

**MINUTES
OF A
SPECIAL MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 22 MARCH 2017 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 Hall, Mrs Harrison-Horn, Hitchins, Hughes, D Maconachie, Mrs Maconachie, Mrs Neno, Northeast, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Mrs Porter, Purchase, Reynolds, Miss Rhodes, Tyler, Dr Walsh, Warren, Wheal, Wells, Wensley and Wotherspoon.

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated – Councillor English – Minute 520 to Minute 524 (part) and Councillor Mrs Bower - Minute 520 to Minute 529 (Part)].

520. WELCOME

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

521. INCIDENT IN LONDON

The Chairman stated that it was with great sadness that he needed to mention the dreadful incident that had taken place in London earlier in the day.

As a democratic body, the Chairman felt that it would be fitting for the Council to observe a minute's silence as a mark of respect.

The Council then stood in silence to the memory of those who had passed away and had been tragically affected by this incident.

522. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Daniells, Mrs Madeley and Mrs Rapnik and from Honorary Aldermen Mrs Goad, MBE, Mrs Morrish, Mrs Stinchcombe, Mrs Olliver and Squires.

523. 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 Head of Legal and Administration referred to her specific advice relating to Agenda Item 9 (Local Plan Sub-Committee – 6 and 9 March 2017) which had been circulated to the meeting.

It was explained that as Members would consider modifications to the Arun Local Plan and the Local Development Scheme 2017-2020 and other related issues, that these decisions stood along from and were different to the site specific planning applications and site specific issues that Members dealt with in the course of their business with Arun District Council, particularly as Members of the Development Control Committee and Town and Parish Councils within the District of Arun and West Sussex County Council.

As some Members may have made public statements that they were opposed to some of the strategic development sites in the Arun Draft Local Plan, it was explained that since Section 25 of the Localism Act 2011 came into force, predetermination on its own, was not to be taken as having a closed mind. Where a Councillor did indicate their view on a matter prior to a decision on the same matter the onus was on that Councillor to demonstrate very clearly at all meetings that they were clearly considering all the relevant issues and interests and they had reached their decision on merit and not bias.

Past actions by a Member was not a reason for that Member not to take part in this matter, provided that Member made it clear to the meeting that they would be carrying out their duties for the future in full knowledge and in agreement with their publication to act with an open mind and without bias and that they made a statement to Full Council on the basis set out below.

In light of the advice given, Members were invited to make the following declaration:-

“I wish to make Full Council aware that I may have made public statements in the past at Development Control and/or in other circumstances, that I am opposed to, or have concerns about, some of the strategic development sites in the Arun Draft Local Plan. These were my views that I held at the time. Those statements may have been made in relation to the business of this Council and/ or a Town or Parish Council within the District of Arun or West Sussex County Council. However, I am at this meeting tonight to consider all the information before me at this time and reach a decision with an open mind.

I have an open mind regarding this item and I will listen, and consider all the relevant issues and interest presented to this Council tonight and I confirm that I will reach my decision on merit and not bias.

For the record I ask that this declaration be recorded in the Minutes of this meeting together with the following statement:

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.

I confirm that I understand these responsibilities and I will carry out my duties with an open mind for the Arun District Council Draft Local Plan and all other matters.”

The following Members at the meeting indicated that they agreed to accept the declaration:-

Councillors Bence, Bicknell, Bower, Brooks, Mrs Brown, L. Brown, Buckland, Chapman, Charles, Clayden, Cooper, Dendle, Dingemans, Edwards, Mrs Hall, Haymes, Mrs Neno, Oppler, Patel, Mrs Pendleton, Mrs Porter, Purchase, Tyler, Dr Walsh, Wells and Wensley.

The Chairman confirmed that Members who were not present at this point in the meeting would be invited to make this declaration upon their arrival.

Those Members 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 Arun Draft Local Plan.

524. 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 by the questioner that he was aware that the Council was considering strategic development at greenfield locations including Barnham, Eastergate, Westergate, Pagham and Bersted, yet at Ford the Council was only considering the brownfield area. The Cabinet Member was asked if he agreed with the questioner that by excluding the greenfield areas at Ford from consideration in the Local Plan had wilfully disadvantaged other communities such as Barnham, Eastergate and Westergate, Pagham and Bersted?

The Cabinet Member for Planning & Infrastructure, Councillor Bower, responded by stating that it would be highly inappropriate for him to make any comment as to do so would irresponsibly open the issue of one strategic site against another at a time when the Local Plan had been completed as a coherent evidenced based whole plan to deliver the objectively assessed housing needs of the entire District.

(2)The Cabinet Member for Planning & Infrastructure, Councillor Bower, was asked what level of resource would be required within the Council's Planning Department to satisfactorily manage development control for 1,000 new homes per year and how did that level compare with the present level of resource in that department?

Councillor Bower responded by stating that the planning department was largely resourced via the receipt of planning application fees and decisions on forecasting fee income had yet to be made because they could be acted upon relatively quickly. In the year 2015/2016, the department had not been fully resourced yet over 900 dwellings had been completed. If additional resources were required and if there was the fee income to justify resources, then these could be found.

(3)The Leader of the Council, Councillor Mrs Brown, was asked how the Council would handle development control with the latest Plan which would bring 20,000 dwellings' worth of devastation to the farms, countryside and village in places across the District?

The Leader of the Council, Councillor Mrs Brown, explained that the Council currently operated a reactive enforcement service responding to complaints. As a result it could take time to secure a satisfactory resolution to problems. The planning service was exploring how it could be more proactive in monitoring development within the current resource constraints to reduce the risk of non-compliance. The Cabinet had also recently agreed a new approach focused on larger development to encourage the development industry to assist with the funding of developing monitoring.

(4)The Cabinet Member for Planning & Infrastructure, Councillor Bower, was asked if he agreed with the questioner that by declining to consider a single large scale new settlement at Ford, and given the higher housing numbers now under consideration, the Council had ensured that there was no credible alternative to Barnham, Eastergate and Westergate?

The Cabinet Member for Planning & Infrastructure, Councillor Bower, responded by referring the questioner to the previous answer he had provided to his question.

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(5) The Cabinet Member for Planning & Infrastructure, Councillor Bower, was asked who would be responsible for the evaluation and approval of Sustainable Urban Drainage Schemes (SuDs) within new developments and to what standards?

Councillor Bower responded to this question by confirming that the Council had procedures in place to ensure that SuDs were effectively delivered through planning conditions.

(6) The Leader of the Council, Councillor Mrs Brown, was asked a question about the Duty to Co-operate Rules.

Councillor Mrs Brown responded stating that the Duty to Co-operate was not a duty to agree but equally the Council could not bury its head in the sand and wish that it would go away. The Council had established through the additional local plan work that it could accommodate the level of development now proposed which was slightly greater than the Council's own needs. This surplus would assist Councils such as Worthing who were struggling to identify sufficient sites to accommodate their own needs. Councillor Mrs Brown outlined that Mid Sussex District Council had recently been asked through their Local Plan examination to accommodate the unmet needs of Crawley.

(7) The Leader of the Council, Councillor Mrs Brown, had been asked a question about a Motion put to the Special Meeting of the Council held on 23 February 2016. The questioner confirmed that he had read the response provided by the Leader of the Council, as circulated to the meeting, and that he would prefer the remainder of Public Question Time to be used for questioners to ask supplementary questions.

As was confirmed in the circulated response to this question, the question and response is set out in full below:

Question

At Full Council on 23 February 2016 the following motion was put by Councillor Dr Walsh and seconded by Councillor Purchase;

This Council has no confidence in the Leader of the Council, Councillor Mrs Brown and the Cabinet Member for Planning and Infrastructure, Councillor Bower.

The Council's lack of confidence is the result of the continued failures by the said Members to deliver a sound local plan, the Planning Inspectorate's recent decision that compels Arun to now deliver 845 new homes per year and the aforementioned Members' continuing failure to take any responsibility for their actions.

Interestingly, the wording of the motion was not included in the minutes. As far as I can recall this is the only time ever that the wording of a motion has not been minuted.

Therefore, anyone reading the minutes, like for instance the EiP Inspector, would not know that there has been a motion of no confidence in the Leader of the Council and the Cabinet Member for Planning and Infrastructure.

What steps will you now take to correct the public record?

Response

The Constitution Part 5, Section 1, Paragraph 17.5 provides that:

Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

As you have identified in your Question, this was not done, for which I apologise on behalf of the Council. I can confirm that this omission was an administrative error. The Minutes of the meeting on 23 February 2016 were presented to the meeting of Full Council on 16 March 2016 and were approved by the Council as a correct record and signed by the Chairman. The proposer of the Motion in question, was present at that meeting and did not raise any issue as to their correctness. The minutes of 23 February 2016 therefore form the record.

In view of:

- the passage of time
- that the Motion was Lost
- the record of the recorded vote shows 3 votes for, 32 votes against and 7 abstentions,

In view of the above, I ask that your question and this response are set out in full in the minutes to this meeting.

The Chairman then invited supplementary questions which are set out below:

The following supplementary questions were asked:

- (1) Supplementary to Question 2 – if the planning resources allocated accorded to planning fees, resources and demand, were fees similarly proportioned?

The Cabinet Member for Planning & Infrastructure, Councillor Bower, responded by confirming that in essence the answer was ‘yes’ they were proportionate. For instance, the bigger the development the bigger the fee would be. Councillor Bower referred to the Housing White Paper and proposals to increase planning fees by 20% which planning services would welcome.

- (2) Supplementary to Question 3 – regarding the well-known flooding and drainage issues experienced at Barnham, Eastergate, Westergate (BEW) and Aldingbourne – road tankers had again been deployed to the area to ship away effluent to Lidsey. With this in mind, did the Council agree that it needed to plan more effectively for the future of the District?

The Leader of the Council, Councillor Mrs Brown, responded and state that the Council was working as well as it could within the resources that it had.

- (3) Supplementary to Question 4 – The Head of Legal and Administration had provided advice to Councillors on predetermination and so the questioner asked if Members needed to consider this and why the Inspector had issued this warning. What was the Cabinet Member’s opinion over the reason for the inspector issuing this warning and had the Council taken appropriate steps to mitigate?

The Cabinet Member for Planning & Infrastructure, Councillor Bower, explained that this was a standard warning that Inspectors did issue. Councillor Bower then refereed the questioner back to the declarations made by Members at the start of the meeting.

The Chairman then called Public Question Time to an end.

(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.

525. MINUTES

The Minutes from the Council Meeting held on 8 March 2017 were approved by the Council as a correct record and signed by the Chairman.

526. CHAIRMAN'S COMMUNICATIONS

No communications were announced.

527. STATUTE MATTERS

There were no items for this meeting.

528. MATERS FROM THE LAST MEETING

There were no items for this meeting.

529. LOCAL PLAN SUB COMMITTEE – 6 AND 9 MARCH 2017

(Prior to consideration of this matter, Councillor English had arrived late at the meeting and was therefore not present when Members had been asked to make a declaration in respect of this item. He was therefore requested to state whether he accepted the declaration or not and he confirmed that he did accept the declaration.)

The Chairman, Councillor Charles, presented the Local Plan Sub-Committee Minutes of the meetings held on 6 and 9 March 2017.

Councillor Charles outlined that this was the most far reaching decision that the Council would be taking in many years and probably the most important for the District of Arun. The Sub-Committee had spent many hours at briefings and workshops to ensure that Members were fully informed of all aspects of the Plan. Councillor Charles stated that he would therefore like to thank Members for their efforts and dedication to get to this position. He also praised the Officer team for their professionalism in handling all of the amendments required by the Inspectorate.

Councillor Charles firstly introduced Minute 38 from the meeting of the Sub-Committee held on 6 March and Minute 41 from the meeting of the Sub-Committee held on 9 March which both related to the Arun Local Plan – Publication of Proposed Modifications Following Suspension of the Examination in Public. He outlined that whilst consideration of the proposed modifications to the Arun Local Plan had been considered in two parts at these meetings, he wished the debate tonight to focus on the whole document and so he therefore proposed to make the following amendments to the

recommendations to help clarify what Members were being asked to vote upon.

The amendments proposed by Councillor Charles were:

- (1) to delete the recommendation in full from Minute 38 from the meeting held on 6 March 2017:
- (2) to then incorporate all the chapters in recommendation (1) in Minute 41 from the meeting held on 9 March 2017
- (3) to delete reference to the specific chapters in Minute 41 so we are considering all the proposed modifications in the Arun Local Plan for approval.

For clarification purposes, the changes have been set out below:

RECOMMENDATIONS, with amendments

~~That the proposed modifications to the Arun Local Plan at Appendices 1 and 2 to the report be approved in so far as they relate to all chapters with the exception of Chapters 5 (Key Diagram), 12 (Housing Delivery), 15 (Transport) and 22 (Infrastructure Delivery). Any consequential amendments to those chapters required as a result of the resolution of the Subcommittee on 9 March 2017 would be delegated to the Director of Place, in consultation with the Chairman of the Local Plan Subcommittee and the Portfolio Holder for Planning and Infrastructure; and~~

(1) the proposed modifications to the Arun Local Plan, which are provided as Appendices 1 and 2 to this report be approved ~~in so far as they relate to Chapters 5 (Key Diagram), 12 (Housing Delivery), 15 (Transport) and 22 (Infrastructure Delivery);~~

(2) the Director of Place, in consultation with the Chairman of the Local Plan Subcommittee and Portfolio Holder for Planning and Infrastructure, be given delegated authority to make any further non-material amendments to the proposed modifications arising from this meeting or as required prior to publication. This will include the insertion of a specific policy to relate to secondary school provision in chapter 22 and completion of the Monitoring Framework in chapter 26;

(3) should recommendation (1) be accepted, the Director of Place be authorised to publish the modified Arun Local Plan;

(4) the Director of Place be authorised to complete a detailed schedule(s) of modifications and necessary documentation for publication and a six week representation period in accordance with the requirements of the appointed Planning Inspector and relevant procedural guidance;

(5) following the 6 week representation period, the representations to these proposed modifications be submitted to the Planning Inspector as part of his Examination of the Arun Local Plan; and

(6) the Director of Place be authorised to produce and submit any supplementary information and documentation to the Planning Inspector to assist the Examination-in-Public, as required.

Councillor Bower formally seconded this amendment.

(Prior to further consideration of this matter, Councillor Mrs Bower had arrived late at the meeting and was therefore not present when Members had been asked to make a declaration in respect of this item. She was therefore requested to state whether she accepted the declaration or not and she confirmed that she did not wish to make this declaration.)

Before moving onto the debate on the amendment, Councillor Dr Walsh asked for clarification on the amendments proposed. The Head of Democratic Services explained why the amendment had been proposed and that this was to avoid Members becoming confused over debating on two separate sets of recommendations on the same item. It was made clear to Members that the amendment meant that Members were now being asked to vote on the whole of the Plan, including all of its chapters as modified.

On this amendment being put to the vote it was declared CARRIED.

The Chairman then called upon the Director of Place to provide an introduction to assist Members with their debate.

The Director of Place outlined to Members that they were being asked to determine the content of the proposed modifications the Council should submit to the Local Plan Inspector and that it was important for them to remember that the Local Plan was originally submitted for examination in early 2015 and was subject to intermittent hearings in 2015 and 2016. Therefore the starting point was what had been submitted for consideration in 2015.

To assist Members, the Director of Place provided a recap on recent events leading up to this evening's meeting. The original 2015 version of the plan was based on delivering 580 homes per annum and included strategic allocations at Barnham, West Bank, Angmering with the possibility of further allocations at Ford and Fontwell. In the Spring of 2015 the Local Plan examination started and further hearings took place in the summer of that year. The conclusions of the Inspector were set out in detail on the Council's website but in essence the examination of the Plan was suspended for a period of 18 months to allow the Council to undertake further work to potentially accommodate a growth in housing numbers based on new data available from the Office for National Statistics.

This led to the Council proposing to plan for 758 homes per annum but when the Local Plan Inspector examined this issue in early 2016 he concluded that the Council should be planning for 845 homes per annum. Since then the Council had had to review the scale of housing again to reflect further updated data from the Office for National Statistics. The revised figure for what was termed as the Council's Objectively Assessed Needs (OAN) was now 919 homes per annum. Members were advised that the modifications to the plan now proposed a housing target of an average of 1,000 per annum to also include some provision for the housing needs of other authorities under the Duty to Co-operate requirements.

The proposed modifications to the Local Plan covered the period from 2011 to 2031. What officers had sought to do was to use all the information available to develop an updated coherent and positive strategy appropriate to Arun having regard to the national context set by the Government through the National Planning Policy Framework (NPPF).

The NPPF not only set out the Government's policies on many issues such as employment, housing and the environment, but it also laid down how Councils such as Arun should approach the creation of Local Plans. One clear theme running through the document was the need for the Plan to be based on evidence and indeed for evidence to help shape the direction of the Plan. In due course Arun's Local Plan would be re-examined in public by an Inspector from the Planning Inspectorate who would look to see whether on the key issues the Council could substantiate the strategy and approach in the Local Plan.

The proposed modifications continued to place significant focus on delivering new employment opportunities and sought to address some of the area's infrastructure deficit.

Housing was clearly a controversial issue and there had been much debate, not only on the scale of housebuilding required, but also on where the housing should be located. Arun had commissioned a number of studies to update its evidence base to determine how much and where development should be located. This work had been informed by a new Sustainability Appraisal. When the work on updating the proposed Plan began it was anticipated that the Council would be able to make informed judgements using the sustainability appraisal to determine which sites should be taken forward as strategic allocations. However, as the level of the required housing provision had grown, so the opportunity to make informed choices had shrunk. Of all of the strategic sites originally considered only two: Ferring East – on landscape grounds and Middleton – where the size of the site has shrunk due to flooding issues to become a non-strategic site, had been omitted.

Taking into consideration the proposed level of home building it was proposed to make provision for 10,650 homes on strategic sites.

The plan, as now modified, proposed strategic allocations at the following locations.

- Pagham North & South
- West Bersted
- Barnham, Eastergate and Westergate
- Yapton and Ford
- Clymping
- Fontwell
- West Bank
- Angmering

Infrastructure provision was a key part of creating successful places and the scale of development proposed required the delivery of significant infrastructure investment such as:

- New roads and junction improvements.
- A secondary school and improvements to existing secondary schools.
- 9 Primary schools
- 3 new health hubs
- Open space and sports provision
- Foul water drainage improvements.

It was very important that the Council had a sound plan, not only to guide the location of new housing and provide for the new employment sites and the infrastructure required, but also to protect areas where the Council would not wish to see development. Having no plan created uncertainty and increased the risk of speculative development which may not have the required infrastructure.

Members might wish to consider removing or varying the scale of individual allocations. However, they needed to be aware that any decision to consider sites of any significant size not in these proposed modifications, or to significantly vary the scale of the proposed allocations, must be supported by evidence (particularly on deliverability and viability). This would require further work and reports to the Sub-Committee delaying the formal publication of the Plan and requiring additional resources to be allocated to fund this work. Members were therefore urged to support the recommendations from the Local Plan Sub-Committee.

The Chairman then returned to the substantive recommendations and invited debate. The substantive recommendations were proposed by Councillor Charles and were seconded by Councillor Bower.

Discussion on the recommendations saw varying views expressed. Some Members spoke against the recommendations stating that the whole Local Plan process had been a disaster from beginning to end and that the delay in progressing the Plan had cost the District dearly in terms of the increased housing numbers that it would now need to absorb. Comments were made about the advice given by the Director of Place back in 2014 and at this meeting. This was that it was not acceptable for Members to delay approving the Plan further, based on the scale of housing numbers and changing Government legislation. During the six year period of delay in moving the Plan forward, developers had exploited the situation which had led to speculative development in places where that development had not been welcome, this had disenchanted communities.

Another major concern expressed by some Members in speaking against the recommendations was the delivery of much needed infrastructure. Much of what had been promised some 5 to 10 years ago was only being delivered now. Examples of this were the local highways and sewerage networks which all needed urgent updating. Infrastructure delivery would affect the overall quality of life in the District for individuals and the environment and so for these reasons some Councillors confirmed that they could not support or vote for approving the Local Plan as it stood.

Other Councillors spoke in support of adopting the Local Plan. This was because it had been a long time coming and had reached a critical stage where it urgently needed to be adopted so that an end could be put to speculative development. The Council had done its best to keep housing numbers down, as this had been what residents had requested, however this delay had caused other more serious problems. It was accepted that to agree to increased housebuilding in some Ward areas was difficult and that Councillors held strong views that the housing allocations for their Wards were too much. However, coupled against this was the need for Councillors to accept that certain parts of the District needed to take their share of proposed housing. Many Parish Councils had embraced this and had identified sites in their 'made' or emerging Local Neighbourhood Plans.

In referring to Pagham, Councillor Mrs Hall outlined that two planning applications had already been approved for 130 houses and that the 1,200 houses proposed for Pagham North and South which would change the character of the village for ever. Pagham was a village that already experienced congestion when travelling to the A259, especially along the Pagham Road due to farm vehicles and also during peak holiday periods. Pagham residents had aired their concerns with Members and so although it was not an easy decision for them to make, whatever decision was reached, it would not dismiss the impact the development would have on the District.

In speaking for the recommendations, Councillors praised the Chairman of the Local Plan Sub-Committee and the Officer team for their hard work which would all be undone if the Plan was not accepted. Councillors spoke of the difficulty in having to accept strategic allocations at some of the locations but that the time had now come to accept the proposals and to ensure that a Plan was in place, as without one not only would speculative development still happen, it would be worse and the Council would have no control over future development at all. Members had a responsibility to make a decision on behalf of the entire District. For these reasons some Councillors felt compelled to support the Plan. Members were also reminded that the Plan was based on evidence and that this was what the Planning Inspector would be looking at during the examination process.

Some questions were asked relating to the Duty to Co-operate arrangements and in terms of the 1,600 dwellings coming from other authorities such as Worthing and Adur. The question asked was whether Arun would receive funding from those authorities to help to deliver this and what cost would fall to Arun. Concerns were also expressed over the timeframe for delivering major upgrades for waste water as it had been indicated within the Plan that this would not be completed until 2025 – this presented a large gap that needed to be addressed. Comments were also made about the lack of significant highways infrastructure. Although there

were plans to upgrade the Ford roundabout, it was felt that this would be pointless without a proper Arundel bypass and also in view of development numbers at Ford.

Speaking against the recommendations, although some Councillors were supportive of the need for the Council to adopt a robust Local Plan, it was felt that the Plan in its current state should not be accepted. Members were referred back to 2014 when support had been given to the strategic locations to move forward. However, as time had progressed, many concerns had been expressed over the process and ongoing delays which had resulted in the Council now having to accept larger housing numbers.

Some discussion took place over development for the west of the River Arun and development at West Bank. Although the aspiration of 1,000 dwellings and future marine proposals was welcomed, there were concerns over costs. The figures supplied did not add up and there was a serious lack of road infrastructure and problems with flood protection.

Infrastructure fuelled much debate. Although Councillors understood the need for new and affordable housing, the sheer volume being put upon the District by Government was felt to be unacceptable. This meant that massive development was being recommended for areas that were already gridlocked due to a lack of infrastructure. References were made to the West of Bognor Regis and Bersted. The volume of houses being imposed would cause chaos for local people and communities. There would be the need to expand health provision and care at St Richards Hospital and to insist that highway infrastructure as well as education needs be upgraded. The Council needed to fight back to Central Government through lobbying MPs as the proposed site allocations could not absorb the level of house building.

In speaking further against the recommendations, concerns were raised by Councillor Purchase over the severe lack of NHS infrastructure primary care. He had heard that the Council needed to have a Plan in place, yet he remained to be convinced that it contained the right scale of infrastructure investment. In view of this, Councillor Purchase confirmed that he wished to make an amendment which was to *“remove Bersted and Pagham North and South from the strategic sites”*. In proposing this amendment, Councillor Purchase requested that a recorded vote be taken.

Councillor Oppler seconded this amendment.

Before proceeding further, the Head of Democratic Services asked Councillor Purchase if he could confirm which recommendation his amendment applied to.

In allowing Councillors Purchase and Oppler to formulate their precise wording for the amendment, the Chairman agreed to a two minute adjournment so that Officer advice could be sought.

The amendment proposed by Councillor Purchase and seconded by Councillor Oppler was then confirmed as [additions have been shown using **bold** and any deletions shown using strikethrough]:

(1) the proposed modifications to the Arun Local Plan, which are provided as Appendices 1 and 2 to this report be approved ...subject to the removal of Bersted and Pagham north and south from the strategic sites and the matter be referred back to the Local Plan Sub-Committee for further consideration of the housing numbers and consequential modifications

Legal clarification was requested by Councillor Bower on this amendment as some sites referred to were actually subject to live planning applications.

The Head of Legal and Administration confirmed that any live planning applications would be submitted to the Councils Development Control Committee. What was being considered within the Local Plan this evening was a separate issue as the Local Plan was considering all strategic sites. The amendment identified what sites were to be removed from the Plan and it stated the intention for the Local Plan Sub-Committee to consider the consequential modifications and further consideration of the housing numbers.

The Head of Democratic Services outlined that if this recommendation was passed, then it would affect what was being proposed in Recommendations (2) to (6).

The Chairman then invited debate on this amendment. This resulted in many Members speaking against it. Reference was made to the Director of Places' presentation made earlier in which he had stated that if Members wished to consider removing or varying the scale of individual allocations, they needed to be aware that any such decision needed to be supported by evidence, particularly on the deliverability and viability which would require further work and reports to the Sub-Committee. This would delay the formal publication of the Plan and would require additional resources to be allocated to fund the required work. On this basis, many Members spoke against the amendment and the risk that further delay would bring.

Other Members speaking against the amendment questioned where the 3,700 houses would be relocated to. The Local Plan, as proposed, contained all of the evidence needed to support the proposed allocations. The further delay that the amendment would cause, if accepted, would incur unreasonable cost and would expose communities to further speculative development. The point was made that to recalculate the strategic allocation, along the lines of the amendment, would mean that the Council would be in default of the planning process and there would be the real threat of the Local Plan adoption process being taken over by a Government body – this would be a disaster for the District of Arun.

Councillor Oppler, as seconder to the amendment, outlined that his Group was moving the amendment because it took very seriously the views of local people and the residents in the areas affected. He stated that Bognor Regis over the last 30-40 years had taken a large share of residential development with Bersted absorbing the massive development at Policy Site 6. This had caused major traffic congestion in and out of Bognor Regis and the area north of it. The fact was that this area of the District could not take any more development this was not sustainable. In addition to this, the loss of Grade I agricultural land would decimate the habitat for wildlife and residents in these areas. Councillor Oppler believed that the infighting and delays to adopting the Plan led by the Conservative Group of Arun had created all of these problems. He stated that the Plan needed to be looked at again and that the greenfield and brownfield sites in Ford needed to be reconsidered. Councillor Oppler requested that a recorded vote on the amendment be taken.

Councillor Purchase, as proposer of the amendment, urged Members to support it as this was about people who lived in these areas.

On the amendment being put to the vote it was declared LOST.

(Those voting for the amendment were Councillors Brooks, Buckland, Northeast, Oppler, Purchase, Dr Walsh and Wells (7) and those voting against were Councillors Ambler, Mrs Ayres, Ballard, Mrs Bence, T Bence, Bicknell, Blampied, Mrs Bower, R Bower, Mrs Brown, L Brown, Cates, Chapman, Charles, Clayden, Cooper, Dendle, Dillon, Dingemans, Edwards, Elkins, English, Gammon, Mrs Harrison-Horn, Hitchins, Hughes, Maconachie, Mrs Maconachie, Mrs Neno, Mrs Oakley, Oliver-Redgate, Mrs Pendleton, Mrs Porter, Reynolds, Miss Rhodes, Tyler, Warren, Wheal, Wensley and Wotherspoon (40). Councillors Mrs Hall, Haymes, and Patel (3) abstained from voting.)

The Chairman then returned to the substantive recommendations and invited debate.

Those speaking outlined that they did agree with some of the concerns expressed by Members earlier and that they appreciated the points made over infrastructure investment and the loss of agricultural land. However, this evening was a time for looking forward and not backwards and Members had to accept that without a Plan in place the wrong type of development in the wrong parts of the District would take place. Others stated that they reluctantly supported the Plan on this basis but were pleased that the Council, along with others, were working together to persuade Central Government to cease the compulsory rolling land policy. This was because Government needed to accept that the South and South East had reached saturation point. It was hoped that the Local Government Association and the District Councils Network would look at this matter very seriously.

The Ford Echo Town proposal which had been rejected some time ago was mentioned. This was because the Council had been persuaded that urban extension was the way forward. The point was made that Littlehampton [like Bognor Regis and Bersted] had already taken development and local people had the right to be concerned about what would happen next with the proposals for West Bank. The Plan was transfixed on housing shortfall yet an even bigger shortfall was the sustainability of sites due to a lack of infrastructure.

Councillor Bower, as seconder to the substantive recommendations, outlined that the Plan had to be approved as too many applications had been accepted on appeal, approved by the Inspector, and had failed to deliver on the infrastructure to support them. Councillor Bower referred to growth funds from the Local Enterprise Apprenticeship Platform (LEAP), the Lyminster bypass on the back of the North of Littlehampton development and that infrastructure gain such as this needed to be increased. Pressure needed to continue to ensure that the much needed A27 enhancements took place.

Councillor Charles, as proposer of the substantive recommendations, reassured Members that the Plan was based on evidence and required significant infrastructure.

The Chairman confirmed that Recommendations (1) to (6) would be voted upon together. A recorded vote had been requested.

(Those voting for the recommendations were Councillors Ambler, Mrs Ayres, Ballard, Mrs Bence, T Bence, Bicknell, Blampied, Mrs Bower, R Bower, Brooks, Mrs Brown, L Brown, Cates, Chapman, Charles, Clayden, Cooper, Dendle, Dillon, Dingemans, Edwards, Elkins, English, Gammon, Mrs Harrison-Horn, Haymes, Hitchins, Hughes, Maconachie, Mrs Maconachie, Mrs Neno, Mrs Oakley, Oliver-Redgate, Mrs Pendleton, Mrs Porter, Reynolds, Miss Rhodes, Tyler, Warren, Wheal, Wensley and Wotherspoon (42). Those voting against were Councillors Oppler, Purchase, Dr Walsh and Wells (4). Councillors Buckland, Mrs Hall, Northeast and Patel (4) abstained from voting.)

The Council

RESOLVED – That

(1) the proposed modifications to the Arun Local Plan, which are provided as Appendices 1 and 2 to this report be approved;

(2) the Director of Place, in consultation with the Chairman of the Local Plan Sub-Committee and Portfolio Holder for Planning and Infrastructure, be given delegated authority to make any further non-material amendments to the proposed modifications arising from this meeting or as required prior to publication. This will include the insertion of a specific policy to relate to secondary school provision in chapter 22 and completion of the Monitoring Framework in chapter 26;

(3) the Director of Place be authorised to publish the modified Arun Local Plan;

(4) the Director of Place be authorised to complete a detailed schedule(s) of modifications and necessary documentation for publication and a six week representation period in accordance with the requirements of the appointed Planning Inspector and relevant procedural guidance;

(5) following the 6 week representation period, the representations to these proposed modifications be submitted to the Planning Inspector as part of his Examination of the Arun Local Plan; and

(6) the Director of Place be authorised to produce and submit any supplementary information and documentation to the Planning Inspector to assist the Examination-in-Public, as required.

(During the course of the debate on this item, Councillor Buckland declared a Personal Interest as a County Council Member of the Littlehampton Harbour Board.)

Councillor Charles then referred Members to the recommendation at Minute 42 [Local Development Scheme] from the meeting of the Local Plan Sub-Committee held on 9 March 2017. This was asking Members to approve the Local Development Scheme for 2017-2020. Councillor Charles then proposed this recommendation which was seconded by Councillor Bower.

The Council

RESOLVED

That the Local Development Scheme for 2017-2020 be approved.

(The meeting concluded at 8.10 pm)