



Members are reminded to bring their Agendas from the Cabinet Meetings held on 19 September and 17 October 2016 with them to the meeting

28 October 2016

COUNCIL MEETING

To all Members of the Council

You are summoned to attend a meeting of the ARUN DISTRICT COUNCIL to be held on **Wednesday, 9 November 2016 at 6.00 pm** in the Council Chamber at the Arun Civic Centre, Maltravers Road, Littlehampton, to transact the business set out below.



Nigel Lynn
Chief Executive

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**

Members and Officers are reminded to make any declaration of personal and/or prejudicial/pecuniary 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/pecuniary interest
- d) if it is a prejudicial/pecuniary interest, whether you will be exercising your right to speak under Question Time

You then need to re-declare your prejudicial/pecuniary 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/pecuniary interests (for a period of up to 15 minutes)
- c) To receive any petitions from the public

4. **Minutes**

To approve as a correct record the Minutes of the Council Meeting held on 14 September 2016, which are attached.

5. **Chairman's Communications**

To receive such communications as the Chairman may desire to lay before the Council.

6. **Urgent Matters**

To deal with business not otherwise specified in the Council summons which, in the opinion of the Chairman of the Council (in consultation with the Chief Executive), is business of such urgency as to require immediate attention by the Council.

7. **Statute Matters**

There are no items for this meeting.

8. **Matters from the last Meeting**

There are no items for this meeting.

9. **Any Other Matters**

To consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and reports of the Scrutiny Committee for debate.

There are no items for this meeting.

MINUTES FROM CABINET, OVERVIEW SELECT AND REGULATORY COMMITTEES FROM THE LAST CYCLE OF MEETINGS

10. **Development Control Committee – 7 September 2016**

The Chairman, Councillor Mrs Maconachie, will present the Minutes from the meeting of the Development Control Committee held on 7 September 2016. There are no recommendations.

11. Bognor Regis Regeneration Sub-Committee – 12 September 2016

The Chairman, Councillor Hitchins, will present the Minutes from the meeting of the Bognor Regis Regeneration Sub-Committee held on 12 September 2016. There are no recommendations.

12. Cabinet – 19 September 2016

The Chairman, Councillor Mrs Brown, will present the Minutes from the Cabinet meeting held on 19 September 2016. There are two recommendations at:

- Minute 222 [Arun Leisure Centre Dual Use Agreement]

13. Audit & Governance Committee – 29 September 2016

The Chairman, Councillor Clayden, will present the Minutes from the meeting of the Audit & Governance Committee held on 29 September 2016. There are recommendations at:

- Minute 233 [Treasury Management – Quarter 1 Report – 2016/3017] – to access the Officer's report please click on this link: [Report](#)
- Minute 235 [Changes to Arrangements for Appointment of External Auditors] – to access the Officer's report please click on this link: [Report](#)

14. Development Control Committee – 5 October 2016

The Chairman, Councillor Mrs Maconachie, will present the Minutes from the meeting of the Development Control Committee held on 5 October 2016. There are no recommendations.

15. Electoral Review Sub-Committee – 11 October 2016

The Chairman, Councillor Gammon, will present the Minutes from the meeting of the Electoral Review Sub-Committee held on 11 October 2016. There are no recommendations.

16. Standards Committee – 13 October 2016

The Chairman, Councillor English, will present the Minutes from the meeting of the Standards Committee held on 13 October 2016. There are no recommendations.

17. Cabinet – 17 October 2016

The Chairman, Councillor Mrs Brown, will present the Minutes from the Cabinet meeting held on 17 October 2016. There are recommendations at:

- Minute 267 [Establishment of a Wholly Owned Local Authority Housing Company]
- Minute 268 [Housing Revenue Account (HRA) Supplementary Estimate]
- Minute 269 [Recommendations from the Cabinet working Party - Review of Delegation and Cabinet/Committee Structure]
- Minute 270 [Future of Area Committees]
- Minute 271 [Update on the Council's 2020 Vision]

18. Local Plan Sub-Committee – 19 October 2016

The Chairman, Councillor Charles, will present the Minutes from the meeting of the Local Plan Sub-Committee held on 19 October 2016. There are no recommendations.

19. Standards Committee – 26 October 2016

The Chairman, Councillor English, will present the Minutes from the meeting of the Standards Committee held on 26 October 2016.

The Minutes from this meeting will be circulated separately and any recommendations reported at the meeting.

MINUTES FROM WORKING GROUPS

20. Environment & Leisure Working Group – 6 September 2016

The Chairman, Councillor Hitchins, will present the Minutes from the meeting of the Environment & Leisure Working Group held on 6 September 2016. There are no recommendations.

21. Housing & Customer Services Working Group – 15 September 2016

The Chairman, Councillor Clayden, will present the Minutes from the meeting of the Housing & Customer Services Working Group held on 15 September 2016. There are recommendations at:

- Minute 14 [Introductory Tenancy Policy] – to access the Officer's report please click on this link: [Report](#) and [Appendix](#)
- Minute 15 [Rent Arrears/Income Recovery Policy] – to access the Officer's report click on this link: [Report](#) and [Appendix](#)

OTHER MATTERS

22. Matters Relating to Joint Arrangements

To receive reports about the business of joint arrangements and external organisations (only if recommendations contained).

There are no items for this meeting.

23. Motions

To consider any Motions received in accordance with Council Procedure Rule 12.1.

24. Questions/Statements from Members

To consider questions/statements from Members pursuant to Council Procedure Rule 11.2.

OFFICER REPORTS

25. Consideration of the Council's Position as Landowner – Regis Centre & Hothampton Car Park and Other Sites, Bognor Regis

This report asks the Council to consider not making any commitment as Landowner to any planning application received for the regeneration of the Regis Centre and Hothampton Car Park sites and other sites, until the commissioned consultant work is returned, understood and the Council has fully determined the future scope of and development route for the sites under its freehold ownership.

26. The Council's 2020 Vision – "Working together for a Better Future" and Update on Management Restructure

The Council agreed its 2020 Vision at Full Council on 20 July 2016. This report provides an update on some of the projects including the management restructure.

27. Aldingbourne Neighbourhood Development Plan

The Aldingbourne Neighbourhood Development Plan was held on 18 October 2016 and as more than 50% of those voting on the day voted 'yes' then the local planning authority under section 61E(4) of the 1990 Act needs to bring the Plan into force. This 'making' of the Plan will give it legal force and it will form part of the statutory Development Plan for that area.

28. Calendar of Meetings for 2017/2018

In accordance with Council Procedure Rule 2.0, the Council needs to agree a programme of dates for Council Meetings prior to the commencement of the new municipal year. This report therefore proposes the arrangements for the Calendar of Meetings for 2017/2018.

29. Calendar of Meetings for 2016/2017

In accordance with Council Procedure Rule 2.0, the Council is requested to approve the following change to the Calendar of Meetings for 2016/2017:

- The Special Meeting of the Council for 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, be cancelled and re-arranged to Wednesday, 22 March 2017.

The Council is therefore required to approve this change.

30. **Committee Memberships**

The Council will be asked to note the following change in Committee Membership:

- That Councillor Mrs Bence has filled the Conservative vacancy as a substitute member of the Development Control Committee.

31. **Representation on Outside Bodies**

The Council is asked to approve any changes to its representation on Outside Bodies. Any changes can be reported to the meeting.

- Members are reminded that if they have detailed questions, would they please inform the relevant Cabinet Member/Chairman and/or Director in advance of the meeting in accordance with the Council Procedure Rules
- Copies of the reports on the recommendations from the Cabinet Meetings have been previously circulated to Members and Members are asked to bring their copies with them to the meeting. Further copies are available from the Committee Manager
- Copies of the reports on the recommendations from the other Committees are attached, where appropriate

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**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 14 SEPTEMBER 2016 AT 6.00 P.M.**

Present:- Councillors Haymes (Chairman), Ambler, Mrs Ayres, Ballard, Mrs Bence, T Bence, Mrs Bower, R Bower, Brooks, Mrs Brown, Cates, Charles, Clayden, Cooper, Dendle, Dillon, Dingemans, Elkins, English, Gammon, Mrs Harrison-Horn, Hitchins, Hughes, Mrs Maconachie, Mrs Madeley, Mrs Neno, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Mrs Porter, Purchase, Mrs Rapnik, Reynolds, Miss Rhodes, Mrs Stainton, Tyler, Dr Walsh, Warren, Wheal, Wells, Wensley and Wotherspoon.

[Note: Councillor Mrs Rapnik was absent from the meeting during consideration of the matters referred to in the following Minutes – Minute 193 to Minute 214 (Part)]

193. WELCOME

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

194. EMPLOYEE ROBERT FINDLAY

The Chairman announced the sad and unexpected death of Robert Findlay, the Council's Multiple Occupation Officer within Environmental Health who passed away on 26 August 2016. The Chairman stated that the Council's thoughts were with his family at this difficult time.

The Council then stood in silence to his memory.

195. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Bicknell, Blampied, L Brown, Buckland, Chapman, Edwards, Mrs Hall, D Maconachie, Northeast and Mrs Pendleton and from Honorary Aldermen Mrs Goad, MBE, Mrs Morrish, Mrs Olliver, Mrs Stinchcombe and Squires.

196. 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.

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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 Wells declared a Pecuniary Interest in Agenda Item 10 (Development Control Committee – 13 July 2016) in relation to Planning Application BR/54/16/PL.

197. QUESTION TIME

(a) Questions from the public (for a period of up to 15 minutes) – No questions had been received.

(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.

198. MINUTES

The Minutes from the Council Meeting held on 20 July 2016 were approved by the Council as a correct record and signed by the Chairman.

199. CHAIRMAN'S COMMUNICATIONS

The Chairman alerted Members to the list of engagements and events that had been attended since the last Meeting of the Council held on 20 July 2016 – these had been emailed to Councillors recently.

The Chairman thanked all those who had supported and sponsored him in taking part in the "Brave the Shave" event for Cancer Research. Finally, he informed Members of the forthcoming MacMillan coffee morning taking place 28 September 2016 and encouraged Members to attend and to donate bottles and prizes for the various events taking place that morning.

200. URGENT MATTERS

There were no items for this meeting.

201. STATUTE MATTERS

There were no items for this meeting.

202. MATTERS FROM THE LAST MEETING

There were no matters for this meeting.

203. ANY OTHER MATTERS

There were no matters for this meeting.

204. DEVELOPMENT CONTROL COMMITTEE – 13 JULY 2016

The Chairman, Councillor Mrs Maconachie presented the Minutes from the meeting of the Development Control Committee held on 13 July 2016 and alerted Members to three recommendations at Minute 93 (Arun Horticulture Sector: Local Development Order – Responses to Statutory Consultation).

Councillor Mrs Maconachie duly proposed the recommendations which were seconded by Councillor Bower.

The Council

RESOLVED – That

- (1) the Director of Planning & Economic Regeneration be given delegated authority to make any minor changes to the final documents;
- (2) the Arun Horticulture Local Development Order, as amended, be adopted and published; and
- (3) copies of the required documents be sent to the Secretary of State for Communities and Local Government.

205. STANDARDS COMMITTEE – 14 JULY 2016

The Chairman, Councillor English, presented the Minutes from the meeting of the Standards Committee held on 14 July 2016.

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206. CABINET – 25 JULY 2016

The Chairman, Councillor Mrs Brown, presented the Minutes from the meeting of Cabinet held on 25 July 2016.

207. OVERVIEW SELECT COMMITTEE – 26 JULY 2016

The Chairman, Councillor Elkins, presented the Minutes from the meeting of the Overview Select Committee held on 26 July 2016 and alerted Members to three recommendations at Minute 160 (Corporate Plan and Service Delivery Plan 2013-2017 Performance Outturn Year End Report for the period April 2015 to 31 March 2016) which he formally proposed. Councillor English then seconded these recommendations.

The Council

RESOLVED – That

(1) the existing three Council Priorities be reconfirmed for the period 2017-2021:

- Your Council Services – delivering you the best we can afford
- Supporting you if you need help
- Your future

(2) with the exception of the Corporate Plan Indicator DCN041 (target set by WSCC) and the Service Delivery Plan Indicators summarised in the table below, the performance indicators remain unchanged for 2016/17; and

Indicator	Changes for 2016/17	Reason for Change
CSB020 No of Benefit Fraud Sanctions	Delete	This Council no longer has responsibility for this function
CSH042 Average void turnaround time (excludes long term voids)	Reduce number of days to 20 (from 28)	In line with current performance
CSH043 No. of council properties without a valid gas safety certificate	Amend wording to 'No. of council properties <i>with</i> a valid gas safety certificate (target 100%)	To clarify performance requirements

CSR002 %age of non-domestic rates collected	Increase target to 99%	In line with current performance
DCN001 No of most serious violent crimes per 1,000 population (context)	Delete	No influence over target, incidents reported to police. Retain as Operational Indicators in case information is required
DCN002 No if incidents of public place violent crime per 1,000 of population (context)	Delete	
DCN004 Reduce overall crime	Delete	
DCN005 Reduce criminal damage (context)	Delete	
DCN008 Satisfaction with Arun Anti-social Behaviour Team	Delete	Delete this indicator due to deleted post in team. No resources available to issue satisfaction surveys or to collate and report on them.
ESC031 No of inspections undertaken to ensure businesses complying with waste removal duty of care	Change description to "No of enforcement actions taken in relation to persistent non-compliance with waste removal"	More relevant to activities undertaken.
ESC110 Deliver Annual Health & Safety Action Plan	Change description to "Deliver Annual Corporate Health & Safety Action Plan"	Clarification of corporate responsibility
ESG031 Progress Memorial Safety Inspections at Littlehampton & Bognor Regis	Change description to "Progress memorial safety inspections in line with 5 year rota, 2012-2017"	Not all cemeteries are in Littlehampton and Bognor Regis and wording of original indicator doesn't clarify that. This is a rolling 5 year programme of inspections.

PEP030 % of customers satisfied with Planning Service	Amend annually reporting (currently quarterly)	to	In line with other indicators
New Indicator – Number of properties to be brought back into use by legitimate tenants	Target of 10 properties per annum		Housing Fraud Investigator post now filled and Officer actively progressing investigations.
New indicator – % of rent collected	99% collection		Requested by Head of Housing

(2) the current suite of performance indicators be retained for one further reporting year, with a proposal to review in Autumn 2017 for implementation in April 2018.

208. LICENSING & ENFORCEMENT/LICENSING COMMITTEE – 5 AUGUST 2016

The Chairman, Councillor Dingemans, presented the Minutes of the meeting of the Licensing & Enforcement/Licensing Committee held on 5 August 2016.

209. DEVELOPMENT CONTROL COMMITTEE – 10 AUGUST 2016

The Chairman, Councillor Mrs Maconachie, presented the Minutes of the meeting of the Development Control Committee held on 10 August 2016.

210. CONSTITUTIONAL REVIEW TASK AND FINISH WORKING PARTY – 24 AUGUST 2016

The Chairman, Councillor Mrs Bower, presented the Minutes from the meeting of the Constitutional Review Task and Finish Working Party held on 24 August 2016 and alerted Members to a range of recommendations.

The first were at Minute 28 (Constitution Change – Part 3 – Paragraph 3.1 – Delegated Powers – Local Enterprise and Apprenticeship Platform (LEAP) and Other Small Business Grants). In formally proposing these recommendations, Councillor Bower alerted Members to a typographical error within part of Paragraph 3.1.2.11 and 3.1.2.12 which had incorrectly been typed as 3.5.2.11 and 3.5.2.12. Having been seconded by Councillor Wensley, the Council

RESOLVED

That the following changes are made to the Council's Constitution:

(1) The Leader and Cabinet Member for Council Strategy be delegated the authority to consider grant applications to small businesses under the Local Enterprise and Apprenticeship Platform or any subsequent scheme to provide grants of up to £5,000 for small businesses.

Additions are shown as **bold and underlined** and deletions are shown as ~~strikethrough~~

PART 3 - Paragraph 3.1 – The Leader and Cabinet Member for Council Strategy

3.1.1 General responsibilities:

Responsibility for:

- Arun Improvement Board
- Business Tourism including Concessions Policy direction
- Communications
- Economic Regeneration
- Joint Arun Area Committees (JAACS)
- **Local Enterprise and Apprenticeship Platform (LEAP) and other small business grants less than £5,000**
- Partnerships
[etc.]

3.1.2 Specific responsibilities (where not for Council or Cabinet decision):

[3.1.2.1 to 3.1.2.10 remain as shown in the Constitution]

3.1.2.11 Consideration of applications for LEAP Grants and other small business grants of less than £5,000.00

~~3.1.2.11~~ **3.1.2.12** In accordance with the terms of any agreement made under Section 106 Town and Country Planning Act 1990 the approval of expenditure of monies received ...

Part 6 Section 5 – Financial Procedure Rules

22.0 REGULATION 22 – GRANTS TO ORGANISATIONS

22.1.1 No grant, contribution, sponsorship or subscription (i.e. any discretionary payment for which no specific service is received in return) shall be made to any voluntary or other organisation, club or individual without prior consideration by Cabinet. The only exceptions shall be in relation to:

- applications recommended to the Cabinet Member for Community ...
- where the Joint Downland Arun Area Committee has approved the grant under powers delegated to it falling within this Constitution, **and**
- **applications recommended to the Leader and Cabinet Member for Council Strategy for grants under the Local Enterprise and Apprenticeship Platform (LEAP) and other grants to small businesses of less than £5,000.**

(2) the Head of Legal and Administration be authorised to make any further consequential changes to the Constitution.

The Chairman confirmed that the recommendations within Minute 29 (Constitution Change – Part 3 – Paragraph 6.3 – Election of Chairmen and Vice-Chairmen of Working Groups) were withdrawn to allow this matter to be discussed further at the next meeting of the Working Party.

Finally, the Chairman alerted Members to the last set of recommendations at Minute 31 (Constitution Change – Part 4 – Section 1 – Paragraph 2.1 – Delegation Arrangements – Traveller Encampments) which she formally proposed. These recommendations were then seconded by Councillor Wensley.

The Council

RESOLVED

That the following wording is inserted into Senior Officer's delegated powers at Part 4 Section 1 Paragraph 2.1 of the Constitution (10th bullet point):

Additions are shown as **bold and underlined** and deletions are shown as ~~strikethrough~~

A Senior Officer has the delegated authority:

- To institute any criminal or civil legal proceedings against persons occupying without licence or consent, land or buildings owned by the Council or in respect of which the Council is entitled to possession.(the Senior Officer whose department is involved with the management or occupation of land or buildings in consultation with one of the Council's solicitors) **unless West Sussex County Council are exercising this power in accordance with the terms of any delegation arrangements with Arun District Council**

That the Head of Legal and Administration be authorised to make any further consequential changes to the Constitution.

211. LOCAL PLAN SUB-COMMITTEE – 1 SEPTEMBER 2016

The Chairman, Councillor Charles, presented the Minutes from the meeting of the Local Plan Sub-Committee held on 1 September 2016.

212. LICENSING & ENFORCEMENT/LICENSING COMMITTEE – 2 SEPTEMBER 2016

The Chairman, Councillor Dingemans, presented the Minutes of the meeting of the Licensing & Enforcement/Licensing Committee held on 2 September 2016 and alerted Members to recommendations at Minute 182 (Review of Environmental Services Delegations and Licensing and Enforcement Committee Terms of Reference). In proposing the recommendations, Councillor Dingemans outlined that as an outcome of the Vision work that had been undertaken with regard to the future of the Council and following on from recommendations from the relevant Cabinet Working Party, changes were sought to streamline the existing processes in place for the Licensing and Enforcement Committee. The proposed changes would allow the Committee to operate in a more efficient and cost effective way by reducing the number of full Committee meetings and extending the scope of the Licensing Sub-Committee. If accepted, the new working methods of the Committee would be reviewed after one year to assess how the changes had worked. These recommendations were then seconded by Councillor Patel.

The Council

RESOLVED – That

- (1) the Constitution Changes as set out below be agreed;
- (2) the Head of Legal & Administration and Monitoring officer be authorised to make any consequential amendments to the Constitution as a result of the agreed changes;
- (3) the amended Enforcement Policy for Environmental Health, Private Sector Housing and Environmental Amenities (attached as Appendix 1 to the report) be adopted; and
- (4) this new process be reviewed after 12 months.

Changes to the Constitution re ITEM A**Part 4 Officer Scheme of Delegation****Section 2 – Chief Executive & Individual Directors****4.0 DIRECTOR ENVIRONMENTAL SERVICES**

~~The Director Environmental Services is responsible for:~~

- ~~• Contracts and Environment~~
- ~~• Cemeteries~~
- ~~• Children and Young People Safeguarding~~
- ~~• Coast Protection~~
- ~~• Concessions – on-site monitoring~~
- ~~• Culture~~
- ~~• Day Centres~~
- ~~• Emergency Planning~~
- ~~• Engineering~~
- ~~• Events~~
- ~~• Greenspace~~
- ~~• Land Drainage~~
- ~~• Leisure Contract Management~~
- ~~• Leisure Strategy~~
- ~~• Littlehampton Harbour Board~~
- ~~• Tourism Activity~~

- Voluntary Sector
- Youth Council

In addition to those delegated powers in Part 4 Section 1 of this Constitution the Director Environmental Services shall have the following exclusive powers:

4.1 The Director of Environmental Services has the power to take all lawful action consistent with overall Council policy to deliver agreed strategy, plans and policy, and to comply with and undertake all statutory obligations, duties, functions and powers within his or her areas of responsibility and within approved budget.

4.2 Further to the above provisions, and those set out at Section 1 of this Part of the Constitution, the Director may allocate or delegate responsibility for exercising particular powers to any officer of the Council as he or she thinks fit. Officers authorised by the Director under this Part have power to further authorise officers within their service areas as appropriate. All such delegations are to be recorded in writing and retained by the Director for the duration of the delegation.

4.3 For the purposes of the above provisions, the statutory obligations, duties, etc. referred to shall include, but not exhaustively, those contained within the legislation set out in the a matrix of statutes held by the Director.

4.4 The Monitoring Officer will maintain a central record of all delegations as are established under Paragraph 1.12 of Section 1 of this Part of the Constitution and will make this available for public inspection pursuant to section 100G of the Local Government Act 1972.

4.5 For the avoidance of doubt anything which is not covered by this scheme, including the appointment of a proper officer for the purpose of any statutory function, will be determined by the Director after consultation with the Monitoring Officer where considered appropriate.

Legislative Powers

~~4.1. The following is a list of the Director Environmental Services legislative powers. These powers are detailed further in the following paragraphs:~~

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- ~~Anti-Social Behaviour Act 2003, Part 8~~
 - ~~Clean Neighbourhood and Environment Act 2005~~
 - ~~Coast Protection Act 1949~~
 - ~~Environment Act 1995 (Hedgerows)~~
 - ~~Housing Act 1985~~
 - ~~Land Drainage Act 1976 – S. 18~~
 - ~~Land Drainage Act 1991~~
 - ~~Local Authorities Cemeteries Order 1977~~
 - ~~Local Government (Miscellaneous Provisions) Act 1976~~
 - ~~Public Health (Control of Disease) Act 1984, S. 46~~
 - ~~Public Health Act 1925~~
 - ~~Public Health Act 1936~~
 - ~~The Absolute Ground for Possession for Anti-Social Behaviour (Review Procedure) England Regulations 2014~~
- ~~Anti-Social Behaviour Act 2003, Part 8~~

4.2. ~~With respect to high hedges:-~~

- ~~power to receive and determine complaints;~~
- ~~issue, amend or withdraw remedial notices;~~
- ~~appear and defend appeals;~~
- ~~all ancillary powers to enter premises and enforce the provisions of a remedial notice once upheld on appeal.~~

~~Clean Neighbourhood and Environment Act 2005~~

4.3. ~~The Power to exercise any of the provisions of the Act including but not limited to, the service (which term includes signature and issue) of notices, and the power to exercise any statutory (or common law) powers including, but not limited to, require name and address, entry, search and seizure. The above power shall be deemed to include subordinate legislation.~~

4.4. ~~The power to authorise officers to issue Fixed Penalty Notices and take any other action with respect to offences under the Act.~~

~~Coast Protection Act 1949~~

4.5. ~~To undertake the necessary administrative procedures to enable application to be made to the Department of Environment, Food and Rural Affairs (or other appropriate Ministry) for all coast protection schemes agreed by the Council.~~

~~Land Drainage Act 1976 – S. 18~~

- ~~4.6. To carry out works in default up to the cost of £2,000 where the terms of the Notice are not complied with, and in conjunction with the Head of Finance and Property, empower to take action to recover the Council's reasonable costs~~

~~Land Drainage Act 1991~~

- ~~4.7. To serve Notices under S.25~~

- ~~4.8. Part II – Provisions for facilitating or securing the drainage of land~~

- ~~4.9. Part IV A – Environment and Recreation~~

- ~~4.10. Part V – Miscellaneous and Supplemental Authority to vary to the Multi-skilled Team and Tree Gang to meet service demands~~

~~Local Authorities Cemeteries Order 1977~~

- ~~4.11. Granting of burial rights and rights as to memorials and inscriptions (Article 10).~~

- ~~4.12. Keeping of the Registers of Burials (Articles 11 and 12).~~

- ~~4.13. Power to issue Court Proceedings~~

~~Local Government (Miscellaneous Provisions) Act 1976~~

- ~~4.14. Power of Local Authorities to deal with dangerous trees (S.23)~~

~~Public Health Act 1936~~

- ~~4.15. To require culverting of water courses and ditches (S.262) and S.287 – power to enter premises~~

~~Public Health (Control of Disease) Act 1984, S. 46~~

- ~~4.16. To cause to be buried or cremated the body of any person found dead where it appears that no suitable arrangements for the disposal of the body are being made.~~

~~Scrap Metal Dealers Act 2013~~

- ~~4.17. The Director Environmental Services in consultation with the Chairman and Vice Chairman of the Licensing and Enforcement Committee may in accordance with the Scrap Metal Dealers Act 2013:~~

- ~~•authorise the issue, service and cancellation of closure notices;~~
- ~~•authorise the application to court for closure orders;~~
- ~~•authorise the service, enforcement and termination of closure orders;~~
- ~~and~~
- ~~•authorise all court proceedings relating to appeals to the court and applications of discharge of closure orders.~~

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Costs

~~The Director Environmental Services may claim for costs in relation to applications to the court in respect of closure orders under the Scrap Metal Dealers Act 2013~~

Delegated Powers

- ~~4.18. Letting of allotments under the control of the Council.~~
- ~~4.19. Authority to agree fees and charges for Greenspace Services within the Council's overall policy and Financial Guidelines.~~
- ~~4.20. To place an order for a replacement vehicle immediately a vehicle is written off and a supplementary capital vote be approved in respect of such expenditure.~~

Bylaws

- ~~4.21. Authority to implement and enforce the Council's Bylaws in relation to Good Rule and Government, Pleasure Grounds and Open Spaces, West Beach Local Nature Reserve, The Brooks Local Nature Reserve, Seashore and Promenades, Seaside Pleasure Boats and Navigation of Sailboards and any revisions to the aforementioned~~

Contracts and Environment

- ~~4.22. The Director Environmental Services is responsible for:~~

- ~~• Car Parking including Civil Parking Enforcement~~
- ~~• Cleansing and Waste Management~~
- ~~• Environmental Health including:

 - ~~○ Corporate Health and Safety~~
 - ~~○ Dog Wardens~~
 - ~~○ External Health and Safety~~
 - ~~○ Food Safety~~
 - ~~○ Licensing~~
 - ~~○ Pollution~~
 - ~~○ Port Health~~~~
- ~~• Foreshores~~
- ~~• Leisure Management~~

~~In addition to those delegated powers in Part 4 Section 1, the Director of Environmental Services shall have the following delegated powers unless otherwise stated.~~

~~4.23. To authorise suitably experienced or qualified officers who shall have, save for reservations listed below, the range of powers set out below. The powers referred to shall not include the following:~~

- ~~• Powers where an individual officer is required by law to hold a relevant qualification and he or she does not hold that qualification.~~
- ~~• Powers which fall outside the individual's actual authority as determined by his/her post or are not covered by an instruction issued by or on behalf of the Head of Environmental Services.~~
- ~~• Any other situation where an individual officer is prevented, for whatever proper reason, from exercising such a power.~~
- ~~• Powers to authorise civil or criminal proceedings.~~

~~4.24. The powers that may be exercised are any which are permitted by law in relation to the particular topics covered by the legislation referred to in the table in Paragraph 1.5 below and shall include, but not be limited to, the service (which term includes signature and issue) of notices, and the power to exercise any statutory (or common law) powers including, but not limited to require name and address, entry, search and seizure, conferred by the legislation referred to below. This legislation will be deemed to include subordinate legislation, i.e. regulations, order and bye-laws etc., made (or treated as made) there under. Such powers will also extend to legislation (primary and subordinate etc.) not referred to in the table in Paragraph 1.5 below, always provided that the officer is not excluded by virtue of any reservation set out in the preceding paragraph.~~

~~4.25.~~

~~Proper Officer Powers~~

~~The Council has appointed the Health Protection Unit Consultant in Communicable Disease [the Consultant] to act as Proper Officer when dealing with these powers.~~

~~4.26. To assist the Consultant (or his/her 'alternate') in receiving and forwarding information about notifiable disease within the area.~~

~~Power to appoint Proper Officers etc.~~

~~4.27. To appoint Proper Officers and Alternative/Deputy Proper Officers pursuant to the following legislation:~~

- ~~• Public Health (Control of Disease) Act 1984 (power to act in relation to notifiable disease and related matters)~~
- ~~• National Assistance Act 1948 and National Assistance (Amendment) Act 1951 (power to deal with persons in need of care and attention)~~
- ~~• S. 61 of the Public Health (Control of Disease) Act 1984~~

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- ~~(Power of Entry) and the Public Health (Infectious Diseases) Regulations 1988~~
- ~~Public Health (International Trains) Regulations 1994~~

~~Review of Decision to seek Absolute Possession of a dwelling house where there has been a prescribed anti-social behaviour.~~

~~4.28. In the absence of the Director of Customer Services — to carry out a review of the Council's decision to seek possession under the mandatory ground where there has been prescribed anti-social behaviour (along with the Resources Director and Deputy Chief Executive, and Director of Planning and Economic Regeneration)~~

~~4.29. The following is a list of the legislative powers in alphabetical order. The delegated powers relating to the legislation as listed are detailed in the following paragraphs and may be delegated to authorised and suitably qualified officers in this service. In the absence of a suitably qualified officer in this service, the power may be delegated to a suitably qualified officer in another service of this Council.~~

Legislative Powers in alphabetical order:	
Animal Boarding Establishments Act 1963	Hypnotism Act 1952
Animal By-Products (Enforcement) (England) Regs 2011	Licensing Act 2003
Animal Health & Welfare Act 1984	Local Government Act 1972
Animal Health Act 1981	Local Government & Housing Act 1989
Animal Welfare Act 2006	Local Government (Misc Provisions) Acts 1976; 1982; 1989
Anti-Social Behaviour Act 2003	Local Services (Operations by Taxis) Regs 1986
Anti-Social Behaviour, Crime and Policing Act 2014	Noise Act 1996
Breeding & Sale of Dogs (Welfare) Act 1999	Noise & Statutory Nuisance Act 1993
Breeding of Dogs Act 1973 1991	Official Controls (Animals, Feed and Food)(England) Regs 2006
Caravan Sites & Control of Development Act 1960 as amended by the Mobile Homes Act 2013	Official Feed & Food Controls(England)Regs 2009
Caravan Sites Act 1968 as amended by the Mobile Homes Act 2013	Offices, Shops & Railway Premises Act 1963
Clean Air Act 1993	Pet Animals Act 1951 (As Amended)
Clean Neighbourhoods & Environment Act 2005	Plant Protection Products Regulations 2011

Control of Dogs Order 1992	Police & Factories (Misc Provisions) Act 1916
Control of Pollution Act 1974,	Pollution Prevention and Control Act 1999
Dangerous Dogs Act 1991 (As Amended 1997)	Public Health Acts Amendment Act 1907
Dangerous Wild Animals Act 1976	Public Health Acts 1875,1984
Deer Act 1991	Public Health (Control of Disease) Act 1984
Dogs Act 1871	Public Health (Ships) Regulations 1979
Dogs (Fouling of Land) Act 1996	Refuse Disposal (Amenity) Act 1978
Environment Acts 1985, 1995	Riding Establishments Acts 1964, 1970
Environmental Protection Act 1990 (As Amended)	Scrap Metal Dealers' Act 2013
Environmental Protection (Duty of Care) Regs 1991	Sea Fisheries (Shellfish) Act 1967
European Communities Act 1972	Sunbeds (Regulation) Act 2010
Food Hygiene (England) Regulations 2006	Sunday Trading Act 1994
Food Safety Act 1990	Town and Country Planning Act 1990
Gambling Act 2005	Town Police Clauses Acts 1847 and 1889
General Food Regulations 2004	Trade in Animals & Related Products Regs 2011
Guard Dogs Act 1975	Transport Acts 1981, 1985
Health Act 2006	Vehicles Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1996 (as amended)
Health & Safety at Work Etc Act 1974	Water Act 1989
Health Protection (Local Authority Powers) Regs 2010	Water Industry Act 1991
Health Protection (Part 2A Orders) Regulations 2010	Zoo Licensing Act 1981
House to House Collections Act 1939	

~~4.30. Without prejudice to the generality of the above table, officers covered by the above delegation will exercise the delegated powers listed below. All of these powers are also exercisable by the Director of Environmental Services and where indicated only by her.~~

~~Anti-Social Behaviour, Crime and Policing Act 2014~~

~~4.31. To authorise officers and action to stop noise nuisance including power to close licensed premises in accordance with the above legislation, for closure orders for 24 hours, where a public nuisance is being caused by noise and to issue fixed penalty notices in respect of night noise offences.~~

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Clean Air Act 1993

- ~~4.32. To approve arrestment plant in relation to smoke, grit, dust & fumes control (S. 6 & 8).~~
- ~~4.33. To serve Notice regarding measurement of grit, dust and fumes (S. 10).~~
- ~~4.34. To approve chimney heights (S.14).~~
- ~~4.35. To serve notification of offences (S.51)~~

Clean Neighbourhoods and Environment Act 2005

- ~~4.36. To authorise officers and action to deal with noise nuisance and nuisances in respect of light pollution and insects.~~
- ~~4.37. To draw up and enforce dog control orders, authorising officers to perform these functions as appropriate and including the power to issue Fixed Penalty Notices as an alternative to prosecution, where considered appropriate~~
- ~~4.38. To authorise officers to collect and deal with stray dogs in line with Council policies.~~
- ~~4.39. To authorise officers to issue fixed penalty notices and take any other action, under the Act.~~
- ~~4.40. To issue fixed penalty notices and take enforcement action in respect of noise, graffiti, fly posting, free literature distribution, nuisance and abandoned vehicles, dogs, waste registration transfer and tipping offences under S.s 4, 18 to 27, 33, 35, 36, 40, 41, 42, 43, 44, 53, 59, 60, 61, 83 and 105, including the amendments made by the above S.s to the Environmental Protection Act 1990 and other primary and secondary legislation.~~
- ~~4.41. To produce and, if approved by Full Council, administer dog control orders under Part 6.~~
- ~~4.42. To draw up for approval by Full Council alarm notification areas under S. 69 to 76~~
- ~~4.43. To have power of entry in relation to alarms under S.s 77 to 80~~
- ~~4.44. To investigate and take enforcement action for offences concerning the selling and repairing of vehicles on a road under S.s 3 and 4.~~

Control of Pollution Act 1974 (amended by Noise & Statutory Nuisance Act 1993)

- ~~4.45. To serve Notice to control noise on construction sites (S.60).~~

- ~~4.46. To serve Notice to give prior consent and impose conditions regarding construction sites (S.61).
Dogs (Fouling of Land) Act 1996~~
- ~~4.47. To issue Fixed Penalty Notices as an alternative to prosecution, where considered appropriate.
Environment Act 1995 Part IV~~
- ~~4.48. To discharge powers and duties in carrying out the review, assessment, designation of air quality management areas.~~
- ~~4.49. To appoint Inspectors under S. 108 of the Act.
Environmental Protection Act 1990 (as amended)~~
- ~~4.50. To serve Notice under S.80 requiring the abatement of nuisance or restricting its occurrence or recurrence.~~
- ~~4.51. To exercise any other powers and serve any other Notices under the Act.~~
- ~~4.52. To defer duty to serve abatement notices under S. 80(2) (as amended by S. 86 Clean Neighbourhoods and Environment Act 2005)~~
- ~~4.53. In consultation with the Chairman of the Licensing and Enforcement Committee, to instigate proceedings within 28 days following seizure of equipment under the Noise Act 1996. (see Paragraph 6.155)~~
- ~~4.54. To manage all aspects of domestic, commercial, industrial and other waste collection including waste minimisation and recycling.~~
- ~~4.55. To manage all aspects of street sweeping, beach cleaning and litter collection.~~
- ~~4.56. To manage all aspects of public convenience maintenance and cleaning.~~
- ~~4.57. To remove controlled waste from any land and recharge to the owner of the land any expenses reasonably incurred in connection with the clearing of that land.~~
- ~~4.58. To investigate and tackle fly-tipping, including the ability to stop, search and seize vehicles suspected of being used to fly-tip waste~~
- ~~4.59. To pursue offences of leaving litter in public places, land under the Litter Authority's control, places to which the public have access, certain land under the control of statutory undertakers or educational institutions which are open to the air, highways, and land designated a litter control area under S. 90.~~
- ~~4.60. To issue fixed penalty notices under S. 88 with respect to an offence under S. 87.~~

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~~4.61. To serve street litter notices to prevent the accumulation of refuse in or around any street or open land adjacent to any street.~~

~~Food and Environment Protection Act 1985~~

~~4.62. To be able to authorise as Enforcement Officers such Members of the Services Professional and Technical Support staff who are deemed to have suitable qualifications in respect of S19 of the Food and Environment Protection Act 1985, as amended by the Pesticides (Fees and Enforcement) Act 1989.~~

~~4.63. To issue and sign written instruments of appointment under the Act and Regulations.~~

~~4.64. To grant Authorised Officers the power to sign and serve Notices under S.19.~~

~~4.65. To grant to authorised officers, the power to sign and serve Notices under Part III and to carry out any other duties and powers under the Act.~~

~~4.66. For all such authorised officers to carry out any duties and powers under the Act.~~

~~Food Safety Act 1990 (As amended)~~

~~4.67. Any Orders or Regulations made under the above Act or relating to the Act having effect by virtue of the European Communities Act 1972~~

~~4.68. Any modification to, or replacement of the Act.~~

~~4.69. To register premises covered by Regulations made under S.~~

~~4.70. To appoint such members of the Environmental Health professional and support staff deemed to have suitable qualifications under S.5(6).~~

~~4.71. To appoint suitable specialists under S. 32(4) of the Act.~~

~~4.72. To appoint Public Analysts.~~

~~Health Act 2006~~

~~4.73. To authorise officers to issue fixed penalty notices and take any other action under the provisions of Part1, S.1 to12 (inclusive) and Schedules 1-2.~~

~~Health and Safety at Work Etc Act 1974~~

~~4.74. To appoint Professional and Technical Support Staff who are deemed to have suitable qualifications, as Inspectors under S.19 and for those officers to exercise all statutory powers laid down in the Act in particular those in S.20, 21, 22, 25, 38 & 39.~~

~~4.75. To sign and issue written instruments of appointment for all persons appointed under the above.~~

~~4.76. For all properly appointed staff to exercise all powers laid down under the Act.~~

~~Licensing Act 2003~~

~~4.77. Issue, vary, suspend or revoke premises and/or personal licenses issued under the Licensing Act 2003 as delegated by the Licensing and Enforcement Committee and to ensure compliance with licence conditions.~~

~~4.78. Issue, vary and transfer licences and certificates that have no outstanding representation under Parts 3, 4,5, 6 and 12 Licensing Act 2003~~

~~4.79. Enter and inspect premises under S.s 59,96,97,179 and 180 Licensing Act 2003~~

~~4.80. Investigate offences under Part 7 and Schedule 4 Licensing Act 2003.~~

~~4.81. Exercise such powers under the Licensing Act 2003 as may be delegated by the Licensing and Enforcement Committee.~~

~~4.82. Issue licences, permits and relevant authorities for which there are no outstanding representations under Part 8 and 9 Gambling Act 2005.~~

~~4.83. Investigate offences under S.s 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57,58, 59, 242, 243, 258, 259, 260, all of Part 15 and S.s 330 and 331 Gambling Act 2005.~~

~~4.84. Grant but not refuse applications for Licences under the Animal Boarding Establishments Act 1963 and Breeding of Dogs Act 1991.~~

~~4.85. To appoint veterinary practitioners to inspect and report upon premises requiring a Licence.~~

~~4.86. Grant but not refuse Licences under the Pet Animals Act 1951 and Riding Establishments Acts 1964 and 1970.~~

~~4.87. Grant but not refuse Licences under the Dangerous Wild Animals Act 1976.~~

~~4.88. Grant but not refuse non-contentious applications or renewals/variations for street trading and acupuncture, tattooing, ear piercing and electrolysis under the Local Government (Miscellaneous Provisions) Act 1982.~~

~~4.89. Grant but not refuse Licences under the Zoo Licensing Act 1981.~~

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- ~~4.90. Act as authorised officers for the purposes of gaining entry for inspection of premises under the Cinemas Act 1985 and the Local Government (Miscellaneous Provisions) Act 1982.~~
- ~~4.91. To issue and refuse licenses under the Dairy Products (Hygiene) Regulations 1996.~~
- ~~4.92. To grant but not refuse consents or licenses in respect of street trading or pleasure boat use.~~
- ~~4.93. To determine requests to use special effects including real flame on stage (as amended by the Licensing Act 2003).~~
- ~~4.94. To grant, but not refuse, consent for performances of hypnotism under the Hypnotism Act 1952.~~
- ~~4.95. To grant but not refuse a Licence for Licensed Sex Establishments under the Local Government (Miscellaneous Provisions) Act 1982 and to inspect such establishments (as amended by the Licensing Act 2003).~~
- ~~4.96. To grant, but not refuse, applications for Street Collection Permits and House to House Collection Licences under the Police and Factories (Miscellaneous Provisions) Act 1916 and House to House Collections Act 1939.~~
- ~~4.97. To grant, but not refuse, applications for the registration of Pool Promoters.~~
- ~~4.98. To grant but not refuse non-contentious applications or renewals/variations for Caravan Site Licences under the Caravan Sites and Control of Development Act 1960.~~
- ~~4.99. To determine applications for the licensing of Scrap Metal Dealers under the Scrap Metal Dealers Act 2013, in accordance with Council policy.~~
- ~~4.100. To grant, but not refuse, applications for Hackney Carriage Drivers', Private Hire Drivers' and Private Hire Operators' Licences.~~
- ~~4.101. To determine applications for Hackney Carriage Vehicle Licences, in accordance with Council Policy.~~
- ~~4.102. To determine applications for Private Hire Vehicle Licences, in accordance with Council Policy.~~
- ~~4.103. The authority to suspend a Hackney Carriage and Private Hire Vehicle, Driver or Operator Licence where there are urgent reasons for immediate action, pending consideration of the matter by the Licensing and Enforcement Committee at the earliest opportunity.~~
- ~~4.104. To determine applications for Game Dealer's Licences under the Game Acts 1831 (as amended).~~

Local Government Act 1972

~~4.105. To serve all necessary Notices and to institute proceedings in respect of infringements of the Regulations from time to time relating to all On-Street and Off-Street Car Parking Places Orders directly (or by agency agreements) within the Council's control and arising there from, to authorise such members of his/her staff as he/she determines to appear and/or prosecute on the Council's behalf before the County Court or the Traffic Penalty Tribunal in pursuance of S. 223, without prejudice to the general authority under this Section delegated to the Resources Director and Deputy Chief Executive and others.~~

~~Local Government (Miscellaneous Provisions) Acts 1976 and 1982~~

~~4.106. To serve Notices requiring details of persons having an interest in property or land (S.16).~~

~~4.107. To serve Notices or undertake works under S.29 & 30 of the Local Government (Miscellaneous Provisions) Act, 1982.~~

~~4.108. To manage all aspects of the promenades and foreshores function.~~

~~4.109. To agree fees and charges for Contracts and Environmental Services within the Council's overall policy and Financial Guidelines.~~

~~Noise Act 1996~~

~~4.110. To seize noise making equipment following noise nuisance~~

~~Public Health Act 1936~~

~~4.111. To require the sweeping and cleansing of courtyards or passages used in common to ensure they are kept free from rubbish or other accumulations and power to recharge occupiers, served with notices in this respect, the costs and expenses reasonably incurred should the Council have to complete the work in default.~~

~~4.112. To serve notices and/or bring proceedings in respect of offences under S. 33 and S. 34 of the Environmental Protection Act 1990.~~

~~4.113. To exercise any other relevant powers & serve any other notice under the Amenities Environmental Protection Act 1990 where Arun District Council is the designated enforcing authority.~~

~~Public Health (Ships) Regulations 1979~~

~~4.114. To enforce and execute all the Regulations laid down.~~

~~Refuse Disposal (Amenity) Act 1978~~

~~4.115. All aspects of the management of trade refuse service~~

~~4.116. Service of Notice by the Local Authority on any person appearing to the Authority to be the occupier of land permitting the Council to remove accumulation of any refuse/rubbish~~

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- ~~4.117. All procedures relating to abandoned vehicles~~
- ~~4.118. Power to remove articles, other than vehicles, abandoned without lawful authority on land in the open air and recovery of costs from the owner who abandoned.~~
- ~~4.119. Power to bring proceedings in respect of offences of abandoning without lawful authority any matter on land in the open air (including highways).~~
- ~~4.120. Authority to agree fees and charges for Contracts and Environment Services within the Council's overall Policy and Financial Guidelines.~~
- ~~4.121. Authority to approve and amend conditions and recycling credit levels where there is no significant cost to the Authority (in consultation with the Cabinet Member for Environment & the Head of Finance and Property)~~
- ~~4.122. Authority to spend up to £10,000 in each instance to deal with isolated incidents of seaweed problems on beaches where it is considered action is urgently necessary. Amount subject to annual index linking (in consultation with the Cabinet Member for Environment).~~
- ~~4.123. Discretion to deal with the clearance of seaweed deposits at the time most suited to wind and weather conditions~~
- ~~Vehicles Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1996 (as amended)~~
- ~~4.124. Authority to implement and enforce those powers devolved from the Driver and Vehicle Licensing Agency (DVLA) relating to the provisions under the Vehicle Excise Duty, (Immobilisation, Removal and Disposal of Vehicles) Regulations 1996 (as amended) concerning the immobilisation, removal and disposal of vehicles.~~
- ~~Delegated Powers:~~
- ~~4.125. Legal proceedings for damages due to the Council and/or the recovery of debts owing to the Council (Heads of Finance, Housing Management, Revenues and Benefits and the Head of Legal and Administration and Monitoring Officer also have this power).~~
- ~~Bylaws~~
- ~~4.126. Authority to implement and enforce the Council's Bylaws in relation to Good Rule and Government, Pleasure Grounds and Open Spaces, West Beach Nature Reserve, Seashore and Promenades, Seaside Pleasure Boats and Navigation of Sailboards and any revisions to the aforementioned.~~
- ~~Car Parking~~

- ~~4.127. To maximise the use of the Council's car parking in relation to alternative uses.~~
- ~~4.128. To make suitable provision for disabled persons parking in appropriate places.~~
- ~~4.129. To write off irrecoverable excess charges, subject to a subsequent report to the Cabinet Member for Environmental Services of the total written off (in consultation with the Head of Finance and Property)~~

Other Delegated Powers

- ~~4.130. To suspend a Hackney Carriage and Private Hire Vehicle, Driver or Operator Licence where there are urgent reasons for immediate action, pending consideration of the matter by the Licensing and Enforcement Committee at the earliest opportunity (in consultation with the Chairman of the Licensing and Enforcement Committee).~~

Enforcement Panel

- ~~4.131. To convene an Enforcement Panel of senior officers from time to time to consider matters falling within the powers where enforcement action may be appropriate and to make recommendations for action upon them. A solicitor will be invited to attend such meetings to provide legal advice.~~

~~Principal Environmental Health Officers, in consultation with the Cabinet Member for Environmental Services shall have the following powers:~~

- ~~4.132. To refuse applications made under S.6, 8 and 14 of the Clean Air Act 1993.~~
- ~~4.133. To authorise the institution of civil proceedings so as to prevent the holding of any party without there being in force a Licence issued pursuant to the Licensing Act 2003.~~
- ~~4.134. To exercise powers of entry to inspect unlicensed premises where dog breeding is suspected.~~
- ~~4.135. Subject to also consulting with the Chairman of the Licensing and Enforcement Committee, to serve a notice on cinema licensees prohibiting the showing of a specified film until the consent of the Council has been obtained.~~
- ~~4.136. Subject to also consulting with the Chairman of the Licensing and Enforcement Committee to approve Local Certification of films that are capable of classification without difficulty and which are not likely to cause public concern.~~

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~~4.137. To issue, vary, suspend or revoke premises licences, permits, authorities or registrations issued under the Gambling Act 2005 as delegated by the Licensing and Enforcement Committee and to ensure compliance with licence conditions.~~

9.0 Changes to the Constitution re Item B

It is proposed that the following changes are made to the Constitution:

Part 2 Article 14 – Finance, Contracts and Legal Matters

Paragraph 14.3 Legal Proceedings

14.3.1 The Head of Legal and Administration and Monitoring Officer is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to Decisions of the Council or in any case where he/she considers that such action is necessary to protect the Council's interests, after consultation with:

- the relevant Head of Service within the Council or Chief Executive, or such other officer as may be delegated by them for this purpose and
- the relevant Cabinet Member where considered appropriate.
Such authorisation is without prejudice to any such powers which may be delegated to other officers elsewhere in this Constitution.

Part 3 – Responsibility for Functions

8.0 PANELS

Panels currently in operation as at April 2015 are:

Panel	Reporting to:
Assessment Panel	Informs Standards Committee
Assets of Community Value Panels	Inform Full Council
Chief Executive's Panels	(See Paragraph 8.7)
Dispensation Panel	Informs Standards Committee
Development Control Site Inspection Panel	Development Control Committee
<u>Enforcement Review Panel</u>	<u>Informs Licensing Committee</u>
Formal Staff Consultation Panel	Full Council

Housing Appeals Panel	None (full authority under deregulation of powers)
Staff Appeals Panel	(See Paragraph 8.6)
Staff Safety Panel	Formal Staff Consultation Panel or Full Council as appropriate
Statutory Officers' Investigatory and Disciplinary Panel	(see Paragraph 8.8)

8.4 Enforcement Review Panel

Membership of the Enforcement Review Panel.

8.4.1 Membership of the Panel shall be in accordance with the Council's Enforcement Policy for Environmental Health, Private Sector Housing and Environmental Amenities, as may be amended from time to time.

Functions of the Enforcement Review Panel

8.4.2 To receive and consider reports of cases where formal legal action is considered to be an appropriate course of action in accordance with the afore-mentioned Policy. To consider what, if any, action is appropriate and to provide authority for any such action.

8.4.3 To refer such decisions to the Licensing Committee for approval where the Panel considers such referral to be appropriate in the circumstances of the case.

10.0 Changes to the Constitution re Item C

It is proposed that the following changes are made to the Constitution:

Part 3 – Responsibility for Functions

Paragraph 4.3 Licensing Committee

The Committee shall be made up at least 10 but no more than 15 members and has the following functions:

4.3.1 All functions of the licensing authority for the Council under the Licensing Act 2003, Gambling Act 2005, and those relating to Licensing Authorisation and Registration as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, **including the power to delegate such functions as permitted by law or the Council's Licensing Scheme of Delegations to Sub-Committees and officers of the Council**

Part 3 – Responsibility for Functions

4— Licensing and Enforcement Committee

~~The Committee has 15 Members (no more than two of whom may also be Cabinet Members) and has the following functions:~~

~~4.3.2 All functions relating to Licensing Authorisation and Registration as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended from time to time, including enforcement.~~

4.3.2 Power to consider reports from Council officers and make decisions upon proposed enforcement action for individual cases falling outside Paragraph 4.3.2 where there has been a breach of legislation falling within the Council's powers and make recommendations upon such cases where the ultimate decision upon the enforcement, whether by prosecution or otherwise, is to be taken by a Cabinet Member. where the circumstances of a particular case are considered, in the discretion of the Enforcement Review Panel, to make it desirable for the Committee to do so.

~~4.4.1. All functions under the Licensing Act 2003 and Gambling Act 2005 and power to take all necessary steps to prepare for their taking effect.~~

~~4.4.2. Power to delegate functions under the Licensing Act 2003 and Gambling Act 2005 to officers of the Council.~~

~~4.4.3. Power to delegate functions under the Licensing Act 2003 and Gambling Act 2005 to a Sub-Committee.~~

4.3.3 To make amendments to the Officer Scheme of Delegation insofar as they relate to the functions falling within the remit of the Committee.

4.3.4 No Member can serve on this Committee in any capacity unless all of the required training determined to be necessary by the Director of Environmental Services in consultation with the Cabinet Member for Environmental Services has been undertaken.

4.3.5 Licensing Sub-Committees and officers shall have delegated powers as set out in the Licensing Scheme of Delegations at Part 4 Section 4 paragraph 1 of this Constitution

Part 3 – Responsibility for Functions

5.6 Licensing Sub-Committee

The Licensing Sub-Committee reports to the Licensing Committee. It will meet as and when convened by the Licensing Team Manager or other officer acting on his or her behalf and will consist of three members drawn from the Licensing Committee. The Sub-Committee is not required to be politically balanced.

5.6.1 Subject to all the provisions applying to delegations, the Licensing Sub-Committee shall have all the Council's powers and duties for:

- **Deciding applications for all licences, permissions and associated matters, under the Licensing Act 2003, Gambling Act 2005 and all functions of the licensing authority relating to Licensing Authorisation and Registration as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, where representations or objections have been received but which cannot be resolved by mediation or any other way permitted by law and where any decision has not been delegated to an officer by the Licensing Scheme of Delegations, statute or otherwise.**
- **Deciding applications for the variation, suspension or revocation of all such licences, permissions and associated matters, under the legislation mentioned**

in the paragraph above save those which can be resolved by mediation or any other way permitted by law or by delegation to an officer by the Licensing Scheme of Delegations, statute or otherwise.

Part 4 Officer Scheme of Delegation

Section 4 – Functions

1.0 LICENSING SCHEME OF DELEGATIONS

Pursuant to Paragraphs 4.3.5 and 5.6 of Part 3 of the Constitution;

1.1 Subject to Paragraph 1.3 below, an authorised officer may determine all applications, renewals, variations, transfers and other matters in respect of any licences, permissions, registrations and approvals under, and so far as is required or permitted by any legislation, policy or scheme of delegations of the Council.

1.2 The legislation referred to above shall include, but not exhaustively,

- i. The Licensing Act 2003**
- ii. The Gambling Act 2005**
- iii. All legislation specified in Schedule 1 of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000.**

1.3 Where;

- i. The Council receives any objection, adverse representation or information concerning any of the above mentioned matters, and**
- ii. Such objection, representation or other matter cannot be resolved in such a way as is permitted by law, Council policy or scheme of delegations the matter will be referred to the Licensing Sub-Committee for determination.**

1.4 An authorised officer may refuse to renew, or may suspend, revoke or take any other such action against any licence, permission, registration or approval as permitted by law or such Council policy as is consistent with law.

1.5 Without prejudice to the generality of the afore-going provision, an authorised officer may refuse to renew, suspend or revoke a Hackney Carriage or Private Hire Vehicle Driver's Licence, save that the determination of any such action will be referred to the Licensing Sub-Committee where:

- **That action is likely to present a departure from any Hackney Carriage or Private Hire Vehicle Licensing Policy adopted by the Council, or**
- **The officer deems it proper to do so for any other reason.**

213. **MATTERS RELATING TO JOINT ARRANGEMENTS**

There were no items for this meeting.

214. **MOTIONS**

Councillor Dr Walsh formally proposed his Motion which had been received in accordance with Council Procedure Rule 12.1 – as set out below:

“This Council notes with concern the increasing health crisis across Arun. This Council notes in particular the failure of health bosses at Coastal West Sussex CCG and NHS England over several years to progress plans for the location of general practice services to the Morrison's site in Wick, which has now led to one practice in Littlehampton giving notice of closure, as well as the absence of any plans for the old Littlehampton hospital site. This Council further notes the increasing demand and pressure on existing practices as a result of current and planned house building across the Arun area.

This Council therefore resolves to immediately call on Coastal West Sussex CCG to set up, as a matter of urgency, a joint task group with Arun District Council and other relevant stakeholders to expedite the delivery of the long promised improved general practice, mental health and outpatient facilities in the East Arun Area. This Council further resolves to authorise the Chief Executive of Arun District Council to urgently communicate these requests on behalf of the Council.”

Councillor Dr Walsh outlined that it was with great sorrow that he had felt the need to table this Motion but that the issue was that the state of medical provision in the east of the Arun District had now reached a critical point. The decline of medical services had commenced 12 years ago when the Littlehampton Community Hospital had been demolished. Despite promises being made to rebuild it, in a matter of months, the contract for this work had been cancelled and no promises from the NHS had been made since. Alongside this, all attempts to talk to people in Littlehampton and

in the east of Arun had led to the further decline of services. An example of this was Pepperville House where the Lease on this building had expired last year, there were no plans confirmed to replace this facility. The Littlehampton Health Centre was now 50 years old and it had been acknowledged that the building had reached the end of its life, however, again there were no plans confirmed to replace it or the services within it. The Zachary Merton Hospital in Rustington had been acknowledged in two reports as having reached the end of its fabric life and again there was no forward plan in place for its replacement. Also, last year the short-term contract for 20 hospital beds at Darlington Court had also been cancelled by the NHS. Councillor Dr Walsh outlined that the situation with the Morrison's site at Wick had other major implications for Arun.

Councillor Dr Walsh stated that despite the eastern part of Arun having unsuitable or insufficient services, over many years, NHS England and the NHS Property Trust had not progressed anything towards the medical centre at the Morrison's site and so this had contributed to the decision being made by the Arun Medical Group's East Street surgery giving notice of closure. This announcement had inflicted a great deal of anxiety onto the 7,500 patients in the area who now needed to be relocated. This problem had also been exasperated by the fast growing population in Littlehampton and Angmering which saw infrastructure provision massively lagging behind the facilities required by residents. Councillor Dr Walsh stated that the time had now come for the Council to take the initiative to help deliver what was so needed in terms of medical facilities in the area.

To address all of the problems highlighted above, the Motion called upon this Council to start negotiations and to press for tangible progress in these matters otherwise it was felt that the Council was neglecting its duty to its residents. Councillor Dr Walsh hoped that the Council would support the Motion and that it would lead to some sort of reinjection of urgency to get the Coastal Commission Group (CCG) and other stakeholders to press for a rapid resolution to this problem, hopefully resulting in receiving some confirmation of plans, a timetable and funding in place to have these facilities provided in a timely manner.

Councillor Purchase then seconded the Motion.

In discussing the Motion, Councillor Mrs Brown agreed that it did raise some pertinent issues on the health needs in the greater Littlehampton area and as some of the local health services had been unsuitable and insufficient for a number of years. She acknowledged that as the population grew, this was making the situation progressively worse. Councillor Mrs Brown confirmed that she wholly concurred with many elements of this Motion as she felt that local residents had been badly let down by the NHS nationally and at a regional and county wide level, especially since the Littlehampton

community hospital had closed. She confirmed that the Council, with the support of all political groups, had been unwavering in its support for both rebuilding the community hospital and getting significant improvements to the health services provided locally for residents. Councillor Mrs Brown advised that the CCG had only become responsible for the commissioning of primary care in April 2016 and since then they had immediately commenced work to bring the Morrison's site into fruition with the Arun Medical Group moving to this new site.

Clearly, the unexpected announcement by the Arun Medical Group to end its contract with the CCG had created an immense issue for the CCG; other local practices; and more importantly the 7,200 patients who now had to be dispersed across other local practices. Despite this, Councillor Mrs Brown, outlined that she did not believe asking the CCG to set up a joint task group with the Council would be necessary or helpful at the moment. She felt that this would merely distract the CCG from finalising and approving their business case for this essential medical centre and securing revenue to deliver a new surgery. Councillor Mrs Brown confirmed that the Council's Officers had been working closely with the CCG over the year to deliver this new surgery and to deliver new facilities and services on the current health centre and old hospital site. Councillor Mrs Brown added that the Council had always put its firm support behind the needs of these patients in this area which was why this was one of the Council's top priorities "to support residents if they need help". To ensure that the Council could continue to help deliver these vital changes, Councillor Mrs Brown anticipated to be in a position soon to recommend to her Cabinet that the Council agree, subject to the business case being acceptable to the Council, to invest the necessary capital funds to make this happen. This would be on the basis that the CCG agreed with the Council the terms for the rental and other essential matters to such an investment for the total refurbishment of the new surgery to occur.

Based on this, Councillor Mrs Brown confirmed that she wished to propose an amendment to the second paragraph of the Motion to read as follows:

[any deletions to the Motion are shown using ~~strikethrough~~ and any additions are shown in **bold.**]

"This Council therefore resolves to immediately call on Coastal West Sussex CCG to **work with Officers of this Council to** ~~set up, as a matter of urgency, a joint task group with Arun District Council and other relevant stakeholders~~ expedite the delivery of the long promised improved general practice, mental health and outpatient facilities in the East Arun Area. ~~This Council further resolves to authorise the Chief Executive of Arun District Council to urgently communicate these requests on behalf of the Council.~~"

This amendment was seconded by Councillor Wensley.

Before debate on the amendment was invited by the Chairman, Councillors Dr Walsh and Purchase, as the proposer and seconder to the Motion confirmed that they were happy to accept this amendment.

Debate on the amended Motion saw Councillors speaking in support of it. This was because it was recognised that the residents of the greater Littlehampton area had been badly let down over and over again by the NHS and for far too long. In view of the growth in housing numbers, coupled with an increasing ageing population, it was accepted that it was essential for the Council to now step in and to find a solution to this crisis.

Comments were made that although there had been articles in the local press identifying how the CCG and local practices may be dealing with this, using the Morrison's site, it was felt that the CCG and practices should provide additional publicity to residents on the way forward as they needed a level of assurance that this crisis would be dealt with quickly. It was felt that the Council should also assist in keeping residents informed as to what the position was.

In concluding the debate, Councillor Mrs Brown thanked Councillor Dr Walsh for bringing this Motion to the Council and for accepting her amendment. It was agreed that this urgent matter needed cross-party Council support and she thanked the Council's Officers for their intensive work in putting the business case together with the offer of capital funding.

Councillor Purchase, as seconder to the original Motion, confirmed that he was glad that the Council had decided to take a positive lead to get these urgent issues resolved.

Councillor Dr Walsh, as proposer to the original Motion, stated that he was grateful to the Leader of the Council for putting forward the amendment as this confirmed how this Council would ensure that action would be taken to enable the Morrison's site to go forward as a primary health service provider.

Having been put to the vote, the Motion, as amended, was declared CARRIED.

The Council therefore

RESOLVED – That

(1) It notes with concern the increasing health crisis across Arun and notes in particular the failure of health bosses at Coastal West Sussex CCG and NHS England over several years to progress plans for the location of general practice services to the Morrison's site in Wick, which has now led to one practice in Littlehampton giving notice of closure, as well as the absence of any plans for the old Littlehampton hospital site. This Council further notes the increasing demand and pressure on existing practices as a result of current and planned house building across the Arun area; and

(2) The Council therefore to immediately call on Coastal West Sussex CCG to work with Officers of this Council to expedite the delivery of the long promised improved general practice, mental health and outpatient facilities in the East Arun Area.

(During the course of the discussion on this item, Councillor Dr Walsh declared a Personal Interest as a West Sussex County Councillor and in his capacity as Vice-Chairman on the County Council's Health and Adult Social Care Committee (HASC). Councillor Purchase also declared a Personal Interest as his wife was employed by the West Sussex NHS Trust as a community midwife).

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

Notice of a question had been received from Councillor Purchase to the Leader of the Council, Councillor Mrs Brown, in relation to public Conveniences. The detail of the question asked and the response provided can be found at the back of these minutes.

216. COMMITTEE MEMBERSHIPS

The Council noted the following changes to Committee Memberships:

- Councillor Charles had replaced Councillor Cooper as the Chairman of the Local Plan Sub-Committee; and
- Councillor Wheal had replaced Councillor Mrs Harrison-Horn as a Member of the Overview Select Committee.

Full Council – 14.09.16

217. REPRESENTATION ON OUTSIDE BODIES

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

(The meeting concluded at 6.47 pm).

COUNCIL MEETING – 14 SEPTEMBER 2016

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

Q1: Councillor Purchase to the Leader of the Council, Councillor Mrs Brown

Q1 At the last Full Council, the Leader suggested that “toilets are not a frontline service”. However, she will be aware there has been significant public outcry following the draft strategy paper that Arun District Council released, which outlined options for a number of toilets across Arun to be either closed or to have their opening hours reduced. The Leader will also be aware that this strategy paper was heavily amended by the Environment and Leisure Working Group, who were extremely dissatisfied with the proposals, and called for consultation with the Parishes and to investigate other options for keeping as many toilets open as possible, including the introduction of community toilets, for example. Does the Leader still believe that public toilets are not a frontline service? Secondly, in the scenario that some Parishes are unable to take over the running costs of individual toilets, will she and her Cabinet do all they can to ensure that no residents are caught short, and that no toilets are closed and that all toilets are properly invested in, going forward?

A1 Perhaps I could remind Councillor Purchase that providing toilets is not a statutory duty of this Council.

However, I strongly believe that this Council should seek to protect and improve the quality of vital public conveniences in key areas in order to support our priorities for encouraging tourism and regeneration within the District, which is what the Cabinet has agreed from the recommendations from the Working Group.

In the context of Arun’s 2020 Vision and in line with Council decisions made on 13 January and 20 July 2016, following numerous informal Member briefings, it was agreed that this authority must become smaller and more effective and as part of that there would be “fewer but better toilets”. It is imperative that we have a review of, and robust strategy for, our public conveniences.

This is why this Council has no option but to explore alternative options for certain sites.

This includes Parish & Town Councils taking responsibility for provision on a local level or other opportunities such as alternative provision within that area, or opportunities for commercial development with retained public conveniences.

Cabinet fully supports the consensus of the Working Group in seeking input from all the Parish & Town Councils implicated in our strategy, so that their views and ideas can be taken into account before any decisions are taken.

Cabinet has also agreed to significant investment in public conveniences over the next few years as part of the Council's Capital Project Prioritisation Budget.

This funding must be spent where it is most effective and most needed in line with our aim to deliver the best services we can afford. This will ensure that we increase the quality and accessibility and improve customer satisfaction in key public conveniences in the future.

SUPP

Q I thank Councillor Mrs Brown for her comments but need to raise two issues. Firstly, I need to declare a Personal Interest as a Member of Littlehampton Town Council and as a Member of the District Council's Environment & Leisure Working Group that considered this matter. Secondly, any vision proposal should be positive and forward looking. The Environment & Leisure Working Group asked for this Strategy to be looked at again and this needs to happen as I cannot accept that there are no other options that cannot be explored. Looking at communal toilets – these work in other authorities and so will the Leader of the Council agree that it is important to find other solutions to keep as many public conveniences open as possible and to ensure that these are properly funded.

SUPP

A As far as I am concerned, my first response makes it very clear that this Council, at its meetings held on 13 January and 20 July 2016, made decisions that the Council would run fewer but better public conveniences. This is what the Working Group is looking at. Since the Working Group first discussed this matter, Officers of this Council have met with Town and Parish Councils and all of the information received from these meetings will be collated and will be reported back to the Working Group in due course.

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DEVELOPMENT CONTROL COMMITTEE7 September 2016 at 2.30 p.m.

Present: Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Bower, Brooks, Charles, Dillon, Gammon, Hitchins, Maconachie, Mrs Oakley, Oliver-Redgate, Mrs Pendleton, Miss Rhodes and Wells.

[Note: Councillor Wells was absent from the meeting during consideration of the matters referred to in Minutes 189 (from Planning Application A/162/15/PL) to 192.]

Councillors Ambler and Mrs Rapnik were also present for part of the meeting.

186. DECLARATIONS OF INTEREST

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

Reasons

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

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

Councillor Mrs Pendleton declared a prejudicial interest in Agenda Item 7, Planning Application BE/93/16/PL, as she had spoken against the original application BE/142/15/OUT. She stated that she would leave the meeting during its consideration.

Development Control
Committee – 07.09.16

187. MINUTES

The Minutes of the meeting held on 10 August 2016 were approved by the Committee and signed by the Chairman as a correct record.

188. TREE APPLICATIONS

BR/160/16/T – Repollard to previous points to 2 No. Holm Oak trees & crown lift to a clearance of 5.2m over vehicular entrance to 1 No. Common Ash tree & 1 No. Silver Birch tree, Chipley Court, Hawthorn Road, Bognor Regis Having received a report on the matter and advice that the application had been submitted by the Council, the Committee

RESOLVED

That the application be approved as detailed in the report.

189. PLANNING APPLICATIONS

M/59/16/PL – 1 NO. REPLACEMENT DWELLING, 1 Deepdene Close, Middleton on Sea Having received a report on the matter, together with the officer report update detailing an additional letter of representation received, the Committee heard concerns from some Members that the proposal appeared to be overbearing and would be out of keeping in the locality. As a result it was suggested and agreed that the site inspection should take place and the Committee therefore

RESOLVED

That the application be deferred to enable the Site Inspection Panel to visit the site.

EP/63/16/PL – Demolition of existing hotel & erection of 9 No. dwellings with associated parking, Bradbury Hotel, Station Road, East Preston Having received a report on the matter, together with the officer's verbal update detailing a correction to the report that at page 39 under Conclusion (1) relating to financial contributions for accessible natural open green spaces should be deleted and (2) relating to no contribution towards public open space or children's play equipment should become (1), the Committee was also advised that, following a representation from a neighbour regarding a Tree Preservation Order on a nearby tree, the car parking area to the north would mean that the roots of that tree would require protection. It was therefore suggested that an additional condition should be placed on any approval to read:-

No development shall take place until details have been submitted to and approved by the Local Planning Authority demonstrating that the Root Protection Area of the adjoining protected Beech tree on the southern boundary will not be adversely affected by the development. The development shall proceed in accordance with the details so approved.

Reason: To ensure retention of the neighbouring preserved tree in accordance with policy GEN7 of Arun District Local Plan.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

(During the course of consideration of the following application, Councillor Mrs Pendleton declared a personal interest due to its connection to Planning Application BE/93/16/PL, to be considered next on the agenda. She remained in the meeting and took part in the debate and vote.)

BE/77/16/OUT – Outline application with all matters reserved for up to 50 residential units, landscaping, amenity space, car & cycle parking, roads, service & drainage infrastructure & other associated works. Departure from the Development Plan, Land West of New Barn Lane, Bersted Having received a comprehensive report on the matter, the Committee was advised by the Principal Planning Officer that it was considered that the proposal would not have a severe impact on the local highway network and that the Housing Strategy & Enabling Manager had agreed the affordable housing element of the scheme. An alternative access to the site would be considered under the next application on the agenda. He reminded the meeting that detailed design, road layout and landscaping were reserved matters and would be considered at another time. A written report update was circulated at the meeting which detailed amended site plans and a revised request for contributions from West Sussex County Council to take account of the tenure and housing mix.

In the course of discussion, a number of comments were made highlighting concerns as follows:-

- This site was not suitable for a strategic housing allocation as it eroded the strategic gap.
- Although the Environment Agency had no objection to the application, historically the area was prone to flooding.
- The road structure in the locality was already congested and it was difficult to get out onto the A259 – this development would exacerbate the situation.

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Further Member comment was made with regard to financial contributions relating to education and health; inadequate infrastructure. However, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Mrs Pendleton had declared a prejudicial interest and left the meeting and took no part in the debate or vote.)

BE/93/16/PL – Construction of new vehicular/pedestrian/cycle route onto New Barn Lane for residential purposes, New Barn Lane, Bersted, Bognor Regis Having received a report on the matter, the Committee also considered the officer's written report update relating to:-

- An amended recommendation to Approve, subject to conclusion of an acceptable Unilateral Undertaking which is delegated to the Director of Planning & Economic Regeneration.
- The conditions set out in the report and an additional two conditions relating to the protection of trees.

The Principal Planning Officer advised the Committee that the Unilateral Undertaking (UU) was a vital requirement. In its current form it required amendment to take account of legal points from the Council and West Sussex County Council. As set out in the report at page 78 under Conclusions, "the Council requires the Unilateral Undertaking to allow for the deliverability of both developments as Committee had approved BE/77/16/OUT.

The Committee was also advised that the road safety audit had not identified any issues of concern and the cycling route would not increase the number of vehicles using the road.

A concern was expressed with regard to the junction and it was suggested that the application be deferred to look again at this particular aspect. However, officer advice was given that that could not be revisited as approval had already been given to the original planning application. This application was trying to bring together the accesses for the two different sites into one, which was considered to be a sensible solution.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update, subject to conclusion of an acceptable Unilateral Undertaking, to be delegated to the Director of Planning & Economic Regeneration.

A/105/16/PL – Reconfiguration of existing car parking area for 1 No. flat with 5 No car barns below (resubmission following A/8/16/PL). This application affects the character & appearance of the Angmering Conservation area, Land at The Cottrells, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

190 PLANNING APPEALS

The Committee received and noted the planning appeals that had been received.

191. PLANNING REFUSAL A/162/15/PL – PROPOSED CAR SHOWROOM AND WORKSHOP WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING, LAND NORTH OF ROUNDSTONE BY PASS, ROUNDSTONE BYPASS, A259, ANGMERING FOR CAFFYNS LTD, AUDI

The Committee received a report from the Head of Development Control which required a decision in respect of an appeal that had been requested in relation to Planning Application A/162/15/PL. Advice had been received from Counsel to not defend the appeal and to accept the amended plans received as they represented an improvement over those originally submitted, upon which the refusal was based.

A written officer update was also circulated at the meeting which included the previous planning application committee report; advice from the Council's legal representative; and information that the appellant's agent had provided a written undertaking that, assuming recommendation 1a was accepted, they would be providing the proposed revised details to PINS requesting that the appeal be determined on the basis of this information.

The Planning Team Leader advised that the reasons for refusal could be overcome by condition, particularly as legislation was quite clear that approval could be granted. Counsel's view was that the appeal should be discontinued. Substantial costs would be incurred if the appeal went ahead, although the applicant had stated that no costs would be charged should the appeal be discontinued.

Development Control
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Following consideration, the Committee

RESOLVED – That

(1) the appeal not be defended; and

(2) the amended drawing be noted and the changes be endorsed as an improvement.

192. DEVELOPMENT CONTROL COMMITTEE – PROPOSED CHANGES TO PUBLIC SPEAKING FOR MAJOR APPLICATIONS

In the absence of the Head of Development Control, the Planning Team Leader presented this report which proposed an increase in the number of objectors/supporters able to speak on major applications from two to three persons under the Committee's Public Speaking rules. Major development was defined as the provision of 10 dwellings or 0.5 hectares or more; the provision of building/s where the floor space created by development was 1000 sqm or more or development carried out on a site of 1 hectare or more.

In discussing the matter, views were expressed that the change would not improve the process or improve performance. Also, if additional speakers were proposed for major applications that would create an inequality as other applications would not benefit by having an increased number of speakers objecting to or supporting those applications.

Following consideration, the Committee

RESOLVED

That the proposals not be accepted and the Public Speaking arrangements remain unchanged.

(The meeting concluded at 5.00 p.m.)

BOGNOR REGIS REGENERATION SUBCOMMITTEE

12 September 2016 at 6.00 pm

Present: - Councillors Hitchins (Chairman), Mrs Madeley (Vice-Chairman), Bence, Bower, Mrs Brown, Mrs Maconachie and D Maconachie.

8. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Ambler and Wells.

9. DECLARATIONS OF INTEREST

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

Reasons

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

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

There were no declarations of interest made.

10. MINUTES

The Minutes of the meeting held on 8 June 2016 were approved by the Subcommittee as a correct record and signed by the Chairman.

11. PLATFORM – A NEW CREATIVE DIGITAL HUB AT BOGNOR REGIS RAILWAY STATION

The Chairman was pleased to welcome to the meeting Mrs Carolyn Carr and Mrs Anne De Sausmarez from the Economic Growth Team at West Sussex County Council (WSSCC) who were in attendance to give a presentation on the creation of a creative digital hub at Bognor Regis railway station.

Mrs Carr outlined the context and role of the County Council in the development of this project and how an economic review had highlighted the economic challenges for the area. A commitment had been made to help address those challenges through sector based projects and interventions with opportunities for economic growth, and particularly the creative digital sector with a focus on the coast and initially Bognor Regis.

This project fitted in well with the recently approved University of Chichester's Engineering & Digital Technology Park and the new creative technology focus, with the potential to support and grow the community of creative digital businesses (around 7% of all businesses in Bognor Regis). It was also pleasing that Network Rail was supportive and negotiations were underway for the hub to be sited within unused space at the railway station, which would be part of the investment in the station refurbishment to be undertaken by Network Rail.

Members heard that the hub would provide:-

- ✓ Hot desking and collaborative workspace
- ✓ Support for business at all stages of the business lifecycle, with some targeted incubation support for start-ups
- ✓ Networking and collaboration activities
- ✓ Skills development and training events
- ✓ Shared activities and facilities with the University of Chichester Engineering & Digital Technology Park
- ✓ Engagement with local schools, colleges and community groups

Following questions from Members which were responded to at the meeting, the Chairman paid tribute to the enthusiasm and innovation of all the people involved in this exciting scheme. He thanked Mrs Carr and Mrs De Sausmarez for their interesting presentation.

12. POTENTIAL BOGNOR REGIS TOWN CENTRE BUSINESS IMPROVEMENT DISTRICT (BID)

The Chairman welcomed Mr Toyubur Rahman, Bognor Regis Town Centre Manager, to the meeting as he was in attendance to inform Members of the detail of process for Bognor Regis Town Centre Business Improvement District (BID).

Mr Rahman introduced the item by first explaining what a BID was, namely that it was “an arrangement whereby businesses get together, decide what additional improvements they want to make, how they are going to manage and deliver those improvements and what it will cost them. This all goes into a business plan which is then voted on by all those who would have to pay. The BID can last for a maximum of 5 years and must be able to demonstrate how it has benefited businesses which have funded it.” He then went on to highlight the advantages of the Bognor Regis BID as providing:

- A strong town centre business voice
- 5 years of funding security
- Time to plan properly
- More control by the levy paying members
- Every business contributes
- Chance to think big and do things differently chance to access more funding opportunities

He was pleased to advise that the funding for the development of the BID was being done in partnership with the District Council, Bognor Regis Chamber of Commerce, Bognor Regis Traders Association, the Town Council, Butlins and the University of Chichester.

The Town Centre Manager also provided the detail of legislation, role of the local authority, possible levy charges, potential BID area breakdown, the next steps in the process and the key dates leading up to a ballot in April/June 2017 and, if that ballot was successful, the launch of the BID in June/September 2017.

Following a question and answer session, the Chairman thanked Mr Rahman for a very interesting and informative presentation.

13. WEST SUSSEX COUNTY COUNCIL WORKING IN PARTNERSHIP TO REGENERATE BOGNOR REGIS

The Chairman welcomed to the meeting Mr Greg Ockwell from West Sussex County Council's Growth Team who was in attendance to advise Members of the work that was being undertaken to support the Bognor Regis Growth Programme.

Mr Ockwell was able to inform the Subcommittee that growth opportunities for the town encompassed

- Town Centre and seafront Regeneration potentially providing up to 200 homes and student accommodation; 4,000 sqm of employment space and between 100 and 400 jobs
- Enterprise Bognor Regis providing 108,500 sqm of employment space potentially providing 4,133 jobs.
- Public Realm improvement in the Town Centre
- Links to the University of Chichester growth and Bognor Bold Idea.

He confirmed that WSCC resource and funds would only be allocated where there was a clear understanding of how investment would support the delivery of growth outcomes. In Bognor Regis, WSCC investment could support wider investment to maintain a growth programme primarily relating to the delivery of the opportunities identified in developing Bognor Regis Investment Prospectus to achieve town regeneration. Work would be undertaken with Arun District Council officers to identify a clear delivery plan that would secure growth outcomes across Bognor around December 2016; strategic planning to be undertaken to prioritise support for progression of Arun's Local Plan; and a potential revenue contribution of £30k from the Strategic Economic Plan's reserve to support development of Bognor Regis Investment Prospectus.

The Chairman welcomed the close working that was taking place between the District and the County Council and further comment was made that a lot of work had gone into the Arun Place Plan so it was pleasing to see that both Councils were moving in the same direction and that a new, positive relationship was being developed.

The Chairman thanked Mr Ockwell for a very interesting and informative presentation.

14. BOGNOR REGIS REGENERATION POSITION STATEMENT

The Subcommittee received and noted the Bognor Regis Regeneration Position Statement.

(The meeting concluded at 7.30 p.m.)

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CABINET

19 September 2016 at 5.00 pm

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

Councillors L Brown, Clayden, Charles, Mrs Oakley and Wheal were also in attendance.

218. APOLOGY FOR ABSENCE

Apologies for absence had been received from the Chief Executive and Resources Director & Deputy Chief Executive.

219. DECLARATIONS OF INTEREST

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

Reasons

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

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

There were no declarations of interest made.

Cabinet – 19.09.16

220. MINUTES

The Minutes of the meeting held on 25 July 2016 were approved by the Cabinet as a correct record and signed by the Chairman.

221. BUDGETARY MONITORING REPORT TO 31 JULY 2016

In presenting this report, the Financial Services Manager highlighted key points from the Capital, Housing Revenue and General Fund Revenue budget performance to the end of July 2016.

The following key points were outlined:

- This was noted as the first report of the financial year 2016/17 and the budget against expected spends was on track.
- The General Fund variance against the budget profile was favourable with an underspend of £426k. It was noted that performance was slightly below June mainly due to the phasing of car parking virements and the payment of Long Service Awards.
- At the end of July there was an adverse variation against budget on Bed and Breakfast accommodation but the recovery rate went up to 27% since then. This was described as good in the current financial climate. It was noted that expenditure on bed and Breakfast accommodation would continue to be monitored closely due to demand led fluctuations.
- The expenditure on Long Service Awards was expected to be lower in the next financial year as will reduce and would be built into the base budget.
- Member's attention was drawn to the General Fund Reserve Movement outturn with supplementary estimates of £435K. The variance against the current budget meant that the outturn on the General Fund was anticipated to be neutral. The Financial Services Manager stated that a prudent view required supplementary estimates to be approved as current and one off budget variations could not be guaranteed to continue.
- It was noted that the Establishment Vacancy savings target was over achieving at £125k. This was above profile mainly due to the vacant posts in Planning and other parts of the Council.
- It was also noted that Income, HRA (Housing Revenue Account) Supervision and Management and the Capital Programme were on track.
- Members were informed of the risks associated with Capital Receipts. The Capital programme for the HRA development programme was slipping due to adverse weather conditions. A further update would be provided to Cabinet on this issue.

In discussing the report, there were a number of questions which were responded to at the meeting. Particular praise and thanks were given to the Payroll Manager for her long investigation and hard work to ensure the tax viability of the Council's Long Service Awards.

The Cabinet then thanked the Financial Services Manager for her report and considered the report's recommendations.

The Cabinet confirmed its decision as per Decision Notice C/014/190916, a copy of which is attached to the signed copy of the Minutes.

222. ARUN LEISURE CENTRE DUAL USE AGREEMENT

The Leisure & Voluntary Sector Manager and the Property & Estates Manager presented the report on the Review of Arun Leisure Centre's Dual Use Agreement which considered the agreement between West Sussex County Council, Felpham Community College and Arun District Council.

Members were informed that the Dual Use Agreement at the Arun Leisure Centre was 40 years old. The agreement was amended in 2009 with the named leisure operator and the school as party to the agreement. It was stated that further housekeeping measures, in line with the 2020 Vision, and to reflect the changes that had been made with a new leisure operating contract were required. The aim was to improve the effectiveness of the agreement and make efficiencies in the management of the centre and reporting structures.

Members were referred to the report's proposals that aimed to improve effectiveness and simplify the bureaucratic nature of the agreement resulting in administrative efficiencies for both Authorities. A further proposal was made to reduce the number of meetings from six meetings a year to three Officer meetings.

In discussing the report, Members welcomed the proposals that had been outlined. The Cabinet Member for Leisure & Amenities commented that he was pleased with the new agreement as it would enable Freedom Leisure to be more effective and would save time and resources for Arun District Council.

The Chairman then referred Members to the report's recommendations which were welcomed and supported by Cabinet. Members passed on their thanks to the Leisure & Voluntary Sector Manager and the Property & Estates Manager for their hard work in achieving this agreement.

Cabinet – 19.09.16

The Cabinet then confirmed its decision as per Decision Notice C/015/290916, a copy of which is attached to the signed copy of the Minutes, and

As recommended in the report, the Cabinet,

RECOMMEND TO FULL COUNCIL – That

- (1) changes to the Arun Leisure Centre reporting structure, in that the Management Board and the Joint Liaison Group are disbanded and replaced by one body called the Dual Use Officer Group, which deals with operational and maintenance issues and will submit an annual report to each party named in the Dual Use Agreement be accepted. The Annual Report be submitted to the Overview Select Committee for the purposes of scrutiny of the strategic and operational performance of the Arun Leisure Centre through the Dual Use Officer Group and decisions of the Cabinet Member for Leisure and Amenities;
- (2) delegated authority be given to the Cabinet Member for Leisure and Amenities to agree variations to the terms and conditions of the Dual Use Agreement to reflect the asset responsibility matrix submitted as part of the leisure operating contract. The Head of Legal and Administration and Monitoring Officer to amend the Constitution to include this delegated authority in Part 3 paragraph 3.7.2.9

223. MANAGEMENT AND MAINTENANCE OF COMMUNITY FACILITIES - POLICY SITE 6, FELPHAM

The Cabinet received a report from the Environmental Services Emergency Planning Manager on the Management and Maintenance of Community Facilities at Policy Site 6, Felpham.

Cabinet was asked to agree the transfer of the freehold and lease back of the community facility to Felpham Parish Council, a deed of agreement to transfer commuted sums to Felpham Parish Council of £61,135.50 and the drawing down of the following funding for expenditure:

- Public open space areas – £557,671.20
- Play area sums - £240,000
- Of which a sum of £39,883.56 to be used to extend the existing Site 6 POS post subject to gaining authority.
- Public arts sum - £32,660

- Other facilities - £32,552.50
- All of the above sums would be subject to indexation and approval to take account of this was additionally requested.

In discussing the report, Members welcomed the proposals that had been outlined. The Cabinet Member for Planning & Infrastructure stated that as Chairman of the Policy Site 6 Advisory Group he welcomed this result and was pleased that Felpham Parish Council would take over. Members agreed that this would provide a significant leisure facility for Felpham. The Cabinet commended the Environmental Services Emergency Planning Manager for his hard work in achieving this outcome following long and complicated negotiations.

The Chairman then referred Members to the report's recommendations which were fully supported.

The Cabinet then confirmed its decision as per Decision Notice C/016/190916, a copy of which is attached to the signed copy of the Minutes.

224. FUEL POVERTY CO-ORDINATOR & WEST SUSSEX FUEL POVERTY PROGRAMME

The Director of Planning and Economic Regeneration presented the report on the Fuel Poverty Co-Ordinator and West Sussex Fuel Poverty Programme. Cabinet was asked to agree the funding for continued delivery of initiatives to reduce fuel poverty in West Sussex. It was noted that this would enable the Council to continue to host the post of Fuel Poverty Co-Ordinator on behalf of organisations contributing to the West Sussex Fuel Poverty Steering Group.

In discussing the report, Members welcomed the continuation of the West Sussex Fuel Poverty Programme that had been supported by Arun District Council since it was first introduced in 2007, in line with the Council's priority of 'Supporting those who need our help'.

The Cabinet then confirmed its decision as per Decision Notice C/017/190916, a copy of which is attached to the signed copy of the Minutes.

225. JOINT AREA COMMITTEES

The Cabinet received and noted the Minutes of the meetings of the Joint Arun area Committees as follows:-

Joint Eastern Arun Area Committee – 14 June 2016
 Joint Western Arun Area Committee – 29 June 2016
 Joint Downland Arun Area Committee – 4 July 2016

Cabinet – 19.09.16

226. OVERVIEW SELECT COMMITTEE

The Cabinet received the Minutes of the meeting of the Overview Select Committee held on 26 July 2016. Recommendations had been put forward at Minute 159 – Feedback from West Sussex County Council's Joint Scrutiny Group's Joint Scrutiny Review on Housing Provision for Care Leavers.

In discussing the recommendations, it was pointed out that although the Council could support in respect of Arun's own policies and strategies, the implementation of some may require the agreement of partner organisations. It was agreed that the application of the proposed actions to areas outside of the Arun District would require the agreement of other Councils and partners to implement and the recommendations were amended to reflect this.

Following further consideration, the Cabinet confirmed its decision as per Decision Notice C/018/190916, a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 5.34 pm)

ARUN DISTRICT COUNCIL

**DECISION NOTICES FROM THE CABINET MEETING HELD ON
19 SEPTEMBER 2016**

REF NO.	DECISION
C/014/190916	Budget Monitoring Report to 31 July 2016
C/015/190916	Review of the Arun Leisure Centre Dual Use Agreement
C/016/190916	Management and Maintenance of Community Facilities – Policy Site 6 Felpham
C/017/190916	Fuel Poverty Co-Ordinator Post and West Sussex Fuel Poverty Programme
C/018/190916	Overview Select Committee Meeting 26 July 2016

**PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM
10.00 A.M. ON WEDNESDAY 28 SEPTEMBER 2016 UNLESS
THE CALL-IN PROCESS IS APPLIED**

REFERENCE NO: C/014/190916

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Budgetary Monitoring Report to 31 July 2016	
OFFICER CONTACT: Carolin Martlew, Financial Services Manager Extn: 37568 e.mail: carolin.martlew@arun.gov.uk	

EXECUTIVE SUMMARY: The budget monitoring report sets out the Capital, Housing Revenue and General Fund Revenue budget performance to the end of July 2016.

DECISION:

As recommended in the report Cabinet,

RESOLVED - That

- (1) the report in appendix 1 be noted;
- (2) a virement of £24k from the corporate vacancy allowance to fund staff long service awards be noted; and
- (3) a virement from the Housing Repairs of £140k for a stock condition survey be approved.

REASON FOR THE DECISION: To ensure that spending is in line with approved Council policies, and that it is contained within overall budget limits.

OPTIONS CONSIDERED BUT REJECTED: N/A

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/015/190916

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Review of the Arun Leisure Centre Dual Use Agreement	
OFFICER CONTACT: Robin Wickham, Leisure & Voluntary Sector Manager Extn: 37835 e.mail: robin.wickham@arun.gov.uk	

EXECUTIVE SUMMARY: This report reviews the Arun Leisure Centre Dual Use Agreement between West Sussex County Council, Felpham Community College and Arun District Council. The paper recommends changes to the maintenance, funding and reporting protocols.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED

That a direct payment from West Sussex County Council to Arun District Council in respect of the reimbursement of running costs previously paid to the leisure operator, to be reviewed at five yearly intervals be accepted.

As recommended in the report, the Cabinet,

RECOMMEND TO FULL COUNCIL – That

- (1) changes to the Arun Leisure Centre reporting structure, in that the Management Board and the Joint Liaison Group are disbanded and replaced by one body called the Dual Use Officer Group, which deals with operational and maintenance issues and will submit an annual report to each party named in the Dual Use Agreement be accepted. The Annual Report be submitted to the Overview Select Committee for the purposes of scrutiny of the strategic and operational performance of the Arun Leisure Centre through the Dual Use Officer Group and decisions of the Cabinet Member for Leisure and Amenities;
- (2) delegated authority be given to the Cabinet Member for Leisure and Amenities to agree variations to the terms and conditions of the Dual Use Agreement to reflect the asset responsibility matrix submitted as part of the leisure operating contract. The Head of Legal and Administration and Monitoring Officer to amend the Constitution to include this delegated authority in Part 3 paragraph 3.7.2.9

REASON FOR THE DECISION: The proposed changes need to be reflected in the Dual Use Agreement and agreed by all parties.

OPTIONS CONSIDERED BUT REJECTED: Not approve the proposals as set out in the recommendations and maintain the existing arrangements contained in the Dual Use Agreement (1976) and Supplemental Dual Use Agreement (2009).

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Management and Maintenance of Community Facilities – Policy Site 6 Felpham	
OFFICER CONTACT: Joe-Russell Wells Extn: 37914 e.mail: joe.russell-wells@arun.gov.uk	

EXECUTIVE SUMMARY: Following previous cabinet approval the principle of the freehold of the community building being transferred to Felpham Parish Council was established. This report provides further detail together with the leasing back of the changing facilities by ADC which are contained within the building. A commuted sum for the maintenance of the building and a sports facilities sum is in addition to be provided. All other facilities are being transferred to ADC together with agreed commuted sums for their maintenance. The commuted sum is to include a 5% management cost. This report seeks approval to complete the freehold transfer of the community building to Felpham Parish Council and to draw down the commuted sums together with the indexation, to enable the Council to fulfil its obligations under the terms of the S 106 agreement.

DECISION:

As recommended in the report, Cabinet,

RESOLVED – That

(1) following the completion of the community building, the freehold transfer of the building to Felpham Parish Council (and lease back of the changing facilities) together with the associated commuted sums be approved:

Building maintenance sum – £31,135.50 plus indexation
Sports facilities sum £30,000 - plus indexation
Total - £61,135.50 plus indexation

Subject to the various S 106 sums being received:

(2) the drawing down of the following sums to fund the Council's ongoing maintenance commitments be approved:

Public open space area sums £ 557,671.20 - plus indexation
Play areas sums £ 240,000 - plus indexation
Changing facilities of £20,072.50 - plus indexation
Total - £837,743.50 plus indexation

(3) additional annual revenue expenditure of up to £60,000 plus indexation in respect of the Council's maintenance commitments for the public open space areas, play areas and changing facilities as outlined in 2 above. (This to include the extension of a temporary Site 6 post to use the 5% management sum) be approved;

(4) the drawing down of the Public Arts sum of £32,660.65 and the sports facilities sum £12,480 plus indexation be approved; and

(5) additional one-off expenditure of £45,140.65 plus indexation for the Public Arts sum and the sports facilities sum as outlined in 4 above, be approved

REASON FOR THE DECISION: To give authority for the freehold transfer of the community building and lease back of the changing rooms. To approve the transfer of funding into revenue budgets.

OPTIONS CONSIDERED BUT REJECTED: Not to approve the expenditure.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
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DISPENSATIONS GRANTED :	None
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CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/017/190916

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Fuel Poverty Co-Ordinator Post and West Sussex Fuel Poverty Programme	
OFFICER CONTACT: Roger Wood, Head of Neighbourhoods Extn: 37671 e.mail: roger.wood@arun.gov.uk	

EXECUTIVE SUMMARY: To enable the Council to host the post of Fuel Poverty Co-Ordinator and deliver the West Sussex Fuel Poverty Programme which is externally funded through Warmer West Sussex Grant, Public Health and income generated by project work undertaken by the Fuel Poverty Co-Ordinator, this report proposes that the Council agrees to externally funded spending of up to £317,000.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED - That

- (1) the continued delivery of initiatives to reduce fuel poverty in West Sussex and particularly in the Arun district which contributes to the Council's priority of 'Supporting those who need our help', be welcomed; and
- (2) the expenditure of up to £317,000 from external funding to enable the West Sussex fuel poverty reduction programme, be approved.

REASON FOR THE DECISION: To allow the Council to effectively host the post of Fuel Poverty Co-Ordinator on behalf of organisations contributing to the West Sussex Fuel Poverty Steering Group and which will benefit residents across West Sussex.

OPTIONS CONSIDERED BUT REJECTED: Not to agree the proposals.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/018/190916

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Overview Select Committee Meeting held on 26 July 2016	
OFFICER CONTACT: Liz Fitcher, Head of Democratic Services Extn: 37610 e.mail: liz.fitcher@arun.gov.uk	

EXECUTIVE SUMMARY: The Cabinet received the Minutes of the meeting of the Overview Select Committee held on 26 July 2016. The Minutes contained recommendations at Minute 159, Feedback from West Sussex County Council's Joint Scrutiny Group's Joint Scrutiny Review on Housing Provision for care leavers.

DECISION:

Following consideration of the Minutes and as amended at the meeting, the Cabinet

RESOLVED – That

Minute 159 – Feedback from West Sussex County Council's Joint Scrutiny Group's Joint Scrutiny Review on Housing Provision for care leavers

the Council supports the following actions but notes that it can only implement them in respect of Arun's own policies and strategies and the implementation of some may require the agreement of partner organisations. The application of the proposed actions to areas outside of Arun will require the agreement of other Councils and partners to implement;

A common and flexible policy across the County to be introduced regarding "local connection"

- (1) taking into account the evidence provided during the review and the subsequent guidance on allocation policies across the County provided by the West Sussex Strategic Housing Group, the Task and Finish Group considers that there is sufficient scope within allocation policies across the County to facilitate care leavers securing accommodation in suitable locations for them which in the long term will help them settle quicker and make the transition into independent living easier. This may be within another local authority area. Districts and Boroughs across the County should be proactive in using the scope provided by existing flexibilities within their housing allocation schemes to this end in the spirit of the Joint Protocol launched in November 2015.
- (2) that when placing Care Leavers into accommodation, Officers in the District and Borough Councils should ensure that they are aware that certain areas are not suitable for housing of particular Care Leavers. Avoiding those areas will help Care Leavers make that transition into independent living much easier.

Providing Good quality and Consistent support throughout time in Care and sometimes beyond the end of Care

- (3) the Task and Finish Group considers that Officers should be encouraged to provide good quality and consistent help and support from an early age and ensure that the same support worker is allocated to a young person in care even if they are moved to a different area.

- (4) the Task and Finish Group also considers that Care assessment should be based on need rather than age based, realising that some young people need support for much longer than others - Care should not just come to a stop at 18.

Care Leavers - Policy in West Sussex

- (5) that representations be made to the Government requesting that the statutory duty to provide accommodation for Care Leavers by a County Council should be extended to age 21 rather than 18 to provide more flexibility and support for care Leavers and help them in their move to independent living.
- (6) That West Sussex County Council and the District and Borough Councils work with accommodation providers to provide more communal type living accommodation in West Sussex to help Care leavers into independent living.
- (7) That West Sussex County Council be requested to amend its Young People's Service provision for Care Leavers to provide support via the Young People's Service from age 16 rather than 18.
- (8) That there must be a universal Care leavers Policy approach across all Councils in West Sussex to assist with co-ordination etc.

Joint Protocol on Housing Provision for Care Leavers

- (9) that Officers from West Sussex County Council ensure that the Joint Protocol is fully implemented as soon as possible and that all Councils are involved in the Pathway Planning meetings and other discussions.
- (10) to help in the implementation of the Protocol it is suggested that all Districts and Borough Councils should have a named Link Officer responsible for Care leavers in their area, making communication easier and clearer.

Future Monitoring of Housing Provision for Care Leavers

- (11) that the Task and Finish Group be retained to meet on a quarterly basis as a Countywide group to oversee the process of housing provision for care leavers and ensure that improvements are being undertaken to the process. If it is not possible to do this via the Joint Scrutiny process then it should be referred through the West Sussex Corporate Parenting Panel.

Housing Benefit/Universal Credit - Potential Impact on Young People under the age of 21 years who leave Local Authority Care

- (12) That Officers continue to monitor the situation and undertake further lobbying if it subsequently proves that young people leaving Local Authority

REASON FOR THE DECISION: To endorse the recommendations of the Overview Select Committee

OPTIONS CONSIDERED BUT REJECTED: To not endorse the recommendations of the Overview Select Committee

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

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AUDIT & GOVERNANCE COMMITTEE

29 September 2016 at 9.30 am

Present: - Councillors Clayden, (Chairman), Mrs Oakley, (Vice-Chairman), Brooks, Edwards, Mrs Maconachie, Mrs Porter, Miss Rhodes and Wheal.

227. WELCOME

The Chairman welcomed the Audit Manager from Ernst & Young and Officers from the Internal Audit and Finance teams to the meeting.

228. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors L Brown and D Maconachie.

229. DECLARATIONS OF INTEREST

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

Reasons

- The Council has adopted the Government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions 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.

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

There were no Declarations of Interest made.

230. MINUTES

The Minutes of the meeting of the Committee held on 30 June 2016 were approved by the Committee as a correct record and were signed by the Chairman.

231. ERNST & YOUNG – AUDIT RESULTS REPORT

The Committee received Ernst & Young’s Audit Results report for the year ended 31 March 2016, which had been circulated separately to the agenda.

Before presenting the report, the Audit Manager outlined that he wished to have recorded his thanks to the Council’s Audit and finance teams for their assistance in this work.

The Audit Manager confirmed that the National Audit Offices (NAO) Code of Audit Practice (the Code) required the Council’s external auditors to report to ‘those charged with governance’ on the work that had been undertaken to discharge their statutory responsibilities, together with any governance issues identified. This report summarised the findings from the 2015/2016 audit and that it included the messages arising from Ernst & Young’s audit of the Council’s financial statements and the result of the work they had undertaken to assess the Council’s arrangements to secure value for money in its use of resources.

The Audit Manager reported that following completion of the work outlined in their Audit Plan, it was proposed that an unqualified opinion on the Council’s financial statements would be issued. The report set out the main findings relating to the areas of risk and it reported on any exception on the governance statement or other information included.

The significant findings for the audit of the Council’s financial statements related to the areas that had been listed in Ernst & Young’s Audit Plan and as reported to the previous meeting of the Committee. The Audit Manager reported that this year’s audit had not identified any major risk in respect of management override.

Ernst & Young was pleased to be able to report that there were no significant deficiencies in internal control that needed to be brought to the Committee's attention. Looking at the summary of uncorrected audit differences relating to Property Plant and Equipment, there was just one adjustment that had not been corrected by management. As part of their substantive testing it had been identified that depreciation had been incorrectly included on revalued assets in the year. This understated the value of the assets in the Balance Sheet and overstated the charge to the Comprehensive Income and Expenditure Statement (CIES).

Looking at the section headed Economy, Efficiency and Effectiveness, it was explained to the Committee that this covered how the Council had ensured proper arrangements for securing financial resilience and whether the Council was prioritising its resources within tighter budgets. This included looking ahead to the medium term. The results had been set out within the report showing that the overall conclusion findings did not preclude Ernst & Young from issuing an unqualified conclusion.

The final section of the report detailed independence and audit fees and the Audit Manager confirmed that Ernst & Young did not need to make any changes to those advised in its Audit Plan dated June 2016. The audit fee for 2015/2016 was in line with the agreed fee as no variations had been needed to be made to the report.

The Committee was asked to note the report and it was confirmed that this would occur as part of the next agenda item.

232. ANNUAL STATEMENT OF ACCOUNTS - 2015/2016 AND LETTER OF REPRESENTATION

The Committee received a report from the Council's Financial Services Manager providing information about the audit of the Council's 2015/2016 Statement of Accounts, this report had been circulated separately to the agenda.

The Financial Services Manager then introduced the Annual Statement of Accounts for 2015/2016 and informed the Committee that in line with the previous agenda item (the Audit Results report) which the Committee had just considered, it was good news in that no material changes had been required. It was also confirmed that there had been no changes to the Accounting Policies applied to the Statement of Accounts approved by the Committee at its meeting held on 30 June 2016. Therefore, the final audited accounts, together with the Letter of Representation could be signed by the Chairman of the Committee and published by the required deadline of 30 September 2016.

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Committee – 29.09.16

In presenting the Annual Statement of Accounts, the Committee's attention was drawn to the change from the previous year's Accounts relating to the introduction of the narrative report which replaced the explanatory forward. Although the Statements were concerned with 2015/2016, the explanatory forward took a wider approach and included comments on the Council's Use of Resources; as well as providing financial information and took into account information on the Corporate Plan Performance Indicators in assessing performance against strategic objectives. More information on this could be found in the Value for Money section of the Audit Results report.

Members were advised that the Outturn Report together with the Financial Prospects Report and the Capital Prioritisation report would be submitted to Cabinet on 17 October 2016.

Picking up from the issues raised in the Audit Results report, the Financial Services Manager referred Members to the identified audit difference relating to the reclassification of short-term debtors of £187k from Customers and Clients to other Local Authorities which had been adjusted resulting in a change to Note 17 on page 50 of the Financial Statements. It was pointed out that no change to the overall total and balance sheet had been made. This was just a minor change that needed to be brought to Members' attention.

The effects of the unadjusted audit difference relating to Property Plant and Equipment (Other Land and Buildings) of £732k, raised by the Audit Manager, when presenting the Audit Results report was outlined. It was explained that this was not material to that class of asset (£52m) and to the Financial Statements and so it had been decided that the cost of adjustment would therefore outweigh any benefit.

The Committee was reminded that it was also being asked to approve the Letter of Representation on behalf of the Council which had been attached to the covering report as Appendix 1. If approved, the Chairman of the Committee would also be asked to sign this document.

Having received the Financial Statements, a question was asked about the valuation of the Council's housing stock and in view of ongoing increases in house prices and as the Council had not undertaken a valuation of its stock for some time. Concern was also expressed over the condition that some properties were in when handed back to the Council as these often required a complete rebuild and refurbish. It was explained that the method of valuing the Council's stock was undertaken on a beacon basis – that they were

valued on a social housing use basis and not valued commercially. In such instances, the Council had to work to Government guidelines using a Government valuing formula.

The Committee then

RESOLVED – That

- (1) The findings of Ernst & Young in their Audit Results report (the previous agenda item) be noted;
- (2) The Letter of Representation on behalf of the Council be approved and signed by the Chairman of the Committee; and
- (3) The Statement of Accounts for the financial year ended 31 March 2016, which will also be signed by the Chairman of the Committee, be approved.

233. TREASURY MANAGEMENT – QUARTER 1 REPORT – 2016/2017

The Senior Accountant/Treasury & Investment Officer presented the Quarter 1 Treasury Management Report for 2016/2017 to the Committee for it to scrutinise prior to making the proposed recommendations to Full Council.

The Committee's attention was drawn to Section 3 of the report (Interest Rate Forecast) where the Council's Treasury Advisor, Capita Asset Services, had provided its most recent forecasting estimating that the bank rate would be reduced further in December 2016.

Looking at the Annual Investment Strategy this showed that investment performance for the quarter ended 30 June 2016 illustrated that interest earned had been £182,990 showing a performance of 1.19% against a budget for the year of 1.10%.

In receiving the report, the Committee was keen to know when the Housing Revenue Account (HRA) Business Plan would be submitted for consideration. The Head of Finance and Property explained that an exact date was difficult to confirm as information was still awaited from Central Government making it very difficult to compile any form of Business Plan.

Having congratulated staff in achieving such good returns on its investments, the Committee

RECOMMEND TO FULL COUNCIL – That

- (1) the treasury management report for 2016/2017 be noted;
- (2) the actual prudential and treasury indicators for 2016/17 contained in the report be approved;
- (3) the treasury activity for the quarter ended 30 June 2016, generating interest receipts of £182,990 (1.19%) against a budget for the year of £560,000 (1.10%) be noted; and
- (4) interest receipts generated to the end of August 2016 of £306,570 (1.18%) be noted.

234. INFORMATION/ADVISORY DOCUMENTS RECEIVED

The Committee received the information/advisory documents received, as attached to the agenda.

In noting the documents, the Committee commented on the successes achieved by the Housing Fraud Investigator and that based on the results that this post was delivering, it was hoped that this temporary post could be extended and measures put into place to look at making the position permanent.

235. CHANGES TO ARRANGEMENTS FOR APPOINTMENT OF EXTERNAL AUDITORS

(Prior to the commencement of this item, the Audit Manager from Ernst & Young left the meeting for this item).

The Committee received a report from the Chief Internal Auditor which presented options for the future arrangements for the appointment of external auditors in accordance with the relevant legislation and so that a decision could be made by Full Council in line with the timetable in place for this appointment.

The Chief Internal Auditor updated the Committee and stated that it had now been confirmed that PSAA Ltd had been appointed as the sector led body for Option 3. All of the three options outlined in the report were then explained to the Committee as it would need to recommend the way forward for the Council.

Following a brief discussion, the Committee agreed that Option 3 was the best way forward for the Council and so,

The Committee

RECOMMEND TO FULL COUNCIL – That

(1) Option 3, to opt-into a sector led body, is the preferred option for the future arrangements for the appointment of external auditors; and

(2) approval be given for responsible Officers to progress the appropriate arrangements in line with the content of the report.

236. UPDATES TO THE INTERNAL AUDIT CHARTER

The Committee received a report from the Chief Internal Auditor requiring it to note and endorse required updates to the Internal Audit Charter.

The Internal Audit Charter had last been updated in 2013 to reflect the publication by CIPFA of the Public Sector Internal Audit Standards (PSIAS).

These standards were based upon the mandatory elements of the Institute of Internal Auditors (IIA) International Professional Practices Framework (IPPF) which had been updated in 2015 to include a mission statement and a set of core principles for the profession, these had since been included in a revised version of the PSIAS.

The Internal Audit Charter had therefore been updated to reflect these changes and the Committee was reminded that as a result of the Council's Vision 2020 work, the internal audit service was being considered as a potential shared service in the future and that should this change take place then there would inevitably be a further requirements for a major review and updated of the Charter to reflect any future combined service.

The Committee

RESOLVED

That the updates highlighted in grey within the Internal Audit Charter be approved.

237. PROGRESS AGAINST THE AUDIT PLAN

The Committee received a report from the Chief Internal Auditor which monitored the delivery of progress made against the annual Audit Plan which had been approved by the Committee in February 2016. A supplementary status report was also provided on a number of project areas and on areas that Internal Audit kept under review.

The Chief Internal Auditor outlined that as a result of the progress of the Council's 2020 Vision, resources had currently been diverted away from some of the audits being progressed. Work was being undertaken in respect of a number of Vision initiatives, including consideration of the Internal Audit service as a potential shared service in the future.

In discussing the report, a question was asked about RE10 (Estate Management and Concessions) in terms of future working arrangements. The Head of Finance and Property outlined that an in-house surveyor had now been appointed which was the first step in place in progressing this work.

The Committee then noted the report.

238. REVISED INTERNAL AUDIT PLAN 2016/2017

The Committee received a report from the Chief Internal Auditor which reminded Members that each year, the Internal Audit service was required to develop an annual audit plan for the following financial year, which would then be agreed by the Committee. The initial Plan for 2016/2017 had been presented to the Committee in February 2016 and Members at that time had been advised that a further report would be brought before them later in the year should there be a requirement for significant change to be made to the Plan.

Since February 2016 changes had occurred that needed to be reported in terms of presenting a revised Internal Audit Plan for 2016/2017.

Firstly, there had been a further reduction in the current resource of the section to 2.4 full time equivalents (FTE). This meant that a revised Plan based on the resource now available for the rest of year had been prepared.

As referred to as part of previous items for this meeting, priority work was now in respect of the proposals for shared services and work being undertaken as part of the 2020 Vision. The decision in terms of the outcomes of these proposals would not be made by Cabinet until February 2017 once the business cases were completed. As the Council's shared services/Vision work would continue in 2017/18, the Chief Internal Auditor advised that a new plan with a different methodology would need to be presented to the Committee in February 2017.

This led to a discussion on the 2020 Vision and the shared services projects taking place with the Committee feeling that under its terms of reference it should be it who should scrutinise what would be happening with shared services and especially the Internal Audit service.

Having received confirmation from the Chief Internal Auditor as to what had been agreed by Full Council and Cabinet to date in terms of the Council's 2020 Vision work, which was that Cabinet had already approved the development of full detailed business cases and implementation plans for all the next stages of the six service proposals and would receive future reports on the development of these, the Committee still held the view that it should be involved in this work.

The Committee was advised that the Overview Select Committee had been confirmed as a consultee and would receive regular updates, when required, on the progress being made with the 2020 Vision work. The next update being made to the Overview Select Committee would be on 22 November 2016. Despite this, the Audit & Governance Committee still held the view that it should be included in this work and that a joint meeting of the Audit & Governance and Overview Select Committees should be held to discuss the proposals as they moved forward and to allow both Committees to review the business cases.

Following further discussion, the Chairman agreed that he would liaise with the Chairman of the Overview Select Committee and the Cabinet Member for Corporate Governance on this matter and to progress how the Audit & Governance Committee could become involved in discussions.

The Committee then noted the contents of the report.

(The meeting concluded at 11.43 am.)

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DEVELOPMENT CONTROL COMMITTEE

5 October 2016 at 2.30 p.m.

Present: Councillors Mrs Maconachie (Chairman), Bower, Brooks, Dillon, Gammon, Hitchins, Maconachie, Mrs Oakley, Oliver-Redgate, Miss Rhodes, Mrs Stainton and Wells.

Councillors Ambler (all) and Ballard (part) were also present at the meeting.

239. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Charles, Mrs Hall and Mrs Pendleton.

240. DECLARATIONS OF INTEREST

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

Reasons

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

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

No declarations of interest were made.

Development Control
Committee – 05.10.16.

241. MINUTES

The Minutes of the meeting held on 7 September 2016 were approved by the Committee and signed by the Chairman as a correct record.

242. WITHDRAWN APPLICATIONS

The Chairman advised the meeting that Planning Applications M/59/16/PL and AL/48/16/PL had been withdrawn from the agenda and would not be considered at this meeting.

243. VISIT BY THE SITE INSPECTION PANEL – M/59/16/PL – 1 NO. REPLACEMENT DWELLING, 1 DEEPDENE CLOSE, MIDDLETON ON SEA

The Committee had been advised that this application had been withdrawn from the agenda and would not be considered.

244. PLANNING APPLICATIONS

AL/48/16/PL – Variation of condition 4 imposed under AL/25/13 relating to permanent gypsy traveller use & removal of name Mrs Sarah Keet, The Paddock, 6 Northfields Lane, Westergate Having received a report on the matter, the Committee had been advised that this application had been withdrawn from the agenda and would not be considered.

A/77/16/PL – Leisure development consisting of 9 No. 5 a side pitches, trampoline/laser tag centre, hotel, pub/restaurant, forest adventure kiosk, nursery, sub-station & associated infrastructure & car parking. This application is a Departure from the Development Plan, Rustington Golf Centre, Golfers Lane, Angmering Having received a written report on the matter, together with the officer's verbal update detailing a late representation that had been received objecting to the access arrangements to the site, the Committee now received a comprehensive presentation from the Principal Planning Officer which set out the detail of the application. He was able to advise that, following representation from County Highways, the applicant had agreed to provide an extension to the footpath cycleway on the north side of the A259 between the golf centre and Sainsbury's, which would be secured by a S106 Agreement.

The Committee heard that this was considered to be an acceptable leisure use that had been supported through sequential assessment – the proposal would create jobs and add to the visitor attraction.

Following consideration, the Committee

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Development Control
Committee – 05.10.16.

RESOLVED

That the application be approved as detailed in the report.

A/113/16/PL – Use of land for storage distribution (B8 Storage or Distribution) & 3 No. storage containers. This application is a Departure from the Development Plan, Land at Barn Farm, Dappers Lane, Angmering Having received a report on the matter, together with the officer's written report update detailing the rationale behind amended conditions relating to the newly submitted block plan and the number of cars stored at the site, the Committee was further advised that it was considered that the attached conditions would ensure that the proposal would not have an adverse impact on the locality.

In discussing the matter, concern was raised with regard to the hours of operation of the site, particularly with respect to the loading or operation of machinery, and it was agreed that that should be restricted on a Sunday to 9.00 am to 5.00 pm.

The Committee then

RESOLVED

That the application be approved as detailed in the report update and subject to amendment of Condition 5 to read:-

“The approved use of the site including unloading, loading or operation of machinery shall only take place between the hours of:-

7.00 am and 9.00 pm Monday to Saturday and 9.00 am to 5.00 pm on Sunday.”

A/135/16/PL – Replacement of existing bungalow with 3 No. dwellings (resubmission following A/20/16/PL). This application is a Departure from the Development Plan, Caretakers Cottage, Angmering School, Greenwood Drive, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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Development Control
Committee – 05.10.16.

EP/96/16/PL – 1 No. replacement dwelling including pool & outbuilding, 12 Angmering Lane, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/103/16/PL – Demolition of section of wall to provide internal vehicular & staff access to & from the adjoining premises (amendment to FG/45/15/PL), Hangleton Nurseries, Hangleton Lane, Ferring Having received a report on the matter, together with the officer's written report update detailing a change to a representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/104/16/PL – Erection of 3m high security fence around the previously approved car compound, amendments to existing storage buildings & associated lighting, Hangleton Nurseries, Hangleton Lane, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

M/67/16/PL – Replacement dwelling (revised proposal to M/13/16/PL), 27 Central Drive, Elmer Having received a report on the matter, together with the officer's written report update detailing an amendment to the plans condition and confirmation that the Tamarisk bushes would be secured via the proposed landscaping condition 9 and a verbal update advising on a further representation received, the Committee now considered the matter.

In presenting the report, the Planning Team Leader suggested an additional condition should be attached to any approval to require the applicant to provide a construction method statement to provide details of the construction management of the property, i.e. access to the site of construction vehicles and any hours of operation. It was also agreed that a further condition should be attached requiring the existing dwelling to be demolished and resultant materials removed from the site.

In the course of discussion the Head of Development Control advised Members that any concerns over access or damage outside the site were private matters for the applicant and the Beach Estate to resolve.

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Development Control
Committee – 05.10.16.

The Committee

RESOLVED

That the application be approved as detailed in the report update and subject to the following additional conditions:-

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- the hours of operation for construction works which shall not exceed 8am to 6pm Monday - Friday, 9am to 1pm Saturdays and none on Sundays and Bank Holidays

Reason: In the interests of highway safety and the amenities of the area.

Upon the first occupation/completion of the building hereby permitted the existing dwelling shown dotted on the application block plan shall cease to be used for any purpose and within a period of 3 months thereafter the existing dwelling shall be demolished, all materials arising from such demolition removed from the site and the site cleared and the land shall become part of the garden area.

Reason: To avoid an over-intensive use of the site in accordance with policy GEN7 of Arun District Local Plan.

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Development Control
Committee – 05.10.16.

245. PLANNING APPEALS

The Committee received and noted the planning appeals that had been received and 1 appeal that had been heard..

(The meeting concluded at 3.55 p.m.)

ELECTORAL REVIEW SUB-COMMITTEE

11 October 2016 at 6.00 pm

Present:- Councillors Gammon (Chairman), Charles (Vice-Chairman), Bower, Brooks and Chapman.

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Brown and Purchase.

2. DECLARATIONS OF INTEREST

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

Reasons

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

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

There were no Declarations of Interest made.

3. MINUTES

The Minutes of the meeting held on 17 December 2015 were approved by the Sub-Committee as a correct record and signed by the Chairman.

4. START TIMES

The Sub-Committee

RESOLVED

That its start times for meetings during the remainder of 2016/2017 be 6.00 pm.

5. ELECTORAL REGISTRATION - UPDATE

The Head of Democratic Services presented a report from the Chief Executive and Electoral Registration Officer (ERO) setting out the significant changes that had been made to the electoral registration process since 2014 with the introduction of Individual Electoral Registration (IER). The report highlighted a number of issues and it reviewed the impact of the two polls held in 2016 on the electoral register. The Sub-Committee was also updated on arrangements for the 2016 annual canvass.

The introduction of IER had presented five significant issues for the electoral services team to overcome, these were:

- Understanding of the registration process
- 'Carry Forward' Electors
- Further changing legislation
- Cabinet Office funding
- Resourcing levels

Each of these issues was explained in more detail by the Head of Democratic Services at the meeting.

Looking at the Electoral Register, the Sub-Committee was advised that there had been a 4% increase to electorate levels as a result of the EU Referendum. The impact in managing two major polls in such a short timeframe had been a major burden for the team in terms of the registration deadline for the Referendum being extended and the high public interest in this poll. This had resulted in a significant interest in absent voting and those applying for proxy votes.

The Sub-Committee was advised that the Annual Canvass for 2016 was underway ahead of publishing a revised register on 1 December 2016. To date the response rate was sitting at just under 80% at 79.94% which was good news for this stage of the canvass. In comparison to last year, this showed an 8% increase in responses at both the first and final reminder stage and equated to a £9k saving on postage costs. By using canvassers visiting properties that had failed to respond at the second reminder stage it was hoped that an 90% response rate could be achieved.

Having been asked to comment on the report, the Chief Executive and ERO wished to have placed on record his thanks to the Head of Democratic Services and her team for the hard work undertaken in ensuring that the two elections held had been well managed and had run with few complaints received.

The Chairman responded stating that he too, on behalf of the Sub-Committee, wished to congratulate the Democratic Services team for managing two successful polls and he requested that these messages of thanks be passed onto the rest of the team.

In discussing the report, several questions were asked. The first related to the change in the computer system used for IER and in view of the problems that had been experienced with the old system. The Head of Democratic Services outlined the change that had been made to suppliers and that this was enabling the team to bring in streamlined processes.

A question was asked relating to how EU Electors would be dealt with post Brexit. The Head of Democratic Services outlined that no instruction had as yet been provided. Finally, reference was made to the Parish Poll held in Bognor Regis in April 2016 and whether any changes had been made to the legislation in place for requesting such polls. The Head of Democratic Services confirmed that the legislation for Parish Polls dated back to 1987 and that although a review had been ongoing for a while now nothing had yet been confirmed.

The Sub-Committee then noted the contents of the report and the updates provided at the meeting.

6. ELECTORAL REVIEW OF WEST SUSSEX COUNTY COUNCIL – FINAL RECOMMENDATIONS

The Sub-Committee received a report from the Head of Democratic Services which advised that the Local Government Boundary Commission for England (LGBCE) had concluded its review of the electoral arrangements for West Sussex County Council and had published its final recommendations.

The final recommendations had confirmed the Commission's draft recommendations for the 13 electoral divisions in the Arun District in all but one area. These illustrated that:

- Arundel & Wick – had been renamed to Arundel & Courtwick and retained an area to the south of the A259 with Littlehampton town rather than this being moved into Arundel & Courtwick
- Bersted – a change had been made to the southern boundary to follow the boundary of Pevensy and Marine wards
- Bognor Regis West & Aldwick – a change had been made to the north eastern boundary to follow the boundary of Pevensy and Marine wards

- Littlehampton Town – a change had been made retaining the area to the south of the A259 as referred to above in Arundel & Courtwick

The report also recommended consequential changes to the parish wards of Bognor Regis and Littlehampton.

The final stage of the review process was for the LGBCE to seek approval to their recommendations by Parliament through a draft Order. This would allow the new electoral arrangements to be in place for the forthcoming West Sussex County Council Elections in May 2017. The implementation of the consequential parish warding arrangements would not come into effect until the next planned Parish Elections in May 2019.

Having noted the final recommendations made, the Sub-Committee was advised that the electoral register would be reviewed to update the changes ahead of its next publication on 1 December 2016.

7. INITIAL PROPOSALS FOR NEW PARLIAMENTARY CONSTITUENCY BOUNDARIES

The Sub-Committee received a report from the Head of Democratic Services outlining the initial proposals as published by the Boundary Commission for England for new Parliamentary constituencies in England.

As these proposals affected three constituencies within the Arun District, the Sub-Committee was asked if it wished to consider making any form of representation to the Commission on their proposals and by the deadline date of 5 December 2016.

The Head of Democratic Services explained that the impact on the Arun District as a result of the initial proposals was very small. The changes for the area were:

- The Barnham District Ward would move from the Arundel & South Downs constituency into the Bognor Regis & Littlehampton constituency affecting the polling districts of AALD, ABAR and AEAS; and
- The AANGS polling district would move from the Arundel & South Downs constituency into the Worthing West constituency.

In discussing the proposals, the main observation made by the Sub-Committee was that this meant that the Bognor Regis & Littlehampton constituency was now at the top-end in terms of electorate numbers. This was because the review had been undertaken based on electoral data from 1 December 2015 and did not take into account projections for future development in the area which could take this constituency over the maximum electorate number of 78,507. The Head of Democratic Services outlined that she had queried this issue with the Commission and had been advised that this approach was based on statute and could therefore not be changed.

In discussing this further and having heard that the Council's three Members of Parliament were content with the proposals, the Sub-Committee's view was that a response should be sent to the Boundary Commission confirming that the Council supported these initial recommendations.

Finally, a comment was made on the lack of detail in the maps provided by the Commission and the Head of Democratic Services was asked if any formal representation had been made about this. She confirmed that the Commission did not provide any further information or data than the maps available from their web site.

The Sub-Committee

RESOLVED

That a formal representation confirming that the Council supported the initial recommendations for the new Parliamentary Constituency Boundaries be made by the Head of Democratic Services by the deadline of 5 December 2016.

8. FUTURE MEETING DATES

The Sub-Committee noted its next meeting date as 31 January 2017.

(The meeting concluded at 6.40 pm)

STANDARDS COMMITTEE

13 October 2016 at 6.00 p.m.

Present: - Councillors Mrs Bence, Dillon, Edwards and Tyler.

Independent Persons – Mr B Green, Mr M Howdle and Mr J Thompson.

246. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors; English (Chairman), Maconachie (Vice-Chairman) and Mrs Rapnik.

247. ELECTION OF CHAIRMAN

In view of the apologies received the Committee Manager requested the election of a Chairman for the meeting.

The Committee,

RESOLVED

That Councillor Tyler be elected Chairman for the meeting.

248. DECLARATIONS OF INTEREST

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

Reasons

- The Council has adopted the Government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions 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.

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Standards 13.10.16

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

There were no Declarations of Interest made.

249. MINUTES

The Minutes of the meeting held on 14 July 2016 were approved by the Committee as a correct record and signed by the Chairman, subject to the following amendments:

- The date of the minutes on the first page was amended from 16 July 2015 to 14 July 2016
- Apologies for absence were noted for Councillor Mrs Bence

250. CHANGE TO THE ORDER OF THE AGENDA

Following advice from the Head of Legal & Administration the Chairman proposed a change to the order of the agenda requesting that Agenda Item 5 – Complaint Reference 3031 – Arun District Councillor Francis Oppler be moved to the last item, under exempt business. The Committee agreed to this change.

251. RECRUITMENT OF INDEPENDENT PERSONS - UPDATE

The Head of Legal & Administration provided an update on the progress made with the recruitment of two more Independent Persons to the Committee.

The Chairman asked the Committee if it could take a view on whether it felt it necessary to advertise the positions through the Local Press. In discussion, the Committee agreed that the positions should be advertised through avenues that would not attract a charge such as the Council’s website, Town & Parish Councils, the Sussex Association of Local Councils and through the Voluntary Sector such as the Citizens Advice Bureau.

Mr Thompson was thanked for the two names that he had put forward. The Head of Legal & Administration then confirmed that she would begin the advertisement part of the recruitment process

Standards 13.10.16

252. LOCAL ASSESSMENT PROCEDURE – UPDATE

The Head of Legal & Administration confirmed that Richard Orridge of Spencer Howard Solicitors, was progressing this work and a report would be provided to the Committee, with more detail, in the near future.

253. ASSESSMENT PANEL DECISION CONCERNING ALLEGATION AGAINST A PARISH COUNCILLOR

The Committee received and noted an information report regarding a case dealt with by the Assessment Panel relating to Councillor Paul Bicknell in his role as an Angmering Parish Councillor.

254. ASSESSMENT PANEL DECISION CONCERNING ALLEGATION AGAINST A DISTRICT COUNCILLOR

The Committee received and noted an information report regarding a case dealt with by the Assessment Panel relating to Arun District Councillor – Philippa Bower.

255. EXEMPT INFORMATION

The Committee

RESOLVED

That under Section 100A (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Part 1 and Part 5 of Schedule 12A of the Act by virtue of the paragraph specified against the items.

256. REGISTER OF ASSESSMENTS OF COMPLAINTS AGAINST COUNCILLORS (Exempt – Paragraphs 1 and 5 – Information Relating to any Individual and Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The Committee received and noted a report from the Head of Legal and Administration which provided Members with updated information to add

to their Register of Assessments of Complaints against Councillors. It was agreed that in future the updated information would only cover a rolling period of 12 months.

257. COMPLAINT REFERENCE 3031 – ARUN DISTRICT COUNCILLOR FRANCIS OPPLER

Following the outcome of the motion at Full Council on 20 July 2016, the Committee agreed that this report would be considered at an additional meeting of the Standards Committee on 26 October 2016.

(The meeting concluded at 6.25 pm)

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CABINET

17 October 2016 at 5.00 pm

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

Councillors Clayden, Charles and Mrs Porter were also in attendance for all or part of the meeting.

258. APOLOGY FOR ABSENCE

An apology for absence had been received from Cllr Bower.

259. DECLARATIONS OF INTEREST

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

Reasons

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

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

There were no Declarations of Interest made.

Cabinet – 17.10.16

260. MINUTES

The Minutes of the meeting held on 19 September 2016 were approved by the Cabinet as a correct record and signed by the Chairman.

261. LITTLEHAMPTON LEISURE CENTRE – PROJECT UPDATE

The Cabinet received a presentation from the Principal Landscape Officer that updated Members on the progress towards the delivery of a new Leisure Centre in Littlehampton. The latest leisure centre designs were presented and consultation results outlined. The key points noted were:

- a summary of the comments received at User Group meetings were combined with the results of the Planning Public Consultation and designs had been adjusted to accommodate the suggestions put forward.
- the relationship of the new Leisure Centre with the surrounding area had been considered with the opportunity for positive links with Mewsbrook Park. Members were shown Masterplans that detailed how the setting of the building could enhance the area. This included; the views the facility would have of the Seafront and Mewsbrook Park, the new walkway linking the Leisure Centre with the Seafront and the relocated boat store that would open up space in front of the building.
- the layout of the new Leisure Centre incorporated the approved facilities mix (Cabinet Decision Notice C/034/161115).
- the most recent site plan was noted. This detailed the addition of a bus drop off and pick up point outside the Leisure Centre.
- the latest version of the floor plans were presented which detailed items such as the layout of changing rooms, table layout of café area and the spectator area.
- the project team had met with Sport England to discuss the project and clarify the process for funding applications. It was noted that Sport England had invited the Council to submit an Expression of Interest in September 2016. Subject to a positive outcome it was proposed that Arun District Council would submit a funding application to Sport England.

In summing up, the Principal Landscape Officer informed Members that the planning submission for the new Leisure Centre would be submitted week commencing 24 October 2016 for consideration by the Development Control Committee on 1 February 2017.

In discussing this update, Cabinet commended the work of Officers on this project and welcomed the progress that had been made with the design of the Leisure Centre. The Principal Landscape Officer was thanked for her clear report.

Following questions which were responded to at the meeting the Cabinet agreed the report's recommendations.

The Cabinet confirmed its decision as per Decision Notice C/019/171016, a copy of which is attached to the signed copy of the Minutes.

262. CAPITAL PROJECT PRIORITISATION

Cabinet received a report from the Capital Accountant which identified the Council's project priorities that could be delivered within available resources outlined in the Council's Medium Term Financial Strategy (MFTS).

It was explained that the proposed programme was dominated by the construction of the new Littlehampton Swimming & Sports Centre. As the exact timing for this project was currently unknown the timing of cash flows had been estimated.

It was pointed out that the remaining schemes were continuing the phases of those considered in the report in September 2014 as it was considered logical to complete the programme. This was with the exception of window replacement where it had been proposed to divert this funding to Beach Huts because of their ability to generate a return for the Council.

Following on from this Members attention was drawn to recommendation 4 of the report that requested Cabinet to approve delegated authority to the Council's Chief Financial Officer to approve invest to save schemes subject to a sound business case/financial appraisal which would clearly demonstrate that they could service any related debt and interest repayments.

In receiving this report, Cabinet particularly welcomed the 200,000k per annum that had been and would be invested in Public Toilets which showed the Council's commitment to their maintenance.

The Cabinet then confirmed its decision as per Decision Notice C/020/171016, a copy of which is attached to the signed copy of the Minutes.

Cabinet – 17.10.16

263. REVENUE AND CAPITAL OUTTURN EXPENDITURE 2015/16

The Financial Services Manager presented the report on the Revenue and Capital Outturn Expenditure 2015/16 which provided a summary, comparing expenditure with the approved budget.

Cabinet were informed that the Accounts had been audited and were available on the Finance page of the Council's website. It was noted that the General Fund showed a number of the trends identified during the year such as Service related income which remained buoyant.

Members' attention was drawn to the significant variation to Housing Benefit. The adverse variation of £200K was anticipated during the year for rent allowances mainly due to Anti-Fraud and error initiatives launched by the Department for Work and Pensions (DWP). The actual outturn of £90k was highlighted as favourable and showed a significant recovery of Housing Benefit, a good achievement in the current economic climate. It was noted that it was, therefore, possible for the sum of £1.2M to be transferred to the pensions reserve and £800k to the Littlehampton Centre Reserve. It was also noted that the favourable outturn was due to robust financial management.

The Housing Revenue Account (HRA) balance of £6.903M and major reserves balance of £1.037M were pointed out as these balances had to be healthy to protect against the levy for high value dwellings and higher rents from high income tenants.

Capital Slippage to 2016/17 was highlighted at £7.165M HRA of which £5.646M related to stock development and £2.349M related to the HRA and £3.844M to the General Fund.

Earmarked reserves of £13M were noted which included funds the Council holds on behalf of our partners.

In noting the report, Members thanked the Finance Team for their prudent financial management. The Chairman then referred Members to the report's recommendations.

The Cabinet then confirmed its decision as per Decision Notice C/021/171016, a copy of which is attached to the signed copy of the Minutes.

264. FINANCIAL PROSPECTS 2016/17 TO 2021/22

The Cabinet received a report from the Head of Finance & Property on the Council's Financial Prospects 2016/17 to 2021/22. This report contained the latest version of the Medium Term Financial Strategy (MTFS) which used the most recent information available to quantify the projected deficit.

It was pointed out that the Council was facing a number of financial uncertainties primarily because funding from Central Government was based upon growth and this was difficult to project forward. It was explained that proposed changes to this funding system would likely lead to a significant decline in funding for the Council.

It was explained that it had been considered necessary to make changes to previous assumptions in order to address both announcements from Government and wider economic factors. Members' attention was drawn to the principal assumptions made as follows:

- Council Tax would increase by £5 (Band D equivalent) per annum
- Salary costs would increase by 1% for 4 years until 2020/21 to reflect the Chancellor's announcements on public sector pay
- It was assumed that the Council Tax Reduction Scheme would be amended which would result in savings of approximately £100k per annum
- Initial indications were that employer pension contributions would continue to rise at 1% per annum. It was noted that the Council also currently paid approximately £1m per annum in order to address pension back funding issues. This was currently financed by a specific reserve but Members noted that the current forecast was for this reserve to be exhausted by 2020/21. If the Council was unable to replenish the reserve there would be a commensurate increase (£1M p.a.) in the revenue budget thereafter.
- Following the EU referendum result and the subsequent decrease in the base rate it had been necessary to reduce the projections for interest on the Council's balances.

The Head of Finance and Property stated that the Strategy was also heavily influenced by the decision to proceed with the new Leisure Centre. He informed Members that every effort would be made to minimise the extent of borrowing for this project as it would impact upon the revenue account and would negate some of the Vision savings.

Cabinet – 17.10.16

In referring Members to the Council's Efficiency Plan 2016/17, the Head of Finance and Property stated that this had been prepared in response to the Government's offer of a guaranteed minimum settlement for the period to 2019/20. It was reiterated that there would be challenges in addressing the Council's forecasted budget deficit in an increasingly uncertain environment with increasing risks.

Members were then referred to the serious financial risk the Council was facing with the fundamental change in Local Government Funding as outlined in the report. It was noted that the changes were yet to be announced. A number of risks around the retention of Business Rates were outlined and Members were informed that, in the absence of any firm information from Central Government, it had been assumed the new system would have a neutral impact. This stance was supported by the Council's auditors, Ernst & Young.

In discussing the report, Cabinet were pleased to note that the efficiency savings had started to bear results. The Head of Finance and Property and his team were congratulated on their prudent financial planning during an uncertain economic climate. Comment was made that Members must continue to keep on track and reach the savings targets outlined in the Council's Vision 2020.

The Cabinet then confirmed its decision as per Decision Notice C/022/171016, a copy of which is attached to the signed copy of the Minutes.

265. AWARD OF CONTRACT – BANKING SERVICES

The Cabinet received a report from the Senior Accountant (Treasury) on the procurement process and tender evaluation for corporate banking services. The report provided a brief summary of the procurement process and detailed the results of the tender evaluation.

Members were informed that the Council had received three completed tenders returned by the specified date which were assessed on a 40% price, 60% quality matrix.

In receiving the report, Members welcomed the good news that the chosen banking service would provide a saving to the Council on the current contract.

The Cabinet then confirmed its decision as per Decision Notice C/023/171016, a copy of which is attached to the signed copy of the Minutes.

266. BUSINESS RATES – DISCRETIONARY RATE RELIEF: PARTLY OCCUPIED RELIEF

In presenting the report Business Rates – Discretionary Rate Relief: partly occupied relief, the Revenues Manager proposed that, with effect from 1 April 2017 the gross rateable value be limited to £12K.

The financial implication in respect of relief granted was outlined. If relief was granted on a high value hereditament this would impact significantly on the Council's financial position. An example was given where an award relief of £250K would cost the Council £50k. It was noted that the report's proposals continued to support local small businesses whilst also taking into account the potential impact of any temporary relief for partly occupied properties.

In discussing the report, Cabinet agreed that it was sensible to limit the gross rateable value as requested.

The Chairman then announced that the Revenues Manager was leaving the Council after 25 years of service and the Cabinet thanked him for his hard and valuable work over the years and wished him well for his future endeavours.

The Cabinet confirmed its decision as per Decision Notice C/024/171016, a copy of which is attached to the signed copy of the Minutes.

267. LOCAL HOUSING COMPANY

The Cabinet received a report from the Housing Strategy and Enabling Manager on the establishment of a wholly owned Local Authority Housing Company.

It was explained that as part of the Council's 2020 Vision Programme, a Cabinet Working Party (CWP) had been reviewing various documents for creating a Wholly Owned Local Authority Housing Company/s (WOLAHCo). The purpose of the Company/s would be to develop residential housing and other appropriate schemes to generate an additional income stream for the authority via company dividends. The company would operate independently from the Council on a commercial basis with its own Board of Directors appointed by Cabinet.

Cabinet – 17.10.16

With the agreement of the Cabinet, Councillor Elkins spoke on this item. He thanked the Housing Strategy and Delivery Manager for his hard work in progressing this matter and commended the Working Party's findings. He pointed out that this initiative had been carried out at other authorities and he supported the opportunity for this Council to move into commercial business. Councillor Elkins also drew attention to the potential opportunity for the provision of market and affordable housing (including shared ownership) for the people of the Arun District.

In discussing the report, Cabinet welcomed the establishment of a wholly owned Local Housing Company.

The Cabinet confirmed its decision as per Decision Notice C/025/171016, a copy of which is attached to the signed copy of the Minutes, and

RECOMMEND TO FULL COUNCIL – That

- (1) Full Council approve a supplementary estimate of up to £130,000 (equating to a Band D Council Tax of £2.25) to cover the costs of setting up the Shadow Board and the Company which includes all the necessary legal, financial and due diligence checks which must be completed to a satisfactory standard and externally audited if deemed necessary by the Chief Executive, and;
- (2) that the Council's constitution be amended to explicitly include in the terms of reference for the Cabinet, in its role to oversee the activity of any separate legal entity within which the Council has an ownership interest.

268. HRA SUPPLEMENTARY ESTIMATE

The Head of Housing presented the report that sought Cabinet approval for a HRA Supplementary Estimate of up to £691,000K. This would be spent on acquiring properties. It was explained that acquiring properties would ensure that the '1 to 1' receipts were committed and would result in increasing Council Housing Stock.

In receiving the report, Cabinet commended the Head of Housing for maintaining a strong position for the Council and unanimously supported the report's recommendations.

The Cabinet confirmed its decision as per Decision Notice C/026/171016, a copy of which is attached to the signed copy of the Minutes, and

RECOMMEND TO FULL COUNCIL – That

- (1) a HRA Supplementary Estimate of up to £691,000 is approved to purchase properties up to a total value of £691k. The supplementary estimate equates to a weekly rent of £3.93 per dwelling.
- (2) authority be delegated to the Cabinet Member for Housing, Head of Finance and Property, and Head of Housing to approve the purchase of property up to the total value of £691k.

269. RECOMMENDATIONS FROM THE CABINET WORKING PARTY – REVIEW OF DELEGATION & CABINET/COMMITTEE STRUCTURE

Cabinet received a report from the Chief Executive that presented the recommendations from the Cabinet Working Party – Review of Delegation & Cabinet/Committee Structure.

The Chief Executive reminded Members that the Working Party had been established by Cabinet as part of developing the Vision 2020. It was explained that its role was to carry out a review of the current decision making process in two stages. Firstly, looking at levels of delegation to Committees and Officers and secondly, to review the current Cabinet/Committee structure.

Members' attention was drawn to the report's recommendations. It was pointed out that although alternative ways of working were explored the report recommended no change to the present decision making structure of the Council as there was no evidence that change would produce savings. The report also recommended delegated authority and a simplified Constitution to stop bureaucratic reporting and empower managers.

In considering the report's recommendations, Cabinet amended the error in the listed financial triggers.

The Cabinet confirmed its decision as per Decision Notice C/027/171016, a copy of which is attached to the signed copy of the Minutes, and

RECOMMEND TO FULL COUNCIL - That

Cabinet – 17.10.16

(1) No change is made to the present decision making structure of the Council (the Cabinet system) as no overwhelming financial or democratic accountability arguments were evident to support reverting back to a Committee system.

(2) The following triggers/processes for decision making form the basis of revised Financial Regulations in the Council's Constitution:-

1) Approval route for spending Section 106 (S106) contributions

Based on the agreed S106 Agreement, where Arun is spending the money:

Trigger	Delegation to
Up to £100,000	Relevant Individual Cabinet Member
Over £100,000	Cabinet – request to be made through Budget Variation Report

2) Financial approvals

a) Responsibility for the corporate vacancy allowance to remain with the Corporate Management Team (CMT)

b) Virements of expenditure within budget:

Trigger	Delegation to
Up to £50,000	Chief Executive, relevant Director or Group Head
£50,001 - £100,000	Section 151 Officer
Over £100,000	Individual Cabinet Member

c) Supplementary estimates outside of budget:

Trigger	Delegation to
Up to £50,000	Chief Executive or relevant Director to meet by virement within existing resources
£50,001 - £100,000	Cabinet – request to be made through Budget Variation report and then Full Council
Over £100,000	Cabinet and then Full Council – individual report from relevant Director/Group Head

- i. Changes to also be made to the Constitution to allow supplementary estimates to be reported directly to Full Council when referral via Cabinet would cause an unreasonable delay to a project, subject to the Financial Implications section on the report being completed by the Section 151 Officer.

3) Drawing down of funds

- a) Grants/funding from external sources to be approved based on the following process:
 - i. Only one report is needed to Cabinet/relevant Regeneration Committee seeking support to grant/funding application.
 - ii. This will include an additional recommendation that, subject to the application being successful: *“seeks authority for the relevant Director or Chief Executive, in consultation with the Section 151 Officer and relevant Cabinet Member/Chairman of the Regeneration Sub-Committee, to agree the spending of the grant as implemented throughout the life of the project”*
 - iii. If required, updates on progress of the application and its implementation be made through Position Statements (this is mainly for the Regeneration Sub-Committees)
 - iv. If required, updates on significant areas of spend or changes to the terms of the grant/funding be included in the quarterly Budget Monitoring Report
- b) For other specific grants from external sources, where there is no further monitoring of expenditure:

Cabinet – 17.10.16

- i. Updates to be included in the quarterly Budget Monitoring Report, as required
- c) Following approval of contingency and reserve budgets by Full Council, drawing down funds from contingency budgets and earmarked reserves:

Trigger	Delegation to
Up to £100,000	Chief Executive, relevant Director or Group Head in consultation with Section 151 Officer
£100,001 - £200,000	Individual Cabinet Member
Over £200,000	Cabinet – individual report from relevant Director/Group Head

- i. Plus updates to be included in the quarterly Budget Monitoring Report for expenditure up to £100,000
- d) Grants to organisations, including discretionary rate relief:
- a) Grants register to be established and maintained on the web to include
 - i. Source of funding
 - ii. Grants awarded
 - iii. Any declarations of interest by Members & Officers
 - b) Grant allocation to be based on
 - i. Criteria being agreed in advance by Individual Cabinet Member
 - ii. Once agreed, allocations to be based on:

Grant	Delegation to
Up to £5,000 (per organisation)	Relevant Director, Chief Executive or Group Head
Over £5,000	Individual Cabinet Member

- (3) The triggers to be implemented with immediate effect; and
- (4) The Head of Legal & Administration be authorised to make the consequential changes to the Constitution ahead of the further review.

270. FUTURE OF AREA COMMITTEES

The Head of Policy and Partnerships presented the report on the future of Area Committees that informed Cabinet that West Sussex County Council (WSSC) had proposed changes to the Area Committees from April 2017 and considered Arun District Council's future participation.

It was explained that the number of County Local Committees across the West Sussex would be reduced from fourteen to eleven. With respect to Arun this meant a reduction in the number of area Committees from three to two. The amount of meetings would reduce from 12 to 6.

In discussing the report, Cabinet welcomed these changes as part of the Vision 2020 process which would save the Council £75000K by withdrawing the grant money paid to WSSC from April 2017. It was agreed that the Council would assist the Association of Local Councils (ADALC) with a payment of £500 for 2017/18.

The Cabinet confirmed its decision as per Decision Notice C/028/171016, a copy of which is attached to the signed copy of the Minutes, and

RECOMMEND TO FULL COUNCIL – That

- (1) the Council welcomes and supports the reduction in Area Committees from three to two and the reduction in meetings from 12 per year to 6 from April 2017;
- (2) the Council withdraws £75000 in grant funding to the Area Committees from April 2017;
- (3) the Council reduces the administration grant that is currently paid to WSSC for the Area Committees from £7500 to £4000 from April 2017, and;
- (4) the Council pays a grant of £500 to the Arun District Association of Local Councils (ADALC) for 2017/18 to assist them in the administration of their organisation

Cabinet – 17.10.16

271. UPDATE ON THE COUNCIL'S 2020 VISION

Cabinet received an update on the Council's 2020 Vision from the Chief Executive which included an update on some of the projects including the management restructure.

It was noted that the first stage of the management restructure had been completed with interviews for Director posts.

It was announced that the Resources Director & Deputy Chief Executive would leave Arun District Council in early 2017.

It was also noted that the programme of Vision projects, including Shared Services were progressing well with a view to achieve:

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

In receiving the report, Cabinet congratulated the Chief Executive and his team on the progress made with several complex projects which were already impacting positively on the Council's budget.

The Cabinet confirmed this decision as per Decision Notice C/029/171016, a copy of which is attached to the signed copy of the Minutes, and

RECOMMEND TO FULL COUNCIL

That it notes the update to the 2020 Vision programme and in particular progress on the management restructure (project number V31) under the principle of "becoming smaller and more effective".

(The meeting concluded at 6.12 pm)

ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE CABINET MEETING HELD ON 17 OCTOBER 2016

REF NO.	DECISION
C/019/171016	Littlehampton Leisure Centre – Project Update
C/020/171016	Capital Project Prioritisation
C/021/171016	Revenue and Capital Outturn Expenditure 2015/16
C/022/171016	Financial Prospects 2016/17 to 2021/22
C/023/171016	Award of Contract – Banking Services 2017 to 2022
C/024/171016	Business Rates – Discretionary Relief; partly occupied relief
C/025/171016	Establishment of a wholly owned Local Authority Housing Company
C/026/171016	HRA Supplementary Estimate
C/027/171016	Review of delegation & Cabinet/Committee Structure
C/028/171016	Future of Joint Arun Area Committees
C/029/171016	Update on the Council's 2020 Vision

**PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT
FROM 10.00 A.M. ON WEDNESDAY 26 OCTOBER 2016 UNLESS
THE CALL-IN PROCESS IS APPLIED**

REFERENCE NO: C/019/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Littlehampton Leisure Centre – Project Update	
OFFICER CONTACT: Rachel Alderson, Principal Landscape Officer	
Extn: 37946	e.mail:
rachel.alderson@arun.gov.uk	

EXECUTIVE SUMMARY: This report updates Cabinet on progress toward the delivery of the new leisure centre, including site investigations and stakeholder engagement. The latest designs will be presented at the Cabinet meeting prior to the submission of the planning application.

DECISION:

As recommended in the report Cabinet,

RESOLVED - That

- (1) the outline design for the new leisure centre prior to the submission of the planning application be signed off, and
- (2) a grant application be submitted to Sport England for funding towards the leisure centre, should the Council be invited to do so, subject to the scheme meeting the requirements of the grant criteria.

REASON FOR THE DECISION: To meet the programme for the delivery of the new Littlehampton leisure centre by April 2019 and avoid incurring penalties associated with the Leisure Operating Contract.

OPTIONS CONSIDERED BUT REJECTED: To not approve the recommendations and risk delays to the project and the associated financial implications.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION: None

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/020/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Capital Project Prioritisation	
OFFICER CONTACT: Alan Peach, Head of Finance & Property Extn: 37558 e.mail: alan.peach@arun.gov.uk	

EXECUTIVE SUMMARY: The Council has identified in its Medium Term Financial Strategy (MTFS), which is elsewhere on this agenda, potential additional capital funding sources to support its priorities. The range of possible new projects is substantial and the preliminary estimated costs continue to exceed the Council's ability to fund them all. There were a number of projects in last year's submissions that were phased; these phased schemes have been rolled forward. The report seeks to prioritise specific projects that can be delivered within available Council resources.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED – That

- (1) the specific projects for the Council to seek to deliver over the period 2017/18 – 2021/22 are identified in Appendix A at an estimated cost of £19.5m including the specific project of a new larger pool and sports centre for Littlehampton;
- (2) the inclusion in the draft 2017/18 budget of only those projects that are prioritised and scheduled to start in the new financial year and assess the affordability of the other potential projects and seek to identify any additional funds in the revision of the MTFS for any approved projects that are indicated as having the potential for delivery in subsequent years;
- (3) a report to review the project priorities for 2018/19 be brought back before Cabinet around the same time as the normal annual review of the Council's MTFS is carried out in 2017; and
- (4) delegated authority be given to the Council's Chief Financial Officer (s151) to approve invest to save schemes (following full financial appraisal) that can demonstrate clear financial benefits (reduction in net expenditure and are able to repay any debt plus interest), to be included in the 2017/18 or future years budgets (2.2).

REASON FOR THE DECISION: To set the Council's Capital Project Priorities for the next few years that support the Council's priorities and that are financially affordable and sustainable.

OPTIONS CONSIDERED BUT REJECTED: Alter the prioritised projects whilst remaining within the available Capital Funding in the MTFS or alter the prioritised projects for Capital funding allocations but also extend the amount available by considering prudential borrowing for those projects that can clearly demonstrate they can service any related debt and interest re-

payments.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/021/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Revenue and Capital Outturn Expenditure 2015/16	
OFFICER CONTACT: Alan Peach, Head of Finance & Property Extn: 37558 e.mail: alan.peach@arun.gov.uk	

EXECUTIVE SUMMARY: The report provides a summary of revenue and capital outturn expenditure for 2015/16 and compares this expenditure with the approved budget.

DECISION:

As recommended in the report, Cabinet,

RESOLVED – That

- (1) the attached outturn report in appendix 1, be considered;
- (2) the revenue and capital outturn expenditure and earmarked reserve transactions for 2015/16, be noted;
- (3) the level of balances and unused S.106 sums at 31st March 2016, be approved;
- (4) a £805k contribution to the Littlehampton Leisure Centre earmarked reserve, be noted; and
- (5) a £1.203 million transfer to the Pensions Reserve be noted.

REASON FOR THE DECISION: To ensure that Members are fully aware of the Council's outturn for 2015/16; and the level of reserves at 31st March 2016, which will be available for use in future years.

OPTIONS CONSIDERED BUT REJECTED: N/A

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/022/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Financial Prospects 2016/17 to 2021/22	
OFFICER CONTACT: Alan Peach, Head of Finance & Property Extn: 37558 alan.peach@arun.gov.uk	e.mail:

EXECUTIVE SUMMARY: The Council's Medium Term Financial Strategy (MTFS) covering the period up to 2021/22 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.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED – That

- (1) the core assumptions set out in the Medium Term Financial Strategy and the current financial position, be agreed;
- (2) Note and agree the significant risks to local government finance that have been clearly outlined in the report, be noted and agreed;
- (3) the Medium Term Financial Strategy is to be used to set the Budgetary framework in preparing the 2017/18 budget, and;
- (4) the submission of the Council's Efficiency Plan to the Government (Appendix 1), be noted.

REASON FOR THE DECISION: To formulate the Council's Medium Term Financial Strategy and set the financial context and framework for decisions to be taken by the Council

OPTIONS CONSIDERED BUT REJECTED: To not accept the assumptions outlined in the strategy

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION: None

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/023/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Award of Contract - Banking Services 2017 to 2022	
OFFICER CONTACT: Sian Southerton, Senior Accountant (Treasury) Extn: 37861 e.mail: sian.southerton@arun.gov.uk	

EXECUTIVE SUMMARY: The Council's contract for corporate banking services was tendered in accordance with current procurement legislation and Standing Orders. The report provides a brief summary of the procurement process and details the results of the tender evaluation. A recommendation for the award of the contract is provided based on the results of the tender evaluation process. An Open (one stage) OJEU tender process was followed. The contract was evaluated, using a; 40% price and 60% quality matrix.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED

that the award of the Banking contract to the highest scoring tender (Supplier A) being the Most Economically Advantageous Tender to provide the corporate banking service for a period of 5 years from 1st April 2017, with an option to extend for up to a further 5 years, be noted.

REASON FOR THE DECISION: To ensure compliance with the Councils' Standing Orders relating to Purchasing, Procurement, Contracts and Disposals.

OPTIONS CONSIDERED BUT REJECTED: Not to award the banking services contract.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
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DISPENSATIONS GRANTED :	None
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CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/024/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Business Rates – Discretionary Relief; partly occupied relief	
OFFICER CONTACT: Iain Bell, Revenues Manager	
Extn: 37633 iain.bell@arun.gov.uk	e.mail:

EXECUTIVE SUMMARY: Under Section 44a of the Local Government Finance Act 1988 discretionary rate relief may be granted where a property is partly occupied for a temporary period. It is the local authority which has discretion whether to grant relief. As local authorities receive a significant share of business rate income under the rates retention scheme the award of section 44a relief in respect of a high valued property carries significant cost implications for the Council.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED

that with effect from 1st April 2017 limit the gross rateable value before any proposed section 44a changes are considered, to £12,000. Properties with a rateable value (RV) of over £12,000 will not be eligible for relief. Only in exceptional circumstances will the application be considered by a relevant Director, in consultation with the Head of Finance and Property, if the value exceeds this amount.

REASON FOR THE DECISION: A recent case 'cost' the council a significant sum. A policy decision of this nature may reduce the likelihood of applications being made in future from large organisations.

OPTIONS CONSIDERED BUT REJECTED: no change / propose a different rateable value level.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET None

MEMBER(S) RESPONSIBLE FOR DECISION:

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/025/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Establishment of a wholly owned Local Authority Housing Company	
OFFICER CONTACT: Andy Elder, Housing Strategy & Delivery Manager Extn: 37714 andy.elder@arun.gov.uk e.mail:	

EXECUTIVE SUMMARY: As part of the Council's 2020 Vision Programme, a Cabinet Working Party (CWP) has been reviewing various documents for creating a Wholly Owned Local Authority Housing Company/s (WOLAHCo). The purpose of the Company/s would be to develop residential housing and other appropriate schemes to generate an additional income stream for the authority via company dividends. The company would operate independently from the Council on a commercial basis with its own Board of Directors appointed by Cabinet.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED - That

- (1) the principle and purpose of establishing a wholly owned local authority housing company (WOLAHCo) subject to the production and approval of a satisfactory business case, be agreed; and
- (2) the Company objectives as agreed by the Cabinet Working Party and set out in paragraph 2.14 of this report, be approved.

As recommended in the report, the Cabinet,

RECOMMEND TO FULL COUNCIL – That

- (1) Full Council approve a supplementary estimate of up to £130,000 (equating to a Band D Council Tax of £2.25) to cover the costs of setting up the Shadow Board and the Company which includes all the necessary legal, financial and due diligence checks which must be completed to a satisfactory standard and externally audited if deemed necessary by the Chief Executive, and;
- (2) that the Council's constitution be amended to explicitly include in the terms of reference for the Cabinet, in its role to oversee the activity of any separate legal entity within which the Council has an ownership interest.

REASON FOR THE DECISION: To provide the in principle authority to establish a housing company wholly owned by the Council. Subsequent permissions will be required before the company can commence trading.

OPTIONS CONSIDERED BUT REJECTED: To not create a Housing Company	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/026/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: HRA Supplementary Estimate	
OFFICER CONTACT: Brian Pople, Head of Housing Extn: 37718 brian.pople@arun.gov.uk	e.mail:

EXECUTIVE SUMMARY: This request seeks Cabinet Approval for a HRA Supplementary Estimate of up to £691,000 to be spent on acquiring properties. The expenditure will ensure the amount of '1 for 1' receipts identified for expenditure by December 2016 is committed.

DECISION:

As recommended in the report, the Cabinet,

RECOMMEND TO FULL COUNCIL – That

- (1) a HRA Supplementary Estimate of up to £691,000 is approved to purchase properties up to a total value of £691k. The supplementary estimate equates to a weekly rent of £3.93 per dwelling.
- (2) authority be delegated to the Cabinet Member for Housing, Head of Finance and Property, and Head of Housing to approve the purchase of property up to the total value of £691k.

REASON FOR THE DECISION: To approve a Supplementary Estimate of £691,000, which will support purchase of ex Council Right to Buy or Shared Ownership properties, which will ensure that the "1 for 1" Receipts for December 2016 are committed.

OPTIONS CONSIDERED BUT REJECTED: Not to proceed with the Supplementary Estimate and acquire ex Council Right to Buy or Shared Ownership properties up to the value of £691k.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET None

MEMBER(S) RESPONSIBLE FOR DECISION:

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Review of delegation & Cabinet/Committee Structure	
OFFICER CONTACT: Liz Futcher, Head of Democratic Services	
Extn: 37610	e.mail: liz.futcher@arun.gov.uk

EXECUTIVE SUMMARY: As part of the Vision 2020, a Cabinet Working Party was established at the Cabinet meeting on 21 March 2016 to undertake a review of the levels of delegation to Committees and Officers; and to review the current Cabinet/Committee structure. The Working Party is close to concluding the two stages of its work and this report presents its recommendations.

DECISION:

As recommended in the report, the Cabinet,

RESOLVED – That

(1) A review of the Constitution relating to the following sections be undertaken by the Chief Executive, in consultation with the Head of Legal & Administration, and recommendations for change be reported to the Constitutional Review Working Party:-

- a. Article 12.5 – Functions of the Chief Financial Officer
- b. Article 13 – Decision Making (Trigger level in key decisions)
- c. Scheme of Delegation (Section 2, Finance & Property)
- d. Budget and Policy Framework
- e. Financial Rules

(2) The notes of the meetings of the Cabinet Working Party held on 5 April, 11 May and 28 September 2016 be noted.

As recommended in the report and amended at the meeting, the Cabinet,

RECOMMEND TO FULL COUNCIL – That

1. No change is made to the present decision making structure of the Council (the Cabinet system) as no overwhelming financial or democratic accountability arguments were evident to support reverting back to a Committee system.

2. The following triggers/processes for decision making form the basis of revised Financial Regulations in the Council’s Constitution:-

1) Approval route for spending Section 106 (S106) contributions
Based on the agreed S106 Agreement, where Arun is spending the money:

Trigger	Delegation to

Up to £100,000	Relevant Individual Cabinet Member
Over £100,000	Cabinet – request to be made through Budget Variation Report

2) Financial approvals

a) Responsibility for the corporate vacancy allowance to remain with the Corporate Management Team (CMT)

b) Virements of expenditure within budget:

Trigger	Delegation to
Up to £50,000	Chief Executive, relevant Director or Group Head
£50,001 - £100,000	Section 151 Officer
Over £100,000	Individual Cabinet Member

c) Supplementary estimates outside of budget:

Trigger	Delegation to
Up to £50,000	Chief Executive or relevant Director to meet by virement within existing resources
£50,001 - £100,000	Cabinet – request to be made through Budget Variation report and then Full Council
Over £100,000	Cabinet and then Full Council – individual report from relevant Director/Group Head

i. Changes to also be made to the Constitution to allow supplementary estimates to be reported directly to Full Council when referral via Cabinet would cause an unreasonable delay to a project, subject to the Financial Implications section on the report being completed by the Section 151 Officer.

3) Drawing down of funds

a) Grants/funding from external sources to be approved based on the following process:

i. Only one report is needed to Cabinet/relevant Regeneration Committee seeking support to

- grant/funding application.
- ii. This will include an additional recommendation that, subject to the application being successful: *“seeks authority for the relevant Director or Chief Executive, in consultation with the Section 151 Officer and relevant Cabinet Member/Chairman of the Regeneration Sub-Committee, to agree the spending of the grant as implemented throughout the life of the project”*
 - iii. If required, updates on progress of the application and its implementation be made through Position Statements (this is mainly for the Regeneration Sub-Committees)
 - iv. If required, updates on significant areas of spend or changes to the terms of the grant/funding be included in the quarterly Budget Monitoring Report
- b) For other specific grants from external sources, where there is no further monitoring of expenditure:
- i. Updates to be included in the quarterly Budget Monitoring Report, as required
- c) Following approval of contingency and reserve budgets by Full Council, drawing down funds from contingency budgets and earmarked reserves:

Trigger	Delegation to
Up to £100,000	Chief Executive, relevant Director or Group Head in consultation with Section 151 Officer
£100,001 - £200,000	Individual Cabinet Member
Over £200,000	Cabinet – individual report from relevant Director/Group Head

- i. Plus updates to be included in the quarterly Budget Monitoring Report for expenditure up to £100,000
- d) Grants to organisations, including discretionary rate relief:
- a) Grants register to be established and maintained on the web to include
 - i. Source of funding
 - ii. Grants awarded
 - iii. Any declarations of interest by Members & Officers
 - b) Grant allocation to be based on
 - i. Criteria being agreed in advance by Individual Cabinet Member

ii. Once agreed, allocations to be based on:

Grant	Delegation to
Up to £5,000 (per organisation)	Relevant Director, Chief Executive or Group Head
Over £5,000	Individual Cabinet Member

3. The triggers to be implemented with immediate effect.

4. The Head of Legal & Administration be authorised to make the consequential changes to the Constitution ahead of the further review.

REASON FOR THE DECISION: To determine whether the existing delegation levels and current decision making structure is still fit for purpose and will work within the capacity of the new organisation as agreed in the Vision 2020.

OPTIONS CONSIDERED BUT REJECTED: To not agree the recommendations

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION: None

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/028/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Future of Area Committees	
OFFICER CONTACT: Paul Askew, Head of Policy & Partnerships Extn: 37515 e.mail: paul.askew@arun.gov.uk	

EXECUTIVE SUMMARY: West Sussex County Council have proposed that there are changes to the Area Committees from April 2017. This report welcomes the changes and as part of the Vision 2020 proposes withdrawing the £75000 in grant funding to the Area Committees and to reduce the administration costs that we pay WSCC by £3000. The report also proposes a payment of £500 to the Arun District Association of Local Councils (ADALC) for 2017/18 to assist them in the administration of their organisation.

DECISION:

As recommended in the report, the Cabinet,

RECOMMEND TO FULL COUNCIL – That

- (1) the Council welcomes and supports the reduction in Area Committees from three to two and the reduction in meetings from 12 per year to 6 from April 2017;
- (2) the Council withdraws £75000 in grant funding to the Area Committees from April 2017;
- (3) the Council reduces the administration grant that is currently paid to WSCC for the Area Committees from £7500 to £4000 from April 2017, and;
- (4) the Council pays a grant of £500 to the Arun District Association of Local Councils (ADALC) for 2017/18 to assist them in the administration of their organisation.

REASON FOR THE DECISION: The need to review our participation in the Area Committees in the light of the need to make savings.

OPTIONS CONSIDERED BUT REJECTED: To withdraw from the Area Committees and seek alternative ways of liaising with Towns and Parishes.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION: None

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

REFERENCE NO: C/029/171016

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Update on the Council's 2020 Vision	
OFFICER CONTACT: Nigel Lynn, Chief Executive Extn: 37600 nigel.lynn@arun.gov.uk	e.mail:

EXECUTIVE SUMMARY: The Council agreed its 2020 Vision at its Full Council meeting on 20 July 2016. This report provides an update on some of the projects, including the management restructure.

DECISION:

As recommended in the report, the Cabinet,

RECOMMEND TO FULL COUNCIL

that Council notes the update to the 2020 Vision programme and, in particular, progress on the management restructure (project number V31) under the principle of "becoming smaller and more effective".

REASON FOR THE DECISION: To enable the Council to agree its 2020 vision for the future and to help ensure that the Council becomes more effective and sustainable, to meet the future demands placed upon it. At the same time, it is imperative that the Council moves as close as possible to a balanced revenue budget with minimal or no use of Council balances to support it.

OPTIONS CONSIDERED BUT REJECTED: To note the report only.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET None

MEMBER(S) RESPONSIBLE FOR DECISION:

DISPENSATIONS GRANTED : None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None

LOCAL PLAN SUBCOMMITTEE

19 October 2016 at 6.00 p.m.

Present : Councillors Charles (Chairman), Ambler, Mrs Bence, Bicknell, Cooper, Elkins, Mrs Maconachie and Mrs Stainton.

Councillor Maconachie was also present at the meeting.

18. Apologies for Absence

Apologies for absence had been received from Councillors Bower, Brooks, Mrs Brown, Chapman, Mrs Hall and Oppler.

19. Declarations of Interest

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

Reasons

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

There were no declarations of interest made.

20. Minutes

The Minutes of the meeting held on 1 September 2016 were approved by the Sub-Committee as a correct record and were signed by the Chairman, subject to reference at Minute 15 to "the Working Party" being corrected to "the Subcommittee".

21. Objectively Assessed Housing Need Update

The Head of Planning Policy & Strategic Development advised that the report on the table provided an update in relation to the latest housing needs evidence for the District following the release of the 2014 based Sub-National Population Projections in the summer of 2016. It considered the implications of the revised housing need figure for the Local Plan as well as for decision making.

The Subcommittee was reminded that in February 2016, the Local Plan Inspector set out his conclusion on the Council's objectively assessed housing needs (OAN) and had concluded that the need of the District at that time was 845 dpa (dwellings per annum), based on the 2012 projections. However, following publication of the 2014 projections in 2016, the new data showed a stronger population growth driven by higher than expected net in-migration, resulting in an increase in the assessed housing need to 18,380 homes which equates to 919 dpa over the plan period. This further uplift in OAN would be considered as part of the proposed modifications to the Local Plan, which would be reported to Members in due course.

The report also considered the need for different types of homes and identified a strategic mix of homes as an appropriate starting point for monitoring housing provision, as set out at Table 1 of Section 2.

Following some questions which related specifically to the updated Housing Needs Evidence report by GL Hearn and which were responded to by the Head of Planning Policy & Strategic Development, the Subcommittee

RESOLVED

That the contents of the report be noted.

22. Arun Local Plan – Evidence Base Update

The Head of Planning Policy & Strategic Development presented this report which provided an update on the progress of evidence base studies commissioned to support the preparation of main modifications to the Arun Local Plan (2011 -2031) Publication Version (October 2014). Members were also advised that under paragraph 1.4, the Open Space Standards and Landscape Study had now been finalised and would be available on the Local Plan Examination website for viewing.

The Head of Planning Policy & Strategic Development highlighted that

- Locations such as Barnham, Angmering and Ford had been identified as having generally low capacity to accommodate residential development in landscape terms but there were areas where there was medium to high capacity.

- Fontwell, Yapton, LEGA (Littlehampton Economic Growth Area) and Climping were considered to have medium to high capacity to accommodate residential development.
- Ferring had been identified as having negligible capacity to accommodate development.
- The report also gave an update on employment and retail studies that would be presented to the next meeting.

Members were also given a verbal update that the Local Plan timetable needed to be amended due to the complexity of highways issues, which was holding up work on the Viability Study and Infrastructure Development Plan. He highlighted the following:-

17 November 2016 – Briefing for all Members – Cancelled
5 December 2016 – Meeting of Subcommittee – Cancelled
23 January 2017 – Briefing for all Members – new date
8 March 2017 – Meeting of Subcommittee – new date
9 March 2017 – Meeting of Subcommittee – new date
22 March 2017 – Meeting of Full Council – To be confirmed

In the course of a brief discussion, a concern was raised with regard to infrastructure and the Head of Planning Policy & Strategic Development was able to advise that the matter would be considered at the meeting in January 2017.

Following further comment, the Subcommittee

RESOLVED

That the update provided on the progress of evidence base studies commissioned to support the preparation of main modifications to the Arun Local Plan (2011-2031) Publication Version (October 2014), be noted.

(The meeting concluded at 6.26 pm)

ENVIRONMENTAL & LEISURE WORKING GROUP

6 September 2016 at 6.00 p.m.

Present: - Councillors Hitchins (Chairman), English (Vice-Chairman), Bicknell, L.Brown, Mrs Maconachie, Maconachie, Mrs Neno, Northeast, Oliver-Redgate, Mrs Porter, Purchase, Dr Walsh, Warren and Wheal.

[The following Councillors were absent from the meeting during consideration of the matters referred to at the Minutes referred to:- Councillor English, Minutes 11 to 15; and Councillor Mrs Neo and Dr Walsh, Minutes 16 to 18.]

Councillor Wotherspoon was also present for part of the meeting.

11. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Buckland, Cates, Mrs Daniells, Dingemans, Reynolds, and Wells, together with the Cabinet Member for Leisure & Amenities.

12. DECLARATIONS OF INTEREST

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

Reasons

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

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

13. MINUTES

The Minutes of the meeting held on 28 June 2016 were approved and signed by the Chairman as a correct record.

14. SAFER ARUN PARTNERSHIP ANNUAL REVIEW 2015-16

Prior to presenting this report, the Community Safety Manager introduced Acting Chief Inspector Mark Clothier and Emily King from West Sussex County Council to the meeting, who were in attendance to answer any questions Members might have.

The Community Safety Manager supplemented her written report with a visual presentation which highlighted the key activities and achievements of the Safer Arun Partnership (SAP) during the period 2015/16. The following strategic priorities had been agreed in the Partnership Plan as:-

- Tackle and reduce anti-social behaviour
- Street Communities
- Arun Think Family Programme
- Improving Public Confidence

She was particularly pleased to advise that a Memorandum of Understanding had been agreed with the Chichester and Arun Community Safety Partnership, the first to agree joint working in West Sussex. The agreement articulated the commitment and expectations to seek joint strategic responses to shared priorities and aimed to identify opportunities to pool funding in response to shared issues to promote sustainable outcomes and ensure best value for money.

The Working Group then participated in a question and answer session with the Community Safety Manager, Acting Chief Inspector Mark Clothier and Emily King which covered a range of issues relating to

- ✓ Crime figures
- ✓ Domestic Violence
- ✓ Littlehampton Men's Shed Project
- ✓ Young single homeless

On behalf of the Working Group, the Chairman thanked the Community Safety Manager for a very good report and thanked Mark Clothier and Emily King for their attendance at the meeting.

The Working Group then

RECOMMEND TO CABINET – That

(1) the work of the Safer Arun Partnership be endorsed and the importance of partnership working in contributing to

reducing anti-social behaviour and addressing Street Community issues is recognised;

(2) the need for all Arun District Council services to contribute to delivering the Think Family programme through the flexible use of resources and close working with external partners and internal services;

(3) recognition is given to the work of the Safer Arun Partnership in contributing to the delivery of the Council's strategic priority "supporting you if you need help"; and

(4) the Council's contribution to overall working of the Safer Arun Partnership(SAP) and achieving SAPs strategic priorities will be considered as part the Council's Vision and restructuring process.

15. BOGNOR REGIS VISITOR INFORMATION POINT

The Tourism Business Development Officer was pleased to advise Members that the Bognor Regis Visitor Information Point was working well with the operation partner, Johnstone Press at the Bognor Regis Observer office. Alternative ways of providing information were being provided and new additions were constantly being investigated to ensure information was accessible to visitors and residents alike when the Information Point was closed, due to the Observer staff's contracted hours.

In the course of a brief discussion, the Tourism Business Development Officer was informed of a concern that a public convenience was closed during the peak period in Bognor Regis and it was suggested that details of all such facilities should be advertised so that visitors could locate alternative sites. She thanked the Member for raising the matter and stated she would investigate the possibility of providing a list in the window of the Information Point. It was also confirmed that the information was also available in the Sussex by the Sea Visitor Guides which were on display outside the Visitor Information Point at all times.

Following some further general comments, the Tourism Development Officer was thanked for her update.

16. LITTLEHAMPTON LEISURE CENTRE

The Principal Landscape Officer provided the Working Group with a power point presentation to update Members on the progress of the project to provide Littlehampton with a new leisure centre. She was able to advise that the site surveys undertaken now provided more certainty with respect to the position, shape and layout of the new building; informed construction methodology and materials; and identified requirements for the planning application. Drawings of the outline designs were shown and the timetable highlighted to indicate that a report would be considered by Cabinet on 17

October 2016, with submission of a planning application week commencing 24 October 2016. The public planning consultation would take place from 3 to 10 October 2016 and Members were reminded of the letter that had been sent out to all Members of the Council inviting their contribution to the process.

In the course of discussion, queries were raised as to why Members had not been provided with the drawings sooner to enable them to make more informed comments and advice was given that they had only been received that afternoon. In addition, they were still very much in embryonic form and it was anticipated that there might well be further changes following feedback from the user group meetings and the public consultation. It was agreed that a copy of the drawings, presentation and letter would be circulated to Members following the meeting. In addition, Councillor Northeast requested a copy of the findings of the underground survey.

Members participated in general debate and questions were asked and responded to at the meeting relating to funding; capacity of the pool for an expanding local population; public input to the final design of the building; and the timetable.

The Director of Environmental Services advised that officers were working to an incredibly tight timescale which, if not met, would result in the centre not being built due to significant financial issues.

The Chairman thanked the Principal Landscape Officer for her presentation and update.

17. PUBLIC CONVENIENCES STRATEGY UPDATE

(During the course of discussion on this matter, Councillors English, Purchase and Warren declared a personal interest as members of their respective Parish Councils.)

The Greenspace & Cleansing Contract & Development Manager provided the Working Group with a verbal update on the meetings he had held with Parish and Town Councils with regard to the Public Conveniences Strategy so that their comments/views/suggestions could be fed into the decision making process.

Each Town and Parish had been provided with a response template and assisting information specific to the public conveniences within their respective Parish, as well as context in terms of the Council's 2020 Vision programme and level of savings required by 2020. The Councils were requested to assess the options available to them prior to sending an official response to Arun by the end of September 2016. They were also invited to gauge local public opinion and feed this back through the response process. Any ideas around any options and innovative approaches would be welcomed and, once official responses had been received, that information would be built into the future report on the matter.

Members then participated in a full debate. Concern was expressed that the Parishes and Towns had still not been provided with more detailed financial information to assist them in coming to an informed decision. However, the Greenspace & Cleansing Contract & Development Manager was able to advise that he had presented the most up to date and accurate financial figures at the meetings - he had gone through costs and responded to questions and was of the view that they were satisfied with what had been provided. It was agreed that the costings would again be sent out to members of the Working Group with updated information and costings, as requested by the Chairman.

A question was asked with regard to a community facility option and a response given that that would not be investigated further until it was known which public conveniences might be closing following the consultation with the Towns and Parishes.

The Chairman stated that that no-one wanted to see any public conveniences closed and that the Towns and Parishes had to prioritise the needs of their residents and assess whether they could assist with funding to keep facilities open. Unfortunately, in the present economic climate and with the need for the District Council to find £4m savings, it was not going to be possible to fund everything and difficult decisions would need to be taken. All options would be explored to keep as many public conveniences open as possible.

It was anticipated that, subject to responses being received back from the Parishes, a report would be presented to the meeting of Cabinet on 14 November 2016, with the Working Group being able to make comment at its next meeting on 1 November 2016.

The Chairman thanked the Greenspace & Cleansing Contract & Development Manager for his update.

(The meeting concluded at 8.20 pm)

HOUSING & CUSTOMER SERVICES WORKING GROUP

15 September 2016 at 6.00 p.m.

Present: - Councillors Clayden (Chairman) Mrs Pendleton (Vice-Chairman)
Mrs Ayres, Mrs Harrison-Horn and Mrs Rapnik.

Councillor Bence was also present.

11. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Blampied and Bicknell.

12. DECLARATIONS OF INTEREST

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

Reasons

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

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

There were no Declarations of Interest made.

13. MINUTES

The Minutes of the meeting of the Housing & Customer Service Working Group held on 7 July 2016 were approved and signed by the Chairman.

14. INTRODUCTORY TENANCY POLICY

The working group received a report from the Rent Arrears Team Leader on the Introductory Tenancy Policy which was a new policy that set out a framework ensuring consistency, a systematic approach and professional clear and firm guidelines. It was explained that the policy would be of particular benefit to staff, allowing them to sensitively deal with individual circumstances within a common understanding and agreement by providing tenants and staff with clear guidelines.

The working group was then asked to endorse the report's recommendation to Full Council that proposed the Council adopted the Introductory Tenancy Policy.

In discussion, Members welcomed the policy with its clear guidance. It was agreed that the firm guidelines would assist the Council in gauging whether or not tenants would be able to maintain their tenancy obligations. Following a question it was noted that, wherever possible, tenancy sustainment would always be the main objective. The Rent Arrears Team Leader informed Members that eviction would only be pursued as a last resort. Assurance was given that, early in the recovery process, the relevant support organisation would be alerted in order to secure assistance for the tenant so that the tenant would be given help to sustain the tenancy.

Following further questions which were responded to at the meeting the Chairman thanked the Rent Arrears Team Leader and her team for their hard work on this topic and referred the working group to the report's recommendation.

The Housing & Customer Service Working Group

RECOMMEND TO FULL COUNCIL

that the Introductory Tenancy Policy be adopted.

15. RENT ARREARS/INCOME RECOVERY POLICY

The Rent Arrears Team Leader presented the report on the Rent Arrears/Income Recovery Policy. Members were informed that as a result of significant welfare changes since April 2011 and amendments to the pre action protocol for possession by social landlords (rent arrears) effective from 6 April 2015, the Council's Rent Arrears Policy had been reviewed and re-drafted. This document outlined Arun District Council's policy for managing current and former tenant arrears and would replace previous policies. The policy would assist the Council in helping promote tenancy sustainability and prevent homelessness.

It was explained that the policy would ensure good practice by providing staff with clear guidance on current legislation with respect to how the Council should operate a rent arrears team. Members noted that the Policy aimed to establish an effective service whereby rental income is maximised and rent arrears minimised.

Members welcomed the Rent Arrears/Income Recovery Policy and approved the policy's aims of:

- Early intervention to prevent arrears arising.
- Helping tenants sustain their tenancies and prevent homelessness.
- Ensuring effective management and control of rent arrears
- Ending a tenancy and evicting as a last resort.
- Ensuring that treatment of all Arun's tenants is accountable, fair, efficient, effective; and uniform throughout the processes.

The Head of Housing confirmed that the policy could assist the Council from a legal perspective if necessary but clarified that any legal action would only be taken as a last resort.

Following questions which were responded to at the meeting the Chairman thanked the Rent Arrears Team Leader and her team for their hard work on this topic and referred the working group to the report's recommendation.

The Housing and Customer Services Working Group

RECOMMEND TO FULL COUNCIL

that the Rent Arrears/Income Recovery Policy be adopted.

16. HOUSING FRAUD INITIATIVE

The Housing Services Manager presented the report on Housing Fraud Initiative which explained the reasons for the Council's Housing Fraud Initiative, the success of the initiative since January 2016 and asked Members to note the intention to extend the initiative for a further 12 months.

It was noted that the aims of the initiative was to ensure the Council was making the best use of its housing stock and managing the increase in demand for social housing by making it available to those in greatest need.

In discussing this update, Members welcomed the Housing Fraud Initiative noting some of the benefits including getting properties back into use and financial savings for the Council. It was pointed out that although the Audit Commission had assessed that bringing a social housing property back into legitimate use would give a financial saving of £18,000 per annum Arun District Council's Housing Fraud Initiative had saved in the region of £300,000

based on the Audit Commission's sum as well as the prevention of Right to Buy, the savings from fraudulent Housing Benefit and Council Tax Benefit.

The working group welcomed this initiative and the fact that it would continue for a further year. It was agreed that Social Housing was a limited resource and should be allocated to genuine cases of need.

The Chairman thanked the Housing Services Manager and her team for their hard work in achieving significant progress with the Housing Fraud Initiative. It was agreed that the Housing Fraud Investigator would be invited to attend a future meeting of the Housing and Customer Services Working Group to provide further update and insight.

17. WORK PROGRAMME 2016/17

In discussing the work programme 2016/17, items were added and allocated dates as follows:

- Draft Anti-Social Behaviour Policy – 24 November 2016
- Presentation from the Housing Fraud Investigator – 26 January 2017
- New Housing & Planning Act – 26 January 2017
- Draft Allocations Scheme – 23 March 2017

The change of date for the November meeting from 10 November to 24 November was noted. The Head of Housing stated that he would ask StonePillow if they were able to attend on the revised date.

The work programme 2016/17 was then noted.

(The meeting concluded at 6.53 pm)

AGENDA ITEM NO. 25

ARUN DISTRICT COUNCIL

**REPORT TO AND OF FULL COUNCIL
ON 9 NOVEMBER 2016**

PART A : REPORT

SUBJECT: Consideration of the Council's position as landowner, to any planning application received relating to the regeneration of the Regis Centre, Hothamton car parks and other sites.

REPORT AUTHOR: Nigel Croad **DATE:** October 2016 **EXTN:** 37810

EXECUTIVE SUMMARY: The Council to consider not making any commitment as Landowner to any planning application received for the regeneration of the Regis Centre and Hothamton Car Park Sites and other sites, until the commissioned consultant work is returned, understood and the Council has fully determined the future scope of and development route for the sites under its freehold ownership.

RECOMMENDATIONS:

It is recommended that it would not be appropriate for the Council to make any binding decisions regarding its position as landowner for these key sites until and after the following milestones have been reached:

- A. The Council has commissioned the feasibility studies agreed by Full Council in July 2016 and the content of those studies has been considered and reported to Full Council in early 2017.
- B. The Council has determined what course of action (if any) it wishes to pursue for securing the redevelopment of the Hothamton and Regis Centre sites, having regard to the content of the studies referred to in (A) above.

1. BACKGROUND:

The purpose of this report is to confirm the Council's current stance regarding the possible redevelopment of the Hothamton and Regis Centre sites. The full details of past decisions, public consultation and public ideas for redevelopment of both sites are all set out in reports to Full Council in 2015 and 2016.

Members will recall that at the 20 July 2016 meeting of Full Council a supplementary estimate was agreed in order to facilitate the commissioning of a number of feasibility studies for the potential re-development of the Hothamton Car Park and Regis Centre sites. A tender has been prepared in furtherance of this resolution subsequently published

on the e-portal. A total of 3 submissions were received and these are presently being assessed prior to the Council selecting and instructing it's the preferred consultancy. It is expected that the required reports/feasibility studies will be completed by February 2017.

Upon the receipt of the feasibility studies, officers will prepare a further report for Full Council regarding the conclusions reached in the various studies. This report will be an important milestone for the Council as it will provide Members with an assessment of the economic robustness and deliverability / viability of the preferred outline development mix and the recommended options for securing the delivery of the required outcomes.

Members will be fully aware that the potential redevelopment of these two key sites is of major public interest and all decisions taken by the Council regarding these matters are commented upon extensively in the media. The Council has completed extensive public consultation regarding regeneration and development in Bognor Regis. The agreed instruction of the above referred feasibility studies was a direct consequence of the public consultations carried out, hence this task requires completion and understanding prior to moving forward. One aspect that can cause confusion externally is the Council's various different roles and how these can and can't interact.

Members will know that the Council's decisions, as Local Planning Authority, are focused on the relative planning merits of individual proposals and are framed by extensive legislation. Conversely, the Council's decisions as a landowner are governed by such matters as the Council strategies for a given area, or whether it owns assets in this area, procurement regulations, state aid rules and the need to secure 'best consideration' for public assets.

Where the Council is taking the lead on regeneration matters it is reasonable to expect the actions of the various parts of the Council to be aligned to ensure that not only are the corporate objectives met but also all of the relevant legal requirements. The normal outcome is usually an 'agreed' form of development which either the Council seeks to deliver itself or alternatively goes to the market to secure a third party interest to deliver the required outcomes. Difficulties can arise where third parties pursue a course of action aimed at securing planning permission for a specific set of outcomes involving public assets which do not have the agreement of the landowner (in this case the Council).

Members will be aware that when the Council invited ideas for the redevelopment of these key town centre sites, a number of propositions were submitted. These have been used to inform Council decisions in November 2015 and July 2016 on the type of development it would like to see. The Council is aware of interest from more than one group who are keen to undertake development on these sites. Some of these groups have been prepared to patiently wait for the Council to undertake the feasibility studies referred to above.

A planning application has now been received for the regeneration sites in Bognor Regis and this will be considered by the Development Control Committee in January 2017.

It is therefore important that the Council is able to confirm its position, as landowner, in terms of the various Council owned sites that may be included in any third party development interest or that is, or may become, a planning matter should any application be submitted to the Council or be considered at some future date by the Council as the

planning authority.

Should any third party decide to pursue the submission of a planning application to Arun with the objective of seeking a consent, the applicant is required to serve notice on the landowner. If a consent is then recommended for approval, the planning authority may require the landowner, as well as the applicant, to enter into conditions and a s106 planning obligation. Should such an eventuality occur, then the Council, as landowner, needs to determine if it wishes to enter into any such agreements or not. Based on the current status of the work that Full Council has requested officer get commissioned, it would be premature and, therefore, inappropriate for the Council, as landowner, to make a decision to agree any such approach, should it occur, from any third party until the milestones set out in this report have been reached. Once the milestones have been reached, any such approach would need to be considered on its merits taking into account what the Council, as landowner, has then determined it wishes to do with the sites.

It should also be noted that the Council will need to be satisfied it receives best consideration for any included freehold site(s). Best consideration will be heavily influenced by what the Council ultimately decides it wishes to see as its preferred development outcome and this cannot be determined until and after the instructed consultant's report is received.

2. PROPOSAL(S):

To determine the Council's formal response, as landowner, to the planning application BR/156/16/PL.

3. OPTIONS:

- 1) Agree and confirm that it would not be appropriate for the Council to make any binding decisions regarding its position as landowner for these key sites until and after the following milestones have been reached (recommended including A & B below):
 - A. The Council has commissioned the feasibility studies agreed by Full Council in July 2016 and the content of those studies has been considered and reported to Full Council in early 2017.
 - B. The Council has determined what course of action (if any) it wishes to pursue for securing the redevelopment of the Hothamton and Regis Centre sites, having regard to the content of the studies referred to in (A) above.
(Recommended)
- 2) For the Council to confirm its position as landowner for the key sites included as part of the Sir Richard Hotham Ltd Planning Application BR/156/16/PL. (Not recommended)

4. CONSULTATION:

Has consultation been undertaken with:

YES

NO

Relevant Town/Parish Council

YES

Relevant District Ward Councillors	YES	
Other groups/persons (please specify)	YES	No
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	
Financial	YES	
Legal	YES	
Human Rights/Equality Impact Assessment		No
Community Safety including Section 17 of Crime & Disorder Act		No
Sustainability	YES	
Asset Management/Property/Land	YES	
Technology		No
Safeguarding		No
Other (please explain)		No
6. IMPLICATIONS:		
Wide public consultation has already occurred for the redevelopment of these sites previously. As the Council moves to a final decision this will need to be assessed financially and legally and ensure any development is sustainable for the Council.		

7. REASON FOR THE DECISION:

It is not considered appropriate for the Council to make any binding decisions regarding its position as landowner for these key sites until and after the Council has commissioned the agreed feasibility studies and the Council has determined what course of action (if any) it wishes to pursue for securing the redevelopment of the Hothampton and Regis Centre sites.

8. BACKGROUND PAPERS:

1 - Report to Full Council 20th November 2016

Agenda Item 37 – Update on the redevelopment of the Hothampton Car Park and Regis Centre sites, Bognor Regis: Link below

<http://www1.arun.gov.uk/PublicViewer/Tempfiles/a9cf14cc226141a.pdf>

2 - Report to Full Council 11th November 2015

Agenda Item 27 – The regeneration of the Regis Centre and Hothampton Car Park Sites: Link below.

[http://www1.arun.gov.uk/PublicViewer/Authenticated/CommitteeMeetingAddl.aspx?MeetingId=408&meetingName=Full Council - \(2015-11-11\)#](http://www1.arun.gov.uk/PublicViewer/Authenticated/CommitteeMeetingAddl.aspx?MeetingId=408&meetingName=Full Council - (2015-11-11)#)

3 - Report to Full Council 15 July 2015 (link below)

Agenda Item 32 – Redevelopment of Hothampton and Regis Centre Site: Link below

[http://www1.arun.gov.uk/PublicViewer/Authenticated/CommitteeMeetingAddl.aspx?MeetingId=375&meetingName=Full Council - \(2015-07-15\)#](http://www1.arun.gov.uk/PublicViewer/Authenticated/CommitteeMeetingAddl.aspx?MeetingId=375&meetingName=Full Council - (2015-07-15)#)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 9 NOVEMBER 2016

PART A : REPORT

SUBJECT: The Council's 2020 Vision – "Working together for a better future", including an update on Management Restructure

REPORT AUTHOR: Nigel Lynn, Chief Executive
DATE: 17 October 2016
EXTN: 01903 737600

EXECUTIVE SUMMARY:

The Council agreed its 2020 Vision at its Full Council meeting on 20 July 2016. This report provides an update on some of the projects, including the management restructure.

RECOMMENDATIONS:

Full Council is requested to:

1. Note the update to the 2020 Vision programme and, in particular, progress on the management restructures (project number V31) under the principle of "becoming smaller and more effective".
2. Support the Chief Executive and Leader of the Council in decisions made concerning the appointments of the Directors in their new role.
3. Give delegated authority to the Chief Executive, in consultation with the Leader of the Council, to confirm the appointments of the Group Heads within the new structure.

BACKGROUND

1.0 Update on Management Restructure

- 1.1 At its meeting on 20 July 2016, Full Council resolved (at Minute 146) to support "...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..."

- 1.2 The consultancy firm 'bfpeople' were appointed by the Chief Executive, in agreement with the Leader of the Council, to assist with the restructure of the Corporate Management Team and, subsequently, will assist with the restructure of the Senior Management Team.
 - 1.3 Another consultant (Steve Vale) was appointed to provide a pay and grading review of senior management posts within the new structure. This was completed in September 2016, at a cost of £3,500.
 - 1.4 Three new Director posts have been established – Place, Services and Transformation. The post of Director (Transformation) will oversee the Council's transformation towards Vision 2020 and will cease to exist by December 2018.
 - 1.5 The new posts were advertised on 19 August 2016, with a closing date of 19 September 2016, and ringfenced to the existing four Directors.
 - 1.6 The consultants invited all applicants to complete online psychometric appraisals and the results were shared with the Chief Executive and the Leader, prior to interviews taking place on 13 October 2016. The interview panel comprised of the Chief Executive, the Leader and two representatives from bfpeople (consultants).
 - 1.7 As a result of those interviews, the following applicants have been successful in securing their new appointments:-
Director (Place) – Karl Roberts
Director (Services) – Philippa Dart
Director (Transformation) – Paul Warters
 - 1.8 It is proposed that the new Directors will formally take up their posts on 10 November 2016.
 - 1.9 As part of these decisions, the Council's Deputy Chief Executive & Resources Director – Nigel Croad - will leave the Council in early 2017.
 - 1.10 Up to £50,000 has been approved by Full Council to assist the Chief Executive and Leader with the interview process. The final cost of the process cannot be identified at this time as it is dependent on the number of applications to be processed. However, the costs will be well within the funds available.
 - 1.11 When the Group Head posts have been filled, further funds will be required for any redundancy costs that might occur. A further report to full Council will follow.
- 2.0 Progress with the Council's 2020 Vision Programme**
- 2.1 The 2020 Vision (overleaf) was agreed at the Full Council meeting on 20 July 2016.



2020 VISION

WORKING TOGETHER
FOR A BETTER FUTURE

The Council Priorities and the Vision



Your services



Supporting you



Your future

“Providing the best services we can afford to help you improve your life”

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



3. PROPOSAL(S):

- 3.1 It is requested that Full Council notes the update to the 2020 Vision programme and, in particular, progress on the management restructure (project number V31) under the principle of “becoming smaller and more effective”.
- 3.2 As Full Council (at its meeting on 20 July 2016) gave authority to the Chief Executive – in liaison with the Leader of the Council – to progress and implement the proposed revised outline structure, no Full Council approval of these appointments is required. However, Full Council are requested to support the Chief Executive and Leader of the Council in decisions made concerning the appointments of the Directors in their new roles.
- 3.3 Give delegated authority to the Chief Executive, in consultation with the Leader of the Council, to confirm the appointments of the Group Heads within the new structure.

4. OPTIONS:

1. To note this report.

5. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors	✓	
Other groups/persons (please specify) 'bfpeople' (Consultants)	✓	
UNISON:- a) Director consultation took place between 11 -25 May, 17 August – 5 September, and 7 September – 7 October b) All senior managers 7 June – 1 July c) Group Head consultation took place between 7 September – 7 October 2016 d) UNISON have been kept up to date and consulted	✓	
6. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 7 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) (UNISON)	✓	
<p>7. IMPLICATIONS:</p> <p>Following the appointment of Directors (10 November 2016), Group Heads of services will be appointed, probably week commencing 21 November 2016. Following these initial two stages, further structures will be devised, consulted on, and progressed. In keeping with “becoming smaller and more effective”, it is possible that further redundancies will follow and Members may be asked for additional supplementary estimates for redundancy payments – should this be necessary – on a business case approach.</p>		

<p>8. REASON FOR THE DECISION:</p> <p>To enable the Council to agree the 2020 vision programme for the future to help ensure that the Council becomes more effective and sustainable, to meet the future demands placed upon it. At the same time, it is imperative that the Council moves as close as possible to a balanced revenue budget with minimal or no use of Council balances to support it. The next stage will be the appointment of Group Heads of Service.</p>

<p>9. BACKGROUND PAPERS:</p> <p>Full Council Agenda - 30 April 2014 – (item 26 - Local Government Association - Corporate Peer Challenge Review – March 2014)</p> <p>Full Council Agenda - 18 June 2014 - (item 9 - Local Government Association - Corporate Peer Challenge Review – March 2014 – Customer Services)</p> <p>Full Council Agenda - 5 November 2014- (item 17 – Working Towards a Council Vision for 2015 to 2020)</p> <p>Cabinet Agenda 16 November 2015 – (item 7 – Financial Prospects 2015/16 to 2020/21)</p> <p>Full Council 13 January 2016 – (item 29 - 2020 Vision – working together for a better future)</p> <p>Overview Select Committee 7 June 2016 - (item 32 – The Council’s 2020 Vision)</p> <p>Full Council 20 July 2016 – (item 36 – The Council’s 2020 Vision)</p> <p>Cabinet Agenda – 17 October 2016 – (item 15 – Update on the Council’s 2020 Vision)</p>

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

Vision 2020 (PHASE 1)															
ID	Name	Status	Start Date	End Date	Lead	Budget	Time	Benefits	Notes	Type of Benefits	Benefits Start Date	Benefit Minimum	Benefit Max		
V1	Shared Service - ICT	Running	Feb-16	Apr-17	C.Lawrence	Amber	Amber	Amber	- Detailed Business Case to Full Council Jan 2017	- Saving	2018/19	tbc	£224,000		
V2	Shared Service - Legal	Running	Feb-16	Apr-17	W.Ashenden-Bax	Amber	RED	Amber	- Detailed Business Case to Full Council Jan 2017	- Saving	July 2017	£48,000	£134,000		
V4	Shared Service - HR / Payroll	Running	Feb-16	Apr-17	K.Pearce	RED	RED	Amber	- Detailed Business Case to Full Council Jan 2017	- Saving	April 2018	£49,000	£64,000		
V5	Shared Service - Audit	Running	Feb-16	Apr-17	S.Pearce	Green	Amber	Amber	- Detailed Business Case to Full Council Jan 2017	- Saving	2017/18	£23,000	£40,000		
V6	Shared Service - Revenues & Benefits	Running	Nov-15	Apr-17	I.Bell	Green	Amber	Green	- Detailed Business Case to Full Council Jan 2017 - (higher figure Yr 5 onwards) & dependent on saving sharing	- Saving (if split 50/50)	2019/20	£141,000	£346,000		
V7	Shared Service - Customer Services	Running	Feb-16	Apr-17	J.Follis	Amber	Amber	Amber	- Detailed Business Case to Full Council Jan 2017 - (higher figure Yr 5 onwards)	- Saving	2018	£50,000	£100,000		
AIP40	Shared Service - Building Control	Running	Apr-16	Oct-16	J.Henn	Amber	Amber	Amber	- Business Case	- Saving & income	2018/19	£20,000	£40,000		
V8	Planning Services - Income generation	Running	Mar-16	TBA	K.Roberts	Green	RED	Amber		- Income (included in base budget already)	**	£140,000	£140,000		
V8.1	Planning Services - Savings	Running	Mar-16	TBA	K.Roberts	Green	RED	Amber	- Business Case - Cabinet Working Group is late July - Timetable dependent on corporate restructure	- Saving		£130,000	£250,000		
V9	Fewer Public Toilets	Running	Apr-16	Apr-19	O.Handson	Green	Amber	Amber	- ESC&CDWG June 2016 / Cabinet 25th July	- Saving	January 2017	£0	£140,000		
V10	Car Parks Charges	Complete	Feb-16	Apr-16	C.Baylis	Green	Green	Amber	- Fees go up 22 April 2016	- Income (included in base budget already)	April 2016 **	£100,000	£150,000		
V11	Cemeteries Fees	Running	Apr-17	Apr-19	O.Handson	Green	Green	Green	- ICM Required, draft after FC approval of Vision 2020 Summer 2016	- fee increase of 5% for 3 years = £40,000 income	April 2017	£40,000	£40,000		
V12	Cleansing Contract Renewal	Running	Apr-16	Nov-16	O.Handson	Green	Green	Green	- Cabinet October 2016	- Saving	February 2017	£25,000	£200,000		
V13	Reducing Consultation	Complete		Apr-16	P.Askew	Green	Green	Green	- Abolished Wavelength Panel	- Saving	April 2016	£10,000	£10,000		
V14	Local Housing Company	Running	Feb-16	Jun-17	A.Elder	Green	Amber	Amber	- Agreed to setup up Local Housing Company at Cabinet 17/10/2016	- Income capital and revenue	2019	tbc	tbc		
V15	London Road Student Accommodation	Running	Aug-15	Apr-19	N.Croad	Amber	Amber	Amber	- Business Case	- Income	2019/20	£40,000	tbc		
V16	Commercial Review BRTH	Scheduled	May-16	Dec-16	A.Peach	Green	Amber	Amber	- Business Case	- Saving and income		£87,000	£160,000		
V17	Commercial Review Council Assets	Running	Aug-16	N/A	A.Peach	Green	Green	Green	- Business Case	- Income	on-going				
V18	Council Tax Reductions Scheme	Running	Oct-15	Apr-17	S.Priest	Green	Amber	Green		- Saving	April 2017	£80,000	£100,000		
V19	Review of Day Activities for Older People	Running	Jan-15	Dec-16	R.Wickham	Amber	RED	Amber	- Business Case / Awaiting WSCC funding	- Savings	October 2017	£15,000	£70,000		
V20	Review of Joint Area Committees	Running	Feb-16	Mar-17	P.Askew	Green	Green	Green	- Agreed at Cabinet 17/10/2016	- Saving	April 2017	£78,000	£78,000		
V21	Officer Allowance	Running	Feb-16	Apr-17	P.Warters	Green	Amber	Amber	- Changes in April 2017	- Saving	2017/18	£70,000	£70,000		
V29.1	Review Greenspace Management Contract (general fund)	Complete	Apr-16	Jan-17	O.Handson	Green	Green	Green	- Benefits delivered Jan 2017	- Saving (yr1 £214,000 10 yr avg £166,000)	January 2017	£166,000	£166,000		
V29.2	Review Greenspace Management Contract (HRA)	Complete	Apr-16	Jan-17	O.Handson	Green	Green	Green	- Benefits delivered Jan 2017	- Saving (yr1 £117,000 10 yr avg £94,000)	January 2017	£94,000	£94,000		
V35	Accommodation Review	Scheduled	May-16	Aug-16	P.Warters	Green	Amber	Amber	- Accommodation Strategy	- Income and support other changes					
Vision 2020 (PHASE 2)															
ID	Name	Status	Start Date	End Date	Lead	Budget	Time	Benefits	Notes	Type of Benefits	Benefits Start Date	Benefit Minimum	Benefit Max		
V23	Review of Cabinet / Committee Structure	Running	Apr-16	Jul-16	N.Lynn	RED	Amber	RED	- Full Council March & 20th July 2016	- Savings	N/A	N/A	N/A		
V24	Review of grants to Voluntary Sector	Scheduled	Jun-16	Nov-16	R.Wickham	Amber	Green	Amber		- Saving	April 2017	£2,500	£3,500		
V25	Review of Council involvement in anti-social behaviour	Running	Mar-16	Sep-16	R.Wood	Green	Amber	Green	- Requires CMT/member decision on scope of services needed from April 2017	- Saving	April 2017	£12,500	£12,500		
V26	Fewer charitable events for Chairman	Running	Jan-16	Sep-16	P.Askew	Green	Green	Green		- Saving	2016/17	£5,000	£10,000		
V27	Review of Wellbeing involvement	Running	Jan-16	Dec-16	R.Wood	Green	Amber	RED	- Requires CMT/member decision on organisation structure and scope of services needed from April 2017	- Saving	Apr-17	£0	£80,000		
V28	Review of delegation to committees and officers	Running	Apr-16	Nov-16	N.Lynn	Amber	Amber	Green	- Agreed at Cabinet 17/10/2016 - Excludes Cabinet System from scope	- Savings	Apr-17				
AIP38	Review of Estate Management	Running	Nov-15	Dec-16	A.Peach	Green	Amber	Amber		- Saving	2017/18	£20,000	£25,000		
V30	Increase income from out of hours printing	Running	Mar-16	Mar-17	J.Northeast	Green	Green	Amber	- Assessment of high speed copier underway	- Income	December 2016	£500	£5,000		
V31.1a	Management Structure (CMT) 5 > 4	Running	Mar-16	Nov-16	N.Lynn	Amber	Green	Green	- Member workshop 16/06/2016 - Cabinet 27/06/2016	- Savings	2018/19	£100,000	£100,000		
V31.1b	Management Structure (CMT) 4 > 3	Running	Mar-16	Nov-16	N.Lynn	Amber	Green	Green	- Member workshop 16/06/2016 - Cabinet 27/06/2016	- Savings	2018/19	£100,000	£100,000		

V31.2	Management Structure (Group Heads)	Running	Aug-16	Apr-17	N.Lynn	Amber	Green	Green	- Member workshop 16/06/2016 - Cabinet 27/06/2016	- Savings	2018/19	£100,000	£200,000
V32	Events Management	Running	Jan-16	Dec-16	J.Russell-Wells	Green	Amber	Amber	- Further review to verify saving / income as part of project	- Saving / income	April 2017	£5,000	£25,000
V33	Review all discretionary and statutory services	Scheduled	Dec-16	Apr-17	N.Lynn	RED	RED	RED	Work to take place following management restructure. Some service areas already identified in 20 July Full Council report	- Savings			
V34	Review of administration	Scheduled	Aug-15	TBA	N.Croad	Amber	Amber	Amber	- Requires CMT decision on scope of services needed from April 2017	- Savings	2017/18	£15,000	£22,000

Arun Improvement Programme (AIP)

ID	Name	Status	Start Date	End Date	Lead	Budget	Time	Benefits	Notes	Type of Benefits	Benefits Start Date	Benefit Minimum	Benefit Max
AIP33.3	Web Replacement - Town/Parish	Hold	TBA	TBA	R.Webb	RED	RED	RED		- support model for town & parish councils		£0	£2,500
AIP 34	Finance Replacement System & Review	Running	Aug-15	Oct-16	C.Martlew	Green	Green	Amber		- Risk reduction & sustainability - licence resource saving £40,000 - £60,000 pa	2017/18	£40,000	£60,000
AIP36	Replacement EH System & Review	Running	Nov-16	Dec-17	N.Slade	Amber	Amber	Amber		- Savings / income Yr2 £35K - Yr3 £90-£100K	Jun-18	£90,000	£100,000
AIP28	Carparks On-Line Appeals	Complete	Jan-14	Jan-16	C.Baylis	Green	Green	Green		- Savings	5-Sep-16	£10,746	£10,746
AIP39	Replace Planning System	Hold	TBA	TBA	K.Roberts	RED	RED	Red		- EU procurement rules			
AIP43	Replace R&B System	Hold	TBA	TBA	I.Bell	RED	RED	Red		- EU procurement rules			
AIP42	Replace Corporate EDRMS/DMS	Hold	TBA	TBA	P.Symes	RED	RED	Red		- EU procurement rules			

Gross Total	£1,907,246	£3,372,246
Base budget	£240,000	£290,000
Total	£1,667,246	£3,082,246

ARUN DISTRICT COUNCIL

FULL COUNCIL MEETING
9 NOVEMBER 2016

Decision Paper

Subject : 'Making' of the Aldingbourne Neighbourhood Development Plan

Report by : Donna Moles
Senior Planning Officer

Report date: 19 October 2016

EXECUTIVE SUMMARY

Under The Neighbourhood Planning (General) Regulations 2012, the Council is required to 'make' the Aldingbourne Neighbourhood Development Plan following the referendum held on 18th October 2016 when 93.48% of electors voted in favour of the Plan.

RECOMMENDATIONS

It is recommended to Full Council that:

- 1) It 'makes' the Aldingbourne Neighbourhood Development Plan and it becomes part of the Development Plan for Arun District Council.

1.0 INTRODUCTION

- 1.1 The Localism Act, which received Royal Assent on 15 November 2011, introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans and orders. Neighbourhood forums and parish councils can use new neighbourhood planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as '**neighbourhood development plans**'. They have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy).

- 1.2 An independent qualified person (the Examiner) then checks that a neighbourhood development plan or order appropriately meets the basic conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and appropriate for use as part of the development plan.
- 1.3 The basic conditions being:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies contained in the development plan for the area;
 - not breach, and be otherwise compatible with, EU obligations;
 - not be likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 1.4 The neighbourhood area for Aldingbourne covers the whole parish of Aldingbourne. This area is coterminous with the Aldingbourne Parish Council boundary that lies within the Arun District Council Local Planning Authority Area. Part of the specified area falls within the South Downs National Park Local Planning Authority Area and part within Arun District Council Local Planning Authority Area.
- 1.5 The Aldingbourne Neighbourhood Development Plan was examined by Mr John Slater, who passed the Plan and recommended Arun District Council should, subject to the modifications in the examination report, proceed to referendum. Following this the examiner's modifications were agreed by Aldingbourne Parish Council and Arun District Council in consent with South Downs National Park.
- 1.6 On 8th September 2016, the Decision Statement, which is a report that outlines all the examiner's modifications and confirms acceptance by all parties was signed by the Director of Planning and Economic Regeneration and published on the Arun District Council website.
- 1.7 Proposed neighbourhood development plans need to gain the approval of a majority of voters in the neighbourhood area in a referendum, in order to come into force. If a plan passes the referendum, the local planning authority is under a legal duty to bring it into force. Neighbourhood development plans do not take effect unless there is a majority of support in a referendum.
- 1.8 On 18 October 2016, Aldingbourne Neighbourhood Development Plan successfully passed its referendum with over 93% of the votes agreeing that the Neighbourhood Development Plan be used in Development Control decision making.

Table 1: Declaration of Result of Poll

1.9

Polling Station	Votes recorded	Percentage
Number cast in favour of a 'Yes'	674	93.48%
Number cast in favour of a 'No'	47	6.52%
Turnout		23.99%

- 2.0 Arun District Council and South Downs National Park Authority will continue to produce their Local Plans which will set the strategic context within which The Neighbourhood Development Plan will sit.
- 2.1 The South Downs National Park Authority will be taking the Plan to their Planning Committee to be made as part of their Development Plan.

Background Papers: The Statutory Instruments for Neighbourhood Planning
[Legislation.gov.uk website](http://legislation.gov.uk)

Contact: Donna Moles, Senior Planning Officer, 37697

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL 9 NOVEMBER 2016

SUBJECT: **Calendar of Meetings for 2017/18**

REPORT AUTHOR: Liz Fitcher, Head of Democratic Services
DATE: 17 October 2016
EXTN: 01903 737610

EXECUTIVE SUMMARY:

In accordance with Council Procedure Rule 2.0, the Council needs to agree a programme of dates for Council Meetings prior to the start of the new municipal year. This report therefore proposes the arrangements for the Calendar of Meetings for 2017/18.

RECOMMENDATIONS:

It is recommended that the Calendar of Meetings for 2017/18 be approved.

1.0 BACKGROUND

- 1.1 The Constitution requires the Council to agree a programme of dates for Council Meetings ahead of the new municipal year. As is custom and practice, the proposed Calendar also seeks approval to the dates for Cabinet, Committee, Sub-Committee and Working Group meetings.
- 1.2 The proposed Calendar of Meetings for 2017/18 is attached as Appendix 1 to the report.
- 1.3 The proposals have been prepared in consultation with the four Group Leaders and relevant lead officers.

2.0 PROPOSALS FOR 2017/18 – WHAT IS UNCHANGED

- 2.1 In preparing the Calendar for 2017/18, the pattern and number of actual meetings held over the last two years has been reviewed, and the officer team has been consulted on any changes needed to current arrangements.
- 2.2 The proposals continue to work to an 8 weekly cycle. They allow for six Full Council meetings over the year, plus a Special Council Meeting on 21 February 2018 to consider the Budget for 2018/19.
- 2.3 Meetings of the Overview Select and Audit & Governance Committees have been planned in to current arrangements

2.4 Meetings of the Development Control Committee have continued to be planned in 4 weekly. However, a review is planned of frequency over the coming year linked into the changes to the Scheme of Delegation, agreed in June 2016, to determine if this pattern of meetings is still required in 2018/19.

2.5 Arrangements for the Littlehampton Regeneration Sub-Committee, Environment & Leisure Working Group and Housing & Customer Services Working Group remain unchanged.

3.0 PROPOSALS FOR 2017/18 – WHAT HAS CHANGED

3.1 From the review of meetings over the last two years, changes are proposed to current arrangements for Cabinet, the Licensing Committee and the Local Plan Sub-Committee.

3.2 Cabinet

3.2.1 The Calendar still includes two Cabinet meetings per cycle. However, there is a distinction between the two meetings so that the first meeting in the cycle is a reserve date that will only be used if the business cannot wait until the second meeting. The Chief Executive, or a Director in his absence, would take responsibility for deciding if a meeting was needed, in consultation with the Chairman and Vice-Chairman.

3.2.2 This change is proposed to, firstly, reflect the reduction in items presented over the last 18 months and, secondly, to take account of prospective changes to the level of delegation to both Cabinet Members and the officer team as part of the Vision 2020.

3.2.3 The Chairman and Vice-Chairman of Cabinet support this proposal.

3.3 Licensing Committee

3.3.1 In response to the decision taken at the last Council meeting to change the responsibilities of the Licensing Committee, the proposals are based on the new arrangements of the full Committee meeting quarterly; whilst dates for the Licensing Sub-Committee have been programmed in 4 weekly to be held only if required.

3.3.2 The Calendar for 2016/17 has already been updated to reflect these new arrangements and, as agreed by Council, a review will be carried out in the latter part of 2017.

3.4 Bognor Regis Regeneration, Electoral Review and Standards Committees

3.4.1 Meetings of the Bognor Regis Regeneration Sub Committee, Electoral Review Sub-Committee and Standards Committee have been reduced from 4 to 3 over the year. This is based on the frequency of cancellation of at least one meeting per year in the last two years. If required, additional meetings can still be arranged throughout the year.

3.5 Local Plan Sub-Committee

3.5.1 Three dates have been planned in for 2017 based on the Head of Planning Policy & Strategic Development's advice. If required, additional meetings can be arranged for the remainder of the municipal year.

4.0 DATES AVOIDED FOR MEETINGS

4.1 As is custom and practice, the proposals aim to avoid holding a Full Council meeting around the following events:

- Local Government Association Conference – 3 to 6 July 2017

<ul style="list-style-type: none"> o Political Party Conferences – assumed 18 September, 25 September and 2 October 2017 (Monday to Wednesday) o School Holidays throughout the year 		
<p>4.2 The proposals also plan for a minimal number of meetings in August to reflect requests from both Members and Officers to accommodate the school summer holiday; and a break over the Christmas/New Year period.</p>		
<p>5.0 <u>MANAGING DATE CHANGES THROUGHOUT THE YEAR</u></p>		
<p>5.1 If the Calendar is agreed, the dates for Council meetings can be subject to change by Full Council should the need arise. Changes to dates for Cabinet and Committees will be agreed with the relevant Chairman. Special meetings can also be arranged when required.</p>		
<p>5.2 Start times for meetings, other than Full Council, will be agreed at the first meeting in the new Council year or by special arrangement as agreed by the relevant Committee Chairman.</p>		
<p>6.0 OPTIONS:</p>		
<ol style="list-style-type: none"> 1. To support the recommendation for a Calendar of Meetings for 2017/18 2. To propose an alternative Calendar. 		
<p>7.0 CONSULTATION:</p>		
<p>Has consultation been undertaken with:</p>	<p>YES</p>	<p>NO</p>
<p>Relevant Town/Parish Council</p>		<p>✓</p>
<p>Relevant District Ward Councillors</p>		<p>✓</p>
<p>Other groups/persons (please specify)</p> <p>- Group Leaders and lead officers</p>	<p>✓</p>	
<p>8.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail below)</p>		
<p>Financial</p>		<p>✓</p>
<p>Legal</p>	<p>✓</p>	
<p>Human Rights/Equality Impact Assessment</p>		<p>✓</p>
<p>Community Safety including Section 17 of Crime & Disorder Act</p>		<p>✓</p>
<p>Sustainability</p>		<p>✓</p>
<p>Asset Management/Property/Land</p>		<p>✓</p>
<p>Technology</p>		<p>✓</p>
<p>Other (please explain)</p>		<p>✓</p>

9.0 IMPLICATIONS:

In the consultation, the Group Leaders were asked if they wished to see any change to the pattern of meetings in each cycle and the feedback was that there should be no change. The Group Leaders supported the proposed changes to the Calendar for the coming municipal year, as set out in paragraph 3 of the report.

10.0 REASON FOR THE DECISION:

The Constitution requires the Council to agree a programme of dates for Full Council meetings ahead of the new municipal year. By planning in all other meetings, it will allow a full calendar to be published well in advance to interested organisations and individuals.

11.0 BACKGROUND PAPERS:

Council's Constitution <http://www.arun.gov.uk/constitution>

ARUN DISTRICT COUNCIL – MEETING DATES 2017/18

(All meetings are held at the Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF unless otherwise stated)

	May 2017	June 2017	July 2017	August 2017	September 2017	October 2017
Mon	1 Public Holiday					
Tues	2			1		
Wed	3			2		
Thurs	4 WSSC Elections	1		3		
Fri	5	2 Licensing Sub		4	1 Licensing Sub	
Mon	8	5 Bognor Regis Regeneration Sub	3	7	4	2 Bognor Regis Regeneration Sub
Tues	9	6	4	8	5	3
Wed	10 Full Council	7	5	9	6	4
Thurs	11	8 Standards	6 Housing & Customer Services WG	10	7 Housing & Customer Services WG	5 Standards
Fri	12	9	7	11	8	6
Mon	15	12	10	14	11	9
Tues	16	13	11	15	12	10
Wed	17 Annual Council	14 Littlehampton Regeneration Sub	12 Full Council	16	13 Full Council	11 Littlehampton Regeneration Sub
Thurs	18	15	13	17	14	12 Local Plan Sub
Fri	19	16	14	18	15	13
Mon	22 <i>Cabinet 1</i>	19 Cabinet 2	17 Cabinet 2	21	18 <i>Cabinet 1</i>	16 Cabinet 2
Tues	23	20	18 Electoral Review Sub	22	19	17
Wed	24 Development Control	21 Development Control	19 Development Control	23 Development Control	20 Development Control	18 Development Control
Thurs	25	22 Local Plan Sub	20	24	21	19
Fri	26	23	21	25	22	20
Mon	29 Public Holiday	26	24	28 Public Holiday	25	23
Tues	30 Overview Select	27 Environment & Leisure WG	25 Overview Select	29 Environment & Leisure WG	26 Overview Select	24 Environment & Leisure WG
Wed	31	28	26	30	27	25
Thurs		29 Audit & Governance	27	31 Local Plan Sub	28 Audit & Governance	26
Fri		30 Licensing & Enforcement	28 Licensing Sub		29 Licensing & Enforcement	27 Licensing Sub
Mon			31			30
Tues						31

Notes

1. *Cabinet 1* – reserve date with meeting only to be held if the business cannot wait until the following planned meeting

ARUN DISTRICT COUNCIL – MEETING DATES 2017/18

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	November 2017	December 2017	January 2018	February 2018	March 2018	April 2018	May 2018
Mon			1 Public Holiday				
Tues			2				1
Wed	1		3				2 Full Council
Thurs	2 Housing & Customer Services WG		4 Housing & Customer Services WG	1 Standards	1 Audit & Governance / Housing & Customer Services WG		3
Fri	3	1	5	2	2		4
Mon	6	4	8	5	5	2 Public Holiday	7 Public Holiday
Tues	7	5	9	6	6	3	8
Wed	8 Full Council	6	10 Full Council	7 Littlehampton Regeneration Sub	7 Full Council	4	9 Development Control
Thurs	9	7 Audit & Governance	11	8	8	5	10
Fri	10	8	12	9	9	6	11
Mon	13 <i>Cabinet 1</i>	11 Cabinet 2	15 <i>Cabinet 1</i>	12 Cabinet 2	12 <i>Cabinet 1</i>	9 Cabinet 2	14
Tues	14	12	16	13	13	10	15
Wed	15 Development Control	13 Development Control	17 Development Control	14 Development Control	14 Development Control	11 Development Control	16 Annual Council
Thurs	16	14	18	15	15	12	17
Fri	17	15 Licensing & Enforcement	19	16	16	13	18
Mon	20	18	22	19	19	26	21
Tues	21 Overview Select	19 Environment & Leisure WG	23 Overview Select	20 Environment & Leisure WG	20 Overview Select	17	22
Wed	22	20	24	21 Special Council - Budget 2018/19	21	18	23
Thurs	23	21	25	22	22	19	24
Fri	24 Licensing	22	26 Licensing Sub	23 Licensing Sub	23 Licensing & Enforcement	20 Licensing Sub	25
Mon	27	25 Public Holiday	29 Bognor Regis Regeneration Sub	26	26	23	28 Public Holiday
Tues	28 Electoral Review Sub	26 Public Holiday	30	27	27 Electoral Review Sub	24	29
Wed	29	27	31	28	28	25	30
Thurs	30	28			29	26	31
Fri		29			30 Public Holiday	27	
Mon						30	
Tues							

Notes

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