

**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 10 MAY 2017 AT 6.00 P.M.**

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

Honorary Aldermen Squires was also present during the meeting.

[Note: Councillor Bicknell was absent from the meeting during consideration of the matters detailed in Minute 555 (Part)].

555. WELCOME

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

556. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Bence, Blampied, English, Reynolds and Wells and from Honorary Aldermen Mrs Goad, MBE, Mrs Morrish, Mrs Stinchcombe and Mrs Olliver.

557. 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 Group Head of Council Advice and Monitoring Officer stated that in relation to Agenda Item 24 [Local Government Pension Scheme, Arun District Council Pension Discretions] no declaration was required to be made at this meeting by Members or Officers in the Local Government Pensions Scheme as this formed part of a national scheme and the detail of those affected individuals was not yet known and would vary dependent upon their individual circumstances.

Councillor Dr Walsh confirmed that he needed to declare a Personal Interest in Agenda Item 14 [Overview Select Committee – 21 March 2017) in relation to Minute 516 [Feedback from the Meetings of the West Sussex County Council's Health and Adult Social Care Committee (HASC) held on 19 January and 8 March 2017) as a West Sussex County Councillor and in view of his position as Vice-Chairman of this Committee. This was because he would be making a statement from the Minutes recorded on this item.

558. QUESTION TIME

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

No questions had been submitted for this meeting.

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

(c) Petitions from the public – the Chairman confirmed that a Petition containing over 750 signatures had been received from Walberton Parish Council regarding Tuppens Field, Walberton requesting that this field be designated as Local Green Space. This petition would be considered by the Overview Select Committee at its next meeting to be held on 30 May 2017.

559. MINUTES

The Minutes from the Special Council Meeting held on 22 March 2017 were approved by the Council as a correct record and signed by the Chairman.

560. CHAIRMAN'S COMMUNICATIONS

The Chairman alerted Members to the list of engagements and events that had been attended since the Special Meeting of the Council held on 22 March 2017 – these had been emailed to Councillors recently.

561. URGENT MATTERS

There were no items for this meeting.

562. STATUTE MATTERS

There were no items for this meeting.

563. MATTERS FROM THE LAST MEETING

There were no items for this meeting.

564. ANY OTHER MATTERS

There were no items for this meeting.

565. DEVELOPMENT CONTROL COMMITTEE – 1 MARCH 2017

The Chairman, Councillor Mrs Maconachie, presented the Minutes from the meeting of the Development Control Committee held on 1 March 2017.

566. LOCAL PLAN SUB-COMMITTEE – 6 MARCH 2017

The Chairman announced that as these Minutes had been fully presented to the Special Meeting of the Council on 22 March 2017 they did not need to be presented to this meeting.

567. LOCAL PLAN SUB-COMMITTEE – 9 MARCH 2017

The Chairman announced that as these Minutes had been fully presented to the Special Meeting of the Council on 22 March 2017 they did not need to be presented to this meeting.

568. LICENSING COMMITTEE – 17 MARCH 2017

The Chairman, Councillor Dingemans, presented the Minutes from the meeting of the Licensing Committee held on 17 March 2017 and he drew Members' attention to a recommendation at Minute 508 [Hackney Carriage Private Hire Licensing Policy and Handbook). Councillor Dingemans, in formally proposing the recommendation, confirmed that he commended this Policy to the Council and particularly as it had been agreed and welcomed by the drivers who supported its introduction.

Councillor Patel then formally seconded the recommendation.

The Council

RESOLVED

That the Hackney Carriage and Private Hire Policy and Handbook, as amended, be approved.

569. OVERVIEW SELECT COMMITTEE – 21 MARCH 2017

Councillor Elkins presented the Minutes of the Overview Select Committee meeting held on 21 March 2017.

Councillor Dr Walsh, before making a Statement in accordance with Council Procedure Rule 11.2, outlined that he wished to point out a typographical error at Minute 513 [Engineering Services Annual Review] in relation to Land Drainage – Drainage Plans and Strategies. The fifth line down of this paragraph referred to implication dates which Councillor Dr Walsh stated should read 'implementation' dates.

Councillor Dr Walsh then drew Members' attention to his Statement which related to Minute 516 [Feedback from the Meetings of the West Sussex County Council's Health and Adult Social Care Committee (HASC) held on 19 January and 8 March 2017]. Councillor Dr Walsh outlined that he needed to correct the inaccuracies of this Minute in relation to the verbal update he had provided following his attendance of the HASC meeting held on 8 March 2017. Paragraph (4) of this minute stated that the Coastal Commissioning Group (CCG), the Mental Health Trust and the Western Sussex Hospital Trust were also in 'special measures'. Councillor Dr Walsh confirmed that it was the Brighton Sussex University Hospital that was in 'special measures' not the Western Sussex Hospital Trust.

(During the course of the discussion on this item, Councillor Dr Walsh re-declared his Personal Interests made at the start of the meeting.)

570. DEVELOPMENT CONTROL COMMITTEE – 29 MARCH 2017

The Chairman, Councillor Mrs Maconachie, presented the Minutes from the meeting of the Development Control Committee held on 29 March 2017.

571. CONSTITUTION WORKING PARTY – 10 APRIL 2017

The Chairman, Councillor Mrs Bower, presented the Minutes from the meeting of the Constitution Working Party held on 10 April 2017, which were circulated separately to the agenda.

Councillor Mrs Bower alerted Members to two recommendations at Minute 49 [Proposed Constitutional Amendments- Joint Area Committees] which she formally proposed. The recommendations were then duly seconded by Councillor Wensley.

The Council

RESOLVED – That

(1) The proposed changes to the Constitution at Part 2 (Articles) and Part 3 (Responsibility for Functions) as set out in Appendix 1, attached to these Minutes, as amended at the meeting be approved; and

(2) The Group Head of Council Advice and Monitoring Officer be authorised to make any further consequential changes to the Constitution.

572. CABINET – 10 APRIL 2017

The Chairman, Councillor Mrs Brown, presented the Minutes of the Cabinet meeting held on 10 April 2017.

573. DEVELOPMENT CONTROL COMMITTEE – 26 APRIL 2017

The Vice-Chairman, Councillor Mrs Hall, presented the Minutes from the meeting of the Development Control Committee held on 26 April 2017.

574. ENVIRONMENT & LEISURE WORKING GROUP- 14 MARCH 2017

In the absence of the Vice-Chairman, Councillor Mrs Porter, presented the minutes of the Environment & Leisure Working Group meeting held on 14 March 2017.

575. HOUSING & CUSTOMER SERVICES WORKING GROUP- 23 MARCH 2017

The Vice-Chairman, Councillor Mrs Pendleton, presented the minutes of the Housing & Customer Service Working Group meeting held on 23 March 2017.

576. MATTERS RELATING TO JOINT ARRANGEMENTS

There were no items for this meeting.

577. MOTIONS

There were no Motions to consider.

578. QUESTIONS/STATEMENTS FROM MEMBERS

There were no questions/statements for this meeting.

579. LOCAL PENSION DISCRETIONS

The Leader of the Council, Councillor Mrs Brown, presented a report which asked the Council to agree the proposed changes to Arun District Council's Pension Discretions. This was because the Council had a staff pension scheme which was part of the Local Government Pensions Scheme. Councillor Mrs Brown in formally proposing the two recommendations outlined that she needed to make an amendment to Recommendation (b) to read as follows – any additions are shown in **bold** and any deletions are shown using ~~strikethrough~~ :

(b) give delegated authority to the Group Head of **Corporate Support Services**—to implement the changes to employment legislation concerning termination payments and pension.

This amendment was seconded by Councillor Wensley. On the amendment being put to the vote it was declared CARRIED.

Turning to the substantive recommendations, the Council

RESOLVED – That

(1) Agreement be given to the proposed changes to Arun District Council's Pension Discretions as set out in Appendices 1 and 2 attached to the report; and

(2) Delegated authority be given to the Group Head of Corporate Support to implement the changes to employment legislation concerning termination payments and pension.

(During the consideration of this item, Councillor Dr Walsh confirmed that despite the Declaration provided at the start of the meeting by the Group Head of Council Advice and Monitoring Officer, he needed to declare a Personal Interest in his capacity as a Trustee of the West Sussex County Council Pension Fund and as a West Sussex County Councillor).

580. COMMITTEE MEMBERSHIPS

The Leader of the Council, Councillor Mrs Brown, confirmed that Councillor Ambler had become a member of the Environment & Leisure Working Group.

581. REPRESENTATION ON OUTSIDE BODIES

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

582. EXEMPT BUSINESS

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 they 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.

583. RETROSPECTIVE REPORTING OF AN URGENT DECISION TAKEN BY THE CHIEF EXECUTIVE – AUTHORISING THE FULL AND FINAL SETTLEMENT FOR THE SURRENDER OF 18 WATERLOO SQUARE AND 75 HIGH STREET, BOGNOR REGIS, WEST SUSSEX [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, Councillor Mrs Brown presented this report which asked Members to note that the Chief Executive had exercised his delegated authority to take urgent action and had authorised the Head of Legal and Administration to agree to a consent order and payment of £5,000 as full and final payment to the Defendant and take immediate possession of 18 Waterloo Square and 75 High Street, Bognor Regis, West Sussex PO21 1SU.

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

The Council

RESOLVED

That the Chief Executive had exercised his delegated authority to take urgent action and had authorised the Head of Legal and Administration to agree to a consent order and payment of £5,000 as full and final payment to the Defendant and take immediate possession of 18 Waterloo Square and 75 High Street, Bognor Regis, West Sussex PO21 1SU.

(The meeting concluded at 6.17 pm)