



Members are reminded to bring their Agendas from the Cabinet Meeting held on 19 June 2017 with them to the meeting

27 June 2017

COUNCIL MEETING

To all Members of the Council

You are summoned to attend a meeting of the ARUN DISTRICT COUNCIL to be held on Wednesday, 12 July 2017 at 6.00 pm in the Council Chamber at the Arun Civic Centre, Maltravers Road, Littlehampton, to transact the business set out below.



Nigel Lynn
Chief Executive

AGENDA

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

Members and Officers are reminded to make any declaration of personal and/or prejudicial/pecuniary interests that they may have in relation to items on this agenda.

You should declare your interest by stating:

- a) the item you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial/pecuniary interest
- d) if it is a prejudicial/pecuniary interest, whether you will be exercising your right to speak under Question Time

You then need to re-declare your prejudicial/pecuniary interest at the commencement of the item or when the interest becomes apparent.

3. **Question Time**

- a) Questions from the public (for a period of up to 15 minutes)
- b) Questions from Members with prejudicial/pecuniary interests (for a period of up to 15 minutes)
- c) To receive any petitions from the public

4. **Minutes**

To approve as a correct record the Minutes of the Annual Council Meeting held on 17 May 2017, as attached.

5. **Chairman's Communications**

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

6. **Urgent Matters**

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

7. **Statute Matters**

There are no items for this meeting.

8. **Matters from the last Meeting**

There are no items for this meeting.

9. **Any Other Matters**

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

There are no items for this meeting.

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

10. **Development Control Committee – 24 May 2017**

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Development Control Committee held on 24 May 2017. There are no recommendations.

11. Overview Select Committee – 30 May 2017

The Chairman, Councillor Dingemans, will present the Minutes from the meeting of the Overview Select Committee held on 30 May 2017. There are recommendations at:

- Minute 26 [Walberton Parish Council Petition – Local Green Space] – to view the Officer’s report please click on this link – [Report](#) and [Appendix](#) and [Appendix](#)
- Minute 30 [Work Programme] – to view the Officer’s report and Appendix please click on this link – [Report](#) and [Appendix](#)

12. Littlehampton Regeneration Sub-Committee – 14 June 2017

The Vice-Chairman, Councillor Dingemans, will present the Minutes from the meeting of the Littlehampton Regeneration Sub-Committee held on 14 June 2017. There are a series of recommendations at:

- Minute 4 [Littlehampton Seafront – Public Realm Works] – to view the Officer’s report and appendices please click on this link – [Report](#) and [Appendix](#) and [Appendix](#)

13. Cabinet – 19 June 2017

The Chairman, Councillor Mrs Brown, will present the Minutes from the Cabinet meeting held on 19 June 2017. There is a recommendation at:

- Minute 40 [Tackling Homelessness]

14. Constitution Working Party – 20 June 2017

The Chairman, Councillor Mrs Bower, will present the Minutes from the meeting of the Constitution Working Party held on 20 June 2017. There are recommendations at:

- Minute 4 [Proposed Constitutional Amendments – Cabinet Member Responsibilities] – to view the Officer’s report please click on this link – [Report](#) and [Appendix](#)
- Minute 5 [Proposed Constitutional Amendments – Updating the Constitution with New Group Head Titles] – to view the Officer’s report please click on this link - [Report](#)

15. Development Control Committee – 21 June 2017

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Development Control Committee held on 21 June 2017. There are no recommendations.

16. **Bognor Regis Regeneration Sub-Committee – 26 June 2017**

The Chairman, Councillor Hitchins, will present the Minutes from the meeting of the Bognor Regis Regeneration Sub-Committee held on 26 June 2017.

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

17. **Audit & Governance Committee – 29 June 2017**

The Chairman, Councillor Chapman, will present the Minutes from the meeting of the Audit & Governance Committee held on 29 June 2017.

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

18. **Local Plan Sub-Committee – 3 July 2017**

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Local Plan Sub-Committee held on 3 July 2017.

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

19. **Standards Committee – 5 July 2017**

The Chairman, Councillor English, will present the Minutes from the meeting of the Standards Committee held on 5 July 2017.

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

MINUTES FROM WORKING GROUPS

20. **Environment & Leisure Working Group – 27 June 2017**

The Chairman, Councillor Hitchins, will present the Minutes from the meeting of the Environment & Leisure Working Group held on 27 June 2017.

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

OTHER MATTERS

21. **Matters Relating to Joint Arrangements**

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

There are no items for this meeting.

22. **Motions**

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

23. **Questions/Statements from Members**

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

OFFICER REPORTS

24. **Committee Memberships**

The Council will be asked to approve the following changes to Committee Memberships:

- (i) That Councillor Mrs Neno will now become a Member of the Environment & Leisure Working Group
- (ii) That the Landlords Forum no longer has Member representation
- (iii) The Cabinet Member sitting on the Staff Safety Panel be the Cabinet Member for Technical Services, Councillor Haymes

25. **Representation on Outside Bodies**

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

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

**MINUTES
OF THE
ANNUAL MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 17 MAY 2017 AT 6.00 PM**

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

[Note: The following Councillors were absent from the meeting for during consideration of the matters referred to in the Minutes indicated – Councillor Bicknell – Minute 1 to 4 (part); and Councillor English – Minute 1 to 5 (part)].

1. WELCOME

Councillor Haymes welcomed Councillors, Officers and invited guests to the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Ballard, Blampied, Dingemans, Edwards, Mrs Maconachie, Oliver-Redgate, Oppler and Tyler and the Council's Honorary Aldermen Mrs Goad, MBE, Mrs Morrish, Mrs Olliver, Mrs Stinchcombe and Squires.

3. RETIRING CHAIRMAN'S ANNOUNCEMENTS

The retiring Chairman, Councillor Haymes, outlined that it had been a great honour to have been Chairman of the Council for the second time. He outlined that the success of his year was down to the help and assistance he had received from Council Officers; for steering him in the right direction; providing him with sound advice; and keeping him on track and within the realms of the Constitution. Councillor Haymes thanked his Vice-Chairman, Councillor Mrs Pendleton for her support and he wished her a great civic year. His biggest thanks were extended to the Communications team and especially to his PA Claire Pritchard for promoting his charities and events and for managing his year.

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Finally, Councillor Haymes thanked Councillors for putting their trust in him a year ago when he was Elected Chairman, he stated that he hoped he had lived up to their expectations.

4. ELECTION OF CHAIRMAN

Having been proposed by Councillor Mrs Brown and seconded by Councillor Brooks, the Council

RESOLVED

That Councillor Mrs Jacqueline Pendleton be elected Chairman of the Council for 2017/2018.

Councillor Mrs Pendleton then made the Declaration of Acceptance of Office.

Councillor Mrs Pendleton then warmly welcomed everyone to the meeting and stated that she hoped that they would join her at her reception to be held following this meeting. She thanked Councillor Haymes for passing the civic chain to her and stated that it had been nothing but a pleasure to have worked alongside him as Vice-Chairman. His guidance and support meant that she had managed to learn the ropes in preparing for her Civic year. Councillor Mrs Pendleton thanked everyone for their support and co-operation and that she looked forward to constructive debate in the Council Chamber and to serving the people of Arun.

5. VOTE OF THANKS TO RETIRING CHAIRMAN OF THE COUNCIL

Having been proposed by Councillor Mrs Brown and having been seconded by Councillor Brooks and having received the support of Councillor Purchase, the Council

RESOLVED

That a vote of thanks be accorded to Councillor Haymes for his work as Chairman of the Council during the past year.

6. ELECTION OF VICE-CHAIRMAN

Having been proposed by Councillor Wensley and seconded by Councillor Brooks, the Council

RESOLVED

That Councillor Mrs Alan Gammon be elected as Vice-Chairman of the Council for 2017/2018 and Chairman-Elect for 2018/2019.

Councillor Gammon then made the Declaration of Acceptance of Office.

7. MINUTES

The Minutes of the Council Meeting held on 10 May 2017, as circulated to the meeting, were approved by the Council as a correct record and were signed by the Chairman.

8. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

9. CHAIRMAN'S COMMUNICATIONS

The Chairman announced that she had nothing further to add to what she had announced earlier.

10. ELECTION OF LEADER AND THE CABINET

Councillor Mrs Brown proposed the election of the Leader and the Cabinet, as circulated to the meeting.

Councillor Wensley then formally seconded the election of the Leader and the Cabinet.

The Council

RESOLVED

That the report of the Election of the Leader of the Council and Cabinet Portfolios for 2017/2018, be approved, a copy of which is *attached* to the signed copy of the Minutes.

11. APPOINTMENT TO COMMITTEES

Councillor Mrs Brown proposed that the Appointments to Committees be approved. These had been set out in an addendum report that had been circulated at the meeting.

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Councillor Wensley seconded this proposal.

Councillor Dendle made a Statement following his departure from the Cabinet and expressed his disappointment at not being selected to sit on any Committees. Councillor Mrs Brown responded by stating that it had been her understanding that Councillor Dendle wished to return to being a back-bencher and to not serve on any Committees.

Councillor Brooks confirmed that Councillor Mrs Rapnik would fill the Independent Vacancy for the Housing Appeals Panel and Staff Appeals Panel.

The Council therefore

RESOLVED

That the schedule of Appointments to Committees for 2017/2018, including the updates contained in the addendum report circulated, and reported to the meeting, be approved and that these changes be incorporated into the schedule, a copy of which is *attached* to the signed copy of the Minutes.

12. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

Councillor Mrs Brown proposed the Appointments to Outside Bodies, which had been circulated to the meeting. Councillor Wensley seconded this proposal.

Councillor Dr Walsh raised a query in relation to Outside Body No. 1 [The Littlehampton Harbour Board] in view of the fact that it was proposed that two Council Officers be appointed nominated representatives. Councillor Dr Walsh queried if the Harbour Board's Constitution allowed the recruitment of non-Councillor Board Members and he asked if this could be checked against the Harbour Board's Constitution and with the other appointing authority (West Sussex County Council).

The Deputy Leader of the Council and Cabinet Member for Corporate Support, Councillor Wensley, confirmed that the Littlehampton Harbour Board had approached the Council requesting it to consider the appointment of non-Councillor board members as it was keen to ensure that it had an appropriate balance of skills, competencies and experience to control it effectively. He re-assured Councillor Dr Walsh that by appointing two Council board members that democratic accountability was ensured.

The Leader of the Council, Councillor Mrs Brown, confirmed that she had had a meeting with the Chairman of the Littlehampton Harbour Board who had proposed the recruitment of non-councillor board members and had outlined the diversity of skills required. Councillor Mrs Brown outlined that it was her understanding that the Leader of West Sussex County Council had had a similar meeting and would be introducing the same concept of appointing non-councillor members for their Outside Bodies.

Councillor Wells queried the proposed representation on Outside Body No. 28 [Bognor Regis Town Centre Public Realm Works Steering Group] in that he expected Bognor Regis Town Centre Ward Councillors to be nominated to sit on this Group.

The Council then

RESOLVED

That the schedule of Appointments of Representatives to Outside Bodies for 2017/2018 be approved, a copy of which is *attached* to the signed copy of the Minutes.

(During the course of the discussion on this item, Councillor Dr Walsh declared a Personal Interest as a member of West Sussex County Council).

13. APPOINTMENT OF OTHER GROUP LEADERS

The Council noted the appointment of the other Group Leaders and the confirmation . A copy of which is *attached* to the signed copy of the Minutes.

(The meeting concluded at 6.35 pm)

DEVELOPMENT CONTROL COMMITTEE

24 May 2017 2017 at 2.30 p.m.

Present: Councillors Bower (Chairman), Hitchins (Vice-Chairman), Mrs Bence, Brooks, Cates (substituting for Councillor Mrs Maconachie), Dillon, Gammon, Mrs Hall, Haymes (substituting for Councillor Mrs Bower), D. Maconachie, Mrs Oakley, Oliver-Redgate, Miss Rhodes and Mrs Stainton.

Councillors Buckland and Charles were also in attendance at the meeting.

14. APOLOGIES

Apologies for absence had been received from Councillors Mrs Bower, Mrs Maconachie and Wells.

15. DECLARATIONS OF INTEREST

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

Reasons

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

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

Councillor Haymes declared a personal interest in Planning Application LU/258/16/PL as the owner of a mobile home park in Yapton. He stated that he did not know the applicant and that the proposal would not affect his business in any way.

Development Control
Committee – 24.05.17.

16. PLANNING APPLICATION R/45/17/PL – SANDON, THE COPPICE, RUSTINGTON

The Chairman advised that this application had been omitted from the agenda in error and would be considered as a matter of urgency under Agenda Item 8, Planning Applications, as it was required to be determined as soon as possible for performance reasons.

17. MINUTES

The Minutes of the meeting held on 26 April 2017 were approved by the Committee and signed by the Chairman as a correct record.

AL/107/16/RES – APPLICATION FOR RESERVED MATTERS APPLICATION FOLLOWING OUTLINE PLANNING PERMISSION AL/39/13 FOR THE DEMOLITION OF OAKDENE AND ALL OTHER STRUCTURES WITHIN THE SITE AND THE ERECTION OF 79 DWELLINGS, PUBLIC OPEN SPACE, CHILDREN'S PLAY AREAS, LANDSCAPING, DRAINAGE MEASURES, SUB-STATION, PUMPING STATION AND ALL OTHER ASSOCIATED WORKS. LAND WEST OF WESTERGATE STREET AND EAST OF HOOK LANE, WESTERGATE

This application had been deferred from the meeting held on 26 April 2017 to enable further information to be obtained by officers, particularly with regard to drainage issues and the Committee now considered an amended report to reflect the additional information received. A written report update was circulated at the meeting which provided further information regarding the drainage issues on the site and which concluded that Option 1 was unviable and Option 2 should be taken forward, the details of which together with full approval would be the subject of a separate discharge of conditions application.

Due to Member comment that was made at the previous meeting, the Principal Planning Officer was able to confirm that no S106 contribution towards education had been sought by West Sussex County Council when the outline application had been determined as, at that time, there was considered to be spare capacity in the Barnham area. As a consequence therefore, and as the principle of the development had already been established at the outline stage, including the impact of the proposals in relation to education provision, those principles could not be revisited as part of the reserved matters application. The Committee was advised that it was not possible in planning law to amend the S106 obligation to include the education contributions now being requested by the County Council.

The Council's Engineering Services Manager was in attendance at the meeting and was able to confirm that Option 2 was considered to be viable.

Following a brief discussion, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Haymes had declared a personal interest and remained in the meeting and took part in the debate and vote.)

18. LU/258/16/PL – 7 NO. MOBILE HOMES FOR PERMANENT RESIDENCY & OFFICE BUILDING TO SERVICE MOBILE HOMES. THIS APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN, OLD MEAD HOUSE, OLD MEAD ROAD, LITTLEHAMPTON

This application had been deferred from the meeting held on 4 January 2017 to enable more detailed plans to be presented and the report on the table now reflected the amendments made to the scheme. The number of mobile homes on the site had been reduced from 8 to 7 and the proposed access road for the site had been widened to allow two way vehicular movements, together with additional parking provision in relation to the proposed office building. In addition, the provision of a foul treatment plant had been included.

A written report update was provided which clarified the amended description and the material considerations in the determination of this proposal, together with amended conditions. The amended description to read as follows:-

LU/258/16/PL – Change of use of the land for the stationing of 7 no. mobile homes for permanent residential occupation and the erection of a B1(a) office building. This application is a Departure from the Development Plan, Old Mead House, Old Mead Road, Littlehampton

The Planning Team Leader emphasised that what Members were being asked to consider was the use of the land and not the suitability of the caravans themselves, which would come under Environmental Health Caravan Licensing legislation.

Following a brief debate, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

Development Control
Committee – 24.05.17.

19. PLANNING APPLICATIONS

EP/41/17/PL – 1 No. dwelling & dormer to front elevation & velux roof windows to rear roof slope to 4 Beachlands Cottages, Land adjacent to 4 Beachlands Cottages, Beachlands Close, East Preston. Having received a report on the matter, together with the written officer report update detailing a representation from the agent regarding access to the side of the proposed dwelling, the Committee

RESOLVED

That the application be approved as detailed in the report.

EG/57/16/PL – Medical Centre with pharmacy retail unit & other ancillary uses together with access onto Barnham Road & associated car parking. This application is a Departure from the Development Plan, Land adjacent to the Croft Practice, Barnham Road, Eastergate Having received a report on the matter, together with the officer's written report update detailing the serving of a Tree Preservation Order on the Oak Tree on the other side of the eastern boundary and a request from the applicant that Condition 19 (hours of opening) be deleted or amended to say "The development hereby approved shall not normally be used for patients other than between the hours of 7 am and 11 pm", Members expressed concern with regard to the restriction on opening hours.

It was acknowledged that the Government was promoting an increased accessibility to medical services for the public and it was therefore felt that that the applicant's request was reasonable. The Planning Team Leader gave advice that an increase to the opening hours had not been advertised and that nearby residents might have made representation had they known; he suggested that a further public consultation be advertised and that, should any representations be received, the decision be delegated to the Director of Place in consultation with the Chairman. This amendment was duly proposed and seconded and the Committee

RESOLVED

That, following a further consultation with regard to opening hours, the determination of the application be delegated to the Director of Place in consultation with the Chairman.

FP/264/16/PL – Erection of 2 No. dwellings, 10 Kingsmead, Felpham Having received a report on the matter, some Members expressed views that 3 bed houses would be preferable to the 4 bed houses being proposed. Concern was also voiced in respect of the congestion already being experienced in the locality with regard to parking. However, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Buckland spoke under the Public Speaking rules as Ward Member.)

LU/56/17/PL – Change of use of ground floor from retail shop (A1 Shops) to hot food takeaway (A5 Hot Food Takeaway) & associated works, 22 Beach Road and 3 Evans Gardens, Littlehampton Having received a report on the matter, together with the officer's written report update detailing receipt of a petition of 59 signatures in support of the proposal and an amendment to the wording of Condition 5 to include the restriction of the storage of the motor vehicles to the area specified on drawing no. PL01 Rev A to the rear of the site, the Committee considered the application.

In discussing the matter, it was suggested and agreed that an additional condition should be attached in respect of the recycling bins and the Committee then

RESOLVED

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

Details for the storage of waste on the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the business use hereby approved being operated.

Reason: To protect the amenities of nearby residents in accordance with Arun District Local Plan policy GEN7.

R/45/17/PL – Change of use of garage into treatment room & waiting area, two storey rear extension, rear dormer, first floor front extension & internal alterations to ground & first floor to include integral garage, Sandon, The Coppice, Rustington Having received a report on the matter, together with the officer's written report update illustrating the location plan, the Committee

RESOLVED

That the application be approved as detailed in the report.

20. PLANNING APPEALS

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

(The meeting concluded at 4.25 p.m.)

OVERVIEW SELECT COMMITTEE

30 May 2017 2016 at 6.00 p.m.

Present: - Councillors Dingemans (Chairman – except for Minute 26), English (Vice-Chairman – took the Chair for Minute 26) Mrs Bence, Blampied, Edwards, Elkins, Hughes, Mrs Oakley, Oliver-Redgate, Mrs Rapnik, Miss Rhodes, Dr Walsh, Warren and Wheal.

Councillors Bence, Bower, Mrs Brown, Charles, Clayden, Haymes and Wensley were also present for all or part of the meeting.

[Note: The following Councillors were absent from the meeting during consideration of the following items of business: Councillor Miss Rhodes – Minute 21 to Minute 24 (part); Councillor Mrs Rapnik – Minute 21 to 26 (Part); and Councillor Dr Walsh - Minute 29 (Part) to Minute 30].

21. WELCOME

The Chairman welcomed Members and Officers to the meeting and members of the public. He especially welcomed new Members on the Committee to their first meeting in this new Municipal Year.

22. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Hitchins and Oliver-Redgate.

23. 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.

Overview Select
Committee – 30.05.17

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 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.

24. MINUTES

The Minutes of the Committee meeting held on 21 March 2017 were approved by the Committee as a correct record and were signed by the Chairman, subject to the following amendments:

Minute 513 [Engineering Services Annual Review]

The fifth line down of this paragraph referred to 'implication' dates – this needed to be changed to read 'implementation' dates.

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]

There were inaccuracies in this Minute in relation to the verbal update provided from the meeting of HASC held on 8 March 2017 in relation to Paragraph 4 stating that the Coastal Commissioning Group (CCG), the Mental Health Trust and the Western Sussex Hospital Trust were also in 'special measures'.

This needed to be changed to reflect that that it was the Brighton Sussex University Hospital that was in 'special measures' not the Western Sussex Hospital Trust.

25. START TIMES

The Committee

RESOLVED

That its start times for meetings during 2017/2018 be 6.00 pm.

26. WALBERTON PARISH COUNCIL PETITION – LOCAL GREEN SPACE, TUPPERS FIELD

The Chairman confirmed that he would stand down from chairing the meeting for this item but would remain in the meeting as this Petition related to an area of land that was in his Ward and as he had been involved in some of the activities surrounding the Petition.

Councillor English then took over as Chairman and Councillor Mrs Bence acted as Vice-Chairman.

Councillor English then introduced this item confirming that Walberton Parish Council had submitted a Petition requesting that Arun District Council designate a site known as Tupperts Field as an area of Local Green Space (LGS).

Councillor Mrs Oakley raised a procedural point outlining her concern that there was no opportunity for the Petition Organiser to speak or be asked questions at this meeting. It was her view that this was wrong and that as a Scrutiny Committee this needed to be looked at and addressed. She therefore proposed the following recommendation to the Constitution Working Party which read:

“The Council’s Petition Scheme be reviewed, in particular the approach to Petitions brought before the Overview Select Committee and the rights of the Petition Organiser to speak and be questioned and that a report be submitted to the Committee in due course”.

Councillor English seconded this recommendation.

A question was raised by Councillor Dr Walsh asking if the meeting could suspend meeting procedure rules to allow the Petition Organiser to speak at this meeting.

Overview Select
Committee – 30.05.17

The Group Head of Council Advice and Monitoring Officer provided some advisory information. She confirmed that the petition scheme being worked to for this meeting had been agreed and adopted by Full Council. As the petition contained fewer than 1500 signatories the procedure was to present this for consideration at an Overview Select Committee meeting and not to Full Council. It was advised that, unlike Full Council, the petition organiser would not be able to make a presentation to the Committee, however, they could submit suggested questions. The procedure for this meeting had been discussed with the Chairman in preparing the report. Councillors were advised that supporting changing the arrangements for this meeting would not allow any other persons who might wish to speak against the Petition taking part and so would be unfair towards anyone else who might hold a different perspective. The Committee therefore agreed to stick to the procedure as set out in the report.

The Chairman then invited the Group Head of Planning to present his report. He reconfirmed that the submitted petition requested the Council to designate a Local Green Space at Tupper's Fields, Walberton. The stated justification for this request had been set out at Paragraph 4.1 of the report.

The Group Head of Planning outlined that subsequent submissions by the petition organiser had stated that they considered the decision statement on the Neighbourhood Plan to be illegitimate and that it should be altered.

Members were advised that it needed to be stated that the decision notice on the Neighbourhood Plan was issued in accordance with the Council's Constitution and, because it has been issued, there was no mechanism for re-visiting that decision. This point also related to the majority of the questions raised by the petition organiser.

Paragraph 76 of the National Planning Policy Framework (NPPF) confirmed that LGS designations should only be brought forward as part of a Plan – in Arun that meant the Local Plan or Neighbourhood Plans. The process for designating LGS was set out within Policy OSR DM1 of the emerging Local Plan. This clearly stated that LGS designations would be brought forward through Neighbourhood Plans in the District. This policy had been agreed by Full Council in November 2014.

No LGS's were contained within the emerging Local Plan. Every single LGS in the District was a result of a designation within a Neighbourhood Plan. Therefore, the point was made that the Committee was not able to agree to a designation at this stage, it could only agree to a designation within a Plan and there were therefore two options should Members agree to the petition. These were to:

1. Ask Full Council to agree to include such a designation in the Local Plan. As Members were aware, the Plan was at a very advanced stage and currently in mid-examination. A significant amount of resources had been directed at getting the Local Plan to this stage and it had only been agreed by a Special Meeting of the Council on 22 March 2017. Including a designation on this site would mean that progress on the Plan would have to be delayed because new evidence would have to be gathered to try to support a designation, this would need to be consulted upon before it would be examined. There would be significant risks and costs associated with this course of action.
2. The petition organiser had suggested that the Council 'indicate its support' for an LGS within a new Neighbourhood Plan. Although the Committee was able to do this, it was outlined that there would be a certain sense of irony in the request in that it would be doing precisely the thing that Walberton Parish Councillors had accused Arun of doing over recent years which was pre-determining a process that had yet to be completed. A new Neighbourhood Plan would need to be prepared on new evidence and following consultation and to support an LGS at this stage would be premature and would mean that any evidence gathering and consultation would be meaningless.

As already stated, the decision notice issued by Arun on the Neighbourhood Plan could not be revisited. The decision notice was issued in September 2016. In October 2016, new regulations came into force that allowed Neighbourhood Plan Groups to ask the Secretary of State to intervene in instances where the recommendations of the examiner were not accepted. The Parish Council accepted the decision notice in November 2016 and chose not ask the Secretary of State to intervene. Having accepted the decision notice and not sought to challenge it, it was not now possible and would be deemed unreasonable to now re-consider it as, as Members were being asked to do.

The Group Head of Planning confirmed that Arun had been consistent with its advice and views on the merits of the LGS designation and had considered the strict tests contained within the NPPF at Paragraph 3.5 of the report. The tests all had to be met and it was not sufficient to seek an LGS designation to simply protect it from development. It was for these reasons that the decision notice did not accept the proposed designations – to do so would have resulted in an unacceptable level of risk to the Council as a result of inevitable legal challenges that were very unlikely to succeed.

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In summary, Members were informed that Officer advice was that designation of an LGS within a Plan was not appropriate at this stage as it did not follow the established process within the District; it would result in further delays, costs and risk to the Local Plan or it would be premature and pre-determine a future Neighbourhood Plan.

The Chairman then invited debate on the Petition. This started with Officers being asked on what basis had they refused to go on the advice provided by the Independent Examiner who had declared that this should be a green space. Why had the Council gone against his recommendations?

The Group Head of Planning responded stating that it had been set out in the correspondence sent to the Neighbourhood Plan Group that Tupper's Field had not met the requirements in place to be designated an area of LGS. It had not met the three tests set out at Paragraph 3.5 of the report and could not be proved to be demonstrably special to the local community or an extensive tract of land. The Council had looked at all of the characteristics of the land and legal advice provided and had taken its decision in accordance with the Council's Constitution at the time.

In reviewing the response provided, Councillor Wheal confirmed that he could not accept this advice and he outlined that he was concerned that the Council was going against legal opinion. The Group Head of Planning informed Members that the Council was not being asked to look at this decision again as it had been taken 8 months ago, the Parish Council had been advised of this fact. What needed to be mentioned was that the rules had changed which had allowed the Parish Council, if they wished, to go to the Secretary of State to challenge the decision. They had decided to not take this action.

Councillor Dingemans then spoke against the recommendations contained within the report and he referred Members back to October 2015, when the Housing & Economic Land Availability Assessments (HELAA), stated that Tupper's Field was not suitable for development. The Neighbourhood Plan Inspector had stated in his report that Arun had recommended that four sites proposed in the neighbourhood plan for local green space did not meet the criteria in place. The Independent Examiner had not agreed and had stated that Tupper's Field was valued by the community; was close to the heart of the village and would be a buffer between development and the golf course. As such, the area should be an area of green space and had met 3 tests laid down in the NPPF. Councillor Dingemans, having thoroughly reported on the process that had taken place in respect of the proposals for a Local Green Space at Tupper Field, then proposed an amendment which was

to put forward two recommendations replacing recommendations (1) and (2) in the report to read as follows:

- (1) The Council to accept the principles of the recommendation of the Independent Inspector, Mr Edward Cousins, to designate Tupper's Field, Walberton as a Local Green Space; and
- (2) Tupper's Field, Walberton no longer be considered suitable for development and to be considered for potential as a Local Green Space when Walberton's Neighbourhood Plan is reviewed.

Councillor Wheal seconded this amendment.

The Chairman then invited debate on this amendment. This saw general support for it because some Members felt that the words of the Independent Examiner had been ignored or misrepresented. Members confirmed that they felt satisfied with the Examiner's view that 2 out of the 3 tests needed had been demonstrated supporting designation. Members asked if the amendments could move forward without delaying the Local Plan. It was the view of some Members that this was a time when Councillors should put their common sense cap on rather than sticking to regulations. Comments were made that the questions put forward by the Petition Organiser had not been adequately answered by Officers in the report and had not responded to the wishes of the public.

Having heard from other Councillors who were in support of Councillor Dingeman's amendment, Officers were asked what extra costs and delays to the Local Plan would be involved if the Committee chose to agree to the amendments and what the implications might be. If the amendment was accepted, would it predetermine the planning process? Questions were also asked if this might set a precedent and that other Parish Councils might follow suit.

Some Members of the Committee stated that they could not avoid the feeling that Officers were dissuading Members to support the Petition as they had a desperate desire to put the Local Plan through as soon as possible. Although Members sympathised with Officers, they felt that as Councillors they had to consider the views of residents, which were overwhelming in the village, and given the recommendations of the Inspector, the amendments from Councillor Dingemans were imminently sensible, and should be accepted provided that they did not affect the Local Plan overall.

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The point was made by one Councillor that developers were being contacted by the Council over development on land. This caused concern and Officers were asked to respond to this and why Walberton Parish Council had chosen not to approach the Secretary of State and why a number of other Parish Councils had tried and had been unsuccessful to adopt areas of Local Green Space within their Neighbourhood Plans.

The Director of Place outlined that there was no evidence of Officers doing any wrong doing and that if there was then this would be a matter for the Council's Monitoring Officer to deal with. In relation to the definition of an extensive tract of land, it was explained that guidance was not specific and so it was very difficult to draw conclusions overall based on such varying views and so each case was treated on its own merit.

In terms of what the implications would be for the Council's Local Plan, if the Committee chose to accept the amendments, the Director of Place outlined that as a Council, the role of the Local Plan Sub-Committee was to determine matters in relation to planning policy and so Members might wish this matter or any recommendations to be considered by this Sub-Committee instead of recommendations being forwarded directly to Full Council. In terms of inviting developers to submit planning applications, he reminded Members of the resolutions made by the Local Plan Sub-Committee and then Full Council which was for the Council to address its 5 year land supply by inviting planning applications for the areas outlined in the plan as allocations and sites outlined as deliverable in various planning policy documents. This did not mean that if a planning application was submitted in the future, that it would be automatically approved or refused as each application had to be looked at and considered on its own merit. This was the role and function of the Development Control Committee who would form a view if an application should be supported or not. In terms of other areas, and the point made that this could prompt other Parish Councils to submit petitions, ultimately whatever Members decided, this would set the benchmark for what other areas might wish to do.

In terms of the implications for the Council's Local Plan, looking at Recommendation (1), Members would be agreeing to a set of principles therefore should any planning application be received and was not subject to tests/material consideration, it would appear very low down on the scale in terms of their resolution – this was not the same as going through process of allocating it as local green space. With Recommendation (2) the only document where there was any reference to Tuppens Field was the HELAA document – exploring what might be deliverable in terms of sites and could only be determined through submission of a planning application which the Development Control Committee would have to consider, if received. In terms

of Walberton's Neighbourhood Plan Review, a timeframe of around 18 months to 2 years was estimated as the quickest time period that this could be done.

In fully considering the revised recommendations, the Committee

RECOMMEND TO FULL COUNCIL – That

(1) The Council accepts the principles of the recommendation of the Independent Inspector, Mr Edward Cousins, to designate Tuppens Field, Walberton as a Local Green Space;

(2) Tuppens Field, Walberton no longer be considered suitable for development and to be considered for potential as a Local Green Space when Walberton's Neighbourhood Plan is reviewed; and

(3) the Council's Petition Scheme be reviewed, in particular the approach to Petitions brought before the Overview Select Committee and the rights of the Petition Organiser to speak and be questioned and that a report be submitted to the Committee in due course

27. LEISURE OPERATING CONTRACT – YEAR ONE REPORT

The Group Head of Community Wellbeing introduced representatives from Freedom Leisure to the meeting. These were:

Carrie Reynolds – Community Development Manager
Andrew Smith – Area Manager
Matt Hunt - Operations Director
Ivan Horsfall Turner – Managing Director

The Committee was advised that this report provided an overview of the first year of the leisure operating contract for 2016/17. Representatives from Freedom Leisure were then invited to present their Annual Performance Review. This had been circulated to the meeting.

The Area Manager reported on:

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- the background to the Contract in that it had commenced on 1 April 2016 for a 10 year period covering the Arun Leisure Centre; Littlehampton Swimming & Sports Centre; Bersted Park Community Centre; and the Windmill Entertainment Centre
- How the Contract delivered a Community Development Programme
- The headline successes achieved over the first year, covering membership growth; revised staffing structures; and significant investment into existing facilities
- New programmes and activities including free swimming for over 75's; swim only memberships; free swimming for serving military personnel; free use for looked after children; and how work had progressed with the Arun Wellbeing and Think Family team to deliver fitness and nutritional courses. Updates were also provided on the junior summer fitness challenge; an increased range of activity classes; the Les Mills Fitness Classes; ASA Swimming Lessons Programmes; active Sussex Workplace Challenge; sportive and school sports premium programmes; and the increased number of cardiac rehabilitation classes at Bersted Park.
- Updates were provided on investments on new gym equipment at the Arun Leisure Centre; the investment to improve the café and reception and fitness changing areas at the Arun Leisure Centre; general building improvements at the Windmill entrance; how the Council had invested in works to the pool tiling and pool surround; and investment into energy conservation projects.
- Finally, Members were informed about a range of other schemes that would benefit residents of the District, as well as the involvement of Freedom Leisure in the design team for the new leisure centre that would be opening in 2019.
- Looking ahead, Members were reassured that Freedom Leisure would continue to improve the financial performance of all the facilities that they managed; would develop new initiatives and programmes to increase participation from all segments of the community; would increase community presence and would continue to work with local partners to provide targeted outreach programmes.

Members then asked a range of questions on the presentation that they had just received. These have been summarised below:

- Praise was given for keeping the Windmill Theatre going, though a comment was made that cinema ticket prices were quite high. Freedom Leisure was asked if they could look, in the future, at reducing ticket prices.
- Why had no investment been made in bowling greens. It was explained that bowling greens formed part of the Greenspace Contract now. It was outlined that Freedom Leisure was working with the Bowls Alliance to enhance the provision of this sport to residents.
- The enhancements made to the Arun Leisure Centre were applauded in terms of the gym improvements; changing areas; and the healthy food menu in the cafe.
- The Committee stated that it was full of praise in terms of how the Contract had been managed over the past year. Many improvements could be seen. Freedom Leisure was asked if it could consider offering free swimming to veterans as well as serving military personnel. Looking at the investments made in energy conservation in relation to the new Littlehampton Leisure Centre, was there an option to retro fit photovoltaic cells or heat pumps as these were in the original specification but had then been removed on cost grounds. It was confirmed that photovoltaic cells could be retrofitted and that combined heat and power plant would be a provision when tenders were submitted. Heat pumps were not part of energy plan for the building and would be difficult to retrofit. In respect of solar glare and solar gain, a consultant had been engaged by the architect to review the design of the glass façade of the pool hall and it was not intended to cover the glass with film to block natural light and views.
- Could a swimming lane be made available for serious swimmers over the lunchtime periods on Saturdays and Sundays as such lanes had been replaced by children's inflatable toys. It was confirmed that liaison would take place with the Manager of the Centre to ensure that at least one swimming lane would be made available to serious swimmers on the days and times discussed.
- Members were pleased to hear about Freedom Leisure's involvement with schools and were asked if they could do more work with secondary schools to encourage outdoor activities for students. It was explained that the Contract with Freedom Leisure did not cover setting school's curriculums. As such, they had no control over stipulating that physical education had to overrun the importance of students achieving grades in the three core subjects.

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- The work being undertaken on the prevention of falls for elderly residents was applauded and had Freedom considered consulting with Parish Councils who could promote the scheme to their residents. It was confirmed that Parish newsletters and Arun Times were used to advertise a variety of initiatives to assist those in need in the District.
- The Arun Active Community Framework document, supplied with the report, was applauded and seen as an excellent document promoting health activity in the District. Freedom Leisure was asked if they had seen any increase in price structuring over the past year. It was confirmed that prices had increased on 1 April 2017 by 3% but that prices were set sensitively to meet the needs of the target groups that they worked with. For example, if anyone was in receipt of free school meals then they would qualify for a discounted rate. Freedom stated that it was addressing different levels of memberships as this and the issues of pricing was something they wanted to get right. They needed to balance proper sensible commercial pricing and were focusing resources on delivering priorities.
- Questions were asked about the full-life offer and the focus for older people especially as loneliness was a real problem for the elderly in the District. The schemes in place and being progressed were explained.
- With the Dual Use Officer Group, why did membership not include a Councillor? It was explained that the Dual Use Agreement, drawn up a long time ago, had been revised in September 2016 to streamline meetings to make the delivery model more appropriate to the current operating structure of the Arun Leisure Centre.
- On the Officer report, how well had the outcomes and measures for 2016-17 gone? Freedom Leisure had stated this in the 2016/17 statistics which would establish a baseline for future comparison. Any that were incomplete were not run or available in 2016/17 and were new for 2017/18.
- A further question was asked about non-councillor membership of the Dual Use Officer Group as it was felt that the appropriate Cabinet Member should attend such meetings. It was explained that as regular briefing meetings took place with that Cabinet Member this was not seen as a necessary requirement.

Having thanked representatives and Officers for attending the meeting and for the useful updates provided,

The Committee then

RESOLVED – That

- (1) the report be noted; and
- (2) the progress in setting up the Dual Use Officer Group at the Arun Leisure Centre be noted.

28. CABINET MEMBER QUESTIONS AND UPDATES

Councillor Warren asked the following questions:

To the Leader of the Council, Councillor Mrs Brown, in relation to the Daisyfields camp site, was the Council looking to do something else to this site and what if any approaches had the Council had on this site?

Councillor Mrs Brown responded and stated that as part of an ongoing review of its assets, the Council would be reviewing options for the future use of the site to ensure it got sensible returns from its assets. A report would be presented to Cabinet in due course for a decision on its future and this would include market testing data which had been sought.

To the Cabinet Member for Technical Services, Councillor Haymes, on the 12 month litter and dog fouling contract – could the Committee please receive updates?

Councillor Haymes responded stating that the Council had undertaken an update on the litter/dog fouling enforcement pilot to the Environment & Leisure Working Group and would be reporting back to this meeting's December meeting.

Councillor Mrs Rapnik asked if a review of enforcement for car parking could be undertaken as she felt that some of the rules were extremely elastic and she wanted to know more about the rules in place for parking on pavements near schools. She also had concern that there was a severe lack of enforcement staff.

Councillor Haymes outlined that he would respond to this question in writing. Following further discussion, it was agreed that this was a matter more appropriately to be dealt with by the Joint Arun Eastern Committee's Highways and Transport Group.

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Councillor English asked if the Committee could have a report reviewing the Council's assets. The Group Head of Council Advice and Monitoring Officer alerted Members to the Committee's Work Programme, a separate item for this meeting, and stated that Councillor English' request for a review on Concessions had been responded to with the Committee considering this in March 2018. As he had not requested this review to look beyond this, this latest request would need to be raised with the appropriate Officer to consider if there was adequate Officer resource to accommodate this.

Councillor Dingemans asked the Leader of the Council, Councillor Mrs Brown, and a question regarding the Local Plan and what was happening to Mid Sussex District Council and did this Council have a contingency plan if the same thing were to happen at Arun – this was if the Council was asked to consider increased housing numbers?

The Cabinet Member for Planning, Councillor Charles, responded to this question. He stated that, no, there was not a contingency plan in place. The Director Place explained that the Council had had to put forward 13 sites and that these were all detailed in the Local Plan. The Council did not have any sites that it did not have evidence for not currently in the local plan and so if the Inspector asked the Council to consider more, then it would be necessary for it to replay out the last 18 months or so of evidence gathering. The Director of Place stated that he did not believe that this would happen as the Council had met its required need and had made a contribution under the Duty to Co-operate scheme.

Councillor Dingemans stated that in the Council's Local Plan it talked about the Arundel by pass and he asked did this mean that nothing would be developed at Ford until it had been announced what was happening with Arundel bypass.

The Director of Place confirmed that the Ford allocation had not been dedicated on the basis that the Arundel by-pass would come first. So, if this did not happen first, this did not mean that development would not occur.

The Cabinet Member for Residential, Councillor Bence, updated the Committee on housing matters. He stated that in terms of the 33 houses proposed, the Council would be receiving the keys for the first 5 on 26 June and then for the remainder at the end of August. At Glenlogie, the 2 houses would be completed at the end of August 2017. At Wick, all of the issues in relation to highways which had caused delay had now been rectified and work had commenced. To add to this good news, the Council's Fraud Officer had brought back 15 houses through various investigations. Through the Council's Right to Buy scheme, a further 10 properties would be available for use by the

end of this month. Finally, Councillor Bence encouraged Members to attend meetings of Cabinet over the next few months as it would be looking at the HRA Business Plan which was close to completion and would announce more exciting news for the Council.

The Cabinet Member for Community Wellbeing, Councillor Clayden, updated the Committee on the collapsed sewer pipe at the Littlehampton Swimming and Sports Centre. He announced that Southern Water Services had affected a localised repair to the large diameter sewer in the access road which had enabled a return to normal in regard to sewage flows and the removal of over-pumping and the use of tankers to deal with flows. There remained, however, a doubt over the integrity of the adjacent pipework which would require Southern Water to undertake further investigations and potential repairs. The Council continued to liaise closely with Southern Water to ensure that combined works in the area caused minimal disruption to the new centre enabling works.

29. FEEDBACK FROM THE MEETING OF THE SUSSEX POLICE AND CRIME PANEL HELD ON 7 APRIL 2017

The Committee received and noted the feedback report circulated at the meeting following the meeting of the Sussex Police and Crime Panel held on 7 April 2017.

30. WORK PROGRAMME 2017/2018

The Group Head of Council Advice and Monitoring Officer reminded Members that at the last meeting of the Committee, a draft version of the Committee's Work Programme had been circulated for discussion and to allow further work to take place to finalise it for tonight's meeting. She reminded Members that the Council's Constitution required it to report annually on its future work programme to Full Council.

Earlier in the meeting, the Committee had agreed that it would like to receive a report back on a review of the Council's Petitions scheme and so she would consult with the Chairman and Vice-Chairman in terms of when this could be accommodated. Members were advised that they would receive reports on Data Protection at its next meeting on 25 July 2017 and so the Special Meeting of the Committee on 22 June 2017 had now been cancelled.

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In discussing the work programme, a review of how Section 106 monies were spent was requested. The Head of Council Advice and Monitoring Officer stated that the Committee Manager would liaise with the Director of Place to determine when would be an appropriate time for this to be placed within the work programme.

The need to not lose sight of joint scrutiny between the Audit & Governance and this Committee was raised as there were times when joint scrutiny on some subjects was important.

The Committee then

RECOMMEND TO FULL COUNCIL – That

- (1) the Overview Select Committee's work programme for 2017/18 be approved; and
- (2) the Chairman and Vice-Chairman continue to monitor any changes needed to the work programme and report these to the Committee as required.

(The meeting concluded at 8.27 pm)

LITTLEHAMPTON REGENERATION SUB-COMMITTEE

14 June 2017 at 6.00 pm

Present: - Councillors Dingemans (Vice-Chairman in the Chair), Mrs Ayres, Blampied, Cates, Gammon, Mrs Porter, Dr Walsh and Warren.

Councillor Ambler was also present at the meeting.

[Note: Councillor Dr Walsh was absent from the meeting during the consideration of the matters outlined in Minutes 6 to 9].

1. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Bicknell.

2. DECLARATIONS OF INTEREST

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

Reasons

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

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

Councillor Dr Walsh declared a Personal Interest in Agenda Item 6 [Littlehampton Seafront - Public Realm Design Plan] as a member of Littlehampton Town Council and West Sussex County Council.

Councillors Mrs Ayres, Gammon and Warren also declared their Personal Interests in Agenda Item 6 [Littlehampton Seafront – Public Realm Design Plan] as members of Littlehampton Town Council.

3. MINUTES

The Minutes of the Sub-Committee meeting held on 9 February 2017 were approved as a correct record by the Sub-Committee and were signed by the Chairman.

4. LITTLEHAMPTON SEAFRONT – PUBLIC REALM DESIGN PLAN

(Prior to consideration of this matter, Councillors Dr Walsh, Mrs Ayres, Gammon and Warren having declared their Personal Interests at the start of the meeting remained in the meeting and took part in the debate and vote.)

The Sub-Committee received a detailed report from the Economic Regeneration Officer which provided a progress update on the Littlehampton Seafront design scheme, an analysis of the public consultation undertaken and what were the proposed next steps for this project.

Firstly, the Sub-Committee was reminded of the background to this project. This was that:

- In July 2014, Members had been presented with a concept investment plan called the 9 Big Ideas for Littlehampton which provided a number of ideas linking the Town to its waterfronts.
- On 17 March 2015, 3 of the 9 Big Ideas had been supported by the Sub-Committee to progress to feasibility stage, as resources became available, and these recommendations were ratified by Full Council on 15 July 2015 – these were in respect of improving the promenade; the pier lookout; and the new green and beach link.
- In May 2015, the Council was awarded a Coastal Revival Grant in the sum of £29k which supported the preparation of design plans for improvements to the Littlehampton seafront.
- LDA Designs were appointed as the design consultants for the project and had since produced their own report supporting their findings [at Appendix 1 of the report].
- Extensive public consultation took place as part of this process in which 292 people contributed to the survey and the public displays that had been made available over a 3 week period.

Secondly, it was outlined that:

- The culmination of the consultation was now reflected in the proposals being presented to Members which provided a framework around which improvements could be made to the local economy in generating employment opportunities for businesses to invest in the seafront over a period of time and would then encourage further investment and activity in the area.

- This piece of work followed the Public Realm Design Project for the Littlehampton Town Centre. The two schemes being linked through the Council's Vision for providing a connected pedestrian priority town centre, riverside and seafront.
- There were a number of proposals to consider through the attached Action Plan set out within the report.
- A broad range of comments and a variety of constructive input had been received from the community and key stakeholders, such as Littlehampton Town Council and Harbour Park.
- Officers were aware that Members had received a letter from a local stakeholder regarding the need to retain the coach parking facility in Banjo Road. Members were advised that Officers would consider the points made in the early stages of the action plan and that they appreciated the importance of identifying suitable alternative coach parking arrangements prior to considering any proposed changes to the frequently underutilised Banjo Road Coach Park.
- In responding to the comments made about the coach parking in Banjo Road, the Economic Regeneration Officer outlined that he had undertaken some research into coach and mini-bus usage in Banjo Road and this information was circulated at the meeting. This illustrated that the coach park was not overly used hence the proposals that had been put forward.
- Findings from income generated had shown in the peak summer school holiday period last year, the Banjo Road coach park had catered for 177 coach or mini-bus visits (in excess of 1 hour stays) which equated to 4.5 visits per day in a coach park that had capacity for 20 coach or mini buses.

In considering the Action Plan:

- Members aired concern over losing coach parking at Banjo Road stating that this would result in a loss of revenue. Officers responded highlighting that the site was underutilised and was a prime investment location.
- It was accepted that coach and mini-bus provision was crucial. However, it was also accepted that the Council needed to review its current coach parking function. If it was not provided at Banjo Road then an appropriate location would need to be provided elsewhere within the area.
- The Group Head of Economy provided Members with some background. The coach park had been established back in the 1950's when coach visits were more popular and when visitors came to enjoy the uniqueness of the greens and their sense of openness. Coaches today did not use the area in the same way that they used to. Coach companies no longer expected to park in prime spots along the seafront and were happy to drop off visitors to confirmed drop-off points. The Council would investigate where allocated drop-off and pick-up points could be and hoped to bring the Banjo Road area back to what it used to be which was a proper venue and

facility for the Town. Members were reminded that the Council was continuing to have to make significant financial savings and so it had the responsibility to look at every single revenue stream that it had. The prime site of Banjo Road was an example of an area that could be used in a vastly better way and Members were reminded how the coach park location had previously been a café/restaurant, rose garden and bandstand.

- It was also mentioned that the coaches that did use the area caused pollution and noise to visitors trying to enjoy the green areas. It was agreed that further investigation was required.
- Officers were mindful of the importance of the seafront greensward as part of the Town's unique character and charm which they would continue to protect and retail.
- The complexities of the underground services system on the seafront were understood as this would impact on some of the concepts and further work required to clearly understand what was beneath the surface.
- It was outlined that the leasehold and freehold agreements and covenanted land relating to any proposals moving forward would need to be considered.
- It was confirmed that the Council understood that to make any changes to the traffic arrangements in Pier Road would require it to work closely with WSCC and local businesses, along with identifying funding opportunities to develop the concept of reducing Pier Road to a single carriageway.
- It was felt that these proposals offered more commercial opportunities for permanent and temporary concessionaire investment.
- Officers appreciated that the community would like to have shelters and so they would be looking into options and would report back to the Sub-Committee.
- It was recommended that there should be flexibility on the seafront to facilitate more events and activities above and beyond the 5 currently permitted annually. This was because the seafront was an ideal location to accommodate and develop quality events but the restrictive covenants in place inhibited the number and type of entertainment and hospitality permitted on the greens.
- Some of the proposals would require significant investment, the new promenade surfaces and concepts such as sloping footpaths between the seafront and greensward for example. These proposals might be achieved by applying for external funding. Other large proposals such as new concessions or leisure opportunities would need further consideration and the Council would need to look externally for private sector investment through partnerships. Some smaller interventions could be achieved through existing budgets and possibly by the support of community groups.
- The Sub-Committee was advised that the Council was not suggesting the designs proposed by LDA needed to be followed literally. These were conceptual and so further investigation would be required to determine whether or not they were economically

viable. Although some flexibility would be required due to unforeseen pressures or new opportunities, it was important for Members to understand that as long as the principles of this study were supported, through one over-arching vision for the seafront, then the area could be enhanced over time.

Looking at the recommendations, Members were advised that at Recommendation (2), the last three words “and if required” were an error and needed to be removed.

In discussing the recommendations, it was acknowledged that what the Sub-Committee was being asked to approve were broadly conceptual design principles. Members were not being asked to approve conceptual drawings, these had been provided to present an illustration.

Looking at funding, it was acknowledged that external funding for the larger elements of the improvements were key to project delivery. Officers were encouraged to explore all other funding opportunities that could be pursued.

The importance of working in partnership, not just with public bodies, was outlined. Other stakeholders such as Harbour Park needed to be included along with others such as The Harvester and Windmill Theatre as there was real opportunity for investment in any or all of these at the same time.

The Chairman then spoke about the recommendations and in view of the comments that had been made he outlined some observations that he wished to put forward as amendments. These were that:

- Recommendation (1) – to add that a further review of parking requirements for coaches and cars be undertaken
- Recommendation (2) – as already mentioned the wording “and if required” be removed
- Recommendation (3) – looking at the Action Plan starting at page 14 of the report, that Actions 2 and 4 (all talking about car parking and coach parking) be merged. Although he agreed the principles behind each of these actions, it was his view that they could not be separated and needed to be looked at together and should be merged.
- A new Recommendation (5) be added to read “The proposed Action Plan for enhancing the Littlehampton Seafront is produced to prioritise individual concepts”. This would illustrate an order of project prioritisation. This was because it would be easier to deliver some projects such as the eastern 5 a side football and Oyster Pond exercise trail and recognising that the more major projects should be addressed as one package.
- Recommendation (5) in the report would then become Recommendation (6) and to be re-worded to say “A progress report be presented to the Sub-Committee annually or at ~~appropriate~~ **at shorter intervals if appropriate.**”

The amendments were seconded by Councillor Dr Walsh.

In discussing them, the Sub-Committee supported them. Members accepted that the coach and mini-bus parking needed to be looked at again so that a better plan could be put into place.

The Sub-Committee then

RECOMMEND TO FULL COUNCIL - That

(1) the proposed conceptual design principles for Littlehampton seafront (as set out in Appendix 1) are approved but that a further review of parking for coaches, mini buses and cars be undertaken;

(2) the proposed conceptual design principles are delivered, as phased projects over the longer-term in partnership with Littlehampton Town Council, West Sussex County Council and other key stakeholders subject to the necessary funding becoming available;

(3) the proposed Action Plan for enhancing Littlehampton seafront and connecting roads from the Town Centre is supported with Actions 2 and 4 being merged;

(4) authorisation is given to the Director of Place to apply for external funding sources to support any of the seafront project proposals. This includes sponsorship for elements of the scheme to help finance parts of the project;

(5) the proposed Action Plan for enhancing the Littlehampton seafront be produced to prioritise individual concepts; and

(6) a progress report be presented to the Sub-Committee annually or at shorter intervals if appropriate.

5. SUMMARY OF TOURISM SUPPORT CURRENTLY PROVIDED BY ARUN DISTRICT COUNCIL

The Sub-Committee received a report from the Tourism Business Development Officer which provided information in terms of how the Council supported tourism to keep the District attractive, clean and safe for visitors and residents.

The report also set out the key activities that were either led by the Council or where the Council played a significant part in their delivery.

The Tourism Business Development Officer provided a presentation which outlined:

- The visitor economy value to the District. The Council commissioned an annual report by the regional tourist board and industry experts Tourism South East. These reports were delivered each August/September for the previous full calendar year and so the 2016 report would be available around September 2017.
- Sussex by the Sea was the tourism brand of the Council and was used to promote the District to visitors and residents as the official source of tourist information for the District. It did this by via the web using its own web site; by using social media; the visitor guide; and many others tools such as marketing and lamppost banners. It was reported that web site page views were down by 7.9% due in part to the changing trends in the way that people looked for information. In reflection, social media figures had increased confirming that this was how increasing numbers of people now looked for information and how more and more businesses were using this as an advertising tool now.
- The annual Sussex by the Sea Visitor Guide continued to promote lots of events and attractions in the District and Members were reminded that this was designed completely in house by the Tourism Development Officer working with one of the Council's two graphic designers.
- The Council continued to strive to get more income from advertisements as these assisted to fund the production cost of the guide. Arun Times was also used [What's on Pages] to promote the District.
- Visitor Information Points – the Council continued to work closely with partners to deliver a Visitor Information facility in its three district towns.
- Customer Service – despite all of the activity online, customer enquiries and visitor guide requests continued to be received at a rate of around 30/40 per week via the website; email; phone and the occasional letter.
- Working with Tourism partners – work continued to cross-promote information and marketing ideas with all three town councils.
- Coastal West Sussex Tourism Project – the work was ongoing.

Having thanked the Tourism Business Development Officer for her presentation, the Chairman invited questions from Members.

One Member was interested to know what partnership work the Council did with Southern Rail and coach operators to promote the Arun District using posters at stations. It was explained that the Council paid for an advert to be placed in the Coach Drivers Year Book which promoted the three towns and on their web site too. Other marketing opportunities were taken up as and when they arose.

The Chairman was interested to know if the Council, as part of its working with tourism partners, liaised with the National Park who promoted food portals and other areas of interest. The Tourism Business Development Officer confirmed that the Council worked very closely with the new Sustainable Tourism Lead at the National Park on areas such as these.

Other questions asked were:

- Was enough funding provided by the Council to promote tourism? The existing budget was carefully utilised using economies of scale and working with partners wherever possible
- Did the Council use Butlin's to promote the District. It was explained that the Council had a good relationship with Butlin's and it did utilise promotion ideas where possible
- Could an Ice Cream Parlour be provided in the Town Centre. This idea would be looked at with the Town Centre Manager and Business Development Manager who worked hard to identify to encourage a range of businesses to the Town and District, subject to suitable premises being available
- There seemed to be a need for more family camping places – were there any in the Eastern part of the District. Several details were shared at the meeting.

Following some further discussion, the Sub-Committee then noted the content of the report provided.

6. LITTLEHAMPTON REGENERATION POSITION STATEMENT

The Sub-Committee received and noted the Position Statement and worked through each project listed making the following observations:

- Littlehampton Town Centre Public Realm Scheme – it had been a disappointment to not have succeeded with the Round 2 funding application. Most of the funding had been awarded to Councils in the western and northern parts of the country. As the scheme had been developed to an advanced level, Officers were ready to proceed in submitting further applications to any funding pots that became available and so were looking at every opportunity. Officers were currently looking at the WSCC transport funding budget and would be applying for CCF Round 5 phases.

Councillor Mrs Ayres asked if the Crafters Corner at the end of Clifton Road could be considered for funding. The Economic Regeneration Officer undertook to look into this.

- Littlehampton Seafront Public Realm Design Scheme – this had been discussed earlier in the meeting.

- Tourism Support – this had been discussed earlier in the meeting.

- Town Centre Safety – The new enforcement officers commissioned through East Hants County Council were having an impact. It was reported that fines had been issued. Officers confirmed that an update report setting out the detail of the spot penalty fines issued would be provided to the Sub-Committee for its next meeting.

- Town Traders Partnership – The Town Centre Manager continued to work with other promoters such as Spirit FM, ETC Magazine and the Littlehampton Gazette to promote the Town Centre.

- Markets and Events – Officers were asked if they could look into the parking on the former Waitrose site which was constantly being used as this was free car park.

- Littlehampton Promenade Shelter Project – No further details could be provided due to the commercial nature of the scheme.

- Littlehampton Long Bench Slat Engraving Scheme – The scheme would be relaunched in the Summer. At the moment information on the operator of the new partnership scheme was commercially sensitive.

- Littlehampton Arcade – cosmetic work was continuing to improve the look of the arcade.

7. START TIMES

The Sub-Committee

RESOLVED

That the start times for meetings during 2017/2018 be 6.00 pm.

(The meeting concluded at 7.22 pm)

CABINET

19 June 2017 at 5.00 pm

Present : Councillors Mrs Brown (Chairman), Wensley (Vice-Chairman), Bence, Charles, Clayden, Haymes and Wotherspoon.

Councillors Buckland, Cooper, Dendle, Mrs Oakley, Mrs Porter, Mrs Stainton and Tyler were also in attendance for all or part of the meeting.

31. WELCOME

The Chairman welcomed Councillors, representatives of the public, press and officers to the first meeting of Cabinet for the Municipal Year 2017/18.

In response to the horrific fire at Grenfell Tower, London, the Chairman acknowledged that Arun District Council's tenants may have concerns. To address this and provide reassurance the Chairman read out a letter that had been sent to all Council Tenants and Leaseholders. This letter advised of the actions Arun District Council was taking and confirmed that although Arun District Council had used cladding on some buildings none of the cladding was of the type identified on Grenfell Tower.

The Chairman then stated it was felt that it was important to ensure absolute peace of mind for the Council's residents and therefore some checks would be undertaken on the materials and installation of the cladding on the Council's buildings. Members agreed this communication was a positive way to ensure tenants understood that they have no need to worry.

32. DECLARATIONS OF INTEREST

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

Reasons

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

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

There were no declarations.

33. QUESTION TIME

(Please note that the questions and answers in these minutes are a summarised version, with the full version published on the Council’s website)

(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.

(1) Councillor Mrs Brown, the Leader of the Council, was asked if Arun District Council considers the proposal of a Speakers Corner in Littlehampton to allow people the opportunity to express their opinions a viable enhancement to town affairs & advancement of the democratic process.

Councillor Mrs Brown thanked the questioner for his question. The Leader recalled attending the Hyde Park Speakers Corner in London, on several occasions, and had enjoyed listening to the speakers and debates. It was advised that this had been checked with West Sussex County Council who confirmed that there was no requirement for licensing/permission from them for something like this. Arun District Council licensing team had said the same. It was explained that if the events caused any kind of public nuisance then that would become a police matter, but having a discussion/debate in public on a small scale would not require a licence or permission and would also not require authority from this council meeting.

(b) Questions from Members (for a period of up to 15 minutes).

The Chairman then invited questions from Members that had been submitted in advance of the meeting. Three questions had been submitted by Councillor Dendle.

(2) Councillor Mrs Brown, the Leader of the Council, was asked about the confirmation at the Overview Select Committee in a question put by Councillor Dingemans that there were no Contingency plans for an increase in housing in the Local Plan. If housing numbers substantially increase to more than 1200 per

annum, which Councillor Dendle believed they might, during the local plan inspection and bearing in mind Councillor Bower was kept in position when many thought he should go, the Leader was asked if she would take personal responsibility for that outcome?

Councillor Mrs Brown responded that the reason why the Chairman of the Overview Select Committee was informed that there wasn't a contingency plan to provide additional housing should the Local Plan Inspector consider more housing was necessary was because of a combination of factors.

Firstly, the Council had always determined the proposed level of housing according to the evidence available, whether that was the Objectively Assessed Needs assessment or other documents such as the Housing and Economic Land Availability Assessment. As the questioner would be aware the required provision that the Council must seek to accommodate has increased rapidly in recent years.

Secondly, it was explained that the Council was required to establish whether it could assist neighbouring Councils with their housing provision under the terms of the Duty to Co-Operate legislation. The work this council had undertaken with other Councils in the area on strategic planning matters was recognised for its excellence by the Royal Town Planning Institute. Councillor Bower was chairman of relevant Strategic Planning Board at that time and the work he put into that was recognised as leading the way forward for other Councils and much admired by the Councils in our duty to cooperate area. The cumulative effect of these factors had accounted for all of the strategic sites that had been identified as being potentially suitable for development.

Furthermore, it was stated that the Inspector would quite reasonably say that if we did have reserve sites, shouldn't these be brought forward to meet, either the 1250 homes that would be still required to be identified on small sites as part of current plans, or make a larger contribution to the needs of our neighbours. Councillor Mrs Brown stated that she wasn't sure if that is what the questioner was suggesting - that Arun should be providing for even more housing. It was stated that in reality it wasn't believed that the evidence was there to support the provision of even more housing in Arun above what is currently planned.

The following Supplementary Question was then asked:

Supplementary to Question 2 – Councillor Dendle stated that he had asked if the Leader was personally responsible and asked again for a 'yes' or 'no' answer to the initial question.

Supplementary Response - The Leader answered that Full Council had taken a vote on this, which included Councillor Dendle, and so the responsibility was shared with the whole of the Council.

- (3) Councillor Wensley, Deputy Leader of the Council, was asked a question by Councillor Dendle. Councillor Dendle had noted that in a recent write off of Sundry debts which were handled by Individual Cabinet Member Decision, that the policy for writing off sundry debts has not changed in over 9 years (a very long time). It was asked what efforts had he made to ensure officers innovate and improve the collection of outstanding debts?

Councillor Wensley responded that the policy and procedures for writing off debts was actually last reviewed in 2014.

He was satisfied that before consideration of writing off any debt the procedure was being followed. As a result, every debtor had received an invoice, reminder, final notice, a letter proposing legal action, legal action and a judgement against the individual. Unfortunately, the issue of a County Court judgement does not necessarily mean payment is made and writing off the debt is always a last resort. In response to the question about what action he was taking to ensure officers innovate and improve the collection of outstanding debts Councillor Wensley answered that working with officers the council was always seeking to improve but the total of write offs in 2016/17 amounted to £28,480 which equates to 0.47% of the total debt. This is a record that in Councillor Wensley's view was an enormous credit to the officers involved and one that many commercial companies and utilities would view with envy.

- (4) Councillor Mrs Brown, the Leader of the Council, was asked a question on officer pay. Councillor Dendle stated that this had now been allowed to stagnate for over 5 years and many employees had become de-moralised by the situation, it was asked if Councillor Mrs Brown thought it was time to give the council's employees an increase linked to the Consumers prices index?

Councillor Mrs Brown responded that Pay awards were considered annually by national negotiations with Trade Unions for all posts except that of the Chief Executive. It was explained that the LGA (*Local Government Association*), negotiated pay awards on behalf of the Council. As a result, a 1% increase was agreed from April 2017. Officers also had annual spine point awards, unless they were on the maximum for their grade. With regard to the minimum wage it was confirmed the Council was legally compliant.

It was thought that to move to Local Pay could be viewed as undermining national negotiations. In addition, it was explained that the national pay spine was currently under review in order to remain legally compliant with the National Living Wage. Options were being developed with the working group and trade unions nationally and final proposals would form the basis to seek an agreement between the Employers and Trade Unions in due course. It was anticipated that the review would result in increased costs to the pay bill and the council would therefore not want to consider moving away from national negotiations while this work was ongoing and the impact of the review on the pay bill was unknown. The outcome of the review was likely to be known in July 2017, and the council would respond accordingly.

Councillor Mrs Brown stated that she recognised the difficulties council staff were having during this period of restraint. Despite this national issue, it was recognised that staff were working really hard to provide excellent services for the public. It was noted that Council performance, particularly our high public satisfaction results, confirmed this hard work. In our residents' Spring Survey 2017, 73% are 'satisfied' or 'very satisfied' with the quality of the council's work. Councillor Mrs Brown extended her thanks to Arun District Council staff for their continued commitment to the Arun community.

34. MINUTES

The Minutes of the meeting held on 10 April 2017 were approved by the Cabinet as a correct record and signed by the Chairman.

35. START TIMES

The Cabinet

RESOLVED

That the start times of meetings for the remainder of 2017/18 be 5.00 p.m.

36. BUDGET VARIATION REPORT

There was nothing to consider under this Standard item.

37. AWARD OF CONTRACT FOR THE SUPPLY, IMPLEMENTATION AND SUPPORT & MAINTENANCE OF AN ENVIRONMENTAL HEALTH, PRIVATE SECTOR HOUSING AND PUBLIC HEALTH IT SOLUTION

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Cabinet received a report from the Principal Environmental Health Officer, Housing which sought approval for the award of contract following competitive procurement conducted in accordance with current European Union procurement legislation and internal contract standing orders.

It was reported that Environmental Health and the Private Sector Housing and Public Health Teams currently use an in-house IT system (EHADD) which was over 20 years old and no longer considered “fit for purpose”. This was impacting on service delivery and the teams had been unable to provide a cost efficient service. It was noted that a new system would allow the service to adopt efficient ways of working which in turn would support reduced operational costs.

The Principal Environmental Health Officer, Housing reported that ‘Supplier A’ had submitted the most economically advantageous tender (confirmed by thorough evaluation) and their system was within the agreed budget for the award of contract following a competitive procurement process.

In turning to the report’s recommendation, the Principal Environmental Health Officer, Housing, pointed out that legal advice had been received since the report had been written. This had meant that the report’s recommendation had been amended slightly and this amendment was tabled at the meeting.

Cabinet agreed the amended recommendation and then confirmed its decision as per Decision Notice C/001/190617, a copy of which is attached to the signed copy of the Minutes.

38. FUNDING TO REVIEW/UPDATE MADE NEIGHBOURHOOD DEVELOPMENT PLANS

The Group Head of Planning presented the report on funding to review/update Neighbourhood Development plans. It was explained that the increase in the Council’s housing requirement for the Local Plan period 2011-2031, has resulted in an additional 1,250 homes required to be delivered through new or updated Neighbourhood Development Plans.

It was reported that Arun District Council had received funding from Central Government to support the preparation of Neighbourhood Development Plans (NDPs) and there was sufficient funding within this earmarked reserve to be able to provide additional funding (over and above further government grants that are available) to support new or updated Neighbourhood Development Plans. To assist those groups who intended to produce new or modified Plans, Arun District Council would provide grant funding of up to £5,000 per parish for any parish that is updating or creating a new Plan and will have reached a stage within 3 years where a plan was proposing an appropriate scale of housing development.

The Cabinet welcomed this report as good news and agreed its proposals. The Cabinet then confirmed its decision as per Decision Notice C/002/190617, a copy of which is attached to the signed copy of the Minutes.

39. COMMUNITY HOUSING FUND – EXPENDITURE AND FUTURE USE

The Housing Strategy & Delivery Manager presented a report on the Community Housing Fund which informed Cabinet that the Council had been allocated a grant of £706,119 by Central Government to enable the delivery of community-led housing schemes in Arun.

Member's attention was drawn to recommendation 4, where the grant of up to £30,000 had been provided to the Angmering Community Land Trust as the transfer/acquisition of the land by the Angmering Community Land Trust had completed. Arun District Council had requested a receipt of a document setting out details of the intended expenditure and it was reported that this had been received.

In receiving the report, Cabinet agreed that the grant was excellent news as a one off opportunity and recognised the importance of spending this money wisely.

The Cabinet confirmed its decision as per Decision Notice C/003/190617, a copy of which is attached to the signed copy of the Minutes.

40. TACKLING HOMELESSNESS

Cabinet received a report from the Head of Housing on tackling homelessness.

It was noted that the incidence of homelessness continued to grow at a District, County and National level and the Head of Housing highlighted the following key issues:

- The Homelessness Reduction Bill would put a new duty on Councils to provide a written, personalised plan for every person who approaches the Council as threatened with homelessness. This change would be likely to require additional resources.
- The Council had recently been notified that it was to receive Flexible Homeless Support Grant which was a new grant that replaced Temporary Accommodation Management Fees. The new grant, £304,000 for 2017/18 and £350,000 for 2018/19, reflected more detailed analysis of Council Homelessness statistics to create a fairer formula which reflects homelessness demand and deprivation that is dealt within the district.

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- It was noted that the funding would provide an opportunity to help prepare the Council for the Homelessness Reduction Bill as well as develop new initiatives to prevent homelessness taking place.
- It was proposed that urgent consideration be given to purchasing suitable properties that could be used for temporary accommodation. Such an approval would effectively assist in reducing the shortfall the Council had in temporary accommodation for homelessness whilst at the same time reducing or helping to contain overall expenditure on bed and breakfast. Housing Services would effectively provide homeless clients for the temporary accommodation and would manage day to day activity via a Temporary Accommodation Officer, for which an additional post had already been appointed.
- It was reported that the option of purchasing further properties for use by the Council, as temporary accommodation, was currently being explored by Property and Estates, who had agreed the specification of requirements with Housing.

With agreement from Cabinet, Councillor Buckland made a statement, in accordance with the Council's Constitution Procedure Rules Part 5, Section 1, 11.2, on this report. Cabinet thanked him for his comments on the provision of bonds by Arun District Council and the need to tackle homeless issues in both Bognor Regis and Littlehampton. It was noted that the example given in the report on temporary accommodation in Bognor Regis was for illustrative purposes and did not mean that Littlehampton had been excluded.

In discussion, Cabinet fully supported the report's proposals, particularly welcoming the purchase of temporary accommodation as a way of flexibly helping to tackle homelessness in the District. This would also help mitigate the Council's spending on bed and breakfast accommodation.

The Head of Housing advised that a further report would be taken to the Housing and Customer Services Working Group meeting on 6 July 2017 which identified the initiatives to be considered along with means to demonstrate effectiveness in terms of reducing homelessness and costs to the Council for temporary accommodation.

In turning to the report's recommendations Cabinet were in full support.

The Cabinet,

RECOMMEND TO FULL COUNCIL

that Full Council be requested to approve a supplementary estimate of up to £1million (equivalent band D tax £16.82) for the purchase of a suitable property or properties for use as temporary accommodation, with the purchase delegated to the Cabinet Member for Corporate Support in conjunction with the

Group Head of Corporate Support and Group Head of Residential Services, once they are satisfied that a viable business case has been made.

The Cabinet then confirmed its decision as per Decision Notice C/004/190617, a copy of which is attached to the signed copy of the Minutes.

41. CORPORATE PLAN 2013-2018 – PERFORMANCE OUTTURN YEAR-END REPORT FOR THE PERIOD 1 APRIL 2016 TO 31 MARCH 2017

The Executive Assistant to Chief Executive presented the report outlining the year end performance for Corporate Plan indicators for the period 1 April 2016 to 31 March 2017.

Members were reminded that the Corporate Plan consisted of 18 indicators split out into the three priority headings of 'Your Council Services', 'Your Future' and 'If your family need help'.

It was reported that 18 Corporate Plan Performance Indicators were measured at year end. 7 out of the 18 performance indicators had either achieved or over achieved the target set for them. This meant that 39% of the Corporate Plan 2016/17 targets had been met.

Highlighted achievements were:

- CSB001 – Time taken to process Housing Benefit/Council Tax Benefit new claims and change events – this performance had exceeded the target of 8 days at 5.60 days and favourably compared with other Councils in the area with Arun District Council being one of the top achievers.
- ESC020 – The Level of Customer Satisfaction with the cleanliness of the District had a target of 69% and this had been over achieved with a performance of 72%.

The Executive Assistant to Chief Executive stated that the Corporate Management Team (CMT) had been made aware of the performance indicators that were behind target and these would be dealt with in the coming year.

The Cabinet then confirmed its decision as per Decision Notice C/005/190617, a copy of which is attached to the signed copy of the Minutes.

42. SERVICE DELIVERY PLAN (SDP) 2013-2018 – PERFORMANCE OUTTURN YEAR-END REPORT FOR THE PERIOD 1 APRIL 2016 TO 31 MARCH 2017

Cabinet – 19.06.17

The Executive Assistant to Chief Executive presented the report outlining the year end performance for the Service Delivery Plan indicators for the period 1 April 2016 to 31 March 2017.

Members were informed that 61% of the performance indicators had achieved or over achieved their target and of those that didn't clear commentary had been given with an explanation of why this had happened. It was reported that Officers did not believe any further action needed to be taken in relation to the performance of SDP indicators at the end of 2016/17.

It was noted that all indicators would be reviewed during the course of 2017 ready for a new set of indicators in 2018. Any indicators, carried over to the new period, which had experienced problems in the year, would be addressed during this review.

Highlighted achievements were:

CSC101 % of telephone enquiries resolved at first point of contact in Arun Direct (excl switchboard) – Arun Direct had achieved 86% against a target of 83% which was pleasing to note.

ESC106 Sustain or improve customer satisfaction levels with Environmental Health service - There were only 13 unhappy customers out of 947 which reflected an embedded customer focussed culture.

Cabinet commended the work of the Environmental Health team and praised their speedy response to Environmental Health issues.

The Executive Assistant to Chief Executive advised that both of the performance reports would be considered at the Overview Select Committee on 25 July 2017 where particular focus would be given to Planning indicators.

The Cabinet then confirmed its decision as per Decision Notice C/006/190617, a copy of which is attached to the signed copy of the Minutes.

43. JOINT AREA COMMITTEES

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

Joint Eastern Arun Area Committee – 7 March 2017
 Joint Western Arun Area Committee – 15 March 2017

(The meeting concluded at 5.44pm)

ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE CABINET MEETING HELD ON
19 JUNE 2017

REF NO.	DECISION
C/001/190617	Award of Contract for the Supply, Implementation and Support and Maintenance of an Environmental Health, Private Sector Housing and Public Health IT Solution.
C/002/190617	Funding to Review/Update made Neighbourhood Development Plans.
C/003/190617	Community Housing Fund – Expenditure and Future Use
C/004/190617	Tackling Homelessness
C/005/190617	Corporate Plan 2013-2018 – Performance Outturn year-end report for the period 1 April 2016 to 31 March 2017
C/006/190617	Service Delivery Plan 2013-2018 – Performance Outturn year-end report for the period 1 April 2016 to 31 March 2017

PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00 A.M. ON WEDNESDAY 28 JUNE 2017 UNLESS THE CALL-IN PROCESS IS APPLIED

REFERENCE NO: C/001/190617

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Award of Contract for the Supply, Implementation and Support & Maintenance of an Environmental Health, Private Sector Housing and Public Health IT Solution (replacement of EHADD).	
OFFICER CONTACT: Nat Slade, Group Head of Technical Services Extn: 37683 e.mail: nat.slade@arun.gov.uk	

EXECUTIVE SUMMARY: This report seeks approval for the award of contract following a competitive procurement conducted in accordance with current European Union procurement legislation and internal contract standing orders. Supplier A submitted the most economically advantageous tender (confirmed by thorough evaluation) and their system is within the agreed budget.

DECISION:

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

RESOLVED

Cabinet award the Contract to Supplier A and give authority to Legal Services in consultation with the Group Head of Technical Services and the appropriate Cabinet Member to enter into the necessary legal agreement.

REASON FOR THE DECISION: To enable the Environmental Health and the Private Sector Housing and Public Health Teams to procure an IT system to replace EHADD and deliver the benefits identified in the business case.

OPTIONS CONSIDERED BUT REJECTED: Not award the Arun District Council Contract to Supplier A

CABINET MEMBER(S):

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

REFERENCE NO: C/002/190617

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Funding to Review/Update made Neighbourhood Development Plans.	
OFFICER CONTACT: Donna Moles (Senior Planning Officer) Extn: 37697 e.mail: donna.moles@arun.gov.uk	

EXECUTIVE SUMMARY: Arun District Council has received funding from central government to support the preparation of Neighbourhood Development Plans (NDPs) and there is sufficient funding within this earmarked reserve to be able to provide additional funding (over and above further government grants that are available) to support new or updated Neighbourhood Development Plans. To assist those groups who intend to produce new or modified Plans, Arun District Council will provide grant funding of up to £5,000 per parish (up to £105k in total for all parishes within ADC LPA) for any parish that is updating or creating a new Plan and will have reached a stage within 3 years (post Local Plan adoption) where a Plan is proposing an appropriate scale of housing development.

DECISION:

As recommended in the report Cabinet,

RESOLVED – That

- (1) grant funding of up to £5,000 per Neighbourhood Plan Group (NPG)(up to £105k in total for all parishes within ADC LPA) for any parish that is updating their Plan or creating a new Plan and will have reached a stage within 3 years (post Local Plan adoption) where a Plan is proposing an appropriate scale of housing development; be approved (This funding will come from the existing Neighbourhood Plans earmarked reserve).
- (2) delegated authority to the Director of Place, in consultation with the Cabinet Member for Planning, to approve the distribution of individual parish grant; be approved.

REASON FOR THE DECISION: To get authorisation for funding to support new or updated Neighbourhood Development Plans and provide greater certainty on the Council's commitment to this agreed approach.

OPTIONS CONSIDERED BUT REJECTED: To not provide the NPG's with any grant funding.

CABINET MEMBER(S):

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

DISPENSATIONS GRANTED : None

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

REFERENCE NO: C/003/190617

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Community Housing Fund – Expenditure and Future use	
OFFICER CONTACT: Andy Elder, Housing Strategy & Delivery Manager Extn: 37714 e.mail: andy.elder@arun.gov.uk	

EXECUTIVE SUMMARY: The Council has been allocated a grant of £706,119 by central government for enabling the delivery of community-led housing initiatives in the Arun district. This report provides detail on how the Council proposes to allocate this new money and boost local community-led housing.

DECISION:

As recommended in the report the Cabinet,

RESOLVED – That

- (1) the Community Housing Fund (CHF) grant of £706,119 is utilised in line with the formal requirements of the fund, with 90% (£635,507) allocated to support community-led housing schemes in Arun and 10% (£70,612) allocated to support the Sussex Community Housing Hub operated by Action in Rural Sussex (AiRS), be approved;
- (2) authority be delegated to the Director of Services in consultation with the Cabinet Member for Housing and the Council's Section 151 Officer to allocate the Community Housing Fund Grant to individual projects and initiatives which fall within the remit of (1) above, and as appropriate make suitable payments, be agreed;
- (3) a grant of £5,000 to the Ford Community Land Trust to support their legal formation and set-up costs, be approved and;
- (4) the principle of a grant of up to £30,000 to the Angmering Community Land Trust to support their pre-development finance costs for a Community Led Affordable Housing Scheme at Mayflower Way, Angmering. (The Grant to be provided to the Angmering Community Land Trust upon the transfer or acquisition of the land by the Angmering Community Land Trust and the receipt of a document setting out details of the intended expenditure; these details to be approved by the Director of Services in consultation with the Cabinet Member for Housing), be approved.

REASON FOR THE DECISION: To ensure that the Council can utilise the Community Housing Fund and to allow for an understanding of community led housing.

OPTIONS CONSIDERED BUT REJECTED: To identify an alternative proposal to allocate the Council's Community Housing Fund.

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

REFERENCE NO: C/004/190617

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

EXECUTIVE SUMMARY: This report identifies issues contributing towards homelessness, the steps that are currently being taken to address it along with proposals to help reduce Bed and Breakfast expenditure in the long term.

DECISION:

As recommended in the report Cabinet,

RESOLVED

that an update is brought back to the Housing and Customer Services Working Group which sets out how the Flexible Homeless Support Grant is to be used along with details of how its success will be measured along with details of the proposed increase in budget for Bed & Breakfast for 2017/18 to more accurately reflect demand.

As recommended in the report, Cabinet,

RECOMMEND TO FULL COUNCIL

that Full Council be requested to approve a supplementary estimate of up to £1million (equivalent band D tax £16.82) for the purchase of a suitable property or properties for use as temporary accommodation, with the purchase delegated to the Cabinet Member for Corporate Support in conjunction with the Group Head of Corporate Support and Group Head of Residential Services, once they are satisfied that a viable business case has been made.

REASON FOR THE DECISION: To set in place arrangements: 1. For the Housing and Customer Service Working Group to consider how the Flexible Homelessness Support Grant is to be used along with how its success will be measured and to adjust the budget for Bed & Breakfast to reflect increased demand and; 2. Cabinet gives urgent consideration is to identify a budget for the purchase of suitable properties that could be used for temporary accommodation.

OPTIONS CONSIDERED BUT REJECTED: Reject the above proposals.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET None

MEMBER(S) RESPONSIBLE FOR DECISION:

DISPENSATIONS GRANTED : None

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

REFERENCE NO: C/005/190617

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Corporate Plan 2013-2018 – Performance Outturn year-end Report for the Period 1 April 2016 to 31 March 2017.	
OFFICER CONTACT: Gemma Stubbs, Executive Assistant to Chief Executive Extn: 37707 e.mail: gemma.stubbs@arun.gov.uk	
EXECUTIVE SUMMARY: This report sets out the year end performance outturn for the Corporate Plan performance indicators for the period 1 April 2016 to 31 March 2017.	
DECISION: As recommended in the report, the Cabinet RESOLVED that the Council's overall performance against the targets set out in the Corporate Plan Report 1 April 2016 to 31 March 2017 be noted.	
REASON FOR THE DECISION: In order for Cabinet to be updated with the Q4 Performance Outturn for the Corporate Plan (2013-2018) for the period 1 April 2016 to 31 March 2017.	
OPTIONS CONSIDERED BUT REJECTED: To note the report and request any remedial actions for under achieving indicators, if appropriate and required. To request further information before any remedial actions are undertaken.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/006/190617

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Service Delivery Plan (SDP) 2013-2018 – Performance Outturn Year-end Report for the period 1 April 2016 to 31 March 2017. Housing & Customer Services Working Group – 23 March 2017	
OFFICER CONTACT: Gemma Stubbs, Executive Assistant to Chief Executive Extn: 37707 e.mail: gemma.stubbs@arun.gov.uk	
EXECUTIVE SUMMARY: This report sets out the year end performance outturn for the Service Delivery Plan performance indicators for the period 1 April 2016 to 31 March 2017.	
DECISION: As recommended in the report, the Cabinet RESOLVED (1) the Council's overall performance against the targets set out in the SDP Report 1 April 2016 to 31 March 2017, be noted and; (2) the deletion of 3 SDP indicators, the amendment to 1 indicator and the addition of 2 new indicators, be approved.	
REASON FOR THE DECISION: In order for Cabinet to be updated with the Q4 Performance Outturn for the Service Delivery Plan (2013-2018) for the period 1 April 2016 to 31 March 2017.	
OPTIONS CONSIDERED BUT REJECTED: To note the report and request any remedial actions for under achieving indicators, if appropriate and required. To request further information before any remedial actions are undertaken.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

CONSTITUTION WORKING PARTY

20 June 2017 at 4.30 pm

Present:- Councillors Mrs Bower (Chairman), Wensley (Vice-Chairman), Bence, R Bower, Chapman, Haymes and Mrs Oakley.

[Note:- Councillor Wensley was absent from the meeting during consideration of the matters contained in Minutes 1 to 2 (Part)].

1. 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 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.

2. MINUTES

The Minutes of the meeting of the Working Party held on 10 April 2017 2017 were approved by the Working Party as a correct record and were signed by the Chairman, subject to the following amendment:

That the start time of the meeting be changed from 4.30 pm to 4.00 pm.

3. START TIMES

The Working Party

RESOLVED

That its start times for meetings during 2017/2018 be 4.30 pm.

4. PROPOSED CONSTITUTIONAL AMENDMENTS – CABINET MEMBER RESPONSIBILITIES

The Group Head of Council Advice and Monitoring Officer presented her report which followed on from the Annual Council Meeting held on 17 May 2017, when new Cabinet Portfolios had been approved following notification by the Leader of the Council that she wished to reallocate responsibilities and rename the portfolios to match the new management structure.

It had been necessary to review the implications of these changes on Part 3 (Responsibility for Functions) of the Constitution and to re-align the Cabinet Member portfolios accordingly. As part of the ongoing review of the Constitution to simplify it, the opportunity had been taken to review all the specific responsibilities listed for the new Portfolios to identify if these were still current and required. The proposals had been based on a detailed list of general responsibilities whilst the proposed specific responsibilities listed those where the Cabinet Members was able to take decisions under the Individual Cabinet Member (ICM) process or where they might have to act as a liaison or lead member for the authority. There were no proposals to extend the current level of delegation to Individual Cabinet Members beyond their previous functions. As the proposals for change were extensive, it was proposed that a new section be added at Part 3 of the Responsibility for Functions to replace the existing wording. The proposed changes to this section of the Constitution had been set out at Appendix 2, which had been circulated to the Working Party separately to the agenda. Members were being asked to approve the replacement text proposed and to give authorisation to the Group Head of Council Advice & Monitoring Officer to make any further consequential changes to the Constitution.

Consultation had been undertaken with the Corporate Management Team, Cabinet Members and Group Heads on the changes which had highlighted a couple of queries with some of the Committee Memberships where the lead Member needed to change as a result of the restructuring. An example of this had been the Asset Management Group which needed to be

placed within the specified responsibilities for the Cabinet Member for Technical Services. An updated version of Appendix 2 illustrating this change was therefore circulated to the meeting.

The Group Head of Council Advice and Monitoring Officer confirmed that the next stage of her work would be to look at the Terms of Reference of Cabinet, Committees and Sub-Committees etc and she asked Members for their views in terms of how this work should be approached. An extract from Arun's Constitution of the current Terms of Reference together with an extract from Huntingdonshire District Council's Constitution, covering their approach to Part 3 (Responsibility for Functions) had been circulated to Members separately to the agenda so that comments and viewpoints could be discussed.

Huntingdonshire's Constitution had been highlighted as a good model to consider in simplifying and making this Council's Constitution easier to use.

This approach was supported by the Working Party and it was suggested that the Group Head of Council Advice and Monitoring Officer in taking forward this stage of the review contact the Chairman and Vice-Chairman of the main Committees to explain the approach to this work and to gain support of a review of the main Committee's Terms of Reference being taken forward at future meetings based on this model. It was acknowledged that although the Terms of References of both the Overview Select and Audit & Governance Committees had recently been updated, they should be included in this review.

Looking further at the Responsibility for Functions, Councillor Chapman raised a query in relation to the need for the Council to formally include and identify a lead Member to be responsible for and to be the Council's Military Champion. Councillor Wensley responded stating that he would address this point with Councillor Chapman so that a solution could be found.

Following some further discussion, the Working Party

RECOMMEND TO FULL COUNCIL – That

(1) The proposed changes to the Constitution at Part 3 (Responsibility for Functions) as set out in the replacement text at Appendix 2, as circulated at the meeting, be approved; and

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

The Working Party also

RESOLVED

That the Group Head of Council Advice & Monitoring Officer, in taking forward the review of the Constitution and a review of the Terms of Reference for Committees at Part 3 – Responsibility for Functions, contact the Chairman and Vice-Chairman of Committees so that a meeting be arranged to explain more of the work being undertaken and to gain their support to a review of their Committee's Terms of Reference coming to a meeting of their Committee, based on this model.

5. PROPOSED CONSTITUTIONAL AMENDMENTS – UPDATING THE CONSTITUTION WITH NEW GROUP HEAD TITLES

The Working Party received a report from the Group Head of Council Advice & Monitoring Officer which sought authority for her to review all existing sections of the Constitution and to update it with the relevant Group Head titles following the establishment of a new management structure in April 2017.

The Working Party

RECOMMEND TO FULL COUNCIL

That the Group Head of Council Advice & Monitoring Officer be authorised to update the Constitution to reflect the new Group Head titles; and make any consequential changes as a result of these or future changes.

6. SCHEME OF DELEGATION

The Working Party received a verbal update from the Group Head of Council Advice & Monitoring Officer on the work undertaken to date in reviewing the Scheme of Delegation.

Changes made to date were circulated at the meeting and it was confirmed that these were minor consequential changes that had been required following previous changes that had been approved by Full Council.

The Working Party noted the changes that had been made.

7. WORK PROGRAMME

The Group Head of Council Advice & Monitoring Officer verbally report to the meeting how she proposed to approach future work in reviewing the Council's Constitution and in forming a work programme for this project.

Her aim was to tackle the different parts of the Constitution in order, starting from the beginning and working through to the end. The next piece of work would be to look at the Articles and then all of the procedure rules, following Huntingdonshire's approach. This was a substantial piece of work and the time needed to undertake this could not be underestimated. Meetings of the Working Party had been set to allow recommendations to be submitted to each future Full Council meeting. With this in mind, the Working Party's views were sought on how the request made from the Overview Select Committee to review the Council's Petition Scheme in terms of the approach to Petitions brought before that Committee and the rights of the Petition Organisers to speak and be questioned be pursued. This was a sizeable piece of work which would side track the Group Head of Council Advice & Monitoring Officer from sticking to the work programme in place to review the remaining elements of the Constitution.

Some Members of the Working Party were of the view that the primary focus should be to get the Constitution reviewed as quickly as possible then time could be dedicated to reviewing other elements of work as and when received. One Councillor felt differently about this. They were of the view that if the Working Party had been requested to review a piece of the Constitution by a Committee, then this work should not be delayed. The Council needed to have a Petitions Scheme that worked and so he felt that a review should be undertaken immediately.

Following discussion, it was agreed that The Group Head of Council Advice & Monitoring Officer should aim to review each section of the Constitution sequentially and that any other priorities or requests received be consulted upon with the Chairman and Vice-Chairman of the Working Party. The Committee then noted the contents of the update provided on its Work Programme.

(The meeting concluded at 17.04 pm)

DEVELOPMENT CONTROL COMMITTEE

21 June 2017 at 2.30 p.m.

Present: Councillors Bower (Chairman), Hitchins (Vice-Chairman), Mrs Bence, Mrs Bower, Brooks, Dillon, Gammon, Mrs Hall, D. Maconachie, Mrs Oakley and Miss Rhodes.

Councillor Elkins was also in attendance at the meeting.

44. APOLOGIES

Apologies for absence had been received from Councillors Mrs Maconachie, Oliver-Redgate, Mrs Stainton and Wells.

45. DECLARATIONS OF INTEREST

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

Reasons

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

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

There were no declarations of interest made.

46. MINUTES

The Minutes of the meeting held on 24 May 2017 were approved by the Committee and signed by the Chairman as a correct record.

Development Control
Committee – 21.06.17.

47. START TIMES

The Committee

RESOLVED

That start times of meetings for the remainder of 2017/18 be 2.30 p.m.

48. PLANNING APPLICATIONS

LU/147/17/DOC – Application for approval of matters reserved by condition imposed under LU/314/16/PL relating to Condition 7 – surface water drainage, 8 – Protection of public sewers & 20 – level survey Having received a report on the matter, together with the officer's written report update detailing:-

- Consultation responses from the Council's Engineers, Southern Water and Building Control stating that they had no objection to the discharge of conditions 7 and 8
- As the site level details were considered to be acceptable it was recommended that condition 20 could be discharged based on the submitted plan drawings, as detailed in the update.

The Engineering Services Manager was in attendance at the meeting and confirmed that conditions 7 and 8 could be discharged.

Following consideration, the Committee

RESOLVED

That conditions 7,8 and 20 be discharged

FG/198/16/PL – Demolition of existing house with erection of 2 storey building comprising of 8 No. residential 2 bedroom flats & associated external works, 1 Sea Drive, Ferring Having received a report on the matter, together with the officer's written report update detailing :-

- Amended plans submitted increasing the level of car parking by 1 additional space; removal of an obscure glazed window at first floor level in west elevation; showing finished floor level of existing and proposed developments Above Ordinance Datum; and outline of existing property as compared to proposed.
- As the amended plans would be subject to full consultation it was proposed that the final decision be delegated to the Group Head of Planning, in

consultation with the Chairman and Vice-Chairman, following re-consultation of the application.

- Additional letters of objection
- Rectification of error in 'Officer Comments on Reps'
- Amended wording to condition 14 to include the words 'fixed shut' and to include a further first floor secondary window serving the living room.

In presenting the detail of the application to Members, the Senior Planning Officer advised that there had been no objection in terms of highway safety from West Sussex County Council (WSSCC). Under the West Sussex Parking Calculator, 11 spaces had been identified; the applicant was now proposing to provide 10 and, given the minor shortfall together with the availability of car parking on Sea Lane, it was considered that the proposal would not be contrary to policy.

The Planning Team Leader firstly apologised to the meeting for the poor quality of the presentation due to technical issues. He then advised that the additional plans had been submitted at the end of the previous week and would need to go out for re-consultation with regard to the additional car parking space and the removal of the window in the west elevation and, as such, it was proposed that the final decision to approve or refuse would be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman. He confirmed that the process for dealing with the application had been carried out in accordance with the planning matters that planning professionals had to take account of.

In the course of detailed discussion on the proposal concern was raised that, owing to its contentious nature, any decision should not be delegated to officers but should be brought back to Committee for determination.

A number of concerns with the application were expressed, mainly relating to the inadequacy of car parking provision on the site and dependence on the surrounding roads to provide further spaces. It was felt that additional pressure on "on street" parking would alter the character of the area and would have a detrimental impact. It was suggested that the application be deferred to enable officers to speak to the developer to negotiate more car parking provision.

Members were reminded that WSSCC had accepted the level of car parking.

In turning to the recommendation as set out in the officer report update, the Committee did not accept that the final decision on the application should be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman following re-consultation on the two amended plans. Members therefore voted that the application would be brought back to Committee for determination.

Development Control
Committee – 21.06.16.

The Committee then considered deferral of the application, subject to re-consultation taking place on the amended plans. However this was not agreed and the Chairman called a short adjournment to take advice from the Group Head of Planning.

On the meeting being reconvened, it was proposed and duly seconded that the application be deferred on car parking grounds to enable officers to negotiate with the applicant an improved provision.

The Committee then

RESOLVED

That the application be deferred on car parking grounds to enable officers to negotiate with the applicant an improved provision.

FP/80/17/PL – Demolition of existing dwellings & replacement with 3 No. dwellings with garages & ancillary parking. Resubmission of FP/207/16/PL, 112 & 114 Felpham Way, Felpham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

49. PLANNING APPEALS

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

(The meeting concluded at 4.15 p.m.)