

**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 20 JULY 2016 AT 6.00 P.M.**

Present:- Councillors Haymes (Chairman), Mrs Pendleton (Vice-Chairman), Ambler, Ballard, Mrs Bence, T Bence, Bicknell, Mrs Bower, R Bower, Brooks, Mrs Brown, L Brown, Buckland, Cates, Charles, Clayden, Cooper, Dendle, Dillon, Dingemans, Elkins, Gammon, Mrs Hall, Mrs Harrison-Horn, Hitchins, Hughes, Mrs Maconachie, Mrs Neno, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Mrs Porter, Mrs Rapnik, Reynolds, Tyler, Dr Walsh, Warren, Wheal, Wells and Wensley.

Honorary Alderman Squires was also present during the meeting.

[Note: Councillor Oppler was absent from the meeting during consideration of the matters detailed in the Minutes indicated – Minute 143. Councillors English and Cates were absent from the meeting during the consideration of the matters detailed in Minutes 146 to 150. Councillors Tyler, Gammon, Hughes and Ballard were absent from the meeting during consideration of the matters detailed in Minutes 147 to 150.]

108. WELCOME

The Chairman welcomed Councillors, Honorary Alderman Squires and representatives of the public, press and officers to the meeting.

109. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Blampied, Edwards, D Maconachie, Stainton and from Honorary Aldermen Mrs Goad, MBE, Mrs Morrish, Mrs Olliver and Mrs Stinchcombe.

110. DECLARATIONS OF INTEREST

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

Full Council - 20.07.16

Reasons

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

Where a member declares a "Prejudicial/Pecuniary Interest", this will, in the interests of clarity for the public, be recorded in the minutes as a Prejudicial and Pecuniary Interest.

Councillor Haymes declared a Pecuniary Interest in Agenda Item 29 (Licensing & Enforcement/Licensing Committee – 8 July 2016) in relation to Minute Number 137, the Review of Mobile Homes Licensing Fees Policy as a Landlord of Mobile Homes. Councillor Haymes confirmed that he would not take part in any debate or vote.

Councillor Wells declared a Pecuniary Interest in Agenda Item 23 (Bognor Regis Regeneration Sub-Committee – 8 June 2016) in relation to Minute Number 131 [Bognor Pier Trust] as he was a Director of the Bognor Regis Pier Trust.

Councillor Brooks declared a Pecuniary Interest in Agenda Item 23 (Bognor Regis Regeneration Sub-Committee – 8 June 2016) in relation to Minute Number 131 [Bognor Pier Trust] as he was a Director of the Bognor Regis Pier Trust and as a voting Member of Arun Arts.

Councillor Dillon declared a Pecuniary Interest in Agenda Item 23 (Bognor Regis Regeneration Sub-Committee – 8 June 2016) in relation to Minute Number 131 [Bognor Pier Trust] as he was a voting Member of Arun Arts.

Councillor Mrs Daniells also declared a Pecuniary Interest in Agenda Item 23 (Bognor Regis Regeneration Sub-Committee – 8 June 2016) in relation to Minute Number 131 [Bognor Pier Trust] as she was a voting Member of Arun Arts.

The Resources Director and Deputy Chief Executive declared a Personal and Pecuniary Interest in Agenda Item 36 (The Council's 2020 Vision) in relation to Minute Number 145 as this matter would relate to employment terms. The Resources Director and Deputy Chief Executive confirmed that he would leave the Council Chamber for consideration of this matter.

111. QUESTION TIME

(a) Questions from the public (for a period of up to 15 minutes).

The Chairman invited questions from members of the public who had submitted their questions in advance of the meeting in accordance with the rules of the Council's Constitution. Supplementary questions would only be permitted should time allow once the notified questions had been responded to. Please note that the questions and answers in these Minutes are a summarised version, with the full version to be published on the Council's website within 10 days of the meeting.

(1) The Leader of the Council, Councillor Mrs Brown, was asked a question which had been received in writing in advance of the meeting. This question was about the changes to the scheme of delegation in respect of the Development Control Committee which had been approved by that Committee on 15 June 2016. The questioner asked how it could be right to make a decision affecting every District Councillor, Town and Parish Council and every member of the public in such a manner, especially having been advised by the Head of Planning that the matter would be better referred to Full Council to decide.

The Cabinet Member for Planning & Infrastructure, Councillor Bower, responded to this question as the Leader of the Council, Councillor Mrs Brown, had not attended the meeting of the Development Control Committee held on 15 June 2016 where this matter had been debated.

In response the Cabinet Member for Planning & Infrastructure, Councillor Bower stated that the Council's constitution had, for many years, included the provision for the Development Control Committee to make amendments to the Scheme of Delegation for Planning Decisions. Councillor Bower stated that if it was not the Council's intention for the Committee to make changes as it saw fit then logically that power should not exist. It was explained that the Committee had the opportunity to decide whether a referral of the matter to a meeting of Full Council was necessary but that a majority vote had concluded that it was not.

Full Council – 20.07.16

He further explained that Parish and Town Councils are afforded an important place in the Planning System as a statutory consultee. As not all the country is parished Councillor Bower stated that a significant proportion of the country's Local Planning Authorities (LPA's) did not receive comments from organisations or from Local Councils.

Councillor Bower stated that it should be for this Council to determine its own internal processes in the same way as the Parish and Town Councils do. It was pointed out that representations received from the Parish and Town Council's would continue to be evaluated and assessed as before.

Three supplementary questions were asked and responded to as follows:

- (i) Would he ensure any changes to the Constitution are determined by Full Council?

Councillor Bower confirmed that Full Council does agree changes to the Constitution. In this case he explained that no change was required as it was constitutionally correct to delegate to the Development Control Committee. He stated that there was no need for this matter to come before Full Council as the matter was already delegated to the Development Control Committee.

- (ii) Would consultations be reinstated for conservation areas and areas of special character?

Councillor Bower confirmed that the Council does recognise areas of conservation and areas of special character. He pointed out that the way the Council addressed this was common practice in most Local Authorities and the Council were seeking to bring about commonality between practices of all local authorities.

- (iii) Would the Council consider how planning applications are dealt with for Members and Staff?

Councillor Bower responded that there had been no change to how these are dealt with. Subsequently, later in the meeting, it was confirmed that these applications would not be sent directly to the Development Control Committee but would be dealt with by the Chairman of the Committee and the Director for Planning & Economic Regeneration.

(2) The Leader of the Council, Councillor Mrs Brown, was asked a question which had been received in writing in advance of the meeting. This question related to the Consultant's report on the regeneration of the Regis Centre and Hothamton car park sites and asked the Council to move forward with the initial feasibility studies as quickly as possible and then to a decision point on the chosen procurement route.

In view of the great opportunity that the Council had to bring forward a new exciting era for Bognor Regis, the questioner asked if the various organisations and community groups that had put forward proposals as a result of the consultation initiated by the Council in 2015 would be involved going forward and if the Sir Richard Hotham Project would also be accorded the opportunity to discuss with the Council their plans.

The Leader of the Council, Councillor Mrs Brown responded that it was certainly the intention to give those parties who submitted ideas the opportunity to talk to the consultants who would be undertaking the feasibility study on behalf of the Council on these key sites.

Councillor Mrs Brown stated that this Council remained committed to regeneration in Bognor Regis and that it needed to go ahead with the feasibility studies as soon as possible as the potential benefits for the town were significant and the Council needed to move as quickly as it can to the next stage of the process.

It was confirmed that The Sir Richard Hotham Project as a body would be given the same opportunity as the others and the Council, as a landowner, would not be taking any formal view on the resubmitted planning application until later in the year.

(3) The Leader of the Council, Councillor Mrs Brown, was asked a question which had been received in writing in advance of the meeting. This question related to the Council's agreed priorities and that the Council was seeking to cut down on consultation costs, which included cutting the Wavelength Panel. The questioner asked if the Council intended to commence its 2020 Vision work with a thorough and wide consultation on its Bognor Regis Seafront Strategy with clear illustrations of what the Council intended before it made any decision on going ahead.

The Leader of the Council, Councillor Mrs Brown responded that the 2020 Council Vision report that would be discussed later on by the Council, at this meeting, included a reduction in the costs of our consultation panel.

Full Council – 20.07.16

It was stated that the Council had, through working with an independent supplier, reduced the Council's costs of administering the Wavelength Panel by about £7,000. It was pointed out that consultation had not been "cut out".

The less expensive alternative remained independent and statistically valid. It was confirmed that the Council had used this new 'panel' and 74% of the public were either satisfied or very satisfied with Council services. Statistics for the last four years on this very important indication had been 72%, 75%, 76% and 74% respectively.

Councillor Mrs Brown further responded that the entire Council was democratically elected and received a mandate from the public in May 2015 through the ballot box.

In relation to the Bognor Regis Seafront Delivery Plan, Councillor Mrs Brown stated that this was discussed at the Bognor Regis Regeneration Sub Committee meeting held on 8 June, and it was stressed that the Delivery Plan was based on existing strategies and research material that had already been consulted on. These included the Seafront Strategy, Arun Concessions Strategy, Colliers Concessions report, recommendations arising from the Stakeholder workshop and public consultation and of course the recently approved Neighbourhood Plan.

Councillor Mrs Brown stressed that all the normal public consultation via the planning process would apply when necessary.

A supplementary question was asked on whether the Council would be consulting, in detail, on the designs and plans for the Bognor Regis Sea Front area with the public.

In response, Councillor Mrs Brown clarified that the Sea Front Delivery Plan was based on extensive consultation that had taken place. Councillor Mrs Brown informed that the provision of public toilets would be dealt with separately within the Council's 2020 Vision. It was explained that the Council was keen to move forward and start work in delivering the Bognor Regis Sea Front Plan.

(b) Questions from Members with prejudicial/pecuniary interest – No questions had been received.

(c) Petitions from the public – the Chairman confirmed that no Petitions had been received.

112. MINUTES

The Minutes from the Annual Council Meeting held on 26 May 2016 were approved by the Council as a correct record and signed by the Chairman.

113. CHAIRMAN'S COMMUNICATIONS

The Chairman alerted Members to the list of engagements and events that had been attended since the Annual Meeting of the Council held on 26 May 2016 – these had been emailed to Councillors recently.

The Chairman drew particular attention to the event held at the Millennium Chamber, Littlehampton Town Council on 19 July 2016 where Gary Smart of Harbour Park, Family Amusements was presented with the British Empire Medal. The Chairman passed on sincere congratulations on his achievement.

The Chairman then mentioned his forthcoming Charity Event which would raise funds for Macmillan Cancer Support where he would 'Brave the Shave' and have his hair shaved for sponsorship. It was hoped that £250 could be raised.

The Chairman then informed the meeting that a number of staff and Members would receive awards for their long service. On behalf of the Council the Chairman thanked them for their hard work and dedicated service which deserved recognition. He stated that it was his pleasure to particularly congratulate Steve Lane with 50 years of service on 1 September 2016 and Glenda Diggance with 47 years.

Members and staff were then recognised, in turn, for their long service with the presentation of a certificate as follows:

40 or more years' service:

Councillor Dr James Walsh
Roger Spencer
Carole Minto

Full Council – 20.07.16

30 or more years' service:

Liz Futchter
Jayne Hewstone
Sharon Lilywhite
Nigel Quinlan
Mark Turvey

25 or more years' service:

Paul Askew
The Leader, Councillor Mrs Brown
Philippa Dart
Anita Gardner
Claire Lawrence
John Millard
Lynn Morphew
Margaret Murphy
Miriam Nicholls
Councillor Mike Northeast
Linda Standley
Adam Stephens
Cheryl Strong
Irene Trice
Peter Marsh

114. CHANGE TO THE ORDER OF THE AGENDA

The Chairman announced a Change to the Order of the Agenda in that Agenda Item 37 – Update on the Redevelopment of the Hothampton Car Park and Regis Centre Site, Bognor Regis would be considered ahead of Agenda Item 36 – The Council's Vision so that staff who may need to declare an interest could leave for the Vision Item and remain in the meeting for the consideration of Item 37. This change was agreed.

115. URGENT MATTERS

There were no items for this meeting.

116. STATUTE MATTERS

There were no items for this meeting.

117. MATTERS FROM THE LAST MEETING

There were no matters for this meeting.

118. ANY OTHER MATTERS

There were no matters for this meeting.

119. LICENSING & ENFORCEMENT/LICENSING COMMITTEE – 11 MARCH 2016

The former Chairman, Councillor Bence, presented the Minutes from the meeting of the Licensing & Enforcement/Licensing Committee held on 11 March 2016.

120. OVERVIEW SELECT COMMITTEE – 15 MARCH 2016

The former Chairman, Councillor Dingemans, presented the Minutes from the meeting of the Overview Select Committee held on 15 March 2016.

121. CABINET – 21 MARCH 2016

The Chairman, Councillor Mrs Brown, presented the Minutes from the meeting of Cabinet held on 21 March 2016.

122. SPECIAL DEVELOPMENT CONTROL COMMITTEE – 30 MARCH 2016

The Vice-Chairman, Councillor Mrs Hall, presented the Minutes from the meeting of the Special Development Control Committee held on 30 March 2016.

123. DEVELOPMENT CONTROL COMMITTEE – 30 MARCH 2016

The Vice-Chairman, Councillor Mrs Hall, presented the Minutes from the meeting of the Development Control Committee held on 30 March 2016.

Full Council – 20.07.16

124. IT MEMBERS' WORKING PARTY – 31 MARCH 2016

The Chairman, Councillor Charles, presented the Minutes from the meeting of the IT Members' Working Party held on 31 March 2016.

125. LICENSING & ENFORCEMENT/LICENSING COMMITTEE – 8 APRIL 2016

The former Chairman, Councillor Bence, presented the Minutes of the meeting of the Licensing & Enforcement/Licensing Committee held on 8 April 2016.

126. DEVELOPMENT CONTROL COMMITTEE – 20 APRIL 2016

The Vice-Chairman, Councillor Mrs Hall, presented the Minutes of the meeting of the Development Control Committee held on 20 April 2016.

127. CABINET – 9 MAY 2016

The Chairman, Councillor Mrs Brown, presented the Minutes from the meeting of Cabinet held on 9 May 2016.

128. LICENSING & ENFORCEMENT/LICENSING COMMITTEE – 13 MAY 2016

The former Chairman, Councillor Bence, presented the Minutes of the meeting of the Licensing & Enforcement/Licensing Committee held on 13 May 2016.

129. DEVELOPMENT CONTROL COMMITTEE – 18 MAY 2016

The Vice-Chairman, Councillor Mrs Hall, presented the Minutes of the meeting of the Development Control Committee held on 18 May 2016.

130. CABINET – 31 MAY 2016

The Chairman, Councillor Mrs Brown, presented the Minutes from the meeting of Cabinet held on 31 May 2016.

131. OVERVIEW SELECT COMMITTEE – 7 JUNE 2016

The Chairman, Councillor Elkins, presented the Minutes from the meeting of the Overview Select Committee held on 7 March 2016.

Councillor Dingemans alerted Members to a recommendation at Minute 38 p122 (Work Programme 2016/2017) as the Council's Constitution required the Committee to make a report annually on its future work programme to identify the major topics it would consider throughout the year. Councillor Elkins then formally proposed this recommendation which was duly seconded by Councillor English.

Councillor Brooks made a statement in accordance with Council Procedure Rule 11.2 in relation to Minute 34 Cabinet Member Questions and Updates in relation to street drinking in the Sunken Gardens in Bognor Regis. Councillor Brooks stated that he was disappointed that the idea of a designated town centre space to enable street drinkers to consume alcohol was being dismissed.

The Council

RESOLVED

That the Committee's Work Programme for 2016/2017 be approved.

132. BOGNOR REGIS REGENERATION SUB-COMMITTEE – 8 JUNE 2016

The Chairman, Councillor Hitchins, presented the Minutes from the meeting of the Bognor Regis Regeneration Sub-Committee held on 8 June 2016 and alerted Members to five recommendations at Minute 6 (Bognor Regis Seafront Improvements).

In formally proposing the recommendations, Councillor Hitchins emphasised how important sea front improvements would be for the town of Bognor Regis. The recommendations were seconded by Councillor Mrs Madeley.

Full Council – 20.07.16

In discussing the recommendations, there was general support for the proposals and Members welcomed the opportunity to enhance the sea front area of Bognor Regis. Councillor Wells requested further consultation with local businesses as to where the new public convenience block should be located. Councillor Brooks also requested further consultation so that community groups and relevant organisations could be given the opportunity to make comment on phase 1 of the plans. Councillor Brooks stated that he would like to see the open links, from town to seafront, maintained.

In response to the requests for further consultation the majority of Members were keen to start progressing with the delivery of improvements.

Councillor Oppler referred to the moving of the bandstand with concern that it would be lost or damaged during its move. Councillor Hitchins confirmed that he knew of no plans for the bandstand to be demolished and understood that the professionals employed to undertake this task would move it safely.

The Council then

RESOLVED – That

- (1) the Seafront Delivery Plan be approved;
- (2) delivery of the 1st and 2nd phase elements within the Seafront Delivery Plan (specified at section 2.4 of the report) be undertaken by officers, stakeholders and partners over a period of time, subject to the necessary funding being available and other statutory approvals being obtained;
- (3) authority be given to the Head of Legal and Administration to enter into any legal agreements required in the delivery of elements of the Seafront Delivery Plan;
- (4) licence/lease terms to be agreed by the Head of Finance & Property, in consultation with the Cabinet Member for Corporate Governance as necessary, in line with the Council's approved Scheme of Delegation; and
- (5) existing seafront concession licences/leases be further extended as required to fit the proposed programme for delivery of the proposed improvement works.

133. DEVELOPMENT CONTROL COMMITTEE – 15 JUNE 2016

The Chairman, Councillor Mrs Maconachie, presented the Minutes of the meeting of the Development Control Committee held on 15 June 2016.

134. CABINET – 27 JUNE 2016

The Chairman, Councillor Mrs Brown, presented the Minutes from the meeting of Cabinet held on 27 June 2016.

Councillor Mrs Brown alerted Members to a recommendation at Minute 55 (Award of Greenspace Management Contract) which asked the Council to approve the pension deficit guarantee and to approve giving delegated authority to the Head of Legal and Administration to agree the terms of and enter into the Admissions Agreement in relation to the 9 month interim management arrangements for Outdoor Recreation. Councillor Mrs Brown formally proposed this recommendation which was seconded by Councillor Chapman.

In proposing the recommendation Councillor Mrs Brown emphasised that this was an exceptionally good contract with financial savings for the General Fund and Housing Revenue Account (HRA). In seconding the recommendation Councillor Chapman welcomed the proposed decision as a productive model for inward investment. Members spoke out in support of the recommendation. Councillor Dendle stated that he was particularly pleased with the new café proposed for Marine Park Gardens having supported this idea for some time.

The Council then

RESOLVED

That approval is given for the pension deficit guarantee and to give delegated authority to the Head of Legal and Administration to agree the terms of and enter into the Admissions Agreement in relation to the 9 month interim management arrangements for Outdoor Recreation as outlined in the report.

Full Council – 20.07.16

135. AUDIT & GOVERNANCE COMMITTEE – 30 JUNE 2016

The Chairman, Councillor Clayden, presented the Minutes from the meeting of the Audit & Governance Committee held on 30 June 2016 which had been circulated separately to the agenda.

Councillor Clayden alerted Members to the three recommendations at Minute 68 (Treasury Management – Annual Report 2015/2016) which he duly proposed. The recommendations were then seconded by Councillor Mrs Oakley.

The Council

RESOLVED – That

- (1) the actual prudential and treasury indicators for 2015/2016 contained in the report be approved;
- (2) the treasury management report for 2015/2016 be noted; and
- (3) the treasury activity during 2015/2016 which has generated interest receipts of £660,723 (1.13%) (Budget £455,--- 0.87%) be noted.

Councillor Clayden then referred Members to a final recommendation at Minute 70 (Chairman's Annual Report to Full Council – 2015/2016) which he formally proposed. This recommendation was then duly seconded by Councillor Mrs Oakley.

The Council

RESOLVED

That the Chairman's Annual Report for 2015/3026 be approved.

136. LOCAL PLAN SUB-COMMITTEE – 30 JUNE 2016

The Chairman, Councillor Cooper, presented the Minutes from the meeting of the Local Plan Sub-Committee held on 30 June 2016 which had been circulated separately to the agenda.

Councillor Cooper alerted Members to a recommendation at Minute 32 (Felpham Conservation Area Character Appraisal). Councillor Cooper formally proposed the recommendation which was seconded by Councillor Bower.

The Council

RESOLVED

That the Felpham Conservation Area Character Appraisal be adopted for use in the planning process.

137. LITTLEHAMPTON REGENERATION SUB-COMMITTEE – 6 JULY 2016

(During the course of the discussion on this item, Councillor Dr Walsh declared a Personal Interest as a West Sussex County Councillor and Littlehampton Town Councillor. Councillor Buckland also declared a personal interest as a West Sussex County Councillor and Littlehampton Town Councillor.)

The Chairman, Councillor Bicknell, presented the Minutes from the meeting of the Littlehampton Regeneration Sub-Committee held on 6 July 2016, which had been circulated separately to the agenda.

In presenting these Minutes, Councillor Bicknell alerted Members to three sets of recommendations for the Council to consider at Minutes 3, 4 and 5.

Starting with Minute 3 [Littlehampton Town Centre – Public Realm Improvements Design Proposals and Project Delivery], Councillor Bicknell outlined that he needed to seek the Council's support to a suspension to the Council Procedure Rule at Part 5, Section 1, Paragraph 13.13, before formally proposing the recommendations in the minutes. This was because the recommendations were requesting approval to a supplementary estimate of £75,000 which had not been submitted to Cabinet for approval first, which this procedure rule required. Timing wise, Councillor Bicknell confirmed that the Council did not wish to delay the project by waiting to put a report back to Cabinet and then Full Council to take the ultimate view as the Constitution required as this could delay the project by over 3 months which he felt sure that Members would wish to avoid. Councillor Bicknell asked Members to support this proposal, allowing the project to move forward immediately following this meeting.

Full Council – 20.07.16

Councillor Bicknell therefore formally proposed that “a motion without notice be approved to suspend Council Procedure Rule Part 5, Section 1, Paragraph 13.13 to allow the request for a supplementary estimate of £75,000 to be considered at this meeting.” Councillor Dingemans seconded this motion.

This was Motion voted on and CARRIED.

Councillor Bicknell then turned to two recommendations at Minute 3 and 4 (Public Realm Improvements and Littlehampton Promenade Shelter Project) which he formally proposed. These two recommendations were then seconded by Councillor Dingemans.

Members debated the recommendations. Differences between regeneration projects in Littlehampton and Bognor Regis were pointed out and compared. Councillor Bower felt that these comments were divisive and reminded Members that they sat on the Council as a District representative and not a Town Council representative.

Particular debate centred on recommendation (7) and the use of £40,000 Section 106 monies. Comments were made concerning the retention of adequate Car Parking in Littlehampton with hope that residential property would not be the main focus of development.

Comments were also made that the £40,000 Section 106 Monies should be used to make a start on the proposed improvements and Councillors should welcome this regeneration.

In view of the concerns raised during the debate about recommendation (7), it was agreed that a vote would be taken on recommendations (1) to (6) and (8) to (11) on block.

The Council

RESOLVED – That

- (1) a supplementary estimate of £75,000 be approved to cover the collective costs of commissioning the various technical studies and professional fees required to progress the proposed Littlehampton Town Centre public realm improvements to RIBA Work Stage 4. This supplementary estimate is only to be used if the Council is invited to submit a Stage 2 Coastal Communities Fund application. (This equates to a Band D Council Tax of £1.30);

(2) the proposed pedestrian priority public realm design plans for Littlehampton Town Centre (as set out in Appendix 1. Littlehampton Town Centre Public Realm Design Proposals) are approved, subject to agreement of the future of the Clock Tower, and delivered in partnership, as phased projects over a period of time, with Littlehampton Town Council (LTC), West Sussex County Council (WSCC) and other stakeholders, subject to the necessary funding being available;

(3) WSCC and LTC to be asked to consider contributing towards the costs of the Town Centre public realm projects;

(4) the Director of Planning and Economic Regeneration be authorised to apply for external funding sources including that of the Coastal Communities Fund (CCF). This includes sponsorship for elements of the scheme to help finance parts of the project;

(5) the Director of Planning and Economic Regeneration be authorised to make minor amendments to the design plans as necessary and appropriate to enable efficient and effective delivery of the project;

(6) the use of £15,000 of Morrison's Section 106 contributions allocated for 'Town Team' projects to part fund the public realm technical studies be approved;

(8) the Director of Planning and Economic Regeneration be authorised to draw down the supplementary estimate of £75,000, if approved;

(9) if the Council is not invited to submit a Stage 2 CCF bid, the sum of £75,000 should be considered as a possible allocation in the Capital Programme to facilitate a detailed bid next year;

(10) a formal agreement is put in place with WSCC Highways as land owners to develop the relevant Highway land and a Section 278 agreement is arranged at a later date by the Council in partnership with WSCC Highways; and

(11) a formal agreement is put in place with Network Rail as land owners to facilitate the improvements of a small section of public realm outside the train station.

Full Council – 20.07.16

Then Members turned to consider the outstanding recommendation (7) relating to the use of the Morrison Section 106 contributions.

The Council

RESOLVED

(7) that the use of £40,000 of the Morrison's Section 106 contributions currently allocated for professional fees associated with marketing the St Martins Car Park site and procuring a developer be approved.

Councillor Bicknell then alerted Members to the recommendation at Minute 4 (Littlehampton Promenade Shelter Project) which he formally proposed. This recommendation was then seconded by Councillor Dingemans.

The Council

RESOLVED – That

- (1) the proposal be supported to market the site of the Littlehampton Promenade Shelter as a commercial development opportunity that will enhance and improve the visitor experience in Littlehampton; and
- (2) the delegated powers authority of the Head of Finance & Property be utilised to market the Littlehampton Promenade Shelter site for commercial development.

Councillor Bicknell then alerted Members to the final recommendation at Minute 5 (Littlehampton Economic Growth Area Development Delivery Study) which he formally proposed. This recommendation was then seconded by Councillor Dingemans.

In discussing the recommendations, Members were in support of mixed use development.

The Council then

RESOLVED

That the Council as landowner supports the principle of residential development in some form as part of a mixed use development on the land in the Council's ownership at West Bank and St Martins Car Park.

138. LICENSING & ENFORCEMENT/LICENSING COMMITTEE – 8 JULY 2016

(Prior to consideration of this item, Councillor Haymes re-declared his interest made at the start of the meeting and confirmed that should any debate ensue, then he would leave the meeting for this item and would not take part in any vote on this item).

The Chairman, Councillor Dingemans, presented the Minutes of the meeting of the Licensing & Enforcement/Licensing Committee held on 8 July 2016, which had been circulated separately to the agenda.

Councillor Dingemans alerted Members to a recommendation at Minute 80 (Review of Mobile Homes Licensing Fees Policy) which he formally proposed. The recommendation was seconded by Councillor Patel.

The Council

RESOLVED

That the revised Mobile Homes Licensing Fees Policy in respect of 'Relevant Protected Sites', as set put within Appendix 1 of the report, be adopted.

139. CABINET – 11 JULY 2016

The Chairman, reminded Members that as confirmed at page 5 of the agenda that the recommendations at Minute 84 (The Council's Vision – Working Together for a Better Future) would be deferred for consideration under Item 36 - The Council's 2020 Vision.

140. ENVIRONMENTAL SERVICES & COMMUNITY DEVELOPMENT WORKING GROUP – 28 JUNE 2016

(During the course of the discussion on this item, Councillor Purchase declared a Personal Interest as a Littlehampton Town Councillor).

The Chairman, Councillor Hitchins, presented the Minutes from the meeting of the Environmental Services & Community Development Working Group held on 28 June 2016, which had been circulated separately to the agenda.

Full Council – 20.07.16

Councillor Hitchins alerted Members to a recommendation at Minute 6 (Change of Name and Terms of Reference) which he formally proposed. This recommendation was then seconded by Councillor English.

The Council

RESOLVED – That

- (1) the title of the amalgamated Working Group be the Environment & Leisure Working Group; and
- (2) the Terms of Reference be approved.

A number of Councillors then made statements in accordance with Council Procedure Rule 11.2 in relation to Minute 9 and the recommendation to Cabinet on the Strategic Vision for the Future of Public Convenience Services.

Councillor Bower raised a point of order as the recommendation at Minute 9 was due to be considered at the Cabinet Meeting on 25 July 2016. The Chairman confirmed that statements under Council Procedure Rule 11.2 could be made.

Councillor Oppler expressed concern that vital public conveniences should be retained. Members expressed opinion that the public had not been consulted and general concern was voiced with respect to the potential reduction of service and insufficient toilet cover.

Councillor Dendle agreed that Public Conveniences in the District of Arun required investment and improvement. However, he pointed out the responsibilities of the Parish and Town Councils. Praise was given to Rustington Parish Council who had prioritised toilets within their area and invested in them. He stated that there were meaningful and innovative ways of improving toilet facilities.

Councillor Buckland expressed particular concern with respect to inadequate toilet facilities for the disabled. Councillor Tyler informed Members that Rustington Parish Council was in the process of considering ways to improve their provision of improved toilet facilities for the disabled.

Councillor Mrs Brown reminded Members that the provision of public conveniences was not a statutory duty for the District Council and there was a possible need to have fewer but better facilities. Members were also reminded that Littlehampton Town Council and Bognor Regis Town Council had withdrawn funds that helped maintain public convenience services. It was noted that the recommendations of the Working Group would be considered by Cabinet at its meeting on 25 July 2016.

141. HOUSING & CUSTOMER SERVICES WORKING GROUP – 7 JULY 2016

The Chairman, Councillor Clayden, presented the Minutes from the meeting of the Housing & Customer Services Working Group held on 7 July 2016, which had been circulated separately to the agenda.

Councillor Clayden alerted Members to a recommendation at Minute 7 (Terms of Reference). Councillor Clayden therefore formally proposed the recommendation which were duly seconded by Councillor Mrs Pendleton.

The Council

RESOLVED

That the terms of reference for the Housing & Customer Services Working Group be approved.

142. MATTERS RELATING TO JOINT ARRANGEMENTS

There were no items for this meeting.

143. MOTIONS

(Councillor Oppler left the Chamber, during the course of this item, as the subject of the Complaint)

Before the motion was presented, Councillor Dr Walsh raised a point of order as he believed there might have been pre-determination by Members of the Conservative Group about how this motion against Councillor Oppler would be dealt with from written information that had come to his attention.

The Head of Legal & Administration and Monitoring Officer was asked to give her view. She advised that pre-determination was not a matter in itself to stop the motion being debated.

Full Council – 20.07.16

She therefore asked if Councillor Dr Walsh could provide this information to her after the meeting and she would investigate further. She ruled that the motion would stand and be presented to the meeting as had been properly published in the agenda.

Councillor Bence then proposed the Motion which was seconded by Councillor Cooper in accordance with Council Procedure Rule 12.1.

In proposing the motion, Councillor Bence provided detail as follows:

It was stated that this was a motion of Censure against Councillor Francis Oppler and a recommendation that Full Council resolves to make a complaint under the Local Code of Conduct regarding Councillor Oppler's continued failure to apologise in accordance with the decision of the Standards Committee.

Councillor Bence provided the background to the motion stating that the motion was requesting the Council to express its disapproval of Councillor Oppler's refusal to apologise, in accordance with the decision of the Standards Committee. He called on all members of Arun District Council to vote in favour of this expression of Censure, and recommendation, as it was fundamentally a matter of trust.

He informed Members that on the 14 November 2014, Councillor Oppler was requested to apologise to a former Chairman and Councillor of Arun District Council. To date Councillor Oppler had failed and ignored requests from the Standards Committee and Arun's Legal Department to apologise, having been found in breach of the local Code of Conduct.

Councillor Bence further added that, as Opposition Leader, Councillor Oppler should aspire to a higher standard of conduct in the spirit and application in his role as Leader of the Opposition and an Arun District Councillor. In conclusion, Councillor Bence stated that Councillor Oppler's conduct should be beyond reproach and that he should be a Leader in more than name and should engender and encourage trust and respect from his colleagues, officers, and fellow members of Arun District Council. Councillor Bence added that his refusal to apologise was contemptuous.

In debating the motion Members agreed that the continuation of this matter, over two years, was not in the best interests of the public or the Council. Strong views were expressed on whether Councillor Oppler should apologise with those for and against. In general it was felt that the findings of the Standards Committee should be upheld.

Before taking the vote on the motion, the Head of Legal & Administration and Monitoring Officer was asked to provide Members with further advice. She made the following points:

- Non-Conservative Members had been invited to sit on the Standards Assessment Panel with training offered but this was not taken up.
- Arun District Council as a controller of data had responded to the Information Commissioner.
- Councillor Oppler breached Data Protection when he made the information he received public.
- The Councillor that moved outside of the Arun District was entitled to do so and continued to attend meetings.
- If the Liberal Head Office consider the Council's decision on the Local Code of Conduct was unreasonable they could apply for a Judicial Review and the Council would be given the opportunity to enter a defence.

A request was received that the voting on the recommendations in the motion should be recorded. Those voting for the recommendations were Councillors Mrs Ayres, Ballard, Mrs Bence, T Bence, Bicknell, Mrs Bower, R Bower, Mrs Brown, L Brown, Buckland, Gates, Chapman, Charles, Clayden, Cooper, Dendle, Dillon, Dingemans, Elkins, English, Gammon, Mrs Hall, Mrs Harrison-Horn, Hitchins, Hughes, D Maconachie, Mrs Maconachie, Mrs Madeley, Mrs Neno, Mrs Oakley, Oliver-Redgate, Patel, Mrs Pendleton, Mrs Porter, Reynolds, Miss Rhodes, Tyler, Warren, Wheal, Wensley and Wotherspoon (41); and those voting against were Councillors Mrs Daniells, Purchase and Dr Walsh (3). Councillors Ambler, Brooks, Haymes, Northeast, Mrs Rapnik and Wells (6) abstained from voting.

The Council therefore,

RESOLVED - That

- (1) Full Council's expression of severe disapproval in the continued refusal of Councillor Oppler to apologise as requested be noted.
- (2) the Standards Committee accepts this resolution as a complaint from Full Council under the Local Code of Conduct that Councillor Oppler has failed to treat the Members of the Standards Committee with respect by his continued failure to apologise in accordance with the decision of the Standards Committee on 14 November 2014.

Full Council – 20.07.16

144. QUESTIONS/STATEMENTS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Notice of a question had been received from Councillor Charles to the Leader of the Council, Councillor Mrs Brown, in relation to the threat of hate crime in the District.

Councillor Dr Walsh made a statement in accordance with Council Procedure Rule 11.2 strongly supporting the answer that had been given.

The full detail of the question asked and the response provided are attached to these Minutes.

145. THE REGENERATION OF THE REGIS CENTRE AND HOTHAMTON CAR PARK SITES

The Leader of the Council, Councillor Mrs Brown, commenced this item by referring Members to the Director of Planning & Economic Regeneration's follow up report on the suggested next stage of work on this project which had been attached to the agenda at page 175.

Before formally introducing the recommendations, Councillor Mrs Brown outlined that she firstly needed to seek the Council's support to a suspension to the Council Procedure Rule at Part 5, Section 1, paragraph 13.13. This was because the recommendations were requesting approval to a supplementary estimate of £260,000 which had not been submitted to Cabinet for approval first, which this procedure rule required.

Councillor Mrs Brown outlined that timing wise, it was important for the Council to not wish to delay the project by waiting to put a report back to Cabinet and then Full Council to take the ultimate view as the Constitution required. This would delay the project by over 3 months and Councillor Mrs Brown was sure that Members would to avoid this

By supporting this proposal, Councillor Mrs Brown explained that the next stage of work could move forward immediately following this meeting and so she therefore formally proposed that "a motion without notice be approved to suspend Council Procedure Rule Part 5, Section 1, Paragraph 13.13 to allow the request for a supplementary estimate of £260,000 to be considered at this meeting."

Councillor Wensley seconded this Motion.

This was Motion voted on and CARRIED

Councillor Mrs Brown then returned to formally presenting the recommendations 1 to 5 as set out on pages 175 and 176 of the report which formally proposed that the Council approved a supplementary estimate of £260,000 to cover the collective costs of commissioning detailed Feasibility Studies. Councillor Wensley seconded the recommendations.

In discussing the recommendations, Members were in support of progressing matters and could see a definite advantage for Bognor Regis.

The Council

RESOLVED – That

- (1) The Council approves a supplementary estimate of up to £260,000 to cover the collective costs of commissioning detailed Feasibility Studies for the redevelopment of the Regis Centre and the Hothamton Car Park sites and to vire to the Regeneration Services budget the costs incurred in commissioning the Consultant's report and the visual material. This is the equivalent of an additional £4.50 Council Tax for an average Band D property.
- (2) In furtherance of the resolutions made at the 11 November 2015 Full Council meeting, the Council continues to support, in principle, subject to positive Feasibility Studies and proof of concept being completed, a financially viable scheme to regenerate the existing Alexandra Theatre and adjacent Public House (Regis Centre – Western half) through either improvements and modifications or complete redevelopment to deliver the following:
 - (a) The redevelopment of the existing Alexandra Theatre site to provide an enhanced 'cultural offer' including improved theatre, gallery space, multi-functional space and other ancillary activities.
 - (b) The redevelopment of the existing Public House to create a development which consists of a Landmark building accommodating visitor attraction(s), residential development and restaurant(s).
 - (c) The redevelopment of the existing Place St Maur area as an area of public realm for events and activities in a manner complementary to the other redevelopment proposals.

Full Council – 20.07.16

- (3) In furtherance of the resolutions made at the 11 November 2015 Full Council meeting, the Council continues to support the redevelopment of the area to the east of existing Alexandra Theatre (Regis Centre - Eastern Half) for a commercially viable mix of uses including (but not exclusive to) Public House, Hotel, Restaurant and Residential, and where appropriate small retail outlets and other uses associated with a holiday seafront destination surrounding a decked car park.
- (4) In furtherance of the resolutions made at the 11 November 2015 Full Council meeting, the Council continues to support, in principle, subject to a positive Feasibility Study and proof of concept being completed, a financially viable scheme to regenerate the Hothamton Car Park.
- (5) Delegated authority is granted to the Director of Planning and Economic Regeneration in consultation with the Leader of the Council to procure the Feasibility Studies for the Redevelopment of Hothamton Car Park and the Regis Centre Car Park sites and to draw down and authorise expenditure for the purposes set out in this report only against the supplementary estimate agreed at (1) above.

146. THE COUNCIL'S 2020 VISION

(All Directors declared a pecuniary and personal interest and left the Chamber during the course of this item). (During the course of the discussion Councillor Northeast declared a Personal Interest as his wife was a member of staff).

The Leader of the Council, Councillor Mrs Brown, outlined that in order to assist Members she would commence with presenting this report by referring to the documents before Members that related to this item. These were:

1. the updated report 'Council 2020 Vision – working together for a better future' from the papers in Bundle 2 (this started on page 127)
2. the Cabinet minute of 11 July from Bundle 3 (this started on page 4)
3. the updated report '2020 Vision programme including shared services' that has been tabled at the meeting

In proposing the recommendations at Minute 84 [The Council's Vision – Working Together for a Better Future], Councillor Mrs Brown outlined that this report followed on from the Council's very successful Peer with Full Council receiving reports in November 2014 and January 2016.

This was the culmination of a whole series of Member Workshops and was a good example of Officers and Members working together to determine how the Council should be shaped for the future. The report confirmed how the Council would continue to deliver the Council priorities, without any additional cost, by:

- Offering an improved customer experience
- Building better relationships
- Providing more digital opportunities; and
- Becoming smaller and more effective

Councillor Mrs Brown stated that the overall 2020 Vision report "Working together for a better future" should be read in conjunction with the programme of projects, which included shared services. The progress on this latter report had been supported by Cabinet on 11 July 2016.

It was clear that the Council needed to change for the future, in relation to its customer needs and its financial position. In summary, the recommendations were asking the Council to:

- Confirm the 2020 Vision
- Give the Chief Executive and the Leader of the Council the support to implement a new structure
- note that the Council need to continue to do more
- Use this report for the Council's efficiency plan submission

Councillor Mrs Brown then formally proposed the recommendations which were then seconded by Councillor Wensley.

In discussing the recommendations, comments were made concerning the impact of the reduction of services may have on residents. It was agreed that the Council needed to redesign services and find innovative ways to reduce costs. Members were also warned to be mindful of the part they could play in making savings.

Full Council – 20.07.16

The Council, then

RESOLVED - That

- (1) the 2020 Vision for the Council, as outlined in Paragraph 3.3 and 3.4 of this report be agreed with the Council understanding the serious implications arising which will require detailed consideration by Members and Officers;
- (2) it agrees to progress the Phase 1 projects identified in Appendix A of this report;
- (3) it supports the general revised structure principles, outlined in paragraph 4.1 of the report, and give authority to the Chief Executive – in liaison with the Leader of the Council - to progress and implement the proposed revised outline structure;
- (4) A sum of up to £50k is agreed to assist and support with the Council's proposed management restructure. Full Council supported (on 13 January 2016) an estimated sum of £120,000 being included in the proposed 2016/17 revenue budget to enable the highlighted projects to progress. The funds required to obtain external support for this management restructure to be funded from within approved current budget;
- (5) It approves a supplementary estimate of up to £100k In 2016/17 (this equates to an amount of £1.73 on a Band D Council Tax) to implement the initial CMT restructure proposals and consequential redundancy costs of one Director and build into the 2017/18 budget a further sum to fund the restructure costs and any consequential redundancy costs of a second Director to conclude the Corporate Management Team restructure;
- (6) By January 2017, the new senior management structure to be assessed and consulted upon and any redundancy of other consequential costs be built into the 2017/18 budget report to be considered by Full Council in February 2017;

- (7) It notes the full one-off costs as set out in paragraph 4.5 in respect of the two approved redundancies which will provide a total pay-back period of approximately 1 -1.5 years;
- (8) It notes there will remain an anticipated financial shortfall following Phases 1 & 2 of the 2020 Vision programme. A further report on later proposals (including digital issues) will be presented to Cabinet and Full Council in due course. Additional funds may be required to progress future phases; and
- (9) It uses the approved recommendations in this report and the 2016 updated Medium Term Financial Strategy as the basis of this Council's Efficiency Plan submission to Government later this year.

147. LOCAL ELECTION FEES AND CHARGES SCHEME

The Leader of the Council, Councillor Mrs Brown, presented a report which informed Members that the Representation of the People Act 1983 required Councils to cover all expenditure incurred by the Returning Officer in holding local elections (County, District and Parish). The fee payable to the Returning Officer for holding national elections was set by Statute.

The current practice for setting local election fees had been based on a county-wide agreement and was reviewed by the West Sussex Electoral Administrators Group. The current scale of fees was broadly in line with the scale of fees set for national elections and was similar to fee scales paid in other County areas. It was proposed that each authority in West Sussex formally adopts a scheme based on a bi-annual review by the Returning Officer for West Sussex. This would ensure that the review was based on the recommendations of an independent person.

Councillor Mrs Brown outlined to Members that they were being asked to support the adoption of a holistic West Sussex scheme that ensured that the Local Elections Fees and Charges Scheme was transparent and that there was a clear decision making trail for all local election fees and charges. Councillor Mrs Brown therefore proposed the five recommendations in the report which were duly seconded by Councillor Wensley.

The Council

RESOLVED – That

- (1) the Scale of Returning Officer's expenditure for Local Government Elections, Polls and Referendums in West Sussex, as set out in Appendix 1, is approved for all local elections, polls and referendums;

- (2) the scheme is reviewed bi-annually by the Returning Officer for West Sussex County Council;
- (3) the Chief Executive be given authority to approve the scheme recommended by the Returning Officer for West Sussex County Council as part of his delegated powers in Part 4 (Officer Scheme of Delegation), Section 2.0 [Chief Executive];
- (4) the current scheme is published on the authority's website and referred to in the pay policy; and
- (5) the Head of Legal & Administration be authorised to make any consequential changes to the Council's Constitution.

148. CALENDAR OF MEETINGS FOR 2016/2017

The Leader of the Council, Councillor Mrs Brown, confirmed that in accordance with Council Procedure Rule 2.0, the Council was being asked to approve that a Special Meeting of the Council be held on Wednesday, 14 December 2016 at 6.00 pm to consider the proposed main modifications to the Local Plan, prior to public consultation and submission to the appointed Planning Inspector in early 2017.

Councillor Mrs Brown formally proposed this Special Meeting which was seconded by Councillor Wensley.

The Council

RESOLVED

A Special Meeting of the Council be held on Wednesday, 14 December 2016 at 6.00 pm to consider the proposed main modifications to the Local Plan, prior to public consultation and submission to the appointed Planning Inspector in early 2017.

149. COMMITTEE MEMBERSHIPS

There were no changes to Committee Memberships reported to the meeting.

Subject to approval at the next meeting

111

Full Council – 20.07.16

150. REPRESENTATION ON OUTSIDE BODIES

There were no changes in representation to Outside Bodies reported to the meeting.

(The meeting concluded at 9.18 pm).

Subject to approval at the next meeting

COUNCIL MEETING – 20 JULY 2016

**QUESTIONS FROM MEMBERS PURSUANT TO
COUNCIL PROCEDURE RULE 11.3**

Councillor Charles to the Leader of the Council, Councillor Mrs Brown

Q1 In light of recent reports in the media about an alleged rise nationally in the reporting of hate crimes, apparently based on a person's race, can the Leader confirm our Council's position and give reassurance about this Council's stance on such matters and what the Council, with our partners, is doing locally?

A1 Councillor Mrs Brown, responded at the meeting, by thanking Councillor Charles for his question.

She stated that she hoped that all Members had by now seen her letter to the local media about this very important topic.

Councillor Mrs Brown stated that this Council did not tolerate any form of hate crime against people within any of the nine protected characteristics covered by the law. This included, amongst other categories, age, disability, race and religion. Councillor Mrs Brown stated that if any of us or members of the public were affected by or witnessed a hate crime against anyone it should be reported direct to the Sussex Police or via the Council's website.

Councillor Mrs Brown reassured residents that the reported increase nationally in hate crime since the EU Referendum was not the picture in Arun were there had not been a rise in reported incidents. She stated that everyone needed to remain vigilant to such unacceptable discrimination and that, as community leaders, all Members needed to actively encourage the reporting of hate crime of any kind so that the Council could do all it could to maintain good community cohesion.

Councillor Mrs Brown believed that this Council, together with its partners, had worked hard over many years to ensure that it had integrated new communities successfully. The Council, together with its partners, would continue to actively monitor any community tensions. She confirmed that the current joint assessment remained low.

As a consequence, Arun remained a very safe place. This was something that everyone ought to be proud of and continued to work hard to preserve. Integrating new residents into communities, be they national or international migrants, was always best achieved through education and positive engagement.

Subject to approval at the next meeting

In Councillor Mrs Brown's opinion, everyone had a role in getting two very clear messages out to the Public.

Firstly, we will not tolerate any form of hate crime against a resident of/or a visitor to the Arun district and secondly, Arun remained a very safe place to live, work and visit.