITEM NO. 13**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 OCTOBER 2017****PART A : DRAFT REPORT****SUBJECT:** Gigabit West Sussex Programme**REPORT AUTHOR:** Denise Vine - Group Head of Economy **DATE:** 19 September 2017 **EXTN:** 37846**EXECUTIVE SUMMARY:**

This report is requesting support for West Sussex County Council (WSCC) to proceed with the procuring of external providers to supply ultrafast fibre networks to local authority sites in Worthing, Shoreham, Chichester, Bognor Regis, Horsham, Haywards Heath, Burgess Hill and Crawley through a 20 year lease agreement with a single supplier.

RECOMMENDATIONS:

1. The Council commits, subject to the necessary due diligence, the relevant sites listed in Appendix 1 to a 20 year lease of new dark fibre infrastructure, as part of a contract between West Sussex County Council and the selected supplier, taking advantage of central government gap funding, and on a cost neutral basis.
2. A contract is currently in the process of being let for CCTV network services to BT Redcare. The Council, in close consultation with Sussex Police, will further investigate these new contract options in light of this Cabinet decision.
3. The Council will inform the Gigabit West Sussex project team of sites outside the Capita WAN which could be included in the procurement.

1. BACKGROUND:

In November 2016, the Chief Executive's Forum agreed to support the development of the Gigabit West Sussex project, reserving £400k from the NDR pool.

The project aims to deliver ultrafast (1000Mbps download & upload) speeds to as many urban centres as possible across West Sussex, complementing the superfast scheme connecting premises across the whole county at speeds of 30Mbps.

Funding from the pooled business rates is being released in stages, as follows:

Phase 1a: business case

Phase 1b: procurement exercise (phase 1 total budget £173,500)

Phase 2: implementation

The introduction of ultrafast fibre networks into localities has been identified as a key driver for the economy. This project aims to deliver such networks to towns in the county through our councils acting as anchor tenants, committing our own sites to a long term lease through the capital procurement of a 'dark fibre' network. Our network service providers, current and future, will be required to use this passive connectivity when providing active network services.

With the initial public sector network constructed, extensions are built out in this model on commercial terms by the supplier, to other public sector sites, businesses and ultimately homes. The procurement framework established will be accessible by other public sector bodies in the county (and by Brighton & Hove), but businesses and homes will be provided for by commercial ISPs using the supplier's infrastructure to provide services.

In March 2017, the Chancellor announced £200m to fund a programme of local projects to test ways to accelerate market delivery of new full fibre broadband networks by,

- bringing together local public sector customers, to create enough broadband demand to reduce the financial risk of building new full-fibre networks.
- offering full-fibre broadband connection vouchers for businesses, to increase take-up of services where new networks are built through the programme.
- directly connecting public sector buildings, such as schools and hospitals. This will bring fibre closer to more homes and businesses, allowing them to be connected.
- opening up public sector assets, such as existing ducts, to allow fibre to be laid more cheaply.

Being well advanced, Gigabit West Sussex is ideally placed to benefit from this central government funding, both through aggregating our local authority sites in an anchor tenancy, and by subsequently offering a full fibre voucher scheme for businesses and other public sector organisations.

On 30th June, WSCC and Adur & Worthing Councils hosted a presentation of the business case to Department for Digital, Culture, Media and Sport (DCMS) BDUK officials in Chichester. BDUK confirmed that the West Sussex project has been included in their submission for Phase 1 local projects to the Minister. The session was very positive, and it is clear that the West Sussex project is more advanced than any other in the country.

In early September it was confirmed that the Gigabit West Sussex project had been successful in securing £4.66m grant funding to enable the dark fibre procurement from the DCMS Local Full Fibre Networks (LFFN) Programme.

2. PROPOSAL(S):

West Sussex County Council is planning a step change in WAN site connectivity in 8 key county towns as part of the Gigabit West Sussex programme. A procurement of new gigabit capable dark fibre networks, connecting local authority sites in the towns, will commence in early October. Districts and boroughs are invited to join, taking advantage of DCMS Local Full Fibre Networks (LFFN) Programme funding, which has been applied for.

The procurement will deliver new end-to-end dark fibre networks in Worthing, Shoreham, Chichester, Bognor Regis, Horsham, Haywards Heath, Burgess Hill and Crawley through a 20 year lease agreement with a single supplier. The selected towns provide the required site density for viable builds, following a detailed modelling exercise of all sites across the county by specialist consultants.

Littlehampton has not been identified as an anchor site in Wave 1 of the programme because there is not the right level of density of sites in this location. This has been raised with the project leader at Adur and Worthing Council. As a solution it has been suggested that Littlehampton could be included via one of these three routes:

1. The ITT to suppliers will have a defined budget and suppliers will be asked to include the identified sites as a minimum, Littlehampton would be included (outside of the minimum) and as a possible/desirable site.
2. There could be a second bid later (Wave 2) that could include Littlehampton. An Expression of Interest has already been submitted to the Challenge Fund as a further bid. This is not confirmed however.
3. Littlehampton could call off from the contract to add dark fibre, but would have to pay the costs (value unknown at this time).

Officers will continue to liaise with the project leader at Adur and Worthing to ensure this matter is not overlooked.

In the scheme, sites will all be connected at 1000Mbps (gigabit) speeds. West Sussex County Council is prepared to make the required initial capital investment on behalf of all councils, charging partners annually without any increases in charges, as a result of, and subject to, LFFN gap funding.

Capita WAN

Dark or passive fibre relates to the infrastructure in the ground, not active network services, which will continue to be provided by Capita. Capita will switch services to the new fibre networks as they become available, with the cost of change factored in to the bid for central government funding.

In the future, any new WAN provider will be required to use the leased fibre infrastructure, and councils will have the ability to make their own arrangements for active services at contract renewal points should they wish to. There will also continue to be the existing flexibility to add or remove sites from the dark fibre lease agreement.

CCTV

There is currently an opportunity for our CCTV estates to also benefit from gigabit fibre from 2019. A contract is currently being let for CCTV network services to BT Redcare. The council will further investigate how via the new contract options, and in close consultation with the Police, we can switch to the new fibre network in Sept 2019 should we wish to.

DCMS Funding

In late July 2017, the Department for Digital, Culture, Media and Sport (DCMS) wrote to all council Chief Executives and Leaders to promote their Local Full Fibre Networks (LFFN) Programme which aims to support different approaches to stimulating investment in full fibre networks.

The Gigabit West Sussex project has been in development for some time, and following central government's announcements to support full fibre networks as the fastest and most reliable broadband, the Gigabit West Sussex project has engaged with the LFFN Programme. The project has sought £4.66m gap funding to enable the dark fibre procurement and is working closely with DCMS to ensure it is in a position to satisfy funding requirements.

Local Project Funding

The project work is funded by the West Sussex Chief Executive's Forum through the business rate pool, along with additional resources provided by the County Council and Adur & Worthing Councils. Specialist consultants are currently supporting the finalisation of the procurement specification and approach, having undertaken detailed business case development with the local team.

Further Opportunities

Outside of this current phase of the Gigabit West Sussex project, there are further opportunities to work with the DCMS Local Full Fibre Networks Programme including considering opportunities to connect schools and other public sector sites. West Sussex County has submitted an "Expression of Interest" to the Challenge Fund to outline these additional opportunities to potentially extend the reach of the current project. Littlehampton is being further assessed for inclusion as part of this additional work.

The contract established with the supplier will allow for all public sector bodies to access the scheme, spreading the benefits of ultrafast to hospitals, schools, GPs and others over time. Brighton & Hove City Council will also be named in the contract.

3. OPTIONS:

Option 1

To proceed with the procurement of an end to end dark fibre network, based on securing £4.66m of funding from DCMS, which will ensure no increase in charges to the Council for their connectivity. This is the recommended option as it will secure improved connectivity for Council sites at no additional cost.

Option 2

Not to proceed with the procurement of an end to end fibre network. The Councils will lose the anticipated £4.66m funding from DCMS and will not be able to avail of an opportunity to improve existing connectivity between Council owned buildings. This is not the recommended option.

4. CONSULTATION:		
Chief Executives Forum		
West Sussex County Council		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		No
Relevant District Ward Councillors		No
Other groups/persons (please specify)		No
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	Yes	
Legal		
Human Rights/Equality Impact Assessment		
Community Safety including Section 17 of Crime & Disorder Act		
Sustainability		
Asset Management/Property/Land	Yes	
Technology	Yes	
Other (please explain)		
6. IMPLICATIONS:		
<ul style="list-style-type: none"> To not support the proposal by WSCC to procure for the delivery of new dark fibre networks in West Sussex may mean that Bognor Regis and Littlehampton could be excluded from the benefit of new infrastructure in the future. The opportunity to utilise £4.66m of grant funding from the Department for Digital, Culture, Media and Sport may be lost if this this proposal is not supported. 		

7. REASON FOR THE DECISION:
This proposal will:
<ul style="list-style-type: none"> Ensure the delivery of new dark fibre networks in West Sussex, including Bognor Regis Secure improved connectivity for Council sites at no additional cost. Enable £4.66m of funding from DCMS to be used to improve the West Sussex connectivity infrastructure. Encourage provider competition and greater supplier choice locally.

8. BACKGROUND PAPERS:

Appendix 1

Appendix 1: Site List

Worthing
 Connaught Theatre
 Worthing Pavilion Theatre
 Worthing Police Station
 Worthing Town Hall
 Crematorium
 Commerce Way

Shoreham
 Lancing Housing Office
 Shoreham Centre

£17,915 p.a.

Chichester
 Community Care Line (x2)
 East Pallant
 The Novium (x2)
 Westhampnett Depot (x2)

£8,402 p.a.

Horsham
 Hop Oast Depot
 Horsham Museum
 Parkside

£9,056 p.a.

Haywards Heath
 Oaklands (x2)

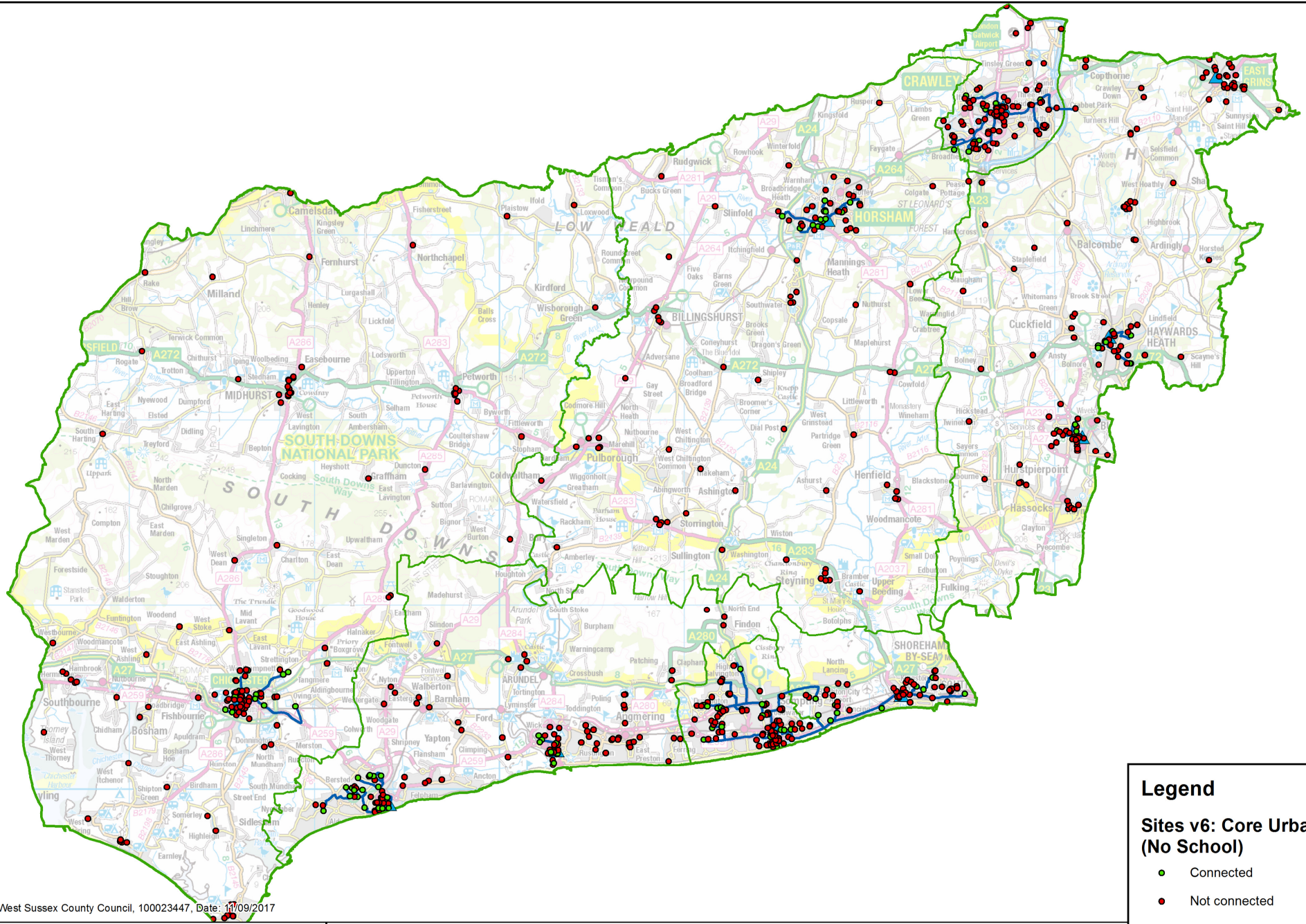
£3,400 p.a.

Crawley
 Town Hall (x2)

£6,800 p.a.

Bognor Regis
 Bognor Town Hall

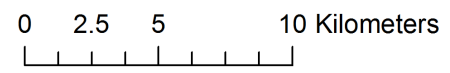
£1,700 p.a.



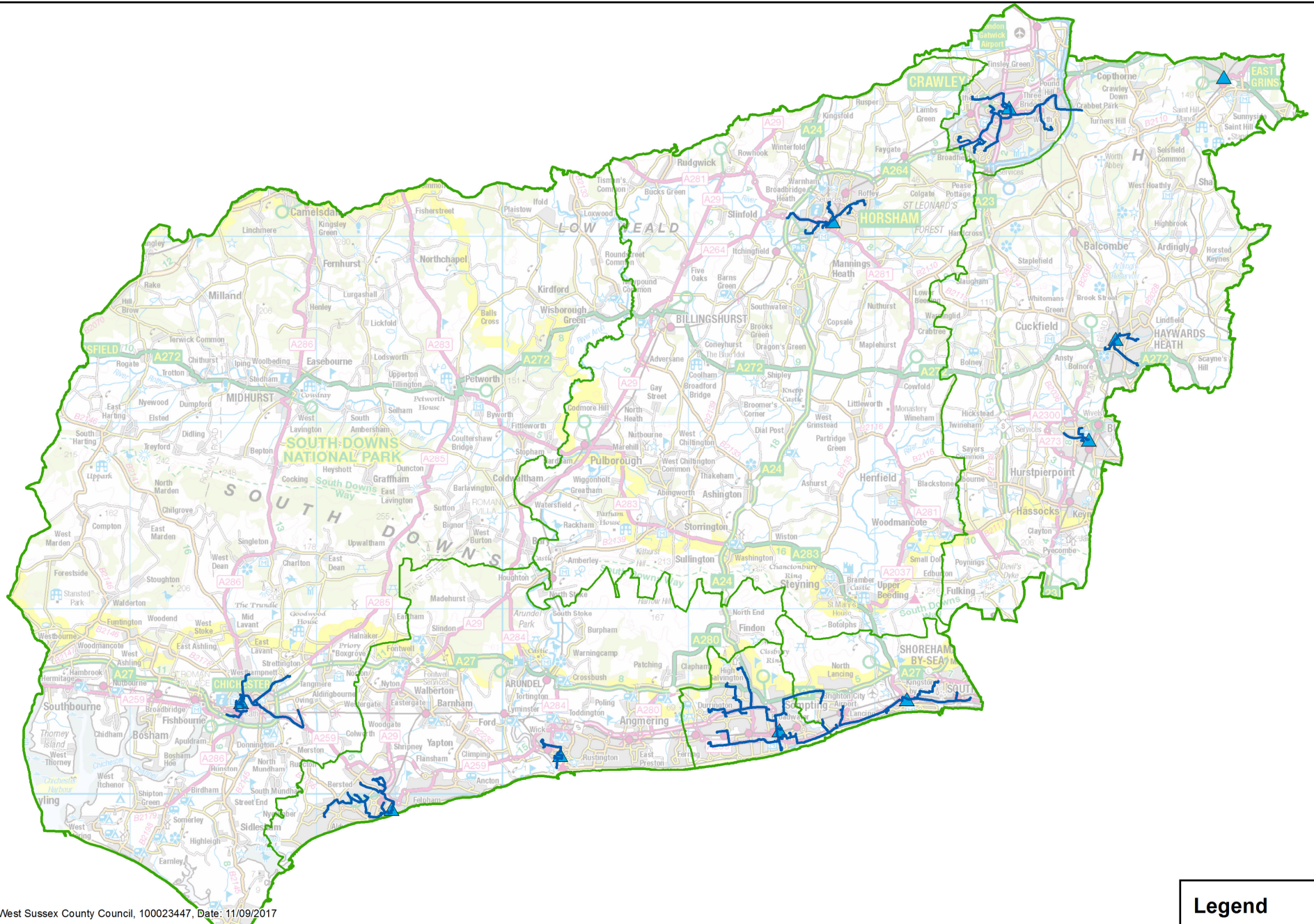
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West Sussex Gigabit Project



- Legend**
- Connected
 - Not connected
 - Fibre routes upgraded
 - ▲ Assumed Points of Presence
 - ▭ WSCC District Boundaries
 - ▭ County Council Boundary







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West Sussex Gigabit Project



- Legend**
-  Fibre routes upgraded
 -  Assumed Points of Presence
 -  WSCC District Boundaries
 -  County Council Boundary

AGENDA ITEM NO. 14**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 October 2017****PART A: REPORT****SUBJECT: Scrap Metal Dealers – Policy and Delegations****REPORT AUTHOR:** Sarah Meeten **DATE:** 25th August 2017 **EXTN:** x37680

EXECUTIVE SUMMARY: This report concerns the proposal to adopt a new Scrap Metal Policy following the introduction of the Scrap Metal Dealers Act 2013. The report deals with the delegation of functions, fee setting and proposed constitutional amendments.

RECOMMENDATIONS:

It is recommended that Cabinet

- (1) Adopt the Scrap Metal policy as set out in Appendix 1 to the report**

Cabinet is also asked to recommend to Full Council the following Constitutional amendments:

- 1. Amend the Scheme of Delegation at Part 4, Section 3, paragraph 3.2 to add reference to the Scrap Metal Dealers Act 2013 and to add delegation to determine all applications, renewals, transfers, variations and other matters in respect any licences, permissions, registrations and approvals in accordance with policy;**
- 2. Authorise the Group Head of Council Advice & Monitoring Officer to make any further consequential changes to the Constitution.**

1. BACKGROUND AND LEGISLATIVE POSITION:

Until 1 October 2013, Scrap Metal Dealers were regulated by The Scrap Metal Dealers Act 1964. The '64 Act was in essence a registration scheme. The Scrap Metal Dealers Act 2013 introduced a full licensing regime and repealed 1964 Act and Part 1 of The Vehicles (Crime) Act 2001.

The purpose of the new legislation was aimed at tackling crime associated with the industry.

It is proposed that a policy is adopted so that the legislative position and the council's approach to the administration of this function is clear to all concerned.

It is common practice for licensing functions to be dealt with by delegations being made

to licensing committees. Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, lists functions that are not to be the responsibility of an authority's executive. The Scrap Metal Dealers Act 2013 is not listed in this schedule.

The 1964 Act was included in the schedule but the 2013 Act cannot be considered a like for like replacement.

Best practice and guidance obtained is that Section 9D of The Local Government Act 2000 applies which states that subject to any provision of that Act, any function of a local authority not specified in Regulations made under that Act is to be the responsibility of an executive of the authority under executive arrangements.

For this reason Officers recommend that this function is dealt with by the executive rather than committee.

The 2013 Act makes provision for two types of licence: a collector's licence and a site licence. Once granted the licence lasts for three years in duration before requiring renewal.

2. PROPOSAL(S):

It is proposed that Cabinet

- (1) Adopt the Scrap Metal policy

Cabinet is also asked to recommend to Full Council the following Constitutional amendments:

1. Amend the Scheme of Delegation at Part 4, Section 3, paragraph 3.2 to delegate authority to the Group Head of Technical Services to set fees for site and collectors licences in relation to applications made under the Scrap Metal Dealers Act 2013;
2. Amend the Scheme of Delegation at Part 4, Section 4, paragraph 1.2 to add reference to the Scrap Metal Dealers Act 2013;
3. Authorise the Group Head of Council Advice & Monitoring Officer to make any further consequential changes to the Constitution.

3. OPTIONS:

- a) To agree the policy, delegation of functions and constitutional amendment**
- b) To not agree to the policy, delegation of functions and constitutional amendment**

4. CONSULTATION:

Policy consultation to the Environment Agency, Sussex Police, Licence holders and the local community via the www.arun.gov.uk website.

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		
Relevant District Ward Councillors		
Other groups/persons (please specify) Informal consultation has been undertaken with Chairman and Vice-Chairman of Licensing Committee.	YES	
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		
Sustainability		
Asset Management/Property/Land		
Technology		
Safeguarding		
Other (please explain)		
6. IMPLICATIONS: <p style="text-align: center;">If the scheme is not administered correctly this could result in cost and reputational damage to the council.</p>		

7. REASON FOR THE DECISION:

To ensure the Council complies with the requirements of the Scrap Metal Dealers Act 2013.

8. BACKGROUND PAPERS:

- The Scrap Metal Dealers Act 2013 - <http://www.legislation.gov.uk/ukpga/2013/10/contents>
- [Equality Impact Assessment](#)

SCRAP METAL DEALERS
STATEMENT OF LICENSING
POLICY

CONTENTS

Section	Page Number
1 Introduction	2
2 Types of Licence	3
3 Suitability of Applicant	4
4 Revocation of Licence/Imposing of Conditions	8
5 Supply of Information by Authority	9
6 Register of Licenses	9
7 Notification Requirements	9
8 Display of Licence	10
9 Verification of Suppliers Identity	10
10 Payment for Scrap Metal	10
11 Records: Receipt of Metal	10
12 Records: Disposal of Metal	11
13 Records: Supplementary	12
14 Right of Entry & Inspection	12
15 Application Procedure	13
16 Closure of Unlicensed Sites	17
17 Offences	20
18 Definitions	21
19 Consultees	22
20 Delegation	22

1 INTRODUCTION

1.1 The Policy

1.1.1 This document states the Council's policy on the regulation of Scrap Metal Dealers in its capacity as the relevant local authority for the purposes of the Scrap Metal Dealers Act 2013 (and the expressions "Council" and "local authority" shall be construed accordingly).

1.2 Legislation

1.2.1 The Scrap Metal Dealers Act 2013 ("the Act") received Royal Assent on 28 February 2013. The Act repeals the Scrap Metal Dealers Act 1964 (and linked legislation) and Part 1 of Vehicles (Crime) Act 2001 creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries.

The Act maintains local authorities as the principal regulator, but replaces the old registration system with a full licensing regime. It grants power to refuse a licence to "unsuitable" applicants and a power to revoke if the dealer becomes "unsuitable" (see section 3 page 4).

The Act requires a scrap metal dealer to obtain a licence in order to carry on business as a scrap metal dealer.

1.3 Definition of a Scrap Metal Dealer

1.3.1 A person carries on business as a scrap metal dealer if:

- (a) they wholly or partly buy or sell scrap metal (whether or not sold in the form it was bought); or
- (b) they carry on business as a motor salvage operator (see 1.3.3).

1.3.2 Ancillary sales - a person selling scrap metal merely as surplus materials or as a by-product of manufacturing articles is NOT regarded as a scrap metal dealer.

1.3.3 Motor salvage operation is defined in the Act as a business that consists wholly or mainly of:

- (a) recovering salvageable parts from motor vehicles for re-use or sale and selling the remainder of the vehicle for scrap
- (b) buying written-off vehicles, repairing and reselling them
- (c) buying or selling motor vehicles which are to be the subject of any of the activities mentioned in (a) or (b)
- (d) wholly or mainly in activities falling within paragraphs (b) and (c)

1.3.4 Scrap metal includes:

- (a) Any old, waste or discarded metal or metallic material, and
- (b) Any product, article or assembly which is made from or contains metal and is broken, worn out or regarded by its last holder as having reached the end of its useful life.

1.3.5 Scrap metal does not include:

- (a) Gold
- (b) Silver
- (c) Any alloy of which 2% or more by weight is attributable to gold or silver

2 TYPES OF LICENCE

2.1 Anyone wishing to operate a business as a scrap metal dealer will require:

- I. a site licence; or
- II. a collector's licence.

The licence is valid for three years and permits the licence holder to operate within the boundaries of the issuing authority.

A person may hold more than one licence issued by different local authorities but may not hold more than one licence issued by any one authority.

2.2 SITE LICENCE

2.2.1 The site licence authorises the licensee to carry on business at the site(s) identified in the licence.

2.2.2 The site licence must include:

- (a) the name of the licensee
- (b) the name of the authority
- (c) identify all the sites in the authority's area at which the licensee is authorised to carry on business
- (d) the name of the site manager of each site
- (e) the date of expiry

2.2.3 The site licence also permits the licence holder to act as a collector.

2.3 COLLECTOR'S LICENCE

2.3.1 The collector's licence authorises the licensee to carry on business as a mobile collector within the authority's area.

2.3.2 The collector's licence must include:

- (a) the name of the licensee
- (b) the name of the authority
- (c) the date of expiry

3 SUITABILITY OF APPLICANT

3.1 A local authority must determine whether the applicant is a suitable person to carry on business as a scrap metal dealer and may not issue a licence unless satisfied that the applicant is suitable.

3.2 In determining this, the authority may have regard to any information which it considers to be relevant, in particular:

- (a) whether the applicant or site manager has been convicted of any relevant offence;
- (b) whether the applicant or site manager has been the subject of any relevant enforcement action;
- (c) any previous refusal of an application for the issue or renewal of a scrap metal licence (and the reasons for the refusal);
- (d) any previous refusal of an application for a relevant environmental permit or registration (and the reasons for the refusal);
- (e) any previous revocation of a scrap metal licence (and the reasons for the revocation);
- (f) whether the applicant has demonstrated that there will be in place adequate procedures to ensure that the provisions of this Act are complied with.

3.3 In this section:

- (a) "site manager" means an individual proposed to be named in the licence as a site manager
- (b) "relevant offence" means an offence which is prescribed for the purposes of the Act in regulations made by the Secretary of State, and

- (c) “relevant enforcement action” means enforcement action which is so prescribed by regulations.
- 3.4 In determining whether a company is suitable to carry on business as a scrap metal dealer, a local authority is to have regard, in particular, to whether any of the following is a suitable person:
- (a) any director of the company
 - (b) any secretary of the company
 - (c) any shadow director of the company (that is to say, any person in accordance with those directions or instructions the directors of the company are accustomed to act)
- 3.5 In determining whether a partnership is suitable to carry on business as a scrap metal dealer, a local authority is to have regard, in particular, to whether each of the partners is a suitable person.
- 3.6 The authority must also have regard to any guidance on determining suitability which is issued from time to time by the Secretary of State
- 3.7 The authority may consult other persons regarding the suitability of an applicant, including in particular:
- (a) any other local authority;
 - (b) the Environment Agency;
 - (c) Sussex Police;
- 3.8 If the applicant or any site manager has been convicted of a relevant offence, the authority may include in the licence one or both of the following conditions:
- (a) that the dealer must not receive scrap metal except between 9am and 5pm on any day;
 - (b) that all scrap metal received must be kept in the form in which it is received for a specified period, not exceeding 72 hours, beginning with the time when it is received.
- 3.9 Having regard to the objectives of the Act, the authority will not normally grant a licence if an applicant or any other person required to be named or identified in the application has been convicted of any of the following offences within the period of three years prior to the application:

Theft***Fraud******Money laundering******Section 33 Environmental Protection Act 1990******Section 34 Environmental Protection Act 1990******Breach of permitting regulations******Control of Pollution Amendment Act 1989******Assaults / offences against the person***

The authority may, after hearing representations from an applicant as to any exceptional circumstances that may exist; nevertheless use its discretion and determine to grant a licence.

- 3.10 Insofar as any of the offences contained in 3.9 above are not prescribed as “relevant offences” for the purposes of the Act the authority may nevertheless require further information from the applicant to assist in determining the suitability of the applicant. The authority may not treat any such offence or enforcement action as a “relevant offence” or “relevant enforcement action” for the purposes of the Act but shall nevertheless consider such an offence as a significant offence in relation to the suitability of the applicant to hold a licence.
- 3.11 Having regard to the objectives of the Act, the authority will not normally grant a licence if an applicant or any other person required to be named or identified in the application has been the subject of any of the following forms of enforcement action within the period of three years prior to the application:

Closure notice pursuant to the Act ***Closure order pursuant to the Act*** ***Action for recovery of possession of out of date or discontinued licenses***

The authority may not treat any such enforcement action as a “relevant enforcement action” for the purposes of the Act, but shall nevertheless consider such an action as a significant issue in relation to the suitability of the applicant to hold a licence.

The authority shall permit representations from the applicant as to any exceptional circumstances indicating that it may nevertheless be appropriate to receive a licence.

- 3.12 Having regard to the objectives of the Act the authority has determined that it will consider the following offences or enforcement actions relating to any person relevant to the licence as being of particular relevance to the suitability of the licence holder:

- Written warning relating to scrap metal licence compliance**
- Waste regulations 2011 – enforcement, compliance and stop notices**
- Permitting regulations notices**
- Planning Breach of Condition / Enforcement Notices**
- Statutory nuisance abatement notice**
- Breach of statutory nuisance abatement notice (noise? – presumed unsuitable or simply relevant?)**

Code of Practice

- 3.13 In relation to all considerations of possible revocation or variation and all applications for grant or renewal of a licence, the authority shall consider the suitability of the applicant or licence holder with regard to adherence or otherwise by the licence holder or any other person identified in the licence, to the various Codes of Practice relevant to the industry. Membership to a recognized organisation and their Scrap Metal Code of Practice shall be considered particularly relevant to the suitability of the applicant or licence holder to hold a licence.

Without prejudice to the above, where an officer of the Council has reason to believe that a licence is not being operated in accordance with recognized standards, but it is in that officer's opinion reasonable to deal with the complaint by way of a written warning or further written warning then the matter may be dealt with by written warning to the licence holder.

Where a licence holder has received a second written warning from an officer of the Council then the licence holder shall be asked to meet with the appropriate officer of the Council to discuss the reasons for the issue of the previous written warnings and the officer shall warn the licence holder that the licence shall be subject to revocation should there be any repetition of the matter of complaint, on the basis that the licence holder is no longer considered to be suitable to hold a licence.

Where an officer of the Council has reason to believe that there are grounds for issuing a third written warning then the relevant licence holder shall be presumed by the Council to be an unsuitable person to hold a licence, subject to any representation from the licence holder that there may be exceptional circumstances to justify the circumstances of the failure to remedy the cause of complaint.

4 REVOCATION OF LICENCE/IMPOSITION OF CONDITIONS

- 4.1 The authority may revoke a scrap metal licence if it is satisfied that the licensee does not carry on the business of scrap metal dealing at any of the sites identified in the licence.
- 4.2 The authority may revoke a licence if it is satisfied that a site manager named in the licence does not act as site manager at any of the sites identified in the licence.
- 4.3 The authority may revoke a licence if it is no longer satisfied that the licensee is a suitable person to carry on business as a scrap metal dealer and the authority shall have particular regard to any “relevant offences” and “relevant enforcement action” and to those matters contained in paragraphs 3.10, 3.11, 3.12 and 3.13 of this policy.
- 4.4 If the licensee or any site manager named in a licence is convicted of a relevant offence, the authority may vary the licence by adding one or both of the conditions set out in paragraph 3.8.
- 4.6 A revocation or variation comes into effect when no appeal under paragraph 15.9 is possible in relation to the revocation or variation, or when any such appeal is finally determined or withdrawn.
- 4.7 If the authority considers that the licence should not continue in force without conditions, it may by notice provide:
- (a) that, until a revocation comes into effect, the licence is subject to one or both of the conditions set out in paragraph 3.8, or
 - (b) that a variation under this paragraph comes into effect immediately.
- 4.8 All licenses issued by the Council pursuant to the Act remain the physical property of the Council and must be returned to the Council as required on expiry or revocation of the relevant licence or copy licence. Action may be taken for the recovery of any licence not returned as required by the Council and any such action may be taken into account in relation to any future application for a licence.
- 4.9 All reference in this policy to copy licenses shall be construed as original copies officially endorsed and issued by the Council as the licensing authority.

5. SUPPLY OF INFORMATION BY AUTHORITY

- 5.1 This section applies to information which has been supplied to a local authority under this Act and relates to a scrap metal licence or to an application for or relating to a licence.
- 5.2 The local authority must supply any such information to any of the following persons who request it for purposes relating to this Act:
- (a) any other local authority;
 - (b) the Environment Agency;
 - (c) Sussex Police.
- 5.3 This section does not limit any other power the authority has to supply that information.

6. REGISTER OF LICENSES

- 6.1 The Environment Agency maintains a register of scrap metal licenses issued by authorities in England and each entry must record:
- (a) the name of the authority which issued the licence
 - (b) the name of the licensee
 - (c) any trading name of the licensee
 - (d) the address of the site identified in the licence
 - (e) the type of licence, and
 - (f) the date on which the licence is due to expire
- 6.3 The registers are to open for inspection to the public

7. NOTIFICATION REQUIREMENTS

- 7.1 An applicant for a scrap metal licence, or for the renewal or variation of a licence, must notify the authority to which the application was made of any changes which materially affect the accuracy of the information which the applicant has proved in connection with the application.
- 7.2 A licensee who is not carrying on business as a scrap metal dealer in the area of the authority which issued the licence must notify the authority within 28 days.
- 7.3 If a licence is issued to a business under a trading name the licensee must notify the authority which issued the licence of any change to that name within

28 days.

- 7.4 The authority must notify the Environment Agency, of –
- (a) any notification given to the authority under paragraph 7.2 or 7.3
 - (b) any variation made by the authority under paragraph 15.3 (variation of type of licence or matters set out in licence), and
 - (c) any revocation by the authority of a licence

7.5 Notification under paragraph 7.4 must be given within 28 days of the notification, variation or revocation in question.

8. DISPLAY OF LICENCE

- 8.1 A copy of a site licence must be displayed at each site identified in the licence. The copy must be displayed in a prominent place in an area accessible to the public.
- 8.2 A copy of a collector's licence must be displayed on any vehicle that is being used in the course of the dealer's business. This must be displayed in a manner which enables it easily to be read by a person outside the vehicle.

9. VERIFICATION OF SUPPLIER'S IDENTITY

- 9.1 Prior to receiving scrap metal the scrap metal dealer must verify the person's full name and address by reference to documents, data or other information obtained from a reliable and independent source.

Should verification not be gained then each of the following are guilty of an offence:

- (a) the scrap metal dealer
- (b) if metal is received at the site, the site manager
- (c) any person who, under arrangements made by a person within sub-paragraph (a) or (b), has responsibility for verifying the name and address.

10. PAYMENT FOR SCRAP METAL

10.1 A scrap metal dealer must only pay for scrap metal by either:

- (a) a cheque (which is not transferrable under Section 81A Bills of Exchange Act 1882); or
- (b) electronic transfer of funds (authorised by a credit, debit card or otherwise) Payment includes paying in kind – with goods or services.

11. RECORDS: RECEIPT OF METAL

11.1 If any metal is received in the course of the dealer's business the dealer must record the following information:

- (a) description of the metal, including its type (types if mixed), form, condition, weight and any marks identifying previous owners or other distinguishing features
- (b) date and time of receipt
- (c) the registration mark of the vehicle delivered by
- (d) full name and address of person delivering it
- (e) full name of the person making payment on behalf of the dealer

11.2 The dealer must keep a copy of any documents used to verify the name and address of the person delivering the metal.

11.3 If payment is made via cheque, the dealer must retain a copy of the cheque.

11.4 If payment is made via electronic transfer, the dealer must keep a receipt identifying the transfer, or (if no receipt identifying the transfer) record particulars identifying the transfer.

12. RECORDS: DISPOSAL OF METAL

12.1 The Act regards the metal to be disposed of:

- (a) whether or not in the same form it was purchased,
- (b) whether or not the disposal is to another person
- (c) whether or not the metal is dispatched from a site

12.2 Where the disposal is in the course of business under a site licence, the following must be recorded:

- (a) description of the metal, including its type (or types if mixed), form and weight
- (b) date and time of disposal
- (c) if to another person, their full name and address
- (d) if payment is received for the metal (by sale or exchange) the price or other consideration received

12.3 If disposal is in the course of business under a collector's licence, the dealer must record the following information:

- (a) the date and time of the disposal
- (b) if to another person, their full name and address

13. RECORDS: SUPPLEMENTARY

- 13.1 The information in paragraphs 11 and 12 must be recorded in a manner which allows the information and the scrap metal to which it relates to be readily identified by reference to each other.
- 13.2 The records mentioned in paragraph 11 must be marked so as to identify the scrap metal to which they relate.
- 13.3 Records must be kept for a period of 3 years beginning with the day on which the metal is received or (as may be the case) disposed of.
- 13.4 If a scrap metal dealer fails to fulfill a requirement under paragraph 11 or 12 or this paragraph each of the following is guilty of an offence by way of section 15 of the Act:
- (a) the scrap metal dealer
 - (b) if the metal is received at or (as the case may be) dispatched from a site, the site manager
 - (c) any person who, under arrangements made by a person within paragraph(a)or (b) has responsibility for fulfilling the requirement.
- 13.5 It is a defence for a person within who is charged with an offence under section 15 of the Act to prove that the person:
- (a) made arrangements to ensure that the requirement was fulfilled, and
 - (b) took all reasonable steps to ensure that those arrangements were complied with

14. RIGHT OF ENTRY & INSPECTION

- 14.1 A constable or an officer of the Council may enter and inspect a licensed site at any reasonable time on notice to the site manager.
- 14.2 A constable or an officer of the Council may enter and inspect a licensed site at any reasonable time, otherwise than on notice to the site manager, if
- (a) reasonable attempts to give notice have been made and failed, or
 - (b) entry to the site is reasonably required for the purpose of ascertaining whether the provisions of this Act are being complied with or investigating offences under it and (in either case) the giving of the notice would defeat that purpose.

- 14.3 Paragraphs 14.1 and 14.2 do not apply to residential premises.
- 14.4 A constable or an officer of the Council is not entitled to use force to enter premises in the exercise of the powers identified in paragraphs 14.1 and 14.2.
- 14.5 A justice of the peace may issue a warrant authorising entry in accordance with section 16 of the Act to any premises within paragraph 14.6 if the justice is satisfied by information on oath that there are reasonable grounds for believing that entry to the premises is reasonably required for the purpose of:
- (a) securing compliance with the provisions of the Act, or
 - (b) ascertaining whether those provisions are being complied with
- 14.6 Premises are within this paragraph if
- (a) the premises are a licensed site, or
 - (b) the premises are not a licensed site but there are reasonable grounds for believing that the premises are being used by a scrap metal dealer in the course of business.
- 14.8 A constable or an officer of the Council may, if necessary, use reasonable force in the exercise of the powers under a warrant under section 16 of the Act.
- 14.9 A constable or an officer of the Council may:
- (a) require production of, and inspect, any scrap metal kept at any premises mentioned in paragraphs 14.1 or 14.2 or in a warrant under section 16.
 - (b) require production of, and inspect, any records kept in accordance with section 13 or 14 of the Act and any other records relating to payment for scrap metal
 - (c) take copies of or extracts from any such records.
- 14.10 Officers of the Council will undertake where reasonable and practicable to give a notice of their powers and your rights on entry to any site licensed pursuant to the Act and the licence holder, site managers and other operatives should note that officers may use recording to assist them in their duties whilst on site.

15. APPLICATION PROCEDURE

15.1 Term of Licence

A licence is valid for three years beginning from the day it is issued. A renewal application must be received prior to the licence expiry.

If withdrawn the licence expires at the end of the day of withdrawal.

If refused, the licence expires when no appeal is possible or any such appeal is finally determined or withdrawn.

If renewed, the licence expires at the end of the three year period from the date of the renewal.

15.2 Application

The application form, available from the Licensing Department, should be accompanied by:

- a) full name of applicant (if an individual), date of birth and usual place of residence
- b) name and registered number of the applicant (if a company) and registered office
- c) if a partnership – full name of each partner, date of birth and usual place of residence
- d) proposed trading name
- e) telephone number and email address (if any) of applicant
- f) address of any site within any other local authority at which carry on business as a scrap metal dealer or propose to do so
- g) any relevant environmental permit or registration in relation to the applicant
- h) details of any other scrap metal licence issued to the applicant within a period of 3 years ending with the date of the application.
- i) details of the bank account which is proposed to be used in order to comply with section 11
- j) details of any relevant conviction or enforcement action taken against the applicant.

For a site licence, the applicant must also provide:

- a) the address of each site proposed to be identified in the licence (or if renewal, each site identified for which renewal is sought)
- b) the full name, date of birth and usual place of residence of each individual, proposed to be named in the licence as a site manager (other than the applicant).

- c) site manager details to be included for (g) (h) and (j) above

Please note the collectors licence allows a business or individual to operate only within that authority's area, therefore individuals wishing to collect across borders will be required to obtain a collectors licence from the relevant local authority where they wish to collect and sell.

All applicants are required to provide a basic disclosure of criminal convictions with the application.

15.3 Variation of Licence

A licence may be varied from one type to the other. A variation application must be made to reflect changes to:

- Site licence – the name of licensee, the sites, site manager
- Collector's licence – name of licensee

The variation can amend the name of the licensee but cannot transfer the licence to another person.

Application is to be made to the issuing authority and contain particulars of the changes to be made to the licence.

15.4 Renewal

When a licence is renewed the three year validity period commences on the day of receipt. Should a renewal application be withdrawn, the licence expires at the end of the day on which the application is withdrawn.

Where a renewal application has been refused – the licence expires when no appeal has been made under paragraph 2 of Schedule 1 of the Act or any such appeal has resulted in confirmation of the refusal.

15.5 Further Information

The Council may request (at the time of application or later) that additional information is provided, as may be considered relevant for the purpose of considering the application.

Failure to provide such information may result in the application being declined.

15.6 Fee

The application must be accompanied by the fee set by the Council, under guidance from the Secretary of State with the approval of the Treasury.

15.7 Right to Make Representations

If the Council proposes to refuse an application or to revoke/vary a licence, a notice shall be issued to the applicant/licensee setting out what the authority proposes to do and the reasons for this. The notice shall also state that within the period specified the applicant/licensee can either:

- a) make representations about the proposal, or
- b) inform the authority that the applicant/licensee wishes to do so.

The period specified in the notice shall be not less than 14 days beginning with the date on which the notice is given to the applicant/licensee. Within this time the applicant/licensee must notify the Council whether the applicant / licensee wishes to make representations. Should this period expire and the applicant/licensee has not made representations or informed the authority of their wish to do so the authority may refuse the application, or revoke or vary the licence.

If, within the period specified, the applicant/licensee informs the authority that they wish to make representations, the authority shall allow a reasonable period to make representations and may refuse the application or revoke or vary the licence if they fail to make representations within that period.

If the applicant/licensee notifies the authority that they wish to make oral representations, the authority shall give them the opportunity of appearing before, and being heard by the authorities Licensing Subcommittee.

15.8 Notice of Decision

If the application is refused, or the licence is revoked or varied, notice shall be given to the applicant/licensee setting out the decision and the reasons for it. The notice shall also state that the applicant/licensee may appeal against the decision, the time within which the appeal may be brought (21 days beginning with the day on which notice of the decision was given) and, if revoked or varied, the date on which the revocation of variation is to take effect.

15.9 Appeals

An applicant may appeal to a magistrates' court against the refusal of an application or a variation. The licensee may appeal to a magistrates' court against the inclusion in a licence of a condition under Section 3(8) of the Act or the revocation or variation of a licence.

An appeal must be made within 21 days beginning on the day the notice to refuse the application, to include the condition or to revoke or vary the licence under section 4 was given.

On appeal, the magistrates' court may confirm, vary or reverse the authority's decision, and give such directions as it considers appropriate having regard to the provisions of the Act.

The authority must comply with any directions given by the magistrates' court. Although the authority need not comply with such directions until the time for making an application under section 111 of the Magistrates' Courts Act 1980 has passed or if such an application is made, until the application is finally determined or withdrawn.

16. CLOSURE OF UNLICENSED SITES

16.1 Interpretation

A person with an interest in premises is the owner, leaseholder or occupier of the premises.

16.2 Closure Notice

These are not applicable if the premises are residential premises.

A constable or the local authority must be satisfied that the premises are being used by a scrap metal dealer in the course of business and that the premises are not a licensed site.

In such circumstances a "closure notice" may be issued by a constable or local authority which states they are satisfied of the above, the reasons for that, that the constable or local authority may apply to the court for a closure order and the notice shall specify the steps which may be taken to ensure that the alleged use of the premises ceases.

The notice shall be given to the person who appears to be the site manager of the premises and any person who appears to be a director, manager or other officer of the business in question. The notice may also be given to any person who has an interest in the premises.

The notice shall be given to a person who occupies another part of any building or structure of which the premises form part and the constable or local authority believes at the time of giving the notice, that the person's access to that other part would be impeded if a closure order were made in respect of the premises.

16.3 Cancellation of Closure Notice

A "cancellation notice" issued by a constable of local authority may cancel a closure notice. This takes effect when it is given to any one of the persons to whom the

closure notice was given. This must also be given to any other person to whom the closure notice was given.

16.4 Application for Closure Order

When a closure notice has been given, a constable or the local authority shall make a complaint to a justice of the peace for a closure order. This may not be made less than 7 days after the date on which the closure notice was given or more than 6 months after that date.

A complaint under this paragraph may not be made if the constable or authority is satisfied that the premises are not (or are no longer) being used by a scrap metal dealer in the course of business and there is no reasonable likelihood that the premises will be so used in the future.

16.5 Closure Order

A closure order requires that a premises be closed immediately to the public and remain closed until a constable or the local authority makes a termination of closure order by certificate, the use of the premises by a scrap metal dealer in the course of business be discontinued immediately and that any defendant pay into court such sum as the court determines and that the sum will not be released by the court to that person until the other requirements of the order are met.

The closure order may include a condition relating to the admission of persons into the premises, the access by persons to another part of any building or other structure of which the premises form part.

A closure order may include such provision as the court considers appropriate for dealing with the consequences if the order should cease to have effect.

As soon as practicable after the closure order is made, the complainant must fix a copy of it in a conspicuous position on the premises in respect of which it was made.

A sum ordered to be paid into court under a closure order is to be paid to the designated officer for the court.

16.6 Termination of Closure Order by Certificate

Once a closure order has been made and a constable or the local authority is satisfied that the need for the order has ceased a certificate may be issued.

This ceases the closure order and any sum paid into a court is to be released by the court to the defendant.

As soon as is practicable after making a certificate, a constable or local authority must give a copy to any person against whom the closure order was made, give a

copy to the designated officer for the court which made the order and fix a copy of it in a conspicuous position on the premises in respect of which the order was made.

A copy of the certificate must be given to any person who requests one.

16.7 Discharge of Closure Order by Court

A closure order may be discharged by complaint to a justice of the peace. This can be done by any person to whom the relevant closure notice was given or any person who has an interest in the premises but to whom the closure notice was not given.

The court will make a discharge order if it is satisfied that there is no longer a need for the closure order. The justice may issue a summons directed to a constable as the justice considers appropriate or the local authority, requiring that person appear before the magistrates' court to answer to the complaint.

If a summons is issued, notice of the date, time and place at which the complaint will be heard must be given to all persons to whom the closure notice was given (other than the complainant).

16.8 Appeal in relation to Closure Orders

Appeal may be made to the Crown Court against:

- a) a closure order
- b) a decision not to make a closure order
- c) a discharge order
- d) a decision not to make a discharge order

The appeal must be made before the end of 21 days beginning with the day on which the order or decision in question was made.

An appeal under (a) or (b) may be made by any person to whom the relevant closure notice was given or any person who has an interest in the premises but to whom the closure notice was not given.

An appeal under (b) or (c) may be made by a constable or the local authority.

16.9 Enforcement of Closure Order

A person is guilty of an offence, if without reasonable excuse they permit premises to be open in contravention of a closure order, or fail to comply with, or do an act in contravention of a closure order.

If the closure order has been made, a constable or a person authorised by the local authority may (if necessary using reasonable force) enter the premises at any reasonable time, and having entered the premises, do anything reasonably necessary for the purpose of securing compliance with the order.

If the owner, occupier or other person in charge of the premises requires the officer to produce evidence of identity or evidence of authority to exercise powers, the officer must produce that evidence.

17. OFFENCES

The following are prescribed by the Act as criminal offences:

Section 1 Carrying on business as a scrap metal dealer without licence

Section 8 Failure to notify authority of any changes to details given with application

Section 10 Failure to display site licence or collectors licence

Section 11(6) Receiving scrap metal without verifying a person's full name and address

Section 11 (7) Delivering scrap metal to dealer and giving false details

Section 12 (6) Buying scrap metal for cash

Section 13 Failure to keep records regarding receipt of metal

Section 14 Failure to keep records regarding disposal of metal

Section 15 (1) Failure to keep records which allow the information and the scrap metal to be identified by reference to one another

Section 15 (2) Failure to keep copy of document used to verify name and address of person bringing metal, or failure to keep a copy of a cheque issued

Section 15 (3) Failure to keep information and records for three years

Section 16 Obstruction to right of entry and failure to produce records

Section 17 Where an offence under this Act is committed by a body corporate and it is proved—

(a) to have been committed with the consent or connivance of a director, manager, secretary or other similar officer, or

(b) to be attributable to any neglect on the part of any such individual,

the individual as well as the body corporate is guilty of the offence and is liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and omissions of a member in connection with that management as if the member were a director of the body corporate.

18 DEFINITIONS

“Licensed site” means a site identified in a scrap metal licence.

“Mobile collector” means a person who—

- a) carries on business as a scrap metal dealer otherwise than at a site, and
- b) regularly engages, in the course of that business, in collecting waste materials and old, broken, worn out or defaced articles by means of visits from door to door.

“Police officer” includes a constable of the British Transport Police Force.

“Premises” includes any land or other place (whether enclosed or not).

“Relevant environmental permit or registration” means—

- a) any environmental permit under regulation 13 of the Environmental (Permitting) Regulations 2010, authorising any operation by the applicant in the local authority's area;
- b) any registration of the applicant under Schedule 2 to those Regulations in relation to an exempt waste operation (within the meaning of regulation 5 of those Regulations) carried on in that area;
- c) any registration of the applicant under Part 8 of the Waste (England and Wales) Regulations 2011 (carriers, brokers and dealers of controlled waste).

“Relevant offence” and “relevant enforcement action” have the meaning given by section 3(3) of the Scrap Metal Dealers Act 2013.

“Site” means any premises used in the course of carrying on business as a scrap metal dealer (whether or not metal is kept there).

“Site manager”, in relation to a site at which a scrap metal dealer carries on business, means the individual who exercises day-to-day control and management of activities at the site. (An individual may be named in a licence as site manager at more than one site; but no site may have more than one site manager named in relation to it).

“Trading name” means a name, other than that stated in the licence under which a licensee carries on business as a scrap metal dealer.

19 LIST OF CONSULTEES

Sussex Police

West Sussex Fire and Rescue service

Environment Agency

West Sussex Trading Standards Service

Environmental Health

Individuals & companies currently registered as scrap metal dealers

The local community via our website

20 DELEGATION OF FUNCTIONS

Delegation under the Scrap Metal Dealer’s Act 2013 (the Act) is an Executive function as the ‘Act’ is not contained within Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (functions not to be the responsibility of the authority’s executive). Section 9D of the Local Government Act 2000 therefore applies. Section 9D of the Local Government Act 2000 states that subject to any provision of that Act and any other enactments, any function of a local authority not specified in Regulations made under that Act (i.e. the Functions and Responsibilities Regulations) is to be the responsibility of an executive of the authority under executive arrangements.

Officers have delegated powers to be able to determine matters, issue, vary and revoke site and collectors licences, consider application of conditions to licences in circumstances where a site manager has been convicted of a relevant offence, closure of sites, right of entry, application for warrants and use of reasonable force when entering under warrant and well as any powers contained in regulations made under the Act. The setting of fees under the Act is delegated to the Group Head of Technical Services.

Arun District Council: Project Equalities Analysis (v1)

Project Name: Scrap Metal Dealers - Statement of Licensing Policy

Guidance

The Equality Act 2010 legally protects people from discrimination, both in the workplace and in wider society. It covers 9 specific groups of people who share 1 or more of these protected characteristics; age; disability; gender; gender reassignment; marriage & civil partnership; pregnancy & maternity; race; religion or belief; and sexual orientation.

As a local authority Arun District Council (and any other organisation that is carrying out a public function on our behalf) is further bound by the Public Sector Equality Duty. This means that we have to consider **all** individuals in their day-to-day work – in shaping policy, in delivering services and in relation to our own employees.

The Duty has three aims. It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and people who do not share it – this means removing or minimising disadvantages suffered by people due to their protected characteristics and encouraging people with protected characteristics to participate in public life or in other activities where their participation is low.
- foster good relations between people who share a protected characteristic and people who do not share it – this involves tackling prejudice and promoting understanding.

Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies – such as in how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services, and how they commission and procure from others.

The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. However, compliance with the Duty involves consciously thinking about the three aims as part of the process of decision-making. Doing this will entail understanding the potential effects of the organisation's activities on different people. Keeping a simple record of how decisions were reached will help public bodies to demonstrate how they considered the Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

Analysis

Consider what it is that you are trying to achieve and write a brief equality analysis in the box below. You should mention each of the nine protected groups, plus any others (e.g. families, people on low incomes, people in remote areas, etc) who may be affected. The following questions should help shape your thought process and subsequent decision making.

- Who will benefit most from this? Will anyone be treated more favourably as a result?

Arun District Council: Project Equalities Analysis (v1)

- Is there any evidence to suggest that your action or policy could have an adverse impact on some groups of people and specifically those with a protected characteristic? Does it present barriers or problems for any groups or communities?
- Is there any data, research or other evidence available to help or support your decisions?
- Have you considered any existing examples of good practice.
- How do you intend to deal with any adverse impact, or lessen it?
- Who else will you need to be working with to do this e.g. partners, contractors etc and what is their approach? How will this help?

Equality Analysis

The Scrap Metal Dealers Act 2013 (“the Act”) received Royal Assent on 28 February 2013.

The Act repealed the Scrap Metal Dealers Act 1964 (and linked legislation) and Part 1 of Vehicles (Crime) Act 2001, creating a revised regulatory regime for the scrap metal recycling and vehicle dismantling industries.

The Act maintains local authorities as the principal regulator, but replaces the old registration system with a full licensing regime. It grants power to refuse a licence to “unsuitable” applicants and a power to revoke licences if the dealer becomes “unsuitable”.

The Act requires a scrap metal dealer to obtain a licence in order to carry on business as a scrap metal dealer.

Anyone wishing to operate a business as a scrap metal dealer will require:

- I. a site licence; or
- II. a collector’s licence.

The licence is valid for three years and permits the licence holder to operate within the boundaries of the issuing authority.

The policy document will help those already operating as a Scrap Metal Dealer and those who wish to operate as a Scrap Metal Dealer within the District, to understand the requirements necessary to obtain a licence and work within the industry. No particular individual or business will be disadvantaged by the policy.

The document also sets out the Authorities powers and responsibilities under the Act.

To ensure that best practice is adopted in developing this policy, Industry groups as well as government partners have been consulted.

The policy document is clearly set out to make it easy to read and understand.

AGENDA ITEM NO.15**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 OCTOBER 2017****PART A : REPORT**

SUBJECT: Establishment of Advisory Groups to assist with the delivery of large scale developments
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REPORT AUTHOR: Neil Crowther	DATE: 4 August 2017	EXTN: 37839
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EXECUTIVE SUMMARY:

Over recent years a number of advisory groups have been established to assist in bringing forward strategic development sites across the District. Membership has been drawn from councillors and officers at all levels of local government as well as representatives from NHS, the Highways Agency, Network Rail and the developers for these sites. The Groups have considered infrastructure delivery priorities and on-going delivery, alongside detailed design of individual schemes.

It is proposed that 3 additional Advisory Groups are now established to consider the implementation of strategic development sites in Bersted, Aldwick/Pagham and Ford/Yapton & Clymping to be formed following the model of the previous groups. It is also proposed that the Fontwell and West Bank proposals be added to the terms of reference of existing groups.

These Groups would meet 4-6 times a year and provide advice and guidance in respect of the issues arising out of the proposals as well as the on-going delivery in conjunction with significant highways infrastructure improvements associated with the locations.

RECOMMENDATIONS

1. That Cabinet agree to establish three further Advisory Groups to consider the implementation of strategic development sites in Bersted, Aldwick/Pagham and Ford/Yapton & Clymping
2. That Cabinet agree the Terms of Reference and the membership of all the current Advisory Groups (Appendix A, B, C, D E & F).

1. BACKGROUND:

- 1.1 Over recent years, there have been regular meetings of the Policy Site 6 Advisory Committee and the North Littlehampton Steering Groups. The former has now concluded its work.

- 1.2 It is important to stress that these bodies are all advisory groups. They do not have decision making powers. Their importance though is as a discussion group in relation to the implementation of the planning permissions and as suggesting the best way forward in terms of, for example, operating new community and recreational facilities. It has provided a forum for discussion with statutory bodies and developers over a large number of implementation, delivery and infrastructure issues.

North Littlehampton Steering Group

- 1.3 This Group was established in 2009 to discuss delivery of proposed development sites and infrastructure. Two of the potential LDF Core Strategy locations (Toddington Nursery and Courtwick) were located in North Littlehampton. These two large sites obtained planning permission in 2012 and 2013.
- 1.4 The Group's aim was to ensure that these sites were delivered in conjunction with the necessary infrastructure, which included the Fitzalan Link, Mill Lane Link and Lyminster by-pass (southern and northern sections). There were/are also many other infrastructure issues around education, recreation and health that have been considered by the Steering Group.
- 1.5 Again the group is made up of ADC, WSCC and Town Council councillors alongside officers from the three authorities. Other attendees include the NHS, Network Rail and Highways Agency as well as the developers for the sites in question.
- 1.6 It is proposed that the West Bank strategic development site be added to the terms of reference for this group. An amended ToR is appended at Appendix A.

Angmering Advisory Group

- 1.7 This group was established in 2014, initially to focus on developments in the Roundstone Lane area. For the avoidance of doubt the terms of reference have been amended to reflect a broader geographical remit for this group.
- 1.8 The Angmering Group consists of;
- ADC and WSCC Councillors for Angmering
 - Parish Councillors
 - Officers from ADC and WSCC
 - Infrastructure delivery providers such as NHS
 - Developers associated with these sites
- As appropriate, relevant portfolio holders from ADC or WSCC may be invited to join the Advisory Group to discuss matters which relate to their portfolio.
- 1.9 In addition to the above a Project Board (lead by WSCC) has been established to manage the delivery of the A259 improvements between Littlehampton and Ferring with funding committed from the Local Enterprise Partnership and the development sites east of Roundstone Lane.

Barnham, Eastergate Westergate Advisory Group

1.10 This Group consists of;

- ADC and WSCC Councillors for Barnham, Aldingbourne, Eastergate
- Parish Councillors for each of these areas
- Officers from ADC and WSCC
- Infrastructure delivery providers such as NHS, Network Rail, Environment Agency and Highways Agency
- Developers associated with these sites

- As appropriate, relevant portfolio holders from ADC or WSCC may be invited to join the Advisory Group to discuss matters which relate to their portfolio

1.11 Again, this group was established in 2014, although it has only started to meet regularly in more recent times. For the avoidance of doubt the terms of reference have been amended to reflect a broader geographical remit for this group, including the recently approved Fontwell development. Therefore the revised ToR includes reflects the need to invite elected representatives for the Walberton area.

Bersted Advisory Group

1.12 This Group would consist of;

- ADC and WSCC Councillors for Bersted
- A Parish Councillor for this area
- Officers from ADC and WSCC
- Infrastructure delivery providers such as NHS, Network Rail, Environment Agency and Highways Agency
- Developers associated with this site

- As appropriate, relevant portfolio holders from ADC or WSCC may be invited to join the Advisory Group to discuss matters which relate to their portfolio

1.13 The establishment of this group is based on the content of the emerging local Plan and does not prejudice or pre-determine any current planning applications for these areas.

Aldwick & Pagham Advisory Group

1.14 This Group would consist of;

- ADC and WSCC Councillors for Pagham & Aldwick West
- Parish Councillors for each of these areas
- Officers from ADC and WSCC
- Infrastructure delivery providers such as NHS, Network Rail, Environment Agency and Highways Agency
- Developers associated with these sites

- As appropriate, relevant portfolio holders from ADC or WSCC may be invited to join the Advisory Group to discuss matters which relate to their portfolio

1.15 The establishment of this group is based on the content of the emerging local Plan and does not prejudice or pre-determine any current planning applications for these areas.

Ford, Yapton & Clymping Advisory Group

1.16 This Group would consist of;

- ADC and WSCC Councillors for Ford, Yapton & Clymping
- Parish Councillors for each of these areas
- Officers from ADC and WSCC
- Infrastructure delivery providers such as NHS, Network Rail, Environment Agency and Highways Agency
- Developers associated with these sites
- As appropriate, relevant portfolio holders from ADC or WSCC may be invited to join the Advisory Group to discuss matters which relate to their portfolio

1.17 The establishment of this group is based on the content of the emerging local Plan and does not prejudice or pre-determine any current planning applications for these areas.

Other Matters

1.18 The Planning Service Portfolio Holder has a preference that there is a different chairman for each of the advisory groups and that Chairperson should be a District Council ward member.

Summary

1.19 It important that the groups relate to the overall process of developing the proposal, both in terms of timing, and also in terms of how it would be contributing to its development. The Vision and Objectives of these sites is set out in emerging Local Plan policy and supporting evidence base documents. In a number of locations significant amounts of additional work in stakeholder and community engagement will be required before proposals are formulated through a masterplan process. The Groups will discuss and influence key principles for any schemes and will have a role to play in the formative stages of those schemes that have yet to be submitted as planning applications.

2. PROPOSAL(S):

That Cabinet agree to establish three further Advisory Groups in the District to assist with the delivery of strategic development sites in Bersted, Aldwick/Pagham and Ford/Yapton & Clymping.

3. OPTIONS:		
Not to establish the groups. Decisions on infrastructure delivery and detail would be left for officers, DCC and Cabinet depending upon the issue.		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		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)		
6. IMPLICATIONS:		
The management of these groups and the regularity of meeting (alongside existing groups) will require fairly significant officer time.		

7. REASON FOR THE DECISION:
To assist in securing the delivery of strategic developments across the district in accordance with the emerging Local Plan.

8. APPENDICES (BACKGROUND PAPERS):
Appendix A – Terms of Reference for North Littlehampton Steering Group
Appendix B – Terms of Reference for Angmering Advisory Group
Appendix C - Terms of Reference for Barnham, Eastergate & Westergate Advisory Group
Appendix D - Terms of Reference for Bersted Advisory Group
Appendix E - Terms of Reference for Ford, Yapton & Clymping Advisory Group
Appendix F – Terms of Reference for the Aldwick/Pagham Advisory Group

Terms of Reference for the North Littlehampton Steering Group

Purpose of Group and Terms of Reference

1. To discuss the implementation of development plan allocations and residential permissions in the Littlehampton area and accompanying section 106 agreements including longer term operational and management responsibilities; such discussions to give informal advice and guidance to the responsible planning and highway authorities when carrying out their statutory functions.
2. To provide a forum for discussion with other statutory bodies, developers and by invitation, when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities embedded in the scheme and specifically provided for by way of the planning permission and section 106 agreement.

Membership

The Advisory Group will consist of the following elected members:

- Chairman should be a District Council ward member for the area to be appointed by the Leader of the Council. The chairman should not be a Chairman of another Advisory Group.
- 3 Ward Councillors (Courtwick with Toddington and Yapton¹) from ADC
- 2 Councillors (Littlehampton & Middleton²) from WSCC
- 2 Town Councillors (Littlehampton)
- 1 Clymping Parish Councillor (commencing when discussions on West Bank commence)
- Planning Portfolio Holder for Arun District Council

Officer Support

The Lead Officer will be from Arun District Council planning service. County and District Technical officers to attend and when necessary Arun will provide admin support and keep notes of any discussions. Parish officers will be welcome to attend to support their members.

Reporting Relationship & Roles

3. The Advisory Group shall not meet in public and is not a decision making body and all discussions will be undertaken on a “without prejudice” basis to any

¹ Yapton Ward - commencing when discussions on West Bank commence

² Middleton Ward - commencing when discussions on West Bank commence

formal consultation process and/or decision making by WSCC/ADC or Parish in respect of such sites/facilities. Members of the Advisory Group who may also have decision-making roles in relation to any formal applications etc. will need to seek legal advice so as not to prejudice their decision-making roles.

4. Apart from reporting to the relevant Councils as an exempt report on the Advisory Group's views, the Advisory Group will also from time to time submit progress reports to the Local Plan Sub-Committee so that they are informed of issues/progress , and so that any necessary co-ordination with other regeneration projects can be facilitated.
5. The Group can (& should be encouraged to) explore, discuss and make recommendations relating to the potential operational control and management of those public elements contained within the agreements. (eg Public Open Space, Playgrounds and Playspaces etc), and explore options and opportunities where flexibility and/or choices for amendments arise.
6. The developers for each of the sites will be invited to all meetings to discuss progress, any issues in respect of implementation and infrastructure requirements / priorities. Through attendance at the Advisory Group there will be an opportunity for discussion but not negotiation with the developers.
7. There is no defined timescale for the life span of the Advisory Group.

August 2017

Appendix B

Terms of Reference for the Angmering Sites Advisory Group**Purpose of Group and Terms of Reference**

1. To discuss the implementation of development plan allocations and residential permissions in the Angmering area, and accompanying section 106 agreements including longer term operational and management responsibilities; such discussions to give informal advice and guidance to the responsible planning and highway authorities when carrying out their statutory functions.
2. To provide a forum for discussion with other statutory bodies, developers and by invitation, when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities embedded in the scheme and specifically provided for by way of the planning permission and section 106 agreement.

Membership

The Advisory Group will consist of the following elected members:

- Chairman should be a District Council ward member for the area to be appointed by the Leader of the Council. The chairman should not be a Chairman of another Advisory Group.
- 3 Ward Councillors (Angmering) from ADC
- 1 Councillor (Angmering) from WSCC
- 2 Angmering Parish Councillors
- Planning Portfolio Holder for Arun District Council

Officer Support

The Lead Officer will be from Arun District Council planning service. County and District Technical officers to attend and when necessary Arun will provide admin support and keep notes of any discussions. Parish officers will be welcome to attend to support their members.

Reporting Relationship & Roles

3. The Advisory Group shall not meet in public and is not a decision making body and all discussions will be undertaken on a “without prejudice” basis to any formal consultation process and/or decision making by WSCC/ADC or Parish in respect of such sites/facilities. Members of the Advisory Group who may also have decision-making roles in relation to any formal applications etc. will need to seek legal advice so as not to prejudice their decision-making roles.

4. Apart from reporting to the relevant Councils as an exempt report on the Advisory Group's views, the Advisory Group will also from time to time submit progress reports to the Local Plan Sub-Committee so that they are informed of issues/progress, and so that any necessary co-ordination with other regeneration projects can be facilitated.
5. The Group can (& should be encouraged to) explore, discuss and make recommendations relating to the potential operational control and management of those public elements contained within the agreements. (eg Public Open Space, Playgrounds and Playspaces etc), and explore options and opportunities where flexibility and/or choices for amendments arise.
6. The developers for each of the sites will be invited to all meetings to discuss progress, any issues in respect of implementation and infrastructure requirements / priorities. Through attendance at the Advisory Group there will be an opportunity for discussion but not negotiation with the developers.
7. There is no defined timescale for the life span of the Advisory Group.

August 2017

Appendix C

Terms of Reference for the Barnham, Eastergate & Westergate Advisory Group**Purpose of Group and Terms of Reference**

1. To discuss the implementation of development plan allocations and residential permissions in the Barnham, Eastergate & Westergate area and accompanying section 106 agreements including longer term operational and management responsibilities; such discussions to give informal advice and guidance to the responsible planning and highway authorities when carrying out their statutory functions.
2. To provide a forum for discussion with other statutory bodies, developers and by invitation, when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities embedded in the scheme and specifically provided for by way of the planning permission and section 106 agreement.
3. For the avoidance of doubt Fontwell is included within the remit of this group

Membership

The Advisory Group will consist of the following elected members:

- Chairman should be a District Council ward member for the area to be appointed by the Leader of the Council. The chairman should not be a Chairman of another Advisory Group.
- 3 Ward Councillors (Barnham) from ADC
- 1 Councillor (Fontwell) from WSCC
- 3 Parish Councillors (one each from Barnham, Eastergate & Aldingbourne)
- A Parish Councillor from Walberton once discussions relating to Fontwell developments commence.
- Portfolio Holder for Arun District Council

Officer Support

The Lead Officer will be from Arun District Council planning service. County and District Technical officers to attend and when necessary Arun will provide admin support and keep notes of any discussions. Parish officers will be welcome to attend to support their members.

Reporting Relationship & Roles

- The Advisory Group shall not meet in public and is not a decision making body and all discussions will be undertaken on a “without prejudice” basis

to any formal consultation process and/or decision making by WSCC/ADC or Parish in respect of such sites/facilities. Members of the Advisory Group who may also have decision-making roles in relation to any formal applications etc. will need to seek legal advice so as not to prejudice their decision-making roles.

- Apart from reporting to the relevant Councils as an exempt report on the Advisory Group's views, the Advisory Group will also from time to time submit progress reports to the Local Plan Sub-Committee so that they are informed of issues/progress , and so that any necessary co-ordination with other regeneration projects can be facilitated.
- The Group can (& should be encouraged to) explore, discuss and make recommendations relating to the potential operational control and management of those public elements contained within the agreements. (eg Public Open Space, Playgrounds and Playspaces etc), and explore options and opportunities where flexibility and/or choices for amendments arise.
- The developers for each of the sites will be invited to all meetings to discuss progress, any issues in respect of implementation and infrastructure requirements / priorities. Through attendance at the Advisory Group there will be an opportunity for discussion but not negotiation with the developers.
- There is no defined timescale for the life span of the Advisory Group.

August 2017

Appendix D

Terms of Reference for the Bersted Advisory Group**Purpose of Group and Terms of Reference**

1. To discuss the implementation of development plan allocations and residential permissions in the Bersted area and accompanying section 106 agreements including longer term operational and management responsibilities; such discussions to give informal advice and guidance to the responsible planning and highway authorities when carrying out their statutory functions.
2. To provide a forum for discussion with other statutory bodies, developers and by invitation, when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities embedded in the scheme and specifically provided for by way of the planning permission and section 106 agreement.

Membership

The Advisory Group will consist of the following elected members:

- Chairman should be a District Council ward member for the area to be appointed by the Leader of the Council. The chairman should not be a Chairman of another Advisory Group.
- 3 Ward Councillors (Bersted) from ADC
- 1 Councillors (Bersted) from WSCC
- 2 Parish Councillors (Bersted)
- Planning Portfolio Holder for Arun District Council

Officer Support

The Lead Officer will be from Arun District Council planning service. County and District Technical officers to attend and when necessary Arun will provide admin support and keep notes of any discussions. Parish officers will be welcome to attend to support their members.

Reporting Relationship & Roles

- The Advisory Group shall not meet in public and is not a decision making body and all discussions will be undertaken on a “without prejudice” basis to any formal consultation process and/or decision making by WSCC/ADC or Parish in respect of such sites/facilities. Members of the Advisory Group who may

also have decision-making roles in relation to any formal applications etc. will need to seek legal advice so as not to prejudice their decision-making roles.

- Apart from reporting to the relevant Councils as an exempt report on the Advisory Group's views, the Advisory Group will also from time to time submit progress reports to the Local Plan Sub-Committee so that they are informed of issues/progress , and so that any necessary co-ordination with other regeneration projects can be facilitated.
- The Group can (& should be encouraged to) explore, discuss and make recommendations relating to the potential operational control and management of those public elements contained within the agreements. (eg Public Open Space, Playgrounds and Playspaces etc), and explore options and opportunities where flexibility and/or choices for amendments arise.
- The developers for each of the sites will be invited to all meetings to discuss progress, any issues in respect of implementation and infrastructure requirements / priorities. Through attendance at the Advisory Group there will be an opportunity for discussion but not negotiation with the developers.
- There is no defined timescale for the life span of the Advisory Group.

August 2017

Appendix E

Terms of Reference for the Ford, Yapton & Clymping Advisory Group**Purpose of Group and Terms of Reference**

1. To discuss the implementation of development plan allocations and residential permissions in the Ford, Yapton & Clymping area and accompanying section 106 agreements including longer term operational and management responsibilities; such discussions to give informal advice and guidance to the responsible planning and highway authorities when carrying out their statutory functions.
2. To provide a forum for discussion with other statutory bodies, developers and by invitation, when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities embedded in the scheme and specifically provided for by way of the planning permission and section 106 agreement.

Membership

The Advisory Group will consist of the following elected members:

- Chairman should be a District Council ward member for the area to be appointed by the Leader of the Council. The chairman should not be a Chairman of another Advisory Group.
- 2 Ward Councillors (Yapton) from ADC
- 1 Councillor (Middleton) from WSCC
- 6 Parish Councillors (two each from Ford, Yapton & Clymping)
- Planning Portfolio Holder for Arun District Council

Officer Support

The Lead Officer will be from Arun District Council planning service. County and District Technical officers to attend and when necessary Arun will provide admin support and keep notes of any discussions. Parish officers will be welcome to attend to support their members.

Reporting Relationship & Roles

- The Advisory Group shall not meet in public and is not a decision making body and all discussions will be undertaken on a “without prejudice” basis to any formal consultation process and/or decision making by WSCC/ADC or Parish in respect of such sites/facilities. Members of the Advisory Group who may also have decision-making roles in relation to any formal applications etc. will need to seek legal advice so as not to prejudice their decision-making roles.

- Apart from reporting to the relevant Councils as an exempt report on the Advisory Group's views, the Advisory Group will also from time to time submit progress reports to the Local Plan Sub-Committee so that they are informed of issues/progress , and so that any necessary co-ordination with other regeneration projects can be facilitated.
- The Group can (& should be encouraged to) explore, discuss and make recommendations relating to the potential operational control and management of those public elements contained within the agreements. (eg Public Open Space, Playgrounds and Playspaces etc), and explore options and opportunities where flexibility and/or choices for amendments arise.
- The developers for each of the sites will be invited to all meetings to discuss progress, any issues in respect of implementation and infrastructure requirements / priorities. Through attendance at the Advisory Group there will be an opportunity for discussion but not negotiation with the developers.
- There is no defined timescale for the life span of the Advisory Group.

August 2017

Terms of Reference for the Aldwick & Pagham Advisory Group

Purpose of Group and Terms of Reference

1. To discuss the implementation of development plan allocations and residential permissions in the Aldwick & Pagham area and accompanying section 106 agreements including longer term operational and management responsibilities; such discussions to give informal advice and guidance to the responsible planning and highway authorities when carrying out their statutory functions.
2. To provide a forum for discussion with other statutory bodies, developers and by invitation, when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities embedded in the scheme and specifically provided for by way of the planning permission and section 106 agreement.

Membership

The Advisory Group will consist of the following elected members:

- Chairman should be a District Council ward member for the area to be appointed by the Leader of the Council. The chairman should not be a Chairman of another Advisory Group.
- 5 Ward Councillors (Aldwick West & Pagham) from ADC
- 1 Councillors (Pagham) from WSCC
- 3 Parish Councillors (1 for Aldwick West & Pagham)
- Planning Portfolio Holder for Arun District Council

Officer Support

The Lead Officer will be from Arun District Council planning service. County and District Technical officers to attend and when necessary Arun will provide admin support and keep notes of any discussions. Parish officers will be welcome to attend to support their members.

Reporting Relationship & Roles

- The Advisory Group shall not meet in public and is not a decision making body and all discussions will be undertaken on a “without prejudice” basis to any formal consultation process and/or decision making by WSCC/ADC or Parish in respect of such sites/facilities. Members of the Advisory Group who may also have decision-making roles in relation to any formal applications etc. will need to seek legal advice so as not to prejudice their decision-making roles.

- Apart from reporting to the relevant Councils as an exempt report on the Advisory Group's views, the Advisory Group will also from time to time submit progress reports to the Local Plan Sub-Committee so that they are informed of issues/progress, and so that any necessary co-ordination with other regeneration projects can be facilitated.
- The Group can (& should be encouraged to) explore, discuss and make recommendations relating to the potential operational control and management of those public elements contained within the agreements. (eg Public Open Space, Playgrounds and Playspaces etc), and explore options and opportunities where flexibility and/or choices for amendments arise.
- The developers for each of the sites will be invited to all meetings to discuss progress, any issues in respect of implementation and infrastructure requirements / priorities. Through attendance at the Advisory Group there will be an opportunity for discussion but not negotiation with the developers.
- There is no defined timescale for the life span of the Advisory Group.

August 2017

AGENDA ITEM NO. 16**ARUN DISTRICT COUNCIL****REPORT TO AND DECISION OF CABINET
ON 16 OCTOBER 2017****PART A : REPORT**

SUBJECT: Update on the Council's 2020 Vision – working together for a better future
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REPORT AUTHOR: Nigel Lynn – Chief Executive	DATE: 27 July 2017	EXTN: 37600
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EXECUTIVE SUMMARY:

Following the LGA Corporate Peer Challenge Review in March 2014, the Council has been considering how it needs to change to reflect the predicted shift in the population and business needs for the future, in the knowledge of the Council's reducing financial stability.

The 2020 Vision programme has been established to provide the strategic direction required to help the Council become a more effective and sustainable one and to enable it to meet future demands that are placed upon it.

This report sets out proposals across a range of services to contribute towards the required financial savings to assist reducing the Council's continued reliance on its General Fund Balances.

This report updates Members on the outcome and savings identified from Members and Officers working together over the last year or so, leading toward the 2018/19 budget that will come forward to Council in February 2018.

RECOMMENDATIONS:

That Cabinet continues to support the 2020 Vision programme going forward and notes the evolution that the organisation is going through.

1. BACKGROUND:**1.1 LGA Corporate Peer Challenge (19-21 March 2014)**

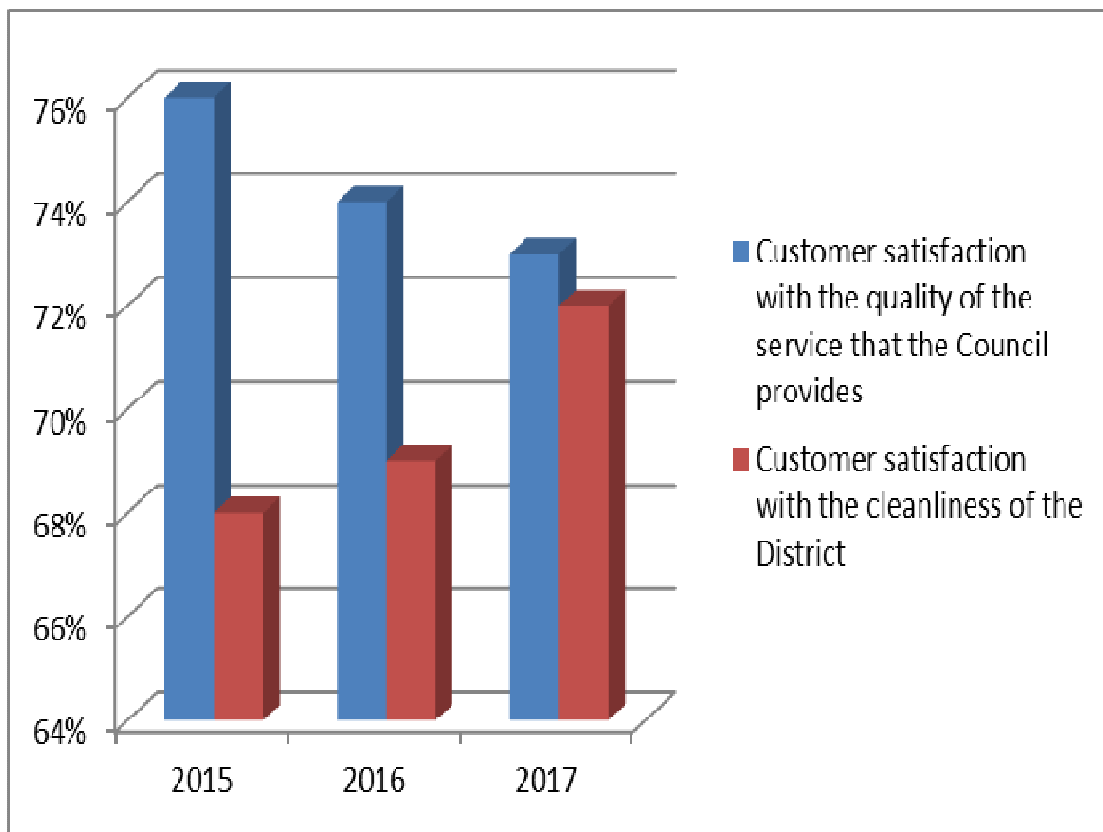
Headlines were presented to Full Council (30 April 2014) and an Action Plan agreed (Full Council 18 June 2014). In summary, the report (May 2014) is very positive, highlighting "strong top team" leadership from the Leader, Cabinet and the Chief Executive, Resources Director and Deputy Chief Executive and Directors that constitute the Corporate Management Team (CMT).

1.2 However, the report did highlight that there are a number of issues for the Council to consider, in particular:

Given there is no 'burning platform' providing an immediate change imperative, the Corporate Peer Challenge Review Team think there is currently insufficient attention to developing a change and transformation plan which will secure the Council's financial position in the longer term. There is a risk that the Council may not take advantage of the breathing space offered by the current position to develop a proactive approach to all the challenges ahead.

The Corporate Peer Challenge Review Team believe the Council needs a clearer vision for customer services which is both agreed and enjoys the commitment of Members and senior managers across the organisation.

- 1.3 Overall, the Council continues to improve or relatively sustain its good customer satisfaction levels. The two most important customer satisfaction issues for the public are the quality of front line services and general cleanliness of the district and the graph below shows that whilst satisfaction with the quality of service that the Council provides has gone down slightly over the past 3 years it has remained fairly stable. The satisfaction with the cleanliness of the District has steadily climbed however which is pleasing.






- 1.4 Following the General Election we are approaching a further period of uncertainty regarding central government funding as there are serious doubts over the 100% retention of business rates. This is exacerbated by potential changes to the New Homes Bonus methodology. The usual mitigation against funding uncertainty is to maintain a reasonable level of balances and this will be closely monitored. A report on the financial prospects is included elsewhere on this agenda.

Programme update



The Council Priorities and the Vision

- 
Your services “Providing the best services we can afford to help you improve your life”
- 
Supporting you
- 
Your future

We will continue to deliver our priorities without it costing you more by:

- Offering an improved customer experience
- Building better relationships with other organisations and the community
- Providing more digital opportunities to make dealing with us easier
- Becoming smaller but more effective

1.5 The following tables show a selection of individual projects categorised by benefit type. Some projects deliver benefits in multiple categories; to avoid duplication the best match category has been used.

1.5.1 “Offering an improved customer experience”:

Project(s)	Example Outcome
1 Project completed	New Greenspace contract gained external one-off investment of approximately £675K to make improvements to the Arun District; this is on top of £200K annual savings.

1.5.2 “Building better relationships with other organisations and the community”:

Project(s)	Example Outcome
1 Project complete 1 Project running	Through a review of accommodation we have been able provide office space to the Probation Service. At the same time this will generated Arun an annual rent income of £62K.

1.5.3 “Providing more digital opportunities to make dealing with us easier”:

Project(s)	Example Outcome
2 Projects complete 5 Projects running	Parking fine appeals available on the council’s website. Customers can see photos of the offence before making an appeal, or can just pay there and then (has also generated a £10K annual staff saving).

1.5.4 “Becoming smaller but more effective”:

Project(s)	Example Outcome
20 Projects completed 16 Projects running 5 Projects abandoned	Restructure of CMT and Group Heads, reducing overall salary costs by around £270K.

1.6 Although reduced cost is not the only objective of the 2020 Vision programme it has generated significant savings to support the Councils Financial Strategy.

Savings from the programme are measured between the five year period 2016/17 to 2020/21 and over this period there is a confirmed accumulative saving to the council of c£5.2M. Ongoing from 2020/21 the revenue savings are c£1.3M.

There are an additional 22 projects still to be completed which could generate an addition £260K - £1M in revenue savings and more projects will be added to the portfolio as initiatives are identified.

The 2020 Vision Programme is now overseen by the Arun Improvement Programme Board. This board is made up of officers and members (including the Leader of the Council). The group meet quarterly to review the 2020 Vision Portfolio Plan and approve any major business change projects including those supported by technology.

2. PROPOSAL(S):

That Full Council continues to support the 2020 Vision programme going forward and notes the evolution that the organisation is going through, with the emphasis on monitoring of the remaining projects through the Arun Improvement Programme (AIP) Board.

3. OPTIONS:

To give continued support or to advise of alternative actions.

4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		√
Relevant District Ward Councillors		√
Other groups/persons (please specify)		√
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	√	
Legal		√
Human Rights/Equality Impact Assessment		√
Community Safety including Section 17 of Crime & Disorder Act		√
Sustainability		√
Asset Management/Property/Land		√
Technology		√
Safeguarding		√
Other (please explain)		
6. IMPLICATIONS:		
<p>6.1 The Equality Act 2010 legally protects people from discrimination, both in the workplace and in wider society. As a local authority, Arun District Council is further bound by the Public Sector Equality Duty. This means that it has to consider all individuals in their day-to-day work – in shaping policy, in delivering services, and in relation to our own employees. Equality Impact Assessment may well be required for all of the 2020 Vision programme going forward. At this high level stage, the effect of the Equality Act has been considered, but no further work is needed at this time.</p> <p>6.2 Consideration of equality issues must influence the decisions reached by public bodies – such as in how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services; and how they commission and procure from others. Should Cabinet and Full Council agree the way forward for the various Vision 2020 projects, then detailed equality impact assessments will be carried out, where required, prior to any implementation.</p>		
7. REASON FOR THE DECISION:		
To update Cabinet and Full Council on the outcome and savings leading toward the 2018/19 budget as a result of the 2020 Vision programme.		
8. BACKGROUND PAPERS:		

[Full Council Report 20 July 2016](#) (item 36 on the agenda – The Council’s 2020 Vision)

[Full Council Report 9 November 2016](#) (item 26 on the agenda – The Council’s 2020 Vision – “Working together for a Better Future” and Update on Management Restructure)

[Cabinet Report 12 December 2016](#) (item 11 on the agenda – Management Restructure – request for supplementary estimate)

[Council report on Management Restructure Item 24 - 13.9.17](#)

Arun District Council - AIP & Vision 2020 Programme - Portfolio Dashboard

Vision 2020 (PHASE 1 & 2)												
ID	Name	Status	Start Date	End Date	New End	Lead	Budget	Time	Benefits	Benefits Start	Benefit Minimum	Benefit Max
V1	Internal service review - ICT	Running	Jan-17	Jun-17	Oct-17	P.Symes	Green	R-Green	Green	2017/18	£50,000	£130,000
V2	Internal service review - Legal	Running	Jan-17	Jun-17	Dec-17	A.Peach	Green	R-Green	Green	2017/18	£0	£45,600
V6	Internal service review - Revenues & Benefits	Running	Jan-17	Jun-17	Oct-17	S.Priest	Green	R-Green	Green	2018/19	£76,000	£105,000
V7	Internal service review - Customer Services	Running	Jan-17	Jun-17	Jul-17	J.Russell-Wells	Green	Red	Green	2017/18	£0	£36,000
V27	Internal service review - Wellbeing	Running	Apr-17	Dec-17		R.Wickham	Green	Amber	R-Green	2018/19	£0	£80,000
V33.1	Internal service review - Foreshores	Running	Jul-17	Oct-17	Dec-17	R.Wickham	Green	R-Green	Green	2018/19	£0	£20,000
V38	Internal service review - Finance	tba				A.Peach	tba	tba	tba	tba		
V39	Internal service review Communcations	tba				J.Follis	tba	tba	tba	tba		
AIP40	Shared Service / LATC - Building Control	Running	Apr-16	Oct-16	Oct-17	J.Henn	Green	R-Green	Green	2022/23	£20,000	£40,000
V9	Fewer Public Toilets	Running	Apr-16	Apr-19		O.Handson	Green	Amber	Amber	2019/20	£0	£50,000
V12.2	Cleansing Contract Renewal	Running	Apr-16	Nov-16	Sep-17	O.Handson	Green	R-Green	Green	2018/19	£0	£125,000
V14	Local Housing Company (Business Case)	Running	Feb-16	Sep-17		A.Elder	Green	Green	Amber	2019/20		
V15	London Road Student Accommodation	Running	Aug-15	Apr-19		P.Broggi	Amber	Amber	Amber	2019/20	£40,000	£40,000
V16	Commercial Review BRTH	Hold	May-16	Dec-17	tba	N.Slade	Hold	Hold	Hold	tba	£87,000	£160,000
V17	Commercial Review Council Assets	Running	Aug-16	Apr-17	Dec-20	N.Slade	Green	R-Green	Green	on-going	£20,000	£30,000
V19	Review of Day Activities for Older People	Running	Jan-15	Dec-16	Apr-19	R.Wickham	Amber	R-Green	Amber	2019/20	£15,000	£70,000
V21	Officer Allowance	Running	Feb-16	Apr-17	Apr-18	A.Peach	Green	R-Green	Amber	2017/18	£70,000	£70,000
V32	Events Management	Running	Jan-16	Mar-17	Mar-18	J.Russell-Wells	Green	R-Green	Green	2019/20	£5,000	£25,000
Arun Improvement Programme (AIP)												

ID	Name	Status	Start Date	End Date	New End	Lead	Budget	Time	Benefits	Benefits Start Date	Benefit Minimum	Benefit Max
AIP36	Replacement EH System & Review	Running	Nov-16	Aug-18		N.Slade	Green	Green	Green	2018/19	£58,000	£58,000
AIP46	Arun Direct New Telephony	Running	Jun-17	Dec-17		R.Webb	Green	Green	Green	2017/18	£5,000	£10,000
AIP 48	Jigsaw - Homeless Act Case Management	Investigate	tba	tba		J. Knapp	Green	Green	Green	---	£0	£0
Completed												
ID	Name	Status	Start Date	End Date	New End	Lead	Budget	Time	Benefits	Benefits Start Date	Benefit Minimum	Benefit Max
V4	Internal service review - HR	Complete	Jan-17	Jun-17	Jul-17	K.Pearce	Complete	Complete	Complete	2017/18	£35,500	£35,500
V5	Internal service review - Audit	Complete	Jan-17	Jun-17	Jul-17	S.Pearce	Complete	Complete	Complete	2017/18	£16,200	£16,200
V8	Planning Services - Income generation	Ended	Mar-16	---		K.Roberts	---	---	---	---	£0	£0
V8.1	Planning Services - Savings	Ended	Mar-16	---		K.Roberts	---	---	---	---	£0	£0
V10	Car Parks Charges	Complete	Feb-16	Apr-16		C.Baylis	Complete	Complete	Complete	2016/17 **	£124,000	£124,000
V11	Cemeteries Fees	Complete	Apr-17	Apr-19		O.Handson	Complete	Complete	Complete	2017/18	£40,000	£40,000
V12.1	Cleansing Contract Renewal	Complete	Apr-16	Nov-16		O.Handson	Complete	Complete	Complete	2017/18	£372,000	£372,000
V13	Reducing Consultation	Complete	Feb-16	Apr-16		P.Askew	Complete	Complete	Complete	2016/17	£10,000	£10,000
V18	Council Tax Reductions Scheme	Complete	Oct-15	Apr-17		S.Priest	Complete	Complete	Complete	2017/18	£69,000	£69,000
V20	Review of Joint Area Committees	Complete	Feb-16	Mar-17		P.Askew	Complete	Complete	Complete	2017/18	£78,000	£78,000
V29.1	Review Greenspace Management Contract (general fund)	Complete	Apr-16	Jan-17		O.Handson	Complete	Complete	Complete	2017/18	£83,000	£86,000
V29.2	Review Greenspace Management Contract (HRA)	Complete	Apr-16	Jan-17		O.Handson	Complete	Complete	Complete	2017/18	£112,000	£117,000
V35.1	Accommodation Review - Probation Services	Complete	Feb-17	May-17		P.Broggi	Complete	Complete	Complete	2017/18	£62,460	£62,640
V23	Review of Cabinet / Committee Structure	Ended	Apr-16	Jul-16		N.Lynn	---	---	---	---	£0	£0
V24	Review of grants to Voluntary Sector	Complete	Jun-16	Nov-16		R.Wickham	Complete	Complete	Complete	2017/18	£12,190	£12,190
V25	Review of Council involvement in anti-social behaviour	Complete	Mar-16	Sep-16		R.Wood	Complete	Complete	Complete	2017/18	£12,500	£12,500

V26	Fewer charitable events for Chairman	Complete	Jan-16	Sep-16		P.Askew	Complete	Complete	Complete	2017/18	£5,000	£5,000
V28	Review of delegation to committees and officers	Complete	Apr-16	Nov-16		N.Lynn	Complete	Complete	Complete	---	£0	£0
V30	Increase income from out of hours printing	Ended	Mar-16	Mar-17		J.Northeast	---	---	---	---	£0	£0
V31.1a	Management Structure (CMT) 5 > 4	Complete	Mar-16	Nov-16		N.Lynn	Complete	Complete	Complete	2017/18	£42,000	£42,000
V31.1b	Management Structure (CMT) 4 > 3	Complete	Mar-16	Nov-16		N.Lynn	Complete	Complete	Complete	2018/19	£100,000	£100,000
V31.2	Management Structure (Group Heads)	Complete	Aug-16	Apr-17		N.Lynn	Complete	Complete	Complete	2017/18	£107,700	£107,700
V34	Review of general administration	Complete	Aug-15	Nov-16		L.Futcher	Complete	Complete	Complete	2017/18	£25,800	£25,800
V34.1	Review of administration	Transferred	May-17	TBA		P.Warters	---	---	---	---	£0	£0
AIP28	Carparks On-Line Appeals	Complete	Jan-14	Jan-16		C.Baylis	Complete	Complete	Complete	2016/17	£10,746	£10,746
AIP 34	Finance Replacement System & Review	Complete	Aug-15	Oct-16		C.Martlew	Complete	Complete	Complete	2017/18	£40,000	£4,000
AIP38	Review of Estate Management	Complete	Nov-15	Dec-16	May-17	N.Slade	Complete	Complete	Complete	---	£0	£0
V35	Accommodation Review	Complete	May-16	Aug-16	Sep-17	P.Warters	Complete	Complete	Complete	---	£0	£0
AIP44	CIPFA - Close Down System	Complete	Jun-17	Sep-17		A.Smith	Complete	Complete	Complete	---	£0	£0
V33	Review all discretionary and statutory services	Transferred	Apr-17	Jul-17	Mar-18	N.Lynn	---	---	---	---	£0	£0
AIP47	Mobysoft - Housing Arrears	Complete	Jun-17	Sep-17		B.Pople	Complete	Complete	Complete	---	£0	£0
Gross Total											£1,804,096	£2,424,876

Unconfirmed minutes

Joint Western Arun Area Committee

28 June 2017– At a meeting of the Committee held at 7.00 p.m. at St Phillip Howard catholic High School, Barnham.

Present:

West Sussex County Council: Mr Oppler, Mr Patel, Mr Edwards, Mrs Pendleton, Mrs Hall, Ms Flynn and Mr Whittington

Arun District Council: Councillors Mr Charles, Mr Bence, Mr English, Mrs Bence, , Mr Dillon, Mr Wotherspoon, Mr Dingemans and Mr Haymes.

Town/Parish Council representatives: Councillors Mrs Richardson (Aldwick), Mr Knight (Bersted), Mr Cunard (Bognor Regis), Mrs Wild (Felpham), Mr Allsopp (Middleton), Mr Radmall (Pagham), Mr Ballard (Barnham), Mrs Wallsgove (Walberton), Mrs Brimblecombe (Slindon), Mr Ford (Ford), Mr Burrell (Clymping).

Officers: Monique Smart, Democratic Services Officer (WSCC), Benjamin Whiffin, Area Highways Manager (WSCC), Tracey Light, Principal Community Officer (WSCC), Nick Burrell, Senior Advisor (WSCC) and Jackie Follis, Head of Policy (ADC).

Chairman's Welcome

1. The Chairman welcomed everyone to the meeting.
2. Apologies had been received from Councillors Jacky Pendleton, Martin Beaton, Michael Pickthall and Colin Humphris. Councillor Henry Burrell was substitute Member for Clymping PC.

Terms of Reference

3. The Terms of Reference for the Committee were noted.

Appointments

4. Following the decision that the Chairmanship of the Joint Arun Area Committees should rotate amongst the three tiers, the Chairman for 2017/18 would be a District Councillor and the Vice Chairman would be a Town or Parish Councillor.
5. **Resolved** that Mr John Charles be appointed Chairman of Joint Western Arun Area Committee (JWAAC) for the municipal year 2017/18.
6. **Resolved** that Councillor Mr Adam Cunard from Bognor Regis Town Council be appointed as the Vice Chairman of JWAAC for the municipal year 2017/18.
7. **Resolved** that Mr David Edwards be appointed as the Chairman of the Western Arun County Local Committee (CLC) and therefore lead County Councillor for JWAAC for the municipal year 2017/18.

8. **Resolved** that Mr Ashvin Patel be appointed as the Chairman of the JWAAC Highways and Transport Sub Group for the municipal year 2017/18.

9. **Resolved** that the membership of the Community Initiative Funding (CIF) Sub Group for 2017/18 be as follows.

Mr Whittington (WSCC)
 Ms Flynn (WSCC)
 Cllr Mr English (ADC)
 Cllr Mr Charles (ADC)
 Cllr Brian Knight (Bersted PC)
 Cllr Michael Pickthall (Yapton PC)

10. **Resolved** that Councillor Mrs Richardson from Aldwick Parish Council be appointed as the main JWAAC representative on the Arun Conservation Area Advisory Committee. No substitute was appointed.

Declarations of Interest

11. None

Minutes

12. Resolved – that the minutes of the Joint Western Arun Area Committee (JWAAC) held on 15 March 2017 be confirmed as a correct record and that they are signed by the Chairman.

13. Resolved that the minutes of the Joint Downland Area Committee (JDAC) held on 27 February 2017 be noted.

Progress Statement

14. The Progress Statement was noted.

Area Action Plan

15. The Committee reviewed the Area Action Plan from JDAC. It was agreed that the Highways and Transport item would be taken on by the JWAAC Highways & Transport Sub Group. Any other issues would be transferred to the JWAAC Progress Statement.

Talk with us – public question time

16. The Chairman invited questions from members of the public. A number of issues were discussed including those set out below (responses in italics):

- Mr Jim Brooks asked a number of questions in relation to Bognor Regis Town Centre. These included damaged lampposts in The Precinct, London Road, when the new 'white' lighting would be installed in the High Street, when real

time bus information would be installed and when the clock above the train station would be repaired. *The Area Highways Manager reported that the real time bus information was due to be installed in the High Street within the next 4 weeks. It was noted that all the other questions had been put to a recent Bognor Regis regeneration meeting and responses were being prepared.*

Community Police Update

17. The Chairman welcomed Inspector Marc Clothier who provided an update on neighbourhood policing in the JWAAC Area. A number of issues were discussed including those set out below:

- Inspector Clothier reported on a number of partnership projects that had resulted in positive outcomes in relation to street communities and anti-social behaviour.
- An update was provided on the new prevention model that will replace neighbourhood policing.
- The exact number of PC's and PCSO's under the new model would not be known until the autumn.
- It was confirmed that the previously circulated statistics were not produced anymore but local crime data could be found at <https://www.police.uk>
- Inspector Clothier encouraged everyone to report crime via 101 <https://sussex.police.uk/contact-us/report-online/> or 999 if an emergency.
- Members did express disappointment that PCSO's are no longer based locally or cover a geographical area.

Community Initiative Funding

18. The Committee considered a report by the Director of Law and Assurance, West Sussex County Council (copy appended to the signed minutes), which sought a decision from the County Council Members of the Committee on the applications received under the Community Initiative Funding (CIF) scheme.

19. There was discussion about the criteria of the fund. Mr Oppler suggested that each County Councillor use their £4,000 allocation within their division only. However this was not supported by the other County Councillors who stated they want to look at all applications on merit rather than division.

20. The Committee discussed the respective merits of the projects for which funding was sought and indicated support or otherwise for each application.

21. RESOLVED that the County Councillors on the Committee allocate Community Initiative Funding as follows:

The following applications were approved: -

37/JWAAC - Barnham Signal Box, £4,024.00, for the addition of a semaphore signal.

39/JWAAC - Bognor Regis Town Youth FC, £2,470.49, for new kit and training equipment.

The following application was deferred: -

24/JWAAC - 60 Minutes of Classical Music, £2,500.00, towards the purchase of trombones to set up a trombone band. The Committee have requested more information about the trombones, the status of the band and the other funding they have sought or received.

22. Following the deferment of application 24/JWAAC it was suggested that the application form and details provided to Members is reviewed. Monique Smart confirmed this was being reviewed and JWAACs comments would be feed into that.

Highways and Transport Sub Group

23. The Chairman referred Members to the minutes of the last meeting of the Highways and Transport (H&T) Sub Group (copy attached to the signed minutes). Members noted the minutes and the following issues were discussed:

- It was confirmed that representatives from the JWAAC area had been invited to the A27 Chichester workshops.

Nominations to School and Academy Governing Bodies

24. The Committee considered a report by the Executive Director of Children, Adults, Families, Health & Education (copy attached to the minutes).

25. Resolved that the County Council Members of the Committee approved the following nominations under the 2012 Regulations: -

- Mrs Lynette Mitchell to Nyewood CE Junior School for a four year term.

Items to be raised by Town and Parish Council representatives.

26. The Chairman invited questions from Town and Parish representatives on the Committee. The following issues were discussed:

- Councillor Mr Dillon raised the issue of dirty and damaged road signage. The Area Highways Manager encouraged reporting them through the formal channels and confirmed that regulatory or safety signage takes priority.
- Councillor Mr Cunard asked if the brown tourist signs could be reviewed and updated. It was confirmed that any new signs would be for businesses to fund.
- Councillor Mrs Wilde asked about a bus route for Site 6. The Area Highways Manager confirmed that this was discussed at the last H&T Sub Group and the latest position was that there was no S106 money for this so it would be for the Parish Council to approach a bus company to see if it would be a financially viable route. Mrs Flynn as the local County Councillor stated she was aware of this request and would take it forward with the Parish Council.
- Councillor Mrs Wilde also asked about security around the new community centre at site 6 and whether the developer should pay for this. The Chairman confirmed this would be something for whoever manages the hall.

- Councillor Mrs Wilde also asked about the position with regard a school on site 6. Democratic Services officer, Monique Smart, confirmed that a response had been sent to her previously about this but she would resent it.
- Councillor Mr Radmall was pleased to report that Pagham beach residents have planning permission to reinstate the harbour mouth. He said there was much more work to do and money to raise. The Committee welcomed this good news.

Items for Future Meetings

27. The following items were agreed for consideration at future meetings:

- Presentation on the planning process (November 2017)
- Evaluation of Bognor Regis Public Realm Improvements – to possible include update on Regeneration (February 2018)
- Arun Local Plan update (February 2018)
- SDNP Local Plan update

Date of Next Meeting

28. The Chairman confirmed that the next scheduled meeting of the Committee was due to be on Wednesday 1 November 2017 at a venue in Bognor Regis.

The meeting closed at 8.34pm

Chairman

Unconfirmed minutes

Joint Eastern Arun Area Committee

11 July 2017– At a meeting of the Committee held at 7 pm at The White Swan Hotel, Arundel

Present:

West Sussex County Council	Mr Buckland, Mr Elkins, Mr Markwell, Mr Purchase, Mrs Urquhart and Dr Walsh.
Arun District Council	Councillors Mr Bower (Chairman), Mr Chapman, Mr Wensley and Mr Wheal.
Town / Parish Council representatives	Councillors Mrs Francis (Angmering), Mr Phillips (Arundel), Mr Duijf (East Preston), Mr Chester (Littlehampton), Mr Bennett (Rustington), Mrs Robertson (Ferring) and Mrs Walker (Kingston).

In attendance:

West Sussex County Council: Monique Smart (Democratic Services Officer), Nick Burrell (Senior Advisor), Benjamin Whiffin (Area Highways Manager), Simon Osborne and Thomas Collins (WSCC Highways)

Arun District Council: Jackie Follis (Head of Policy)

Chairman's Welcome

1. The Chairman welcomed everyone to the meeting.
2. Apologies had been received from Councillors Mrs Emma Neno, Mr Andy Cooper, Mr Alan Gammon, Mr Robin Carr, Mr Tony Squires and Mr Peter Looker.
3. Substitute Councillors Mr Dudley Wensley, Mr Terry Chapman and Mr Derrick Chester were welcomed.

Terms of Reference

4. The Terms of Reference for the Committee were noted.

Appointments

5. Following the decision that the Chairmanship of the Joint Arun Area Committees should rotate amongst the three tiers, the Chairman for 2017/18 would be a District Councillor and the Vice Chairman would be a Town or Parish Councillor.
6. **Resolved** that Mr Ricky Bower be appointed Chairman of Joint Eastern Arun Area Committee (JEAAC) for the municipal year 2017/18.
7. **Resolved** that Councillor Mr Jamie Bennett from Rustington Parish Council be appointed as the Vice Chairman of JEAAC for the municipal year 2017/18.

8. **Resolved** that Mrs Deborah Urquhart be appointed as the Chairman of the Eastern Arun County Local Committee (CLC) and therefore lead County Councillor for JEAAC for the municipal year 2017/18.

9. **Resolved** that Dr James Walsh be appointed as Chairman of the JEAAC Highways and Transport Sub Group for the municipal year 2017/18.

10. **Resolved** that the membership of the Community Initiative Funding (CIF) Sub Group for 2017/18 be as follows.

Mrs Urquhart (WSCC)
Cllr Mrs Neno (ADC)
Cllr Mrs Geraldine Walker (Kingston PC)

11. **Resolved** that Councillor Mrs Walker from Kingston Parish Council be appointed as the main JEAAC representative on the Arun Conservation Area Advisory Committee with Councillor Mr Joop Duijf as the substitute.

Declarations of Interest

12. None

Minutes

13. **Resolved** that the minutes of the Joint Eastern Arun Area Committee, held on 7 March 2017 be confirmed as a correct record and that they be signed by the Chairman.

14. **Resolved** that the minutes of the Joint Downland Area Committee, held on 27 February 2017 be confirmed as a correct record and that they be signed by the Chairman.

Progress Statement

15. The progress statement was noted.

'Talk with Us' – Public Questions

16. The Chairman invited questions from members of the public. A number of issues were discussed including those set out below (responses in italics):

- Councillor Mr Bicknell referred to the membership of the JEAAC Highways and Transport (H&T) and asked if Parish Councils understood what they would be voting for. *This was noted and would be discussed at the appropriate agenda item.*
- A resident from High Street Angmering spoke in support of the proposals for Traffic Calming in Angmering and asked when works would begin if the scheme was agreed tonight. *It was confirmed that if the proposal was agreed this evening then the works are programmed in to begin in this financial year 2017/18.*

- Another Angmering resident asked what would happen if the costs of the Traffic Calming project exceeded the £360,000 quoted in the report. *The Highways Project Manager said he was confident this would cover the costs.*
- A resident from Station Road Angmering challenged the effectiveness of speed cushions in calming traffic. *The Area Highways Manager confirmed this comments had been submitted, responded to and included in the report that would be considered by County Councillors this evening.*
- A resident asked why speed activated signage was removed from the Angmering Traffic Calming proposals. *Highways Officers confirmed these were suggested by Angmering Parish Council but did not form part of the proposals advertised and consulted on by West Sussex County Council.*
- An Angmering resident asked the Parish Council why the speed watch training undertaken by a number of local residents had not resulted in a group being established. *Councillor Mrs Francis acknowledged that there had been delays but that Angmering Parish Council were committed to getting the scheme up and running and that resource had now been allocated to take it forward.*
- A Littlehampton resident asked what could be done about pavement and verge parking. *The Area Highways Manager confirmed this was a problem across the whole County and was not something that could be easily solved. He stated that the County Council had a position statement on the issue that he would happily share. He also stated that the County Council had recently undertaken a pilot Road Space Audit in Chichester which looked at all parking issues across an area rather than individual issues. It was hoped this approach could be rolled out to other areas in time. The Area Highways Manager did state that the Police do have powers if vehicles cause an obstruction. However Inspector Marc Clothier stated that this was not a priority for the Police. Members did express disappointment that a more joined up approach to this could not be considered by the Police and Local Authorities. It was suggested the current approach to dog fouling and litter, whereby a private company are bought in to enforce and fine, could be used for parking enforcement.*
- An Angmering resident asked the Parish Council for an update regarding new bus shelters for the village, particularly in Station Road. *Councillor Mrs Francis understood the relevant Committee at Angmering Parish Council had considered the issue but asked the resident to contact the Parish office for a position statement.*

Community Police Issues

17. The Chairman welcomed Inspector Marc Clothier who provided an update on neighbourhood policing in the JEAAC area. A number of issues were discussed including these set out below:

- Inspector Clothier reported on a number of partnership projects that had resulted in positive outcomes in relation to street communities and anti-social behaviour.
- An update was provided on the new prevention model that will replace neighbourhood policing.
- The exact number of PC's and PCSO's under the new model would not be known until the autumn. However at present Inspector Clothier was expecting to have 15 Police Officers in his team.
- It was confirmed that the previously circulated statistics were not produced anymore but local crime data could be found at <https://www.police.uk>

- Inspector Clothier encouraged everyone to report crime via 101 <https://sussex.police.uk/contact-us/report-online/> or 999 if an emergency.
- Mr Buckland asked about a Serious Case Review regarding children from Littlehampton. He asked when this would be scrutinised, excepting that JEAAC was not a scrutiny Committee. Mrs Urquhart responded stating that the scrutiny of all Serious Case reviews was undertaken by the Business Planning Group of the Children and Young Peoples Select Committee at West Sussex County Council. It was suggested that Mr Buckland contact the Chairman of that Committee. Dr Walsh confirmed he had recently done this. Mrs Urquhart did also state that information for Town and Parish Councils would be recirculated to brief them on how to report concerns.
- Concern was raised about drug dealers using trains to come to the south coast and target vulnerable people. Inspector Clothier confirmed this was an issue that his team were working with partners to address.

Highways and Transport Sub Group

18. The Chairman referred Members to the notes from the last meeting of the Highways and Transport (H&T) Sub Group (appended to the signed minutes).

19. As detailed in the notes of the Sub Group meeting, four options on the future membership of the sub group were considered and the recommendation of the sub group was for option one (the current approach).

20. The Chairman of the Sub Group confirmed that option one made allowance for the fact that a number of members are dual hatted (sit on more than one Authority/Council). However he did also state that if additional representation from Arun District Council was needed then an officer or appropriate member can be invited. The Chairman reaffirmed that the sub group has no executive powers to make decisions and any item that required decision always came to full JEAAC. He also stated that strategic items such as the A259 and A284 go to the North Littlehampton Steering Group of which Arun District Council are members of.

21. Mrs Urquhart stated that the sub group was now funded and administered by the Town and Parish Councils and the items discussed are generally small scale infrastructure items. The County Council attend as the Highways Authority.

22. Councillor Mr Wensley stated that the matter had been voted on many times but was not satisfactory for the District Council. He confirmed that the Joint Western Arun Area Committee (JWAAC) H&T Sub Group does have District Council members and it runs very well. He suggested that JEAAC should have the same.

23. A full vote was taken on the recommendation from the JEAAC H&T Sub Group that resulted in 12 Members in favour of option one and 4 against.

24. **Resolved** that the Terms of Reference be approved, incorporating Option 1 under Membership, as follows: -

The Sub-Group will consist of:

- *All Eastern Arun County Councillors*
- *One Representative from each of the local Town and Parish Councils*

- *An Arun District Council member, if not already represented through a current County Councillor*

25. Following the vote the Chairman expressed extreme disappointment that multi-tier working did not extend to the H&T Sub Group. The Chairman and Councillor Mr Chapman left the meeting at 8.41pm.

26. Following the departure of the Chairman it was agreed that Mrs Deborah Urquhart, as Chairman of the Eastern Arun County Local Committee (CLC) and lead County Councillor for JEAAC, be appointed Chairman for the remainder of the meeting.

27. The following recommendations from the H&T Sub Group were **agreed**:

- That the Cabinet Member for Infrastructure and Highways be invited to a future meeting to discuss a more strategic oversight of issues around bus services. Mr Purchase did state that he would follow this up prior to the next meeting.
- JEAAC would make representation in response to an application for new leisure facilities on the A259 Mill Road Roundabout. This would express concern in respect of traffic flow problems.

28. The Chairman of the H&T Sub Group updated the Committee in respect of the duelling of the A259 and was pleased to report that a contract had been awarded for this works.

Angmering Traffic Calming Scheme

29. The Committee considered a report by the Executive Director Economy Infrastructure & Environment and Director of Highways and Transport (copy appended to the signed minutes), which sought a decision from the Committee on traffic calming scheme for Angmering village.

30. Simon Osborne, Highways Project Manager, West Sussex County Council, introduced the report and explained that formal advertisement of the Angmering Traffic Calming scheme commenced on 17 February 2017 and lasted for the statutory 21 days. Comments received during that period resulted in: 120 supports, 61 objections and 102 support with comments. Mr Osborne explained that the report detailed the comments and officers responses and the recommendation to County Councillors was to approve the scheme as advertised.

31. Mrs Urquhart spoke in support of the scheme as the local County Councillor. She acknowledged that there had been a great deal of responses to the proposals and some differing views but that the majority were in support. She urged her fellow County Councillor to support the scheme for progression.

32. Councillor Mrs Francis stated that Angmering Parish Council had worked hard, alongside West Sussex County Council, to get the best possible scheme for the village and hoped the County Councillors would agree the recommendation to proceed with the scheme.

33. Councillor Mr Wensley as the local District Councillor also spoke in support of the scheme. Councillor Wensley did ask if anything further could be done to stop Satellite Navigation systems directing vehicles through the village. Mr Buckland suggested 'no

HGV' signage could help. The Area Highways Manager responded stating that advisory 'not suitable for HGV' signage could be considered and he would follow this up.

34. **Resolved** that the County Council Members of the Joint Eastern Arun Area Committee, having considered the resulting benefits to the community and accepting that these outweigh the objections raised, authorised the Director of Law and Assurance to make the Order as advertised.

Community Initiative Funding

35. The Committee considered a report by the Director of Law and Assurance, West Sussex County Council (copy appended to the signed minutes), which sought decisions from the County Council Members of the Committee on the applications received under the CIF scheme.

36. The Committee discussed the respective merits of the projects for which funding was sought and indicated support or otherwise for each application

37. Mr Buckland, Mr Purchase and Dr Walsh all declared a personal interest in application 45/JEAAC as Members of Littlehampton Town Council.

38. **Resolved** that the County Council Members of the Committee considered the CIF applications and allocated funding as follows:

The following applications and amounts were approved: -

12/JEAAC - Sister Sarah Productions Ltd, £2,500 towards connecting old and young through storytelling and dance.

19/JEAAC - Ferring Retirement Club, £2,500 to extend Patterson's Walk.

31/JEAAC - Men's Shed Findon, £2,500 towards establishment of a Men's Shed, start-up costs.

41/JEAAC - Worthing Women's Aid, £1,567 towards equipping the Amber House drop in centre in Littlehampton.

45/JEAAC - Littlehampton Museum, £1,500 towards Taking Littlehampton Museum's collections out to the community.

Nominations of Authority School Governors

39. The Committee considered a report by the Executive Director of Children, Adults', Families, Health & Education (copy attached to the signed minutes).

40. Resolved –That the County Council Members of the Committee approved the following nomination under the 2012 Regulations: -

Appointments:

- Mrs Fiona Gardiner to St Philips Catholic Primary School, Arundel.
- Mrs Jane Kimber to East Preston Infants School

Re-Appointment:

Mr Peter Dale to Ferring CE Primary School

Items to be raised by Town and Parish Council representatives

41. Councillor Mr Phillips raised concern on behalf of Arundel Town Council about the Ford Neighbourhood Plan being approved prior to a decision on the A27 at Arundel. It was suggested that Arundel Town Council should respond to any consultations via the formal routes.

42. Councillor Mr Chester sought assurances from all local Members that they read the report on the Serious Case Review involving children in Littlehampton. He called for greater awareness of the issue and stressed that it should be discussed in public.

Items for future meetings.

43. The following items were agreed:

- Planning process presentation – ADC & WSCC – November 2017
- Arun Local Plan update – March 2018

Date of next meeting

44. The Chairman reminded Members that the next meeting of the Committee would be held on Tuesday 14 November 2017 at the millennium Chamber, Littlehampton Town Council. Members wishing to place an item on the agenda should notify Monique Smart via e-mail: monique.smart@westsussex.gov.uk or on 033022022540.

The meeting closed at 9.00pm

Chairman