

**MINUTES
OF A
SPECIAL MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 22 FEBRUARY 2017 AT 6.00 P.M.**

Present:- Councillors Haymes (Chairman), Mrs Pendleton, (Vice-Chairman), Ambler, Mrs Ayres, Mrs Bence, Bence, Bicknell, Blampied, Mrs Bower, R Bower, Brooks, Mrs Brown, L Brown, Buckland, Cates, Chapman, Charles, Clayden, Cooper, Mrs Daniells, Dendle, Dillon, Dingemans, Elkins, English, Gammon, Mrs Hall, Hitchins, Hughes, Maconachie, Mrs Maconachie, Mrs Madeley, Mrs Oakley, Oppler, Patel, Mrs Porter, Purchase, Mrs Rapnik, Reynolds, Miss Rhodes, Mrs Stainton, Tyler, Warren, Wells, Wensley, Wheal and Wotherspoon.

[Note: The following Members were absent from the meeting during consideration of the matters referred to in the following Minutes:- Councillor English – Minute 450 to Minute 457 [Part], Councillor Dillon – Minute 460 [Part] to Minute 462, Councillors Mrs Madeley and Blampied – Minute 461 to 462].

450. WELCOME

The Chairman welcomed Councillors, Honorary Aldermen, members of the public, press and officers to the meeting.

451. MEMBER OF STAFF PETER SAVAGE AND FORMER COUNCILLOR JOHN POTTER

The Chairman announced that it was with great sadness that he had to announce the death of Peter Savage who had sadly passed away on 1 February 2017. The Chairman stated that Peter had been a valued member of the Council's staff and would be massively missed. On behalf of his wife, Stella, he read out a few words and announced that a celebration of Peter's life would take place at Worthing Crematorium on Monday, 6 March 2017 at 3.40 pm.

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It was with sadness that the Chairman also had to announce the recent passing of former Councillor John Potter who had served as a Member of Arun District Council from 1987 to 1991 and had represented the Bersted Ward. He had also been a long serving Member of Bersted Parish Council.

The Council then stood in silence to their memories.

452. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Ballard, Edwards, Mrs Harrison-Horn, Mrs Neno, Northeast, Oliver-Redgate, Dr Walsh and from Honorary Aldermen Mrs Goad, Mrs Stinchcombe and Mrs Olliver.

453. 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.

There were no Declarations of Interest made.

454. QUESTION TIME

(a) Questions from the public (for a period of 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.

In the absence of the questioner who had submitted a question in advance of the meeting, the Chairman alerted those present to the Schedule of Public Questions which had been circulated to the meeting setting out the question asked and the response provided. This is summarised below:

(i) To The Leader of the Council, Councillor Mrs Brown - how would people on fixed incomes find the extra money needed to pay increased Council Tax.

The response provided from Councillor Mrs Brown stated that she understood that this was a worry for everyone on a fixed income. The Council had frozen its part of the Council Tax for a number of years but since last year had been forced to increase it by 1.95% as the Council's support grant from Central Government had been reduced year on year and so a freeze on Council Tax could no longer be sustained.

The proposals that Councillors would consider this evening represented a rise of only 10p per week to £3.30 for a Band D Council Tax. For those on fixed incomes struggling to pay their Council Tax there were a range of options available including the option to be able to spread the cost over 12 months instead of 10; applying for assistance under the Local Council Tax Reduction Scheme or for those who were already receiving help under the schemes there was an additional discretionary fund.

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

(c) Petitions from the public – no petitions from the public had been received.

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455. MINUTES

The Minutes of the Council Meeting held on 11 January 2017 were approved by the Council as a correct record and signed by the Chairman, subject to Councillor Mrs Harrison-Horn's name being added to those recorded as abstaining from voting on the amendment at Minute 398 (Chief Executive's (CEO) Remuneration Committee – 13 December 2016) [Page 365 of the Minutes].

456. CHAIRMAN'S COMMUNICATIONS

The Chairman referred to his list of engagements attended since the last meeting of the Council held on 11 January 2017 as emailed to Members ahead of the meeting.

457. URGENT MATTERS

The Chairman announced that there was one Urgent Item to consider. This was asking the Council to note that the Chief Executive had exercised his delegated authority to authorise the Head of Legal and Administration to issue an application in the High Court for a statutory review to challenge an appeal decision of the Secretary of State's appointed Inspector.

Consultation on this report had been undertaken with all four Group Leaders and the Chairman of the Development Control Committee.

The Chairman outlined that as this was an Exempt report, he proposed that this be considered at the end of the meeting as a new Agenda Item 11.

458. STATUTE MATTERS

There were no matters for this meeting.

459. MATTERS FROM THE LAST MEETING

There were no matters for this meeting.

460. BUDGET 2017/2018

The Leader of the Council, Councillor Mrs Brown, presented her Budget Statement, **a copy of which is attached to the signed copy of the Minutes.**

An extract from the Minutes from the meeting of Cabinet [Minute 445] held on 6 February 2017; and Appendix 4 setting out the statutory resolutions that the Council was also required to consider, were tabled at the meeting.

The Leader opened her statement by advising Members that this Budget had been prepared during an unprecedented change in Local Government funding. Despite this, the Council had been able to produce a Budget that was virtually balanced [with a deficit of just £14k] which Councillor Mrs Brown saw as a significant achievement and one that the Council should be justifiably proud of.

Councillor Mrs Brown then provided some background to the ongoing changes in Central Government funding as it had been extensively reported that local government funding was under severe pressure due to these. Councillor Mrs Brown covered the following points:

- Changes to the New Homes Bonus (NHB) allocations in 2017/18 and beyond
- How the savings of £240m from the NHB had been allocated to social care authorities through a new Adult Social Care Support grant
- The knock-on effect for this Council and other District Councils in that funding would further reduce in 2018/19
- As a member of the Local Government Association (LGA) and District Councils Network (DCN) how she would continue to lobby the Government to consider transitional measures to limit the impact of reforms to NHB.
- The retention of business rates and the risk and cost of appeals against valuations. It was difficult to predict and assess the number and success of appeals, though the Council's success in attracting businesses to the District continued to act as a buffer against some of this uncertainty
- A new system on the distribution of Business Rates meant that Local Government would keep all of the business rates from 2020
- The Revenue Support Grant from Central Government continued to be reduced year on year. By 2019/20 this would be a negative figure of over £400k

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Despite all these factors, Councillor Mrs Brown outlined that she was delighted to be able to present a Budget that was virtually balanced. She outlined that last year the Government had allowed all District Councils to increase their Council Tax by a maximum of £5 per year, without triggering a referendum. This Policy had been carried forward for 2017/18 and so she proposed a further increase of £4.95 which would result in a Band D tax of £171.27. In proposing this increase, Councillor Mrs Brown reminded Members that Local Government had 137 different lines of business and that District Councils were responsible for 86 of these. With the proposed increase this year of 10p a week she emphasised that the Budget would continue to deliver the Council's 63% of these essential services for a Band D property for just under £3.30 a week.

Further areas highlighted were:

- The savings achieved from the 2020 Vision work and major Contracts
- The progress made with the new Littlehampton Leisure Centre
- Continued investment in the capital programme
- Revenue budget funding for major improvements at the Arun Leisure Centre

Moving onto the Housing Revenue Account (HRA), Councillor Mrs Brown was delighted that the Council had started building work on the first Arun Council houses for over 20 years. These would help provide quality, affordable homes for local people. In total the Council was committed to building 33 new Council houses in Littlehampton, Barnham and Bognor Regis for those families most in need. A new HRA Business Plan was in the process of being completed in line with the recent Housing White Paper published earlier in the month.

The final part of the Budget concerned the capital programme. Although this was dominated by the new Leisure Centre, Councillor Mrs Brown outlined that it was pleasing that the Council had committed to other schemes. The programme included the essential core programme of Disabled Facilities Grants and council housing major repairs and improvements. Phases of other major works to beach huts, public conveniences, play areas and support to Housing Association new build and a contribution to the Community Flood Fund were also planned.

In conclusion and on behalf of the Council, the Leader thanked Arun's conscientious, hardworking staff for not only helping to prepare this Budget but, also, for all that they did on a day to day basis to make the District a great place to live, work and visit. She particularly thanked the Head of Finance & Property and his small team for their sound advice and recommendations in the Budget report.

Councillor Mrs Brown then formally proposed an amendment which was that the recommendations as originally set out on pages 47 and 48 of the report, from the Head of Finance and Property, would supersede the minuted recommendations from the Cabinet meeting held on 6 February 2017 [Minute 445], as tabled at the meeting, as these included Recommendation (8) on page 47 of the agenda [the statutory resolutions at Appendix 4] and the further recommendations 1 and 2 on page 48 of the agenda. Councillor Wensley formally seconded the proposals and amendment.

Councillor Oppler, as Leader of the Opposition, then responded to the Budget Statement by firstly thanking the Head of Finance & Property and his team for the ongoing work they did in safeguarding the Council's financial position. Councillor Oppler particularly thanked all of the Council's staff for the work that they did in making Arun what it was. In recognising their collective effort he stated that he deeply regretted that they would only benefit from a likely 1% pay increase. It was his view that all staff should be recognised and rewarded for their achievements and that the 1% proposed pay increase should apply to all Council staff with no exceptions being made for Senior Council Officers.

Councillor Oppler outlined that it had been his plan to 'peg' the Chief Executive's (CEOs) salary to the national pay award for the next three years but this had not been possible. He therefore proposed the following amendments to Recommendation (1) in that the following wording be added to the end of the recommendation to read:

"subject to:

- (i) a contingency being included in the General Fund to provide for an additional pay increase for all staff linked to the next annual review of the CEOs salary as recommended to Full Council by the Remuneration Committee. An indicative figures based on a 3% pay award to the CEO would equate to a contingency of £450,000 being needed in the staff salaries budget"; and

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- (ii) the Council allocating an initial £500,000 to invest in two family hostels specifically for families with children and any additional costs being reported back to Full Council for further consideration.

These amendments were seconded by Councillor Buckland.

The Chief Executive advised the Council that in view of amendment (i), he and all other staff present held a Personal and Prejudicial/Pecuniary Interest as this amendment related to staff salaries and proposed that these be increased in the future. He outlined that all staff should acknowledge their interest in this matter and leave the meeting. However, in order to have someone to record this part of the meeting he proposed that the Head of Democratic Services and the Committee Manager remain in the meeting to record the outcome of this amendment in the minutes and as they had no involvement in any future decision making of the CEOs remuneration.

The Chief Executive, The Director of Transformation, the Director of Services, the Head of Finance and Property and the Financial Services Manager then left the meeting for this item.

The Chairman then invited debate on this amendment. Firstly, comments were made that at the last Council Meeting held on 11 January 2017, it had been made clear to Members that the remuneration of the CEO was not decided under national collective bargaining arrangements with the trade unions [the process covering the majority of local government staff]. The CEO had a personal contract which had been agreed by the Council and the arrangements for deciding the remuneration were set out in the Council's Constitution. The process in place for the CEO's remuneration had been very clearly set out and explained on 11 January 2017. There was major concern expressed that the impact of this amendment, if accepted, would put into question these formally agreed arrangements. Questions were also asked as to whether any negotiations had been undertaken with UNISON. Debate on this amendment also focused on the amendments made by Councillor Purchase to Full Council on 11 January 2017, which had not been carried and questions were asked as to why were 'associated' amendments being made again. Although some Members stated that they did not doubt the sincerity of the amendment's intention, the way that it was being presented made some Members feel that it was not acceptable and so could not be supported.

Before proceeding further, a question was asked as to whether the debate and voting on amendments (i) and (ii) would be taken together or debated on and voted upon separately.

The Head of Democratic Services confirmed that the amendments would be debated separately. Amendment (i) would be debated and voted on first, then amendment (ii) with the Chairman then returning to the substantive recommendations. A question was asked as to whether the amendment should be accepted in view of the six month rule. The Head of Democratic Services explained that this was a different amendment to what had been presented to the last Full Council meeting as the amendment was looking at the remainder of staff's pay and not specifically the CEO's pay award.

Debate then returned to amendment (i) with Members asking how the additional £450,000 would be funded and what front line services would be cut to fund this recommendation. Those speaking against the amendment referred to the 2020 Vision work undertaken to date in which the Council had reviewed staffing levels and had already made savings of £250k. These savings had demonstrated an appetite for genuine transformational change and it was apparent that the Council needed to continue the transformation programme to offset the reductions in government funding. To not continue with this would mean that the Council's budgets would have a negative impact on frontline services. In view of this, how could this additional £450k be supported.

Councillor Tyler proposed that the Question now be put. The Chairman confirmed that he would continue to allow Councillor Purchase to speak [as he had requested] and Councillors Buckland [as seconder to the amendment and as he had reserved his right to speak] and Councillor Oppler as the proposer to the amendment.

In speaking for the amendment, Councillor Purchase stated that he accepted the difficult national position that the Council was in financially. Despite this, his Group felt that the Council needed to apply fairness in terms of its staff who had not received more than a 1% pay increase for a number of years and he urged Councillors to think about the issue of parity and fairness which he felt were absolutely relevant.

Councillor Buckland, as seconder, to the amendment endorsed the statement made by Councillor Purchase.

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Councillor Oppler, as proposer to the amendment, reinforced Councillor Purchase's views and stated that the targets set by the Vision work being progressed by the Council could not be achieved without the collective effort of all staff who all had to work harder with less staff resource and with little financial reward. The additional £450,000 required should be funded from the Council's reserves with the Council ensuring that the CEOs incremental pay increases be brought in line with that of all staff.

On putting the amendment to the vote it was declared LOST.

The Chief Executive, the Director of Transformation, the Director Services, the Head of Finance and Property and the Financial Services Manager then returned to the meeting.

The Chairman then reintroduced Amendment (ii) which had been proposed by Councillor Oppler and seconded by Councillor Buckland earlier. This was:

- (i) the Council allocating an initial £500,000 to invest in two family hostels specifically for families with children and any additional costs being reported back to Full Council for further consideration.

In debating this amendment many Councillors stated that they held a degree of sympathy with it as homelessness was a national and increasing problem. Despite this, many Councillors confirmed that they could not support the amendment. Councillor Bence, as the Cabinet Member for Housing, outlined that a lot of work had been undertaken by Officers in working to understand the needs of the new HRA Business Plan coming forward in draft form. It was hoped that the Business Plan would be ready for Cabinet to consider in April 2017 allowing Council to discuss it in-depth. Part of the Business Plan would look at how the Council could improve homelessness accommodation and how this could be funded. Since some threats to the HRA had been removed, it was outlined that there were some exciting opportunities for the Council to work on. Using Right to Buy funding there was opportunity to build more council houses and to assist helping the homeless with existing and new accommodation. In view of this, the amendment was not necessary and Councillor Bence urged Members to reject it.

Other Councillors speaking against the amendment stated that again they did not have the detail confirming how the required £500,000 would be funded and how many families this amount would benefit and over what period of time. The lack of detail being provided meant that most Members felt that they could not support the amendment, even though some had sympathy in terms of its sentiment in assisting homeless families.

In speaking against the amendment, Councillor Clayden, as Chairman of the Housing & Customer Services Working Group, outlined the work being undertaken by the Working Group and he referred to the presentation provided by Stonepillow at the Working Group's last meeting. This had outlined the project ideas being developed to assist the homeless problems in the District. It was accepted that tackling homelessness was a multi-step process and that work on preventing homelessness was just as crucial. The new HRA Business Plan would address these issues whilst at the same time would outline new promising ideas to assist the larger issue of homelessness in the District. Councillor Oppler was urged to bring his ideas and suggestions on tackling these issues to future Working Group meetings.

Councillor Buckland, as seconder to the amendment, referred to the comments made by Councillor Clayden on Stonepillow. On these grounds he urged Members to support the amendment.

Councillor Oppler, as proposer to the amendment, urged Councillors for once to support a budgetary amendment. For this amendment, Members needed to take action on the increasing family homelessness crisis which had devastating effects for individuals and society. There had been a homelessness crisis in the District for a long time and the situation had not changed, the same issues that existed a long time ago were still there and little progress had been made. Councillor Oppler touched upon the devastating impact homelessness had on children who needed specialist facilities to take them away from the hostel environment into specialist units. He agreed that the matter should be discussed by the Housing & Customer Services Working Group in the future.

On putting the amendment to the vote it was declared LOST.

The Chairman then returned to the substantive recommendations.

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Councillor Mrs Rapnik, on behalf of the UK Independence Party, thanked the Head of Finance and Property and his team for a commendable Budget. She applauded Officers for producing a virtually balanced budget with a deficit of just £14k and for the savings achieved with the new Leisure Contract. In view of the financial pressure that the Council was under, she was delighted that 33 new council homes would be constructed in the District. Of concern, was the continuing need to attract new businesses especially retail units in view of the number of empty shops she saw in Arun's High Streets.

Councillor Brooks, on behalf of the Independent Group, confirmed his support for the Budget and his Group's appreciation for the work undertaken by the Head of Finance and Property and his team in preparing the Budget and in what was a difficult time financially for the Council. He accepted the comments made by the Leader of the Council, in presenting her Statement, in terms of the risk of income from NHB and how the Council was constantly under threat by Central Government's changing rules. Councillor Brooks outlined that it was urgent for the Council to now ensure that its Local Plan was approved as financial awards were not possible to be made for planning applications granted under appeal. He accepted that the proposed Council Tax rise was necessary and understandable but regretted that increases had not been made gradually over the last 5 years which could have avoided some cuts in services such as CCTV and public conveniences. Councillor Brooks outlined his concern over the recently publicised Business Rate increases which he saw as a very serious matter. This would have a detrimental effect on the High Streets in the District – he hoped that the Council would continue to support local businesses. Councillor Brooks referred to the significant savings made on restructuring and his disappointment that no mention had been made on the large number of Councillors serving the Arun District which he felt was excessive. He hoped that a review to look at the number of Councillors would form part of the 2020 Vision work moving forward and in view of the reduction in meetings of the Licensing and Development Control Committees as well as Working Groups and Sub-Committees. He was concerned at increasing Bed and Breakfast costs and the request for further funding to support this, which would be discussed at the next Council Meeting. The Council now needed to look at other alternatives such as buying its own B&B facilities. Of concern were the poor conditions of existing sheltered housing blocks and reducing levels of income from some of the Council's concessions. It was Councillor Brooks' view that this was due to the diminishing number of visitors and he expressed his concern at the lack of investment in tourism promotion. He hoped that this would be addressed by future regeneration projects moving forward.

The Chairman then invited debate on the substantive recommendations.

The majority of Councillors applauded the Budget stating that it would deliver exactly what the Council had said it would deliver and that the Council could continue to invest in the District in one-off expenditure as well as continuing to invest in an enhanced capital programme investing in a range of projects which would be delivered both to support the Council's priorities and to make a real difference for many residents, visitors and businesses in the District.

Councillor Wensley, as seconder to the substantive recommendations, outlined that the budget demonstrated that despite challenging financial times, the Council continued to deliver good quality services to its residents, businesses, tenants and visitors for a very small cost, despite the Council's RSG being cut by Government yet again. To achieve a virtually balanced budget, in such challenging times, whilst at the same time constructing a new Leisure Centre in Littlehampton was a credit to the prudent financial management this Council had exercised over many years. Due to the professionalism of Officers, the Budget continued to support the Council's priorities.

The Council had been able to maintain its support for the Disabled Facilities Grant programme and it was continuing to invest into its housing improvement programme. The Council was continuing to invest Capital into Leisure and Tourism Services with the new Leisure Centre at Littlehampton being the Council's main focus in this area.

Finally, Councillor Wensley outlined that despite some of the good news items above, the future for the Council remained very challenging. The Council alone could not deliver the level of investment needed for all of the major initiatives and projects and that others were needed to support their delivery. Councillors needed to do all that they could to ensure that the decisions made on the Vision would deliver a reduced net budget requirement for 2017/18 and beyond. Councillor Wensley stated that what was proposed was a sound Budget which was good for the Council's residents and businesses and the Council as a large local business and so he urged Members to support it.

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Councillor Mrs Brown, as proposer to the substantive recommendations, added to the points made by Councillor Wensley by reminding Members that the Council was facing very uncertain times. This Budget would ensure that the Council would be able to deliver essential front line services and a substantial capital programme to support council housing; private sector housing; leisure; regeneration; tourism; and asset management and improvement, all of which would support those in the community that needed it most.

In summing up, Councillor Mrs Brown thanked everyone for their contribution in compiling and debating the Budget and she requested that a recorded vote be taken.

Those voting for the substantive recommendations were Councillors Ambler, Mrs Ayres, Mrs Bence, T Bence, Bicknell, Blampied, Mrs Bower, R Bower, Brooks, Mrs Brown, L Brown, Cates, Chapman, Charles, Clayden, Cooper, Mrs Daniells, Dendle, Dingemans, Elkins, English, Gammon, Mrs Hall, Haymes, Hitchins, Hughes, Maconachie, Mrs Maconachie, Mrs Oakley, Patel, Mrs Pendleton, Mrs Porter, Mrs Rapnik, Reynolds, Miss Rhodes, Mrs Stainton, Tyler, Warren, Wheal, Wensley and Wotherspoon (42). Those that abstained from voting were Councillors Buckland, Oppler, Purchase and Wells (4).

The Council therefore

RESOLVED – That

- (1) The General Fund Revenue budget as set out in the revised Appendix 1 is approved;
- (2) Arun's Band D Council Tax for 2017/28 is set at £171.27, an increase of 2.98%
- (3) Arun's Council Tax Requirement for 2017/18, based on a Band D Council Tax of £171.27, is set at £10,183,029 plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;
- (4) The HRA budget as set out in Appendix 2 is approved;
- (5) HRA rents for 2017/18 are set at 1% below the current year's level in accordance with the provisions of the Welfare Reform and Work Bill;

(6) HRA garage rents are increased by 5% to give a standard charge of £10.63 per week (excluding VAT) and heating and water/sewerage charges increased on a scheme by scheme basis, with a view a view to balancing costs with income;

(7) The Capital Budget as set out in Appendix 3 is approved;

(8) The statutory resolutions required by the Council in agreeing its budget for 2017/18, as set out in Appendix 4, are approved;

(9) It be noted that the Head of Finance and Property, in consultation with the Cabinet Member for Corporate Governance, has approved i) a Council Tax base of 59,456 for 2017/18 and ii) the submission of the Council's NNDR1 return (the estimate of the Council's Business Rate income for 2017/18) to the Department of Communities and Local Government;

(10) For 2017/18 any expenses incurred by the Authority in performing in part of its area a function performed elsewhere in its area by a Parish/Town Council or the Chairman of a Parish Meeting shall not be treated as special expenses for the purposes of Section 35 of the Local Government Finance Act 1992.

461. EXEMPT INFORMATION

The Council

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 item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

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462. CHIEF EXECUTIVE'S POWER TO AUTHORISE URGENT COURT RETROSPECTIVE REPORTING OF URGENT DECISION TAKEN BY THE CHIEF EXECUTIVE – HIGHGROUND ORCHARDS, HIGHGROUND LANE, BARNHAM, BN/10/16/PL (PLANNING APPEAL DECISION APP/C3810/W/16/3155230 (Exempt – Paragraph 5 – Information in Respect of Which a Claim to Legal Professional Privilege could be Maintained in Legal Proceedings]

The Leader of the Council presented a report from the Chief Executive which set out the detail of why he had exercised his delegated authority to authorise the Head of Legal and Administration to issue an application in the High Court for a statutory review to challenge the 10/1/17 appeal decision of the Secretary of State's appointed Inspector by which he overturned the Council's refusal of planning permission on application BN/10/16/PL.

Councillor Mrs Brown then formally proposed the recommendation which was duly seconded by Councillor Wensley

The Council

RESOLVED

That the Council notes that the Chief Executive had exercised his delegated authority to take urgent action and had authorised the Head of Legal and Administration to issue an application in the High Court under Section 288 of the TCPA (I shall put in full) 1990 for a statutory review to challenge the 10/1/17 appeal decision of the Secretary of State's appointed Inspector by which he overturned the Council's refusal of planning permission on application BN/10/16/PL.

(The meeting concluded at 19.38 pm).