

**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 9 NOVEMBER 2016 AT 6.00 P.M.**

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

Honorary Aldermen Mrs Olliver and Squires were also present during the meeting.

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated – Councillor Mrs Rapnik - Minute 281 to Minute 299 (Part)]

281. WELCOME

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

282. FORMER COUNCILLOR MRS ANN SMEE

The Chairman stated that it was with great sadness that he had to announce the death of former Councillor and Chairman of the Council, Mrs Ann Smees, who sadly passed away on 22 October 2016.

The Council then stood in silence to her memory.

283. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Daniells, Mrs Hall, D Maconachie, Mrs Madeley, Oliver-Redgate and Purchase and from Honorary Aldermen Mrs Goad, MBE, Mrs Morrish and Mrs Stinchcombe.

284. 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.

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.

The Chief Executive referred Members to Item 25 on the agenda which was Consideration of the Council's Position as Landowner – Regis Centre & Hothampton Car Park and Other Sites, Bognor Regis.

The Chief Executive reminded Members that the matter before the Council was to consider the Council's position as landowner and not the planning merits of any proposal. It was the responsibility of each Member not to stray into planning matters when debating this matter.

The Chief Executive stated that many Members would be involved in future decisions relating to these sites, whether that be the Development Control Committee; the Local Plan Sub-Committee; the Licensing of premises; or other functions undertaken by the Council. It was therefore important for Members to remember that for all matters that they were involved in the consideration of, that they actively sought to demonstrate at each such meeting, including this meeting, that they had an open mind and had considered all the information before them at that time that related to the issue to be determined by that meeting.

Members were reminded that before the meeting of Full Council held on 11 November 2015, Members had been lobbied by the applicant of the subsequent planning application and so Members were invited to make a declaration at that meeting, that they came to the meeting with an open mind and would consider all the relevant information before them at that meeting. In light of the advice given, Members were invited to make a similar declaration now, before Item 25 was introduced.

“I accept and understand:

- Since section 25 of the Localism Act 2011 came into force, predetermination on its own, is not be taken as having a closed mind.
- Public bodies should make decisions dispassionately according to the law and the materials before them
- If a Councillor or officer campaigns for one outcome or another and that Councillor or officer then participated in the decision making process and that Councillor or officer is shown to have been biased and/or having a closed mind, that interest in the matter puts the Council’s decision making process at risk of legal challenge.
- Where a Councillor does indicate their view on a matter prior to a decision on the same matter, then the onus is on that Councillor to demonstrate very clearly at all meetings when a decision is taken on that matter, that they do not have a closed mind and so show by what they say that they are clearly considering all the relevant issues and interests and they have reached their decision on merit and not bias.

Relevant Officers were also being invited to make the same Declaration.

Prior to the Declarations being made, Councillor Mrs Maconachie requested permission for her, as an individual, to withdraw from Item 25. Councillor Mrs Maconachie stated that she accepted what the Chief Executive had explained but felt that in her position as Chairman of the Development Control Committee she would withdraw for this item to avoid putting the Council into a position of potential legal challenge.

Councillor Dr Walsh asked for some clarification on the advice given so that he could be clear on what he could and could not express views on. The Chief Executive re-confirmed the advice he had outlined above.

Full Council – 09.11.16

Councillor Dillon declared a separate Personal Interest in relation to Item 25 in terms of his involvement with the Alexandra Theatre and as he also sat as a Member on the Development Control Committee and as a Bognor Regis Town Councillor on the Planning Committee. He confirmed that he would remain totally impartial.

Councillor Brooks also declared a Personal Interest in Item 25 as he was a voting member of Arun Arts, the company that controlled the theatre.

The following Members and officers present at the meeting indicated that they agreed to accept the declaration:

Councillors Ambler, Mrs Ayres, Ballard, Bence, Mrs Bence, Bicknell, Blampied, Mrs Bower, Bower, Brooks, Mrs Brown, L. Brown, Buckland, Cates, Chapman, Charles, Clayden, Cooper, Dendle, Dillon, Dingemans, Edwards, Elkins, English, Gammon, Mrs Harrison-Horn, Haymes, Hitchins, Hughes, Mrs Maconachie, Mrs Neno, Northeast, Mrs Oakley, Oppler, Patel, Mrs Pendleton, Mrs Porter, Reynolds, Miss Rhodes, Tyler, Dr Walsh, Warren, Wheal, Wells, Wensley and Wotherspoon.

Nigel Lynn, Chief Executive, Nigel Croad, Resources Director and Deputy Chief Executive, Karl Roberts, Director of Planning & Economic Regeneration, Phillipa Dart, Director Environmental Services, Wendy Ashenden-Bax, Head of Legal & Administration, Liz Futchter, Head of Democratic Services and Jane Fulton, Committee Manager.

Those Members and officers who did not wish to make the declaration would need to consider at future meetings whether or not it was appropriate for them to be involved in consideration of matters dealing with the Bognor Regis Regeneration sites.

The Resources Director and Deputy Chief Executive, the Director of Planning & Economic Regeneration and the Director of Environmental Services all declared their Personal and Pecuniary Interests in Agenda Item 26 (The Council's 2020 Vision – "Working Together for a Better Future" and Update on the Management Restructure) and confirmed that they would leave the meeting for this item.

285. QUESTION TIME

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

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

(1) The Cabinet Member for Planning & Infrastructure, Councillor Bower, was asked if he could explain to the Council and the public his understanding of why the Planning Inspector had found it necessary to warn the Council of the need to avoid predetermination.

The Cabinet Member for Planning & Infrastructure, Councillor Bower, responded to this question by quoting what the Planning Inspector had stated to the Council in his letter dated September 2015.

(2) The Cabinet Member for Planning & Infrastructure, Councillor Bower was asked a question which related to the meeting of the Local Plan Sub-Committee held on 1 September 2016 where a map showing some extensions to the Littlehampton Economic Growth Area boundary had been provided. This had shown that on the east side of the River Arun this included the Linden Park recreation ground and Caffyns Field. Questioned in writing following the recent Parish Clerks briefing Officers had replied to refer to the final LEGA study document to find the justification for the proposed extensions. That document simply states that the extensions were in order to include the cluster of industrial buildings at Gloucester Road, Linden Park which were identified for redevelopment. However, the revised boundaries covered a far greater area than that explanation would justify including two of the Towns previous green open spaces and so could the Cabinet Member therefore explain why the revised boundary goes way beyond the explanation given.

The Cabinet Member for Planning & Infrastructure, Councillor Bower responded by stating that the document being referred to was a document prepared by a Consultant to inform the Council and was not a document of Council Policy. This document would inform the future policies in the Local Plan but no decisions had been taken. If the Council considered that the boundaries needed to change then they could change at the time a decision would be taken.

The inclusion of Linden Park was because the study had identified the industrial units at Gloucester Road as a residential opportunity and the park could provide open space to serve this development. The boundary indicated the regeneration of this area and the retention of the green spaces were integral to ensuring the spatial strategy. With the need to deliver a minimum of 1,000 homes at the West Bank – a figure contained within the submitted Local Plan – the site capacity work had shown that it might be necessary to widen the boundary of the LEGA. The consultants therefore recommended that the LEGA boundary be amended on the Policies Map to include the revisions to the boundary at West Bank.

(3) The Cabinet Member for Planning & Infrastructure, Councillor Bower was asked a detailed question regarding the housing numbers for the District

The Cabinet Member for Planning & Infrastructure, Councillor Bower responded by stating the majority of people within Arun did not want the quantity of housing being forced upon the Council by Government and that the Council had done its best to minimise the number of new houses being built and at the same time had a sufficient land supply to fight in appropriate developments.

Councillor Bower outlined that whatever the numbers in the Local Plan, the Government's determination to build more houses meant that higher numbers would have been imposed upon the Council. He stated that he and the Leader of the Council had done their best to put a case for lower numbers. The Council's responsibility now was to ensure that the infrastructure was developed enough to cope with the extra numbers that were being imposed upon the Council.

(4) The Cabinet Member for Planning & Infrastructure, Councillor Bower was asked another question relating to the Local Plan and the duration of Local Plan Sub-Committee meetings. He was asked if he agreed that the contribution of this Committee had become so insignificant that it might as well not exist? If Councillors could not motivate themselves to make a meaningful contribution on this important issue – was it time for the Government to step in?

The Cabinet Member for Planning & Infrastructure, Councillor Bower, responded by stating that he was sure that the questioner would agree that meetings should last as long as was necessary. Members were provided with comprehensive reports and if Members believed that the report answered the majority of the questions that they had, then naturally the number of questions asked was going to be minimal. Councillor Bower stated that Members were not in the habit of asking questions just for the sake of it.

The Chairman then called Public Question Time to an end.

Councillor Dr Walsh commented on the procedure in place for Public Question Time in that this be revised to allow additional time for supplementary questions to be asked. He asked if the Constitutional Review Working Party could consider this request to allow Public Question Time to be run in this way.

(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.

286. MINUTES

The Minutes from the Council Meeting held on 14 September 2016 were approved by the Council as a correct record and signed by the Chairman.

287. CHAIRMAN'S COMMUNICATIONS

The Chairman alerted Members to the list of engagements and events that had been attended since the last Council Meeting held on 14 September 2016 – these had been emailed to Councillors recently.

The Chairman asked Members to pay particular attention to 14 December 2016 as a Christmas coffee morning would be held from 10.00 am to 11.30 in support of one of the Council's charities raising funds for Motor Neurone Disease. He urged Councillors to join him in supporting this good cause.

Finally, Councillors were alerted to the new look Arun Times which had been circulated and would be delivered across the District during the next two weeks.

288. URGENT MATTERS

There were no items for this meeting.

289. STATUTE MATTERS

There were no items for this meeting.

290. MATTERS FROM THE LAST MEETING

There were no matters for this meeting.

Full Council – 09.11.16

291. ANY OTHER MATTERS

There were no matters for this meeting.

292. DEVELOPMENT CONTROL COMMITTEE – 7 SEPTEMBER 2016

The Chairman, Councillor Mrs Maconachie, presented the Minutes from the meeting of the Development Control Committee held on 7 September 2016.

293. BOGNOR REGIS REGENERATION SUB-COMMITTEE – 12 SEPTEMBER 2016

The Chairman, Councillor Hitchins, presented the Minutes from the meeting of the Bognor Regis Regeneration Sub-Committee held on 12 September 2016.

294. CABINET – 19 SEPTEMBER 2016

The Chairman, Councillor Mrs Brown, presented the Minutes from the meeting of Cabinet held on 19 September 2016 and alerted Members to two recommendations at Minute 222 (Arun Leisure Centre Dual Use Agreement).

Councillor Mrs Brown advised Members that the recommendations related to the Arun Leisure Centre Dual Use Agreement between West Sussex County Council, Felpham Community College and Arun District Council and set out recommendations to change the maintenance, funding and reporting protocols. Councillor Mrs Brown then duly proposed the recommendations which were seconded by Councillor Dendle.

The Council

RESOLVED – 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 would deal with operational and maintenance issues and would submit an annual report to each party named in the Dual Use Agreement. The report will go to the Overview Select Committee for the purpose of scrutiny of the strategic and operational performance of the Arun Leisure Centre through the Dual Use Officer Group and decisions to the Cabinet Member for Leisure and Amenities; and

(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.

295. AUDIT & GOVERNANCE COMMITTEE – 29 SEPTEMBER 2016

The Chairman, Councillor Clayden, presented the Minutes from the meeting of the Audit & Governance Committee held on 29 September 2016.

Councillor Clayden alerted Members to recommendations at Minute 233 (Treasury Management – Quarter 1 Report – 2016/2017) which he duly proposed. The recommendations were then seconded by Councillor Mrs Oakley.

The Council

RESOLVED – That

- (1) the treasury management report for 2016/2017 be noted;
- (2) the actual prudential and treasury indicators for 2016/2017 contained in the report be approved;
- (3) the treasury activity during 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.

Councillor Clayden then referred Members to a set of final recommendations at Minute 235 (Changes to the Arrangements for the Appointment of External Auditors) which he formally proposed. This recommendation was then duly seconded by Councillor Mrs Oakley.

The Council

Full Council – 09.11.16

RESOLVED – 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.

296. DEVELOPMENT CONTROL COMMITTEE – 5 OCTOBER 2016

The Chairman, Councillor Mrs Maconachie, presented the Minutes from the meeting of the Development Control Committee held on 5 October 2016.

297. ELECTORAL REVIEW SUB-COMMITTEE – 11 OCTOBER 2016

The Chairman, Councillor Gammon, presented the Minutes from the meeting of the Electoral Review Sub-Committee held on 11 October 2016.

298. STANDARDS COMMITTEE – 13 OCTOBER 2016

The Chairman for the meeting, Councillor Tyler, presented the Minutes from the meeting of the Standards Committee held on 13 October 2016.

299. CABINET – 17 OCTOBER 2016

The Chairman, Councillor Mrs Brown, presented the Minutes from the meeting of Cabinet held on 17 October 2016 and alerted Members to the first of a series of recommendations at Minute 267 (Establishment of a Wholly Owned Local Authority Housing Company). Councillor Mrs Brown explained that the purpose of such a company would be to develop residential housing and other appropriate schemes to generate an additional income stream for the Council via company dividends. The Company would operate independently from the Council on a commercial basis with its own Board of Directors which would be appointed by the Cabinet. It was proposed that to ensure sufficient time and resources were available that the reporting to Cabinet process for the creation of the housing company be split into two stages. The recommendations that Councillors would consider this evening sought agreement to the principle and purpose of establishing a wholly owned local authority housing company and that authority be given to Officers to prepare detailed proposals, seek appropriate external legal and financial advice and develop business plans for this work and report back to Cabinet for the necessary approvals to set up the company.

A supplementary estimate of up to £130,000 was being requested to cover the costs of setting up the Shadow Board and the Company which included all the necessary legal, financial and due diligence checks which had to be completed to a satisfactory standard and externally audited if deemed necessary by the Chief Executive. In formally proposing the recommendations, Councillor Mrs Brown outlined that this was a very exciting project for the Council which aimed to overcome the continuing reduction in funds awarded to it in recent years. As a result, Councils were having to find greater efficiencies in the way they provided services to meet the needs of their communities. The Council's 2020 Vision Programme had identified the need to create additional revenue streams that could be used to fund vital front line services. The establishment of the housing company was seen as a measure, using a mix of financing options, to fund either new housing development schemes and/or purchase existing housing on the open market and would in the future play a more active role in housing delivery and in shaping the local housing market. Councillor Mrs Brown therefore urged Members to support the recommendations. Councillor Bence then seconded the recommendations.

In discussing the recommendations, although much support was given to this innovative project, concern was expressed over the proposal that the Company's Board Members would be appointed by Cabinet and then also scrutinised by Cabinet. There were some Councillors who sought greater reassurance that the scrutiny function of this project be undertaken by the Council's Overview Select Committee.

Councillors were reassured by Councillor Bence, as seconder to the recommendations, that other Councils who had actively taken forward measures to establish a housing company had greatly benefited from such projects. The idea for this Council to develop a housing company had been progressed via a formal project overseen by a Cabinet Working Party with external consultancy advice provided by Eastbourne Borough Council who had already set up their own model. This was cited as a real success story and Councillor Bence urged Members to follow the progress made with this project. With regard to the governance arrangements, Councillor Bence outlined that although the Cabinet would be responsible for ensuring the Company delivered all developments in accordance with the agreed business plan, the Overview Select Committee would undertake further scrutiny.

Following further discussion on how the work of the Housing Company would be scrutinised, Councillor Dr Walsh confirmed that he wished to make an amendment to Recommendation 2 to have included at the end of the recommendation the following wording "with scrutiny being undertaken by the Overview Select Committee". This amendment was seconded by Councillor Buckland.

In discussing the amendment Councillor Mrs Brown referred Councillor Dr Walsh to Paragraph 2.13 of the report which set out the governance arrangements for the Housing Company. Councillor Mrs Brown outlined that this report was the first stage in agreeing the principle and purpose of establishing a Housing Company and that a full report would come back to the Council in due course setting out the finer details. Based on this assurance, Councillor Dr Walsh confirmed that he was happy to withdraw his amendment. Councillor Buckland, as seconder to the amendment, also agreed to the amendment being withdrawn.

The Council

RESOLVED – That

- (1) A supplementary estimate of up to £130,000 (equating to a Band D Council Tax of £2.25) be approved 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 standards and externally audited if deemed necessary by the Chief Executive; and
- (2) The Council's Constitution be amended to explicitly include in the terms of reference for the Cabinet, in its role to verse the activity of any separate legal entity within which the Council has ownership interest.

Councillor Mrs Brown then referred Members to the recommendations set out at Minute 268 (Housing Revenue Account (HRA) Supplementary Estimate which was asking the Council to approve a supplementary estimate of up to £691k from the HRA account to purchase properties. Councillor Mrs Brown explained that the Council had signed up to an agreement with the Department for Communities and Local Government (DCLG) to retain the additional receipts ("1 to 1") generated by the relaxation of the Right to Buy discount rules, subject to these receipts being used for the provision of new social housing and Arun matching every £30 of receipts with £70 of its own funding. A further condition was that the receipts had to be spent within three years, failing which they must be returned to the Government plus interest. Councillor Mrs Brown therefore proposed the recommendations which were then seconded by Councillor Bence.

Discussion on these recommendations saw a great deal of support from Members as this would result in assisting the District's residents who were in most need of housing which would increase the opportunity for young families to stay and work and reside in the District.

The Council then

RESOLVED – That

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

Councillor Mrs Brown then referred Members to a long list of recommendations at Minute 269 (Recommendations from the Cabinet Working Party – Review of Delegation & Cabinet/Committee Structure) which set out the results of a review that had been undertaken of the current decision making process. This had been completed in two stages, firstly by looking at levels of delegation to the Cabinet/Committees and Officers and secondly to review the Cabinet/Committee structure. Councillor Mrs Brown outlined that it was recommended that no change be made to the present decision making structure of the Council as there had been no evidence presented that any change would produce savings. The recommendations surrounding delegated authority would simplify the Constitution to prevent bureaucratic reporting. Councillor Mrs Brown therefore proposed the recommendations which were seconded by Councillor Wensley.

The Council

RESOLVED – 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

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.

Councillor Mrs Brown then referred Members to a set of recommendations at Minute 270 (Future of Area Committees) which informed Members that West Sussex County Council (WSSCC) would be making changes to the Area Committees from April 2017. These changes proposed a reduction in Area Committees from three to two and the reduction in meetings from 12 per year to 6 per year. As a result of these changes it was proposed that this Council withdraws, as part of the Vision 2020 programme, its grant funding of £75,000 to the Area Committees and also reduce the administration costs paid to WSSCC by £3,000. Councillor Mrs Brown outlined that the recommendations also sought approval to pay £500 to the Arun District Association of Local Councils (ADALC) for 2017/2018 to assist them in the administration of their organisation. Councillor Mrs Brown then proposed the recommendations which were seconded by Councillor Wensley.

Considerable discussion took place on this item with some Councillors outlining their disappointment on the proposals to reduce the number of Area Committees from three to two. This was because the Area Committees for Councillors and residents had been a great success and had made a real difference to the local community. They had been a unique opportunity to involve all three tiers of local government in making local decisions and had granted funding to some really worthwhile local organisations who had grown into very successful businesses and had launched great projects for the local area to enjoy. The other factor was the Police did not often attend Parish Council meetings but they did attend the Arun Area Committees. Other Councillors identified the success of public question time at these meetings and that they should not be reduced for all of the reasons highlighted above. Another concern was that losing the Joint Downland Arun Area Committee and just having an Eastern and Western Committee would not work as Littlehampton had little in common with Slindon and central Bognor Regis. The amount of Councillors and representatives attending the Eastern and Western meetings would be too large and the length of meetings would increase making them unmanageable.

As it was felt that the Area Committees had given a voice to the people in the areas covered by them, it was one Councillor's view that the Council should insist on asking that a review be undertaken after a period of six months to monitor if the changes were working.

Other Councillors spoke in support of the proposals as this meant that there would still be CLC grant funding to distribute through the proposed two new Joint Arun Area Committees but that Councillors had to accept that every Council had to make savings. These proposals would generate savings of £75,000 and should be accepted and allowed to run. The Police and all three tiers of local government would still attend meetings and the public would still be able to ask questions and attend meetings. It was hoped that the very meaningful meetings discussed earlier in the debate could continue.

The Council then

RESOLVED – That

- (1) The reduction in Area Committees from three to two and the reduction in meetings from 12 per year to 6 per year from April 2017 be welcomed and supported;
- (2) The Council withdraws £75,000 in grant funding to the Area Committees from April 2017;

Full Council – 09.11.16

(3) The Council reduces the administration grant that is currently paid to WSCC for the Area Committees from £7,500 to £4,000 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 with the administration of their organisation.

(During the course of the discussion on this item, Councillors Oppler, Dr Walsh and Tyler declared their Personal Interests in this item as Members of West Sussex County Council). (Councillor Tyler declared an additional Personal Interest as Chairman of the Joint Arun Area Committee and a Member of the West Sussex County Council Working Party that had been established to consider the savings for Democratic Services).

Councillor Mrs Brown then referred Members to the final set of recommendations at Minute 271 (Update on the Council's 2020 Vision) and stated that Cabinet had received an update on the Council's 2020 Vision in terms of some of the projects including the management structure. Councillor Mrs Brown alerted Members to the Vision Programme that had been circulated to the meeting which outlined the 40 projects being progressed to deliver the required savings. Councillor Mrs Brown confirmed that work was continuing with Chichester and Horsham District Councils to produce a shared services option that would achieve an improved customer experiences; better relationships; provide more digital opportunities; and would assist in the Council becoming smaller and more effective. In proposing the recommendations, Councillor Mrs Brown asked Members to note the update to the 2020 Vision programme and in particular the progress made on the management restructure. This recommendation was then seconded by Councillor Wensley.

The Council

RESOLVED

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

300. LOCAL PLAN SUB-COMMITTEE – 19 OCTOBER 2016

The Chairman, Councillor Charles, presented the Minutes from the meeting of the Local Plan Sub-Committee held on 19 October 2016.

301. STANDARDS – 26 OCTOBER 2016

The Chairman, Councillor English, presented the Minutes from the meeting of the Standards Committee held on 26 October 2016 and called upon Councillor Oppler to give his apologies to the Council.

Councillor Oppler read out his apology and this stated that “following the decision taken by the Arun District Standards Committee on 14 November 2014 and further to the decision taken by Full Council on 20 July 2016, I apologise to both the Council and Committee for my delay in apologising to Councillor Mrs Smee. This apology has now been made”.

In discussing the matter, it was suggested that Councillors needed to have a better understanding of the proceedings of the Standards Committee in such instances and a better understanding of the Local Code of Conduct. Criticism was made in terms of the breaches in the Local Code of Conduct that the Committee had considered and in terms of the action that should have been taken but was not taken due to advice that was given at the meeting which had not been checked beforehand – this related to the Committee’s that Councillor Oppler had membership on. It was felt that the inaccurate information supplied had resulted in the Committee not taking action to suspend Councillor Oppler from attending Committee meetings that he sat one for a period of 3 months. Questions were asked as to who formed part of the Committee’s consideration and what other considerations were there and who gave this advice.

Councillor English, as Chairman of the Committee, responded and explained what had happened at the meeting and what information in terms of Committee memberships had been supplied following the meeting of the Committee. Other questions were asked relating to the responsibility that Councillors had in relation to Data Protection and especially Section 55 which could be enforced by the ICO. It was felt that these matters needed to be reported to the next meeting of the Standards Committee.

Councillor English agreed that the issue of Data Protection should be reported to a future meeting of the Standards Committee.

302. ENVIRONMENT & LEISURE WORKING GROUP – 6 SEPTEMBER 2016

The Chairman, Councillor Hitchins, presented the Minutes from the meeting of the Environment & Leisure Working Group held on 6 September 2016.

Councillor Northeast made a Statement in accordance with Council Procedure Rule 11.2 in relation to Minute 16 (Littlehampton Leisure Centre) and he requested to receive a copy of the underground survey. Councillor Northeast expressed concern over the update report that had been provided to the meeting as he felt that the timescales outlined relating to the submission of a planning application were very tight and when there were still many questions to be answered over the positioning of underground pipework. He referred to a drawing that he had drafted himself setting out the positioning of the pipework and stated that this meant that there was no chance of ever making the site any bigger or the chance of being able to add on an extension to what was proposed if this might be needed in the future. Councillor Northeast confirmed that he was not happy that the proposals did not include the supply of a sauna or a 50 metre length swimming pool. He stated that the location of the new centre needed to be looked at again.

Councillor Dr Walsh then made a Statement in accordance with Council Procedure 11.2 in relation to the same Minute. He stated that he could not answer the concerns raised by Councillor Northeast but needed to emphasise that since 6 September 2016 a public exhibition and consultation on the proposals had been undertaken at the Littlehampton Swimming and Sports Centre showing detailed plans and providing Members with ample opportunity to raise concerns and submit views. A full and detailed update had been made to meetings of the Working Group where more detailed plans were shown and Members had discussed these matters. On the question of the sauna, Officers had agreed to include this in the tender document and so this facility may be included. Councillor Dr Walsh stated that he needed to emphasise that 80% of people in Littlehampton had confirmed that they wanted the new Leisure Centre to be built where it is. It was time for Members to get behind this project to ensure it was delivered on time and on price.

In response, as the Cabinet Member for Leisure & Amenities, Councillor Dendle praised the work undertaken by the Council's Officers in ensuring that a planning application had been submitted before the end of October 2016 so that planning consultation could take place allowing construction, subject to planning approval, taking place next year. He agreed that the timetable worked to had been and would be tight but this was down to the Council's professional project team. He agreed with Councillor Dr Walsh in reminding Members that the location of the site had been the result of thorough consultation with residents who had made it clear that they wanted a new Leisure Centre built whilst the existing centre remained open for residents to continue to use. Councillor Dendle reassured Councillor Northeast that additional work was being undertaken to ensure that the Council knew the location of the pipework.

(During the discussion on this item, Councillor Bicknell declared a Personal Interest as an employee of Southern Water Services.)

303. HOUSING & CUSTOMER SERVICES WORKING GROUP – 15 SEPTEMBER 2016

The Chairman, Councillor Clayden, presented the Minutes from the meeting of the Housing & Customer Services Working Group held on 15 September 2016.

Councillor Clayden alerted Members to a recommendation at Minute 14 (Introductory Tenancy Policy). Councillor Clayden formally proposed the recommendation which was duly seconded by Councillor Mrs Pendleton.

The Council

RESOLVED

That the Introductory Tenancy Policy be adopted.

Councillor Clayden then alerted Members to the next recommendation at Minute 15 Rent Arrears Income Policy which he duly proposed. This recommendation was then seconded by Councillor Mrs Pendleton.

The Council

RESOLVED

That the Rent arrears/Recovery Policy be adopted.

304. MATTERS RELATING TO JOINT ARRANGEMENTS

There were no items for this meeting.

305. MOTIONS

There were no Motions to consider.

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

No questions or statements had been received.

Full Council – 09.11.16

307. CONSIDERATION OF THE COUNCIL'S POSITION AS LANDOWNER – REGIS CENTRE AND HOTHAMTON CAR PARK AND OTHER SITES, BOGNOR REGIS

(Prior to the commencement of this item and in line with her Declaration Statement made at the start of the meeting, Councillor Mrs Maconachie withdrew from the meeting and so did not take part in any debate or voting on this item).

(Prior to consideration of the following item, all Members and relevant officers present had indicated their acceptance of the detailed declaration of interest recommended by the Chief Executive and Head of Legal & Administration and as set out at Minute 284 apart from Councillor Mrs Rapnik).

Councillor Mrs Rapnik was invited to and made the following declaration before this item was formally introduced.

“I accept and understand:

- Since section 25 of the Localism Act 2011 came into force, predetermination on its own, is not be taken as having a closed mind.
- Public bodies should make decisions dispassionately according to the law and the materials before them
- If a Councillor or officer campaigns for one outcome or another and that Councillor or officer then participated in the decision making process and that Councillor or officer is shown to have been biased and/or having a closed mind, that interest in the matter puts the Council's decision making process at risk of legal challenge.
- Where a Councillor does indicate their view on a matter prior to a decision on the same matter, then the onus is on that Councillor to demonstrate very clearly at all meetings when a decision is taken on that matter, that they do not have a closed mind and so show by what they say that they are clearly considering all the relevant issues and interests and they have reached their decision on merit and not bias.

The Leader of the Council, Councillor Mrs Brown presented this report and outlined that it was to ensure that the Council, as landowner of these town centre sites, had set out its position prior to any future possible requests from third parties to enter into binding agreements, be they leases, planning conditions or obligations.

The report reminded Members of the resolution made by Full Council on 20 July 2016 which agreed a supplementary estimate to procure and commission a number of feasibility studies for the potential redevelopment of the Regis Centre and Hothamton sites owned by Arun.

Councillor Mrs Brown outlined that Consultants had recently been appointed to carry out the studies agreed by Full Council and that the Consultants full report was expected to be concluded by around February 2017. Once received and once Officers had had an opportunity to consider its contents, a further report would be brought back to Full Council recommending what and how the potential delivery of the outcomes set by Full Council might be achieved.

Councillor Mrs Brown stated that as landowner, it would therefore be premature to enter into binding agreements with any third parties before the work that Full Council instructed be carried out had been completed and Full Council had come to its decision on how it wished to see the regeneration of Bognor Regis Town Centre achieved. Councillor Mrs Brown therefore asked Members to support the recommendations which duly proposed. The recommendations were then seconded by Councillor Wensley.

The Council

RESOLVED

That it would not be appropriate for it to make any binding decisions regarding its position as landowner for these key sites until and after the following milestones had been reached:

- A: The Council had commissioned the feasibility studies agreed by it in July 2016 and the content of those studies had been considered and reported to Full Council in early 2017; and
- B: The Council had determined what course of action (if any) it wished 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.

Full Council – 09.11.16

308. THE COUNCIL'S 2020 VISION – "WORKING TOGETHER FOR A BETTER FUTURE", INCLUDING AN UPDATE ON THE MANAGEMENT RESTRUCTURE

(Prior to the consideration of this item, having declared their Personal and Pecuniary Interests at the start of the meeting, the Resources Director and Deputy Chief Executive, the Director of Planning & Economic Regeneration and the Director of Environmental Services all left the meeting for this item).

(During the course of the discussion on this item Councillor Northeast declared a Personal Interest as his wife was a member of staff).

The Leader of the Council, Councillor Mrs Brown, presented a report which provided an update on some of the projects forming part of the 2020 Vision programme, including the management restructure and she referred to the coloured copy of the vision programme circulated at the meeting outlining the 40 projects being progressed to deliver the required savings. Councillor Mrs Brown asked Councillors to support her and the Chief Executive in decisions made concerning the appointments of the Directors in their new role and that delegated authority be given to the Chief Executive, in consultation with the Leader of the Council, to confirm the appointments of the Group Heads within the new structure. Councillor Mrs Brown then proposed the recommendations which were seconded by Councillor Wensley.

The Council, then

RESOLVED – That

- (1) 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 be noted;
- (2) The Council supports the Chief Executive and Leader of the Council in decisions made concerning the appointments of the Directors in their new role; and
- (3) Delegated authority be given to the Chief Executive, in consultation with the Leader of the Council, to confirm the appointments of the Group Heads within the new structure.

309. ADOPTION OF THE ALDINGBOURNE NEIGHBOURHOOD DEVELOPMENT PLAN

The Cabinet Member for Planning & Infrastructure, Councillor Bower, presented a report which asked the Council to 'make' the Aldingbourne Neighbourhood Development Plan 2013-2029 following the referendum held on 18 October 2016.

Councillor Bower formally proposed the recommendation, which was seconded by Councillor Charles.

The Council

RESOLVED

That the Council 'makes' the Aldingbourne Neighbourhood Development Plan 2013-2029 and it becomes part of the Development Plan for Arun District Council.

310. CALENDAR OF MEETINGS FOR 2017/2018

The Council received a report from the Head of Democratic Services which proposed arrangements for the Calendar of Meetings for 2017/2018.

Following consideration, the Council

RESOLVED

That the Calendar of Meetings for 2016/17 be approved.

311. CALENDAR OF MEETINGS FOR 2016/2017

The Leader of the Council, Councillor Mrs Brown, confirmed that in accordance with Council Procedure Rule 2.0, the Council was being asked to approve to cancel the Special Meeting of the Council on Wednesday, 14 December 2016 at 6.00 pm to consider the proposed main modifications to the Local Plan, prior to public consultation and submission to the appointed Planning Inspector in early 2017 and that this be rearranged to 22 March 2017.

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

The Council

Full Council – 09.11.16

RESOLVED

That the Special Meeting of the Council to be held on Wednesday, 14 December 2016 at 6.00 pm to consider the proposed main modifications to the Local Plan, prior to public consultation and submission to the appointed Planning Inspector in early 2017 be re-arranged to 22 March 2017.

312. COMMITTEE MEMBERSHIPS

The Council noted that Councillor Mrs Bence had filled the Conservative Substitute seat on the Development Control Committee.

313. REPRESENTATION ON OUTSIDE BODIES

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

(The meeting concluded at 7.54 pm).