



**Members are reminded to bring their Agendas from the Cabinet Meeting held on 9 April 2018 with them to the meeting**

17 April 2018

## **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, 2 May 2018 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 invited to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda, and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and Officers should make their declaration by stating:

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

3. **Public Question Time**

To receive questions from the public (for a period of up to 15 minutes)

4. **Questions from Members with Pecuniary/Prejudicial Interests**

To receive questions from Members with pecuniary/prejudicial interests (for a period of up to 15 minutes)

5. **Petitions**

To consider any petitions received from the public.

6. **Minutes**

To approve as a correct record the Minutes of the Council Meeting held on 7 March 2018, which are attached.

7. **Chairman's Announcements**

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

8. **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.

REPORTS FROM CABINET, OVERVIEW SELECT, REGULATORY AND STANDARDS COMMITTEES, AND FROM WORKING PARTIES AND WORKING GROUPS

9. **Development Control Committee – 14 March 2018**

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Development Control Committee held on 14 March 2018. There are no recommendations.

10. **Overview Select Committee – 20 March 2018**

The Chairman, Councillor Dingemans, will present the Minutes from the meeting of the Overview Select Committee held on 20 March 2018. There is a recommendation at:

- Minute 514 (Filming and Photography Draft Policy) – to view the Officer's report and the draft Policy – please click on this link - [Report](#) and [Appendix](#)

11. **Licensing Committee – 23 March 2018**

The Chairman, Councillor Cooper, will present the Minutes from the meeting of the Licensing Committee held on 23 March 2018. There are no recommendations.

12. **Cabinet – 9 April 2018**

The Chairman, Councillor Mrs Brown, will present the Minutes from the Cabinet meeting held on 9 April 2018. There are no recommendations.

13. **Development Control Committee – 11 April 2018**

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Development Control Committee held on 11 April 2018. There are no recommendations.

14. **Motions**

To consider any motions submitted in accordance with Council Procedure Rule 14.

15. **Questions from Members**

To consider general questions from Members in accordance with Council Procedure Rule 13.

The following question has been received:

- (1) From Councillor Matt Stanley to the Leader of the Council, Councillor Mrs Brown, regarding the Bognor Regis Linear Park consultation exercise.

**OFFICER REPORTS**

16. **Final Update on the Council’s 2020 Vision Programme – “Working Together For a Better Future”**

This report sets out proposals across a range of services to contribute towards the required financial savings to assist reducing the Council’s continued reliance on its General Fund Balances. The report updates Members on the final outcome and savings identified from Members and Officers working together over the last two years leading towards the 2018/19 Budget that Full Council approved on 21 February 2018.

17. **Data Protection Policy**

This policy will explain the measures the Council has put in place to meet its obligations regarding personal data under the General Data Protection Regulation.

**18. Grievance Procedure for Employees**

A revised Grievance Procedure was approved at the Formal Unison/Employer Consultation Meeting on 29 March 2018. This procedure now needs to be formally approved by Full Council so that it can be adopted.

**19. Committee Memberships**

There are no changes to Committee Memberships to report.

**20. Representation on Outside Bodies**

The Council is asked to approve any changes to its representation on Outside Bodies.

- 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 provided via an e-link, where appropriate

431

**MINUTES  
OF A  
MEETING OF THE ARUN DISTRICT COUNCIL  
HELD IN THE ARUN CIVIC CENTRE  
ON 7 MARCH 2018 AT 6.00 P.M.**

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

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated – Councillors Northeast – Minute 475 (Part) to Minute 482; and Councillor Buckland – for the vote on Minute 480.]

454. WELCOME

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

455. REPORT OF RETURNING OFFICER

The Chief Executive, in his role as Returning Officer, asked the Council to note the result of the by-election held for the Marine Ward on 22 February 2018. Matt Stanley, representing the Liberal Democrats, was elected and it was confirmed that he had completed his statutory declaration to the Chief Executive ahead of this meeting.

In accordance with Council Procedure Rule 23, the allocation of Committees, Sub-Committees and Working Parties and Panel seats had been reviewed and the Group Leaders would be confirming their appointments to any vacancies shortly.

The Chairman, on behalf of all Councillors, then formally welcomed Councillor Stanley to the Council.

456. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Ballard, Buckland, Blampied, Chapman, Edwards, Mrs Neno, Patel, Mrs Rapnik and Wensley and from all of the Council's Honorary Aldermen, Mrs Goad, MBE, Mrs Morrish, Mrs Olliver, Mrs Stinchcombe and Squires.

457. DECLARATIONS OF INTEREST

Councillor English declared a Personal Interest in Agenda Item 19 (Standards Committee – 22 February 2011 – Minute 449 [Assessment Panel Decision – Allegation against Felpham Parish Councillors] as he was a Member of Felpham Parish Council).

458. QUESTION TIME

(a) Questions from the public

The Chairman confirmed that no questions had been submitted from members of the public in advance of the meeting in accordance with the rules of the Council's Constitution.

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

(c) Petitions from the public – the Chairman confirmed that no Petitions had been received.

459. MINUTES

The Minutes of the Special Council Meeting held on 21 February 2018, which had been circulated at the meeting, were approved by the Council as a correct record and signed by the Chairman.

460. CHAIRMAN'S COMMUNICATIONS

The Chairman alerted Members to the list of engagements and events that had been attended since the Special Meeting of the Council held on 21 February 2018 – these had been emailed to Councillors recently.

The Chairman then announced that she wished to have noted congratulations to the Council's Land Charges team as they had received another Customer Excellence Award.

461. URGENT MATTERS

There were no items for this meeting.

462. STATUTE MATTERS

(i) Appointment of Vice-Chairman of the Council for the Municipal Year 2018/19

In accordance with Article 4 of the Constitution, the Council was requested to appoint a Vice-Chairman and Chairman Elect for the municipal year 2018/19.

One candidate, Councillor Pat Dillon, had had his name nominated for the role. Following a statement made from the Leader of the Council, in support of her respective candidate, a ballot was conducted in accordance with Council Procedure Rule 16.4. The result of the ballot was declared by the Chief Executive, who announced that Councillor Pat Dillon had been selected for the appointment of Vice-Chairman of the Council for 2018/19 and Chairman Elect of the Council for 2019/20.

463. MATTERS FROM THE LAST MEETING

There were no matters for this meeting.

464. ANY OTHER MATTERS

There were no matters for this meeting.

465. DEVELOPMENT CONTROL COMMITTEE – 17 JANUARY 2018

The Chairman, Councillor Bower, presented the Minutes from the meeting of the Development Control Committee held on 17 January 2018.

466. SPECIAL OVERVIEW SELECT COMMITTEE – 23 JANUARY 2018

The Chairman, Councillor Dingemans, presented the Minutes from the Special Meeting of the Overview Select Committee held on 23 January 2018.

Full Council – 07.03.18

467. OVERVIEW SELECT COMMITTEE – 31 JANUARY 2018

The Chairman, Councillor Dingemans, presented the Minutes from the meeting of the Overview Select Committee held on 31 January 2018.

468. LITTLEHAMPTON REGENERATION SUB-COMMITTEE – 7 FEBRUARY 2018

The Chairman, Councillor Bicknell, presented the Minutes from the meeting of the Littlehampton Regeneration Sub-Committee held on 7 February 2018.

469. CABINET – 12 FEBRUARY 2018

The Chairman, Councillor Mrs Brown, presented the Minutes from the Cabinet Meeting held on 12 February 2018.

Councillor Mrs Brown then alerted Members to two recommendations at Minute 403 (New Corporate Plan and Service Delivery Plan Indicators – 2018/2022). Councillor Mrs Brown outlined that following the Local Government Association (LGA) Corporate Peer Review in March 2014, the Council had been considering how it would need to change to reflect the predicted shift in the population and business needs for the future, in the knowledge of the Council's reducing financial stability. The 2020 Vision programme had been established to provide the strategic direction required to help the Council become a more effective and sustainable one and in order to meet the future demands that would be placed upon it. Councillor Mrs Brown highlighted that the Council's three priorities of "Your Future; Your Council Services and If you and Your family Need Help" had been kept as these were still pertinent. Much work had been undertaken with Group Heads of Services and Cabinet Members to form the new Corporate Plan and Service Delivery Plan Indicators which would be used to measure how the Council was performing through the targets.

Finally, Councillor Mrs Brown confirmed that the proposals had been presented to a former meeting of the Overview Select Committee (21 November 2017) where they had been discussed in depth but no recommendations to change any performance indicator's wording or targets had been requested. The Overview Select Committee had made just one request which was that an annual review of the targets be undertaken by the Committee in case any needed to be altered based on the previous year's performance. Councillor Mrs Brown therefore formally proposed the recommendations which were then seconded by Councillor Dingemans.



## The Council

## RESOLVED – That

- (1) the current draft list, as amended by Cabinet, of 11 Corporate Plan indicators for the period 2018-2022 on the basis that all of the indicator targets are reviewed annually by Overview Select Committee and Cabinet, be approved; and
- (2) the current draft list of 23 SDP indicators for the period 2018-2022 on the basis that all of the indicator targets are reviewed annually by Overview Select Committee and Cabinet be approved.

Councillor Mrs Brown then alerted Members to the next recommendation at Minute 412 (Planning Appeal at Land West of Church Lane and South of Horsmere Green Lane, Climping) and she explained that an appeal had been submitted against the decision of the Council to refuse planning permission for 300 dwellings on land west of Church Lane and South of Horsmere Green Lane, Climping [planning application CM/1/17/OUT]. This application had been refused by the Development Control Committee on 9 August 2017 due to highway safety in relation to mitigating the impacts of the new development on the Oystercatcher and Comet Corner junctions on the A259. Councillor Mrs Brown outlined that the Applicant had appealed the decision to refuse the application and the Planning Inspectorate had decided that the appeal should be heard under the public inquiry procedure. In view of this, Councillor Mrs Brown in formally proposing the recommendation urged Members to support it. Councillor Charles then seconded the recommendation.

In considering the recommendation, some comments were made and concern expressed over the cost of defending this appeal. The supplementary estimate being requested [£40,000] for the costs associated with defending the appeal was money that could have been used elsewhere. At this was a strategic site outlined in the Council's draft Local Plan, there were some Councillors who could not understand why the Development Control Committee had voted against this application.

Further debate on this item saw some Councillors arguing that appeals such as this would not be happening if the Council had adopted its Local Plan when it had the chance. As a result of the Council's prevarication housing numbers had increased significantly and planning appeals were becoming more frequent.

## The Council

## RESOLVED

That the supplementary estimate of £40,000 for costs associated with defending the Appeal in respect of application CM/1/17/OUT, be approved. These include Counsel costs and costs of appointment of Planning Consultants and any specialist consultants to assist with defending an Appeal in respect of Planning Application CM/1/17/OUT. The supplementary estimate equates to a Band D Council Tax of £0.67.

Councillor Dr Walsh then made a Statement in accordance with Council Procedure Rule 11.2 in relation to Minute 415 (Environment & Leisure Working Group – 19 December 2017) and he referred to the statement that had been made by the Chief Executive in relation to Minute 26 (Strategic Vision for the Future of Public Convenience Services in Arun). This was because Cabinet had been in full support of all of the recommendations (1 to 19) but due to constitutional restrictions had been unable to agree Recommendation 20 which requested Cabinet to confirm a Policy of moving towards Unisex toilets. The statement made by the Chief Executive (within the Cabinet Minutes of 12 February 2018) confirmed that under the Council's Constitution, Part 4 – Officer Scheme of Delegation – Section 1 – this was not, in his opinion, a Cabinet decision, as this was an operational matter and not strategic and therefore this was for Officers to determine, assessing each case on its merits. The Cabinet had supported the Chief Executive's advice.

Councillor Dr Walsh stated that he could not agree with the statement made as it was clear that this was a Policy decision and one that Members should make. Councillor Dr Walsh therefore made a strong plea that this matter be referred back to Cabinet for Cabinet Members to discuss, debate and vote upon, especially as this was what the Working Group had requested.

In response, Councillors English and Mrs Oakley made statements in accordance with Council Procedure Rule 11.2 on the same item speaking in support of what Councillor Dr Walsh had said.

Councillors Dendle and Hitchins then responded speaking in support of moving towards adopting Unisex toilets as it was important for the Council to keep up to date with social attitudes.

Councillor Haymes then made a Statement in accordance with Council Procedure Rule 11.2 on the same matter. He outlined that other local authorities in West Sussex had all moved to adopting unisex toilets. Unisex toilets were also located at West Beach, West Park and in the Mill Road car park at Arundel and no issues or complaints had been reported to the Council. The new café in Hotham Park also had unisex facilities and no issues of concern had been submitted.

A request was then made for the matter to be referred back to Cabinet. The Group Head of Council Advice & Monitoring Officer confirmed that although Members could make a statement or ask a question on any Minute, as this was not a debate on a Minute which had a recommendation to consider, then no proposal could be made.

The Chairman confirmed that whilst the relevant Cabinet Member had made a statement, she would not be using her discretion to allow this matter to turn into a debate.

The Cabinet Member for Technical Services, Councillor Haymes, concluded his Statement by making reference to unisex facilities operated by other local authorities, all without complaint. He confirmed that he had consulted with the British Toilet Associated Limited who had confirmed that single cubicles for use by all was the way going forward nationally and that Councils, schools, colleges and universities needed to keep up with current trends and that of individual diversity.

Councillors Miss Rhodes and Buckland confirmed their views that the move to unisex facilities was unacceptable; they questioned the need for them and that the public do not want them as they were open to abuse.

Councillor Dr Walsh requested to speak again by way of personal explanation, stating that nowhere was it listed in the Council's Constitution that the move to adopting unisex toilets was an operational matter rather than a Policy decision. He asked the Group Head of Council Advice & Monitoring Officer to explain the basis of this decision.

The Group Head of Council Advice & Monitoring Officer referred Members to the statement in the Cabinet Minute which explained that the Chief Executive had confirmed his authority as set out in Part 4, Section 1 of the Council's Scheme of Delegation.

470. CONSTITUTION WORKING PARTY – 13 FEBRUARY 2018

The Chairman, Councillor Mrs Bower, presented the Minutes from the meeting of the Constitution Working Party held on 13 February 2018, and she alerted Members to two recommendations at Minute 31 [Constitutional Amendments to Part 5, Rules of Procedure (Meetings)] which she duly proposed. The recommendations were then seconded by Councillor R Bower.

In discussing the recommendations, it was one Councillor's view that the procedure in place for the time allocated to Public Question Time at Council and Cabinet Meetings (Paragraph 11.3 of the proposed Council Procedure Rules) should be extended from fifteen to thirty minutes to encourage public engagement and in comparison with the procedures in place for other Councils.

Councillor Bower, as seconder to the recommendations, responded stating that the fifteen minutes allocated was more than sufficient to deal with the issues that got raised by the public.

The Council

RESOLVED – That

(1) the proposed changes to the Constitution at Part 5 [Rules of Procedure (Meetings)] as amended at the meeting and set out in the replacement text at Appendices 1, 2 and 3 and as attached to the minutes, be approved; and

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

471. DEVELOPMENT CONTROL COMMITTEE – 14 FEBRUARY 2018

The Chairman, Councillor Bower, presented the Minutes from the meeting of the Development Control Committee held on 14 February 2018, which had been circulated separately to the agenda.

472. AUDIT & GOVERNANCE COMMITTEE – 22 FEBRUARY 2018

The Vice-Chairman, Councillor Mrs Oakley, presented the Minutes from the Meeting of the Audit & Governance Committee held on 22 February 2018, which had been circulated separately to the agenda.

Councillor Mrs Oakley alerted Members to a series of recommendations at Minute 440 [Treasury Management Strategy Statement & Annual Investment Strategy – 2018-19] which she duly proposed. The recommendations were then seconded by Councillor Cates.

The Council

RESOLVED – That

- (1) the Treasury Management Strategy for 2018/19 be approved;
- (2) the Annual Investment Strategy for 2018/19 be approved; and
- (3) the Prudential Indicators for 2018/19, 2019/20 and 2020/21 as contained in Appendix 1 and the body of the report, be approved.

473. STANDARDS COMMITTEE – 22 FEBRUARY 2018

The Vice-Chairman for the meeting, Councillor Mrs Bence, presented the Minutes from the meeting of the Standards Committee held on 22 February 2018, which had been circulated separately to the agenda.

Councillor Mrs Bence referred Members to two recommendations at Minute 448 [Update to the Local Assessment Procedure – Police Protocol] which she duly proposed. The recommendations were then seconded by Councillor Dillon.

The Council

RESOLVED – That

- (1) the Police Protocol, as set out in Appendix 1, be approved and incorporated into the Local Assessment Procedure; and
- (2) the Group Head of Council Advice & Monitoring Officer be given authority to make the necessary consequential updates to the Local Assessment Procedure.

Full Council – 07.03.18

474. LOCAL PLAN SUB-COMMITTEE – 26 FEBRUARY 2018

The Chairman, Councillor Bower, presented the Minutes from the meeting of the Local Plan Sub-Committee held on 26 February 2018, which had been circulated separately to the agenda.

Councillor Bower referred Members to a recommendation at Minute 31 [Open Space, Playing Pitch and Built Sports Facilities Supplementary Planning Document] which he duly proposed. The recommendation was then seconded by Councillor Charles.

The Council

RESOLVED

That the interim position, as set out in the report, be formally agreed until the Open Space, Playing Pitchy and Built Sports Facilities Supplementary Document is adopted.

Councillor Bower then drew Members' attention to the final recommendation at Minute 33 [Authority Monitoring Report 2016/17] which he duly proposed. The recommendation was then seconded by Councillor Charles.

The Council

RESOLVED

That the Authority Monitoring Report 2016/17 be adopted.

475. HOUSING & CUSTOMER SERVICES WORKING GROUP – 4 JANUARY 2018

The Chairman, Councillor Hughes, presented the Minutes from the meeting of the Housing & Customer Services Working Group held on 4 January 2018.

476. ENVIRONMENT & LEISURE WORKING GROUP – 20 FEBRUARY 2018

The Chairman, Councillor Hitchins, presented the Minutes from the meeting of the Environment & Leisure Working Group held on 20 February 2018, which had been circulated separately to the agenda.

477. MATTERS RELATING TO JOINT ARRANGEMENTS

There were no items for this meeting.

478. MOTIONS

No Motions had been submitted to this meeting.

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

Two questions had been received as set out below:

- (1) from Councillor Stanley to the Leader of the Council, Councillor Mrs Brown, regarding Regeneration in Bognor Regis and public concern; and
- (2) from Councillor Oppler to the Leader of the Council, Council Councillor Mrs Brown, regarding the Bandstand in Bognor Regis.

The full detail of the questions asked and the responses provided can be found at the back of these Minutes.

480. PAY POLICY STATEMENT 2018/19

*(At the commencement of this item, the Chief Executive; the Director of Place; and the Member Communications Officer, left the meeting for its consideration as the Draft Pay Policy Statement set out issues that related to the remuneration of staff and particularly the Chief Executive and Chief Officers.)*

The Leader of the Council, Councillor Mrs Brown, presented this report which had been circulated separately to the agenda. This report detailed the draft Pay Policy Statement for 2018/2019. Councillor Mrs Brown formally proposed that the Pay Policy Statement for 2018/19 be approved for publication onto the Council's web site by 1 April 2018. This was then seconded by Councillor Haymes

Before debating the item, the Chairman was asked why any Officers present had left the meeting for this item as he did not feel this was required. The Group Head of Council Advice & Monitoring Officer explained that the Officers had withdrawn from the meeting as this item referred to the remuneration of staff, particularly the Chief Executive and Directors. She confirmed that she and the Committee Manager had remained in the meeting to provide advice and to record the debate and the decision taken.

The Group Head of Council Advice & Monitoring Officer was asked if this Council's approach could be reviewed for the future and especially as this item was presented to the Council each year.

A question was then asked about the pay ratio in Paragraphs 10.1 and 10.2 of the report [relationship between remuneration of "Chief Officers" and "employees" who were not Chief Officers] and it was stated that it was difficult for Members to be able to put the information provided into context without the inclusion of comparisons with previous years, going back 2-3 years. The request was made that this information be provided in the future allowing Members to easily see an illustration in terms of whether the pay gap between senior officers and all other employees was widening or narrowing.

Councillor Mrs Brown responded stating that if this question had been put to Officers in advance of the meeting then the figures requested could have been provided to the meeting.

The Council

RESOLVED – That

- (1) The Pay Policy Statement 2018/19 be approved for publication on the Arun website by 1 April 2018;
- (2) Delegated authority be given to the Group Head of Corporate Support to make changes to the Pay Policy Statement which might arise from new legislation concerning employee severance payments should this be introduced later this year.

#### 481. COMMITTEE MEMBERSHIPS

The Leader of the Council, Councillor Mrs Brown, reported the following changes to Committee memberships:

- (1) Councillor Reynolds to fill the Conservative Vacancy on the Bognor Regis Regeneration Sub-Committee;
- (2) Councillor Northeast will no longer be a Member of the Local Plan Sub-Committee and will be replaced by Councillor Oppler [filling the vacant Independent seat];
- (3) Councillor Stanley to replace Councillor Mrs Stainton on the Local Plan Sub-Committee; and
- (4) Councillor Oliver-Redgate will no longer be a Member of the Development Control Site Inspection Panel.



482. REPRESENTATION ON OUTSIDE BODIES

Councillor Mrs Brown formally proposed that Councillor Clayden would replace Councillor Mrs Ayres as this Council's nominated representative on the Voluntary Action Arun & Chichester (VAAC). This was seconded by Councillor Bence.

The Council

RESOLVED

That Councillor Clayden will replace Councillor Mrs Ayres on the Voluntary Action Arun & Chichester (VAAC)

(The meeting concluded at 7.35 pm)

**COUNCIL MEETING – 7 MARCH 2018**

**QUESTIONS FROM MEMBERS PURSUANT TO  
COUNCIL PROCEDURE RULE 11.3**

**Q1: Councillor Stanley to the Leader of the Council, Councillor Mrs Brown**

**Q1** Following the result of the Marine By-election and the strength of public opinion that was demonstrated against the Linear Park proposal during the campaign, I would like to ask the Leader what is planned to demonstrate that the community's concerns regarding the redevelopment of this site have been taken on board?

**A1** A verbal response was provided by the Leader of the Council, Councillor Mrs Brown at the meeting as set out below:

I am sure that we would all agree that one or even two swallows don't make a summer and that the electorate determine who they should vote for on the basis of a whole range of issues, both local and national. By-elections nearly always have a very low turnout, which is a shame and therefore not a good indication of what the majority of people think and want.

You may not be aware that the Council undertook specific public consultation last year on its plans for the linear park and the overwhelming majority of those who responded supported the plans.

The details of the proposals and the consultation results were considered by Full Council as recently as January this year. The subsequent approval of the suggested approach to the parks delivery means that officers are now working on the procurement of the necessary reports and plans to enable the submission of a planning application. I would invite all Councillors to get behind this exciting scheme for the town.

**Supp**

**Q** You have referred to the overwhelming majority of people who supported the plans in the consultation. Can you please let me have the figures?

**Supp**

**A** I did attend the consultation but I do not have the figures to hand – they are minuted somewhere.

**Q2 Councillor Oppler to the Leader of the Council, Councillor Mrs Brown**

**Q2** In the recent leaflet produced by the Conservative by-election candidate, the statement has been made that “there are no plans to move the Bandstand”.

Could the Leader clearly state that any such proposal will be immediately and permanently removed from the seafront strategy, and that the Council supports the bandstand’s continued presence on the seafront for another 70 years!

**A2** A verbal response was provided by the Leader of the Council, Councillor Mrs Brown, at the meeting as set out below:

When we were looking at the seafront strategy and the concession area we agreed that we needed to retain the Bandstand and bring it back into use.

One of the suggestions made was to possibly move it to Waterloo Square, where it could be used in a less windy position.

However this idea was dismissed and we agreed that wanted to keep the bandstand where it was, as it is an important part of the Bognor Regis seafront.

So under our review of the concessions policy we are looking at making it a feature of the area. We have money allocated for the concession area and we will be looking at this later in the year.

There has never been a reason to 'save the bandstand' as it was never under threat.

**Supp**

**Q** I am delighted to receive this response but can you please confirm to me at which Committee meeting was the decision made on the bandstand as I would like to see the Minutes from this meeting. This is great news for the people of Bognor Regis in that the bandstand is saved!

**Supp**

**A** I agree with you in that this is good news and confirm that everything that was put into the Conservative By-Election campaign literature for the Marine By-Election was true.



DEVELOPMENT CONTROL COMMITTEE

14 March 2018 at 2.30 p.m.

Present: Councillors Bower (Chairman), Hitchins (Vice-Chairman), Mrs Bower, Brooks, Cates, Charles (substituting for Councillor Mrs Bence), Dillon, Gammon, Mrs Hall, Haymes, Mrs Oakley, Mrs Stainton and Wells.

502. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Bence and Miss Rhodes.

503. DECLARATIONS OF INTEREST

Declarations of interest were made by:-

Planning Application Y/44/17/OUT – Councillor Brooks declared a personal interest as his business partner lived near to the site.

504. MINUTES

The Minutes of the meeting held on 14 March 2018 were approved by the Committee and signed by the Chairman as a correct record.

505. PLANNING APPLICATIONS AL/123/17/PL AND Y/44/17/OUT

With the agreement of the Chairman, these applications had been circulated prior to the meeting for consideration as urgent items due to the length of time they had been in the planning system. However, Planning Application Y/44/17/OUT had since been deferred and would not be considered at this meeting. Planning Application AL/123/17/PL would be considered under Agenda Item 7, in alphabetical order.

506. PLANNING APPLICATIONS

AL/123/17/PL – Demolition of existing dwelling and erection of 1 No. dwelling (resubmission following AL/83/17/PL at Mildmay, Hook Lane, Aldingbourne Having received a report on the matter, together with the officer's written report update detailing comments from County Highways and Aldingbourne Parish Council and resultant additional conditions and informative, the Committee participated in some discussion on the matter.

460

Development Control  
Committee – 14.03.18.

In considering this proposal, a query was raised as to why the views of the previous case officer differed from those detailed in the report insofar as he had stated that it would be better located in a rural setting surrounded by trees. Advice was given that a different view had now been arrived at as it was felt that the locality had a mixed character with various designs and forms of dwelling and that the application would not cause such harm as to support a reason for refusal.

Following input from Members, it was formally proposed and seconded that a site inspection should take place to ascertain that the design would fit in with the street scene and the Committee therefore

RESOLVED

That the application be deferred to enable the Post site Inspection Panel to visit the site.

AL/83/16/OUT – Outline application with all matters reserved for residential development of up to 8 No. dwellings & associated works including access, landscaping & open space. This application is a Departure from the Development Plan. Resubmission of AL/8/16/OUT, Land south & west of Barnside & east of pond, Hook Lane, Aldingbourne Having received a report on the matter, the Committee was also circulated with the officer's written report update which detailed additional comments from Aldingbourne Parish Council and the officer response.

The Director of Place stated that, whilst understanding the public views with regard to the Aldingbourne Neighbourhood Plan and the weight that should be attached to it, he had to point out that the Council had to work within the context of Government guidance and that provision had to be made to meet the future housing requirements. He referred to a recent decision by the Secretary of State regarding approximately 50 dwellings at New Barn Lane, Bersted, whereby it was stated that Neighbourhood Plans could not be engaged and given additional weight unless the Council could demonstrate at least a 3 year housing supply, which it could not. The recommendation on the table therefore remained as one of approval.

Following brief comment with regard to the agricultural use of the land, the Committee

RESOLVED

That the application be approved as detailed in the report.

461

Development Control  
Committee – 14.03.18.

AL/130/17/PL – Removal of condition following a grant of planning permission AL/92/08 relating to Condition 10 – use of individual holiday lets for up to and no more than 28 consecutive nights. This application may affect the character & appearance of the Norton Lane Conservation Area and is a Departure from the Development Plan, Easter Cottage, Old Dairy Lane, Norton, Aldingbourne Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/328/17/OUT – Outline application with some matters reserved for the conversion of existing dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT), 14 Princess Avenue, Aldwick Having received a report on the matter, Members expressed reservations about the proposal and it was formally proposed and seconded that a site inspection be undertaken to ascertain whether this could be considered to be overdevelopment of the site and out of character with the locality. The Committee

RESOLVED

That the application be deferred to enable the Post Site Inspection Panel to visit the site.

FG/115/17/PL – 4 No. bungalows, 44 Ferringham Lane, Ferring Having received a report on the matter, together with the officer's written report update advising on the following:-

- Revised drawings would be submitted showing the correct elevations
- Representations received from the Ward Member and others
- Comment from County Highways
- Amended condition relating to parking
- Amended condition relating to plans to include the latest amended layout and cross section plans submitted
- Additional condition relating to fencing and materials

A verbal update was also provided that Conditions 10 and 11 detailed on the officer report update should be deleted as amended plans had now been received to move two of the units forward, which would have the effect of removing any harm by way of intrusion.

The Planning Team Leader reminded Members that a previous application on this site had been approved by way of appeal and that, as this was a full application, all matters must be given due consideration, such as siting of the dwellings; design; impact; visual amenity in terms of parking, etc.

462

Development Control  
Committee – 14.03.18.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update, both verbal and written.

*(Councillor Buckland spoke to the following item in his role as Ward member).*

LU/280/17/PL – Conversion of existing building to form 5 No. dwellings with associated cycle & refuse stores, parking & landscaping with dormers to north & south elevations, General Henrys, 31 Horsham Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing substitute plans received and resultant amended conditions, the Committee

RESOLVED

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

*(Councillor Buckland spoke to the following item in his role as Ward member, member of Littlehampton Town Council and County Council Member and he corrected the officer report update accordingly).*

LU/320/17/PL – Alterations to golf practice ground & surrounding land, including tees (incorporating importation of material), Littlehampton Golf Club, Rope Walk, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a correction to the report in that representation had been received from a local and County Councillor rather than the Ward Member; further representation from that Member; and additional letters of support, the Committee participated in some discussion around highways issues and the number of HGV movements to and from the site.

Whilst serious concerns were raised with regard to traffic movements along Rope Walk and Ferry Road, it was also recognised that this improvement to the facilities of the Golf Club was required. It was suggested that a construction management plan to be put in place to mitigate any adverse impact of the proposal and, following advice from the Director of Place, it was agreed that an additional condition be attached to any approval requiring submission of details of materials to be used prior to commencement of work on the site.

The Committee then



463

Development Control  
Committee – 14.03.18.

RESOLVED

That the application be approved as detailed in the report, subject to the addition of the following condition :-

No importing of material shall take place until precise details of such materials have been submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the details so approved.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

*(Councillor Buckland spoke to the following item in his role as Ward member).*

LU/323/17/PL – Change of use of former United Services Club (Sui Generis) to 10 No. flats (C3 Dwelling House) with associated landscaping, parking, bins and recycling storage, United Services, Maltravers Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing deletion of pages 118 and 119 of the agenda; change to recommendation to read "Conditional approval with S106; and advice that the Unilateral Undertaking had now been completed, the Committee

RESOLVED

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

*(Councillor Buckland spoke to the following item in his role as Ward member).*

LU/367/17/PL – Change of use of first floor flat (C3 Dwelling House) to restaurant (A3 Food & Drink) & ground floor rear extension and alterations to front elevation, 51 Pier Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

464

Development Control  
Committee – 14.03.18.

507. PLANNING APPEALS

The Committee noted the planning appeals that had been received.

(The meeting concluded at 5.30 p.m.)

465

OVERVIEW SELECT COMMITTEE

20 March 2018 at 6.00 p.m.

Present: - Councillors Dingemans (Chairman), English (Vice-Chairman), Mrs Bence, Blampied, Edwards [from Minute 513], Elkins, Hughes, Mrs Oakley, Oppler [from Minute 513], Dr Walsh [from Minute 513], and Wheal.

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

508. WELCOME

The Chairman welcomed Members, Officers and members of the press to the meeting.

509. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Oliver-Redgate, Mrs Rapnik, Miss Rhodes and Warren.

510. DECLARATIONS OF INTEREST

There were no declarations.

511. MINUTES

The Minutes of the Overview Select Committee held on 31 January 2018, as circulated at the meeting, were approved by the Committee as a correct record and were signed by the Chairman.

512. CABINET MEMBER QUESTIONS AND UPDATES

Councillor Charles provided an update on the Local Plan. It was advised that Consultation had closed and representations had been made to the Inspector. The Council was now waiting for the Inspector's response. It was anticipated that the Local Plan would be ready for adoption by the Full Council meeting in September 2018.

Councillor Mrs Brown updated the committee with the good news that Bognor Regis Creative Digital had been awarded £500,000 worth of funding from the Coast to Capital Local Enterprise Partnership. Members agreed that this would assist with positive progression in Bognor Regis.

Overview Select Committee –  
20.3.18

513. ARUN DISTRICT COUNCIL CONCESSIONS (BUSINESSES)  
REPORT

The Overview Select Committee received a report from the Property & Estates Manager that provided information requested by the committee at its meeting held on 26 September 2017 in relation to how concessions/businesses on Council owned land were operated. The report also provided information on the factors considered when letting units as well as future plans.

Members were reminded that Property, Estates & Facilities were moving away from the term, 'Concession'. It was noted that Concession businesses were generally sited on Council land and were under lease or licence if their location was not fixed. It was, therefore, felt that 'Concession' was undefined. Instead Property, Estates & Facilities referred to all its commercial operations, whether under lease or licence, as businesses as the majority were run for financial gain.

It was pointed out that most Business Units that operated in the Arun District had come about over many years and the terms of their leases would not necessarily be relevant. The Property & Estates Manager drew attention to the Seafront Delivery Plan in Bognor Regis. This plan had identified a clear framework for the setting out and zoning of the main seafront area including potential suitable locations for new businesses. As part of this Process the Council had also instructed Architects to produce a style guide for business units. The purpose of the style guide was to provide clear guidance that set out what business units could look like.

It was noted that many of the business lease / licence arrangements that the Council had across the District were short term (under 5 years). This situation had come about due to various uncertainties and the Property & Estates Manager emphasised that this issue needed addressing if business and service improvements were to be gained. It was explained that the effect of issuing short term leases had a direct link to the quality of service provided.

The Property & Estates Manager informed Members that the aim was to offer longer term business leases of 10-20 years, depending on location and the business opportunity proposed. In moving to longer leases the Council would be able to go to open market with business opportunities seeking expressions of interest and it was believed that this would help to ensure the successful introduction of private investment into small businesses across the District. The Property & Estates Manager provided the example of Hotham Park Café where this action had been successful and the more recent example of the proposed conversion of the shelter on Littlehampton seafront into a destination restaurant.

It was reported that the Property, Estates & Facilities team were fully committed to securing continued service improvements and through reviewing current general fund assets and working in partnership with existing and new businesses were confident that the Council would achieve measured business improvements throughout the District.

In discussing the report, the following key points were made:

- Members were in agreement that it was important to improve and maintain the quality of businesses operating in the District. It was felt that profit to the Council could be lowered for the right operators as they could benefit the community in terms of increasing footfall.
- Bognor Regis Seafront Delivery Plan - It was confirmed that the Bandstand in Bognor Regis would not be relocated.
- The businesses located at Littlehampton seafront were discussed. The Heritage Railway was mentioned as a good example of the Council working in partnership with operators to provide quality attractions. It was mentioned that some of the businesses in the area looked dilapidated and the report's pursuit of improvement and seeking quality was welcomed.
- The Littlehampton Promenade Shelter Project was also mentioned as a good example of service improvement. It was underused, in a poor state of repair, adding little to the tourism offer of the seafront. Council officers had identified this building as a possible regeneration site and a business opportunity. Planning consent had now been given for a new café and water sports venue set to open on this site in 2018.
- It was confirmed that the Green Spaces along Littlehampton Seafront would be kept 'green' and free from business units.
- It was asked if the 'Victoriana' theme was no longer being adopted at Bognor Regis. The Property & Estates Manager stated that this work was still in progress. The whole seafront area was adopting a fresh approach and Members were directed to the Architects Style Guide which provided the vision.
- The Property & Estates Manager informed Members that the team was not in favour of one provider for all businesses but agreed that the Council would encourage a diversity of businesses.
- The Deck Chair business was discussed. It was noted that this business was in decline due to a reduction in customer demand. The Property & Estates Manager confirmed that this business would continue to be reviewed each year.
- A question was asked about setting fair rent prices. The Property & Estates Manager confirmed that general principles

468

Overview Select Committee –  
20.3.18

were applied, such as benchmarking with other local authorities, commercial trends and the Council also employed a valuer.

The Chairman thanked the Property & Estates Manager for his clear and informative report which was well received by the Committee.

The Overview Select Committee,

RESOLVED

that the steps which are being taken when leasing Council land to concessions/businesses be noted.

514. FILMING AND PHOTOGRAPHIC DRAFT POLICY

The Chief Executive presented the Group Head of Policy's report on the Filming and Photographic Draft Policy.

Members were reminded that the Council had agreed a Filming Protocol following the implementation of the Local Government Audit and Accountability Act 2013. Five years on, this was now being reviewed and the report set out the proposed new policy.

It was noted that the Policy was set out in three sections:

1. Council Meetings – outlining the circumstances under which meetings would be webcast and confirmed the retention period of recordings as 6 months.
2. Filming and Photography covering Arun District Council Land and Buildings - the Council already had detailed guidance on this and a procedure for anybody wishing to film or photograph on Council land or property.
3. Guidance for staff who need to film or photograph in order to deliver services.

The Committee agreed the report's recommendation.

The Overview Select Committee,

RECOMMEND TO FULL COUNCIL

that the draft Filming and Photography Policy be agreed.

515. FEEDBACK FROM THE MEETING OF THE COUNCIL TAX SUPPORT WORKING PARTY HELD ON 6 MARCH 2018

The Committee received and noted the minutes of the Council Tax Support Working Party meeting held on 6 March 2018.

The Chairman drew attention to the Members Seminar on Universal Credit which was being arranged for June/July 2018 with a representative of the Department of Works and Pensions in attendance. The Committee requested a Seminar Start time of 6pm so that all Members could attend.

516. FEEDBACK FROM THE MEETING OF THE WEST SUSSEX COUNTY COUNCIL'S HEALTH AND ADULT SOCIAL CARE COMMITTEE (HASC) HELD ON 8 MARCH 2018

The Committee received and noted a verbal update from Councillor Blampied following his attendance at the meeting of the West Sussex County Council's Health and Adult Social Care Committee (HASC) held on 8 March 2018.

Councillor Dr Walsh then provided a verbal update following his attendance at the meeting of HASC held on 8 March 2018.

Members' attention was drawn to two key issues:

- the Sussex Partnership Trust Mental Health Services had been in special measures but were now rated as good.
- HASC had received a report from the Sussex Partnership NHS Foundation Trust. A case for change to the arrangements for inpatient care with respect to mental health and dementia care was outlined. It proposed that all adult beds (mental health) would no longer be located at St Richard's Hospital in Chichester or Worthing Hospital but relocated to Langley Green Hospital in Crawley. Another proposal was that all dementia beds for West Sussex be located at Worthing Hospital. Councillor Dr Walsh informed Members that concerns had been expressed on this matter which would require consultation.

Having thanked Councillor Dr Walsh for his update, the Committee noted the points raised.

*(During the course of the discussion on this item, Councillor Dr Walsh declared a Personal Interest in his capacity as a Member of West Sussex County Council and Vice-Chairman of HASC.)*

470

Overview Select Committee –  
20.3.18

517. WORK PROGRAMME 2018/2019

The Chief Executive reminded the Committee that the Council's Constitution required it to report annually on its future work programme to Full Council for approval. This would take place at the Full Council meeting in July 2018.

The Committee was asked to consider the work programme for the 2018/2019 year identifying any issues to develop or review, whilst working to the key themes of the Committee's responsibilities, so that these could be included within a draft work programme.

In discussing the possible topics that Members might wish to review, the following observations were made:

- It was requested that a Member briefing session be held on the 2018/19 Budget in December 2018/early January 2019, prior to scrutiny of the Budget at the Overview Select Committee on 22 January 2019.
- It was also requested that the Cabinet Member for Community Wellbeing reports to the Committee, later in the 2018/19 year, providing an update on Policing Priorities and the points raised with the Police and Crime Commissioner at the Special Overview Select Committee meeting held on 23 January 2018.

The draft Work Programme 2018/19 was then noted.

(The meeting concluded at 7.03pm)



471

LICENSING COMMITTEE

23 March 2018 at 9.30 a.m.

Present : Councillors Cooper (Chairman), Wheal (Vice-Chairman), Cates, Clayden, Hitchins, Mrs Oakley, Patel, Purchase and Warren.

518. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Bower, Mrs Daniells, Dillon and Oliver-Redgate.

519. DECLARATIONS OF INTEREST

There were no declarations of interest made.

520. MINUTES

The Chairman advised that the Minutes of the meeting of the Licensing Subcommittee held on 16 March 2018 had not been finalised and so were not available for consideration – they would be circulated to Members as soon as possible.

521. REVIEW OF THE FEES FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES AFTER CONSULTATION

The Licensing Officer presented this report which set out the detail of the proposed fees for Hackney Carriage and Private Hire Licences for 2018/19 following consultation and advertising within the District – no comments or objections had been received during the consultation period. For clarification and Members' information, an additional paper was circulated at the meeting setting out comparison figures with other Councils in West Sussex, together with a more detailed schedule of proposed fees for 2018/19.

In the course of discussion, clarification was sought as to why it was deemed necessary to alter the fees by such minimal amounts in some cases as it would surely be more cost effective for there to be no change? The Group Head of Technical Services was able to advise that, following an ongoing annual review of the fees, the Council could only charge what was cost recoverable and that was the reason for minimal changes in some instances.

472

Licensing Committee – 23.03.18.

Following consideration, the Committee

RESOLVED

That the fees be agreed as set out at Section 2 of the report, to come into effect from 1 April 2018.

522. REVIEW OF THE FARE STRUCTURE FOR HACKNEY CARRIAGES AFTER CONSULTATION

As the fares charged to customers using hackney carriages (taxis) were reviewed and set annually, the Licensing Officer presented this report which set out the detail of a proposed increase to the fare structure for the year 2018/19. Additional information was circulated at the meeting to assist the Committee with its deliberations.

In discussing the matter, clarification was sought and given on the proposed increase and, in addition, comment was made that it must be made clear that assistance dogs could also be carried free of charge, as in the case of guide dogs.

Following consideration, the Licensing Team was commended for its work on setting the fares and, as no responses or comments had been received, the Committee

RESOLVED

That the fare structure, as advertised, be agreed, to come into effect from 1 April 2018.

(The meeting concluded at 10.03 a.m.)

473

CABINET

9 April 2018 at 5.00 pm

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

Councillors Ambler, Buckland, Cooper and Mrs Oakley were also in attendance for all or part of the meeting.

523. WELCOME

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

524. DECLARATIONS OF INTEREST

There were no declarations of interest made.

525. PUBLIC QUESTION TIME

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

A question had been received from a member of the public who had submitted a question in advance of the meeting in accordance with the rules of the Council's Constitution. As the questioner was unable to attend the meeting the question, as detailed below, was not read out but a response was provided in writing.

(1) Councillor Charles, the Cabinet Member for Planning, was asked if he would study the Planning Inspectorate decision notice APP/M3835/W/17/3188691 relating to Poulter's Lane, Worthing and consider whether there was a case for Arun District Council to start requesting affordable housing contributions from smaller sites.

*(Please note that the question in these minutes is a summarised version and a full version with the answer has been published on the Council's website)*

526. MINUTES

The Minutes of the meeting held on 12 February 2018 were approved by the Cabinet as a correct record and signed by the Chairman.

474

Cabinet – 09.04.18

527. POLICY FOR THE PROVISION OF PUBLIC TOILETS IN ARUN

In introducing the report, the Chairman pointed out that this report was intended to provide clarity on the Council's position regarding the provision of public toilets that could be used by all. It was confirmed that the provision of public toilets was a non statutory service. However, it was stated that Arun District Council, like many other councils, had decided it was important to do so. Arun District Council had decided where toilet provision should be maintained and, in many cases, either rebuilt or refurbished.

It was noted that in certain locations new toilet facilities had been provided for old such as those on the promenade at Bognor Regis. Elsewhere, there would be refurbishment of existing facilities as and when that became necessary.

The Chairman referred to the provision of unisex toilet facilities. Successful examples of this had already been operational, for many years, at Arundel Museum and West Park, Bognor Regis, without complaint. Members were also reminded that all disabled toilets were unisex.

In turning to the recommendation, the Cabinet recognised the Council's modern and inclusive approach and welcomed the report's concepts as sensible for the provision of public toilets in Arun.

The Cabinet then confirmed its decision as per Decision Notice C/053/090418, a copy of which is attached to the signed copy of the Minutes.

528. GRANT TO ARUNDEL TOWN COUNCIL

The Cabinet Member for Neighbourhood Services presented the report on the Grant to Arundel Town Council that sought approval for a grant of £30,000 for improvements to Arundel's public realm.

It was explained that the Leisure and Cultural Strategy 2013-28 approved at Full Council on 15 May 2013 provided an action to improve Arundel's streetscape having identified that the quality of the public realm between the buildings is not as good as would be appropriate for a town of Arundel's quality.

In receiving the report, Cabinet fully supported its recommendation.

The Cabinet confirmed its decision as per Decision Notice C/054/090418, a copy of which is attached to the signed copy of the Minutes.

529. COMMITTEES SERVICES AND ELECTORAL SERVICES – CHANGE TO MANAGEMENT STRUCTURE FUNCTIONS

The Chief Executive presented his report that outlined a slight amendment from the original proposed management structure with change to the management of the Committee Services and Electoral Services teams, effective from 1 April 2018.

Cabinet confirmed their acceptance of the report's proposals and agreed the recommendation.

The Cabinet confirmed its decision as per Decision Notice C/055/090418, a copy of which is attached to the signed copy of the Minutes.

530. ARUN WELLBEING AND HEALTH PARTNERSHIP (AWHP) MINUTES – 19 FEBRUARY 2018

The Cabinet received and noted the Minutes of the Arun Wellbeing and Health Partnership from the meeting held on 19 February 2018.

531. ENVIRONMENT & LEISURE WORKING GROUP – 20 FEBRUARY 2018

In introducing the minutes of the Environment & Leisure Working Group, from the meeting held on 20 February 2018, the Cabinet Member for Neighbourhood Services referred Members to the recommendation at Minute 35.

The Cabinet Member for Neighbourhood Services praised the work of the Group Head of Neighbourhood Services and the Tree and Landscape Manager in producing the Tree Policy 2018-2028.

With agreement from Cabinet, Councillor Buckland spoke on this item and voiced his concern with respect to the Tree Policy and how this could detrimentally affect council tenants. He requested that the Council assist tenants by providing all necessary tree works. The Director of Services confirmed that council tenants were responsible for trees on their property but assured that exceptional circumstances would be investigated on a discretionary, case by case basis.

In response, the Cabinet were confident that Neighbourhood Services would carefully deal with each case presented to them in line with the proposed Tree Policy.

The Cabinet then confirmed its decision as per Decision Notice C/056/090418, a copy of which is attached to the signed copy of the Minutes.

532. EXEMPT INFORMATION

Cabinet

RESOLVED

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that they may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

533. DISPOSAL OF FREEHOLD INTEREST IN WATERLOO SQUARE, BOGNOR REGIS – EXEMPT (Paragraph 3 – Information Relating to Internal Business Affairs)

The Cabinet Member for Technical Services presented this report with the Group Head of Technical Services which sought Cabinet's authority for the disposal of freehold land located at Waterloo Square, Bognor Regis.

In considering the report's recommendation the Cabinet were in full support.

The Cabinet confirmed its decision as per Decision Notice C/057/090418, a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 5.22 pm)

## ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE CABINET MEETING HELD ON  
9 APRIL 2018

REF NO.	DECISION
C/053/090418	Policy for the Provision of Gender Neutral Public Toilets in Arun
C/054/090418	Grant to Arundel Town Council
C/055/090418	Committee Services and Electoral Services – Change to Management Structure Functions
C/056/090418	Environment and Leisure Working Group – 20 February 2018
C/057/090418	Disposal of Freehold Interest in Waterloo Square, Bognor Regis – Exempt – (Paragraph 3 – Information relating to Business Affairs)

**PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00 A.M. ON WEDNESDAY 18 APRIL 2018 UNLESS THE CALL-IN PROCESS IS APPLIED**

REFERENCE NO: C/053/090418

<b>FULL CABINET DECISION</b>	<b>YES</b>
<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	<b>NO</b>
<b>SUBJECT:</b> Policy For The Provision Of Public Toilets	
<b>OFFICER CONTACT:</b> Nigel Lynn, Chief Executive Extn: 37600 E.mail: <a href="mailto:nigel.lynn@arun.gov.uk">nigel.lynn@arun.gov.uk</a>	

**EXECUTIVE SUMMARY:** This report has been requested by the Leader following reference to the issue at the last Full Council meeting on 7 March 2018. The purpose of the report is to provide clarity regarding the Council's position in the provision of self-contained and integrated public toilets.

**DECISION:**

As recommended in the report, Cabinet,

RESOLVED

that the provision of self-contained and integrated public toilets within Arun wherever is reasonably practical and appropriate, be endorsed.

**REASON FOR THE DECISION:** To be consistent with both the Arun Equality Policy and the legal requirements placed upon the Council to positively promote the provision of self-contained and integrated public toilets.

**OPTIONS CONSIDERED BUT REJECTED:** To reject this recommendation.

**CABINET MEMBER(S):**

<b>DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:</b>	None
<b>DISPENSATIONS GRANTED :</b>	None

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



REFERENCE NO: C/054/090418

<b>FULL CABINET DECISION</b>	<b>YES</b>
<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	<b>NO</b>
<b>SUBJECT:</b> Grant to Arundel Town Council	
<b>OFFICER CONTACT: Joe Russell-Wells, Group Head of Neighbourhood Services</b>	
<b>Extn: 37914</b>	<b>E.mail: <a href="mailto:joe.russell-wells@arun.gov.uk">joe.russell-wells@arun.gov.uk</a></b>
<b>EXECUTIVE SUMMARY:</b> The Leisure and Cultural Strategy 2013-28 approved at Full Council 15 May 2013 provided an action to improve Arundel's streetscape having identified that the quality of the public realm between the buildings is not as good as would be appropriate for a town of its quality. A grant of £30,000 is recommended to be provided to Arundel Town Council to appoint consultants to produce concept plans up to Stage 2 of the RIBA (Royal Institute of British Architects) Plan of Works for public realm improvements to Arundel.	
<b>DECISION:</b>  As recommended in the report, the Cabinet  RESOLVED  that a grant of up to £30,000 to Arundel Town Council to appoint a consultant to produce concept plans up to Stage 2 RIBA to be funded from the Corporate Underspend (2017/18), be approved.	
<b>REASON FOR THE DECISION:</b> To enable progress with the strategic objective to improve Arundel's public realm and thus improve the effectiveness of Arundel as an leisure and economic asset to the District.	
<b>OPTIONS CONSIDERED BUT REJECTED:</b> To not provide the grant to Arundel Town Council – therefore not enabling progress with this strategic project.	
<b>CABINET MEMBER(S):</b>	
<b>DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:</b>	None
<b>DISPENSATIONS GRANTED :</b>	None
<b>CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION:</b> None	

REFERENCE NO: C/055/090418

<b>FULL CABINET DECISION</b>	<b>YES</b>
<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	<b>NO</b>
<b>SUBJECT:</b> Committee Services and Electoral Services– change to management structure functions	
<b>OFFICER CONTACT:</b> Nigel Lynn, Chief Executive <b>EXTN:</b> 37558 <b>E.mail:</b> <a href="mailto:nigel.lynn@arun.gov.uk">nigel.lynn@arun.gov.uk</a>	
<p><b>EXECUTIVE SUMMARY:</b> The Corporate Management Team has conducted a review of the proposed management structure which took effect on 1 April 2018. As a result of this review, CMT have made changes to the management of the Committee Services and Electoral Services teams, effective from 1 April 2018:</p> <ul style="list-style-type: none"> <li>• responsibility for Committee Services moves to the Group Head of Council Advice and Monitoring Officer (Liz Futcher) (originally proposed to move to Group Head of Corporate Support)</li> <li>• responsibility for Electoral Services remains with the Group Head of Policy (Jackie Follis) (originally proposed to move to Group Head of Corporate Support)</li> <li>• no additional responsibility changes for the Group Head of Corporate Support (Alan Peach)</li> </ul>	
<p><b>DECISION:</b></p> <p>As recommended in the report, Cabinet</p> <p>RESOLVED – That</p> <p>(1) the management structure function changes for the Committee Services and Electoral Services teams, effective from 1 April 2018, be noted; and</p> <p>(2) the Group Head of Council Advice &amp; Monitoring Officer be authorised to make any consequential changes to the Constitution.</p>	
<b>REASON FOR THE DECISION:</b> To ensure that there is an even distribution of service areas among the newly formed Group Heads.	
<b>OPTIONS CONSIDERED BUT REJECTED:</b> N/A	
<b>CABINET MEMBER(S):</b>	
<b>DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:</b>	None
<b>DISPENSATIONS GRANTED :</b>	None
<b>CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION:</b> None	

REFERENCE NO: C/056/090418

<b>FULL CABINET DECISION</b>	<b>YES</b>
<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	<b>NO</b>
<b>SUBJECT:</b> Environment & Leisure Working Group – 20 February 2018	
<b>OFFICER CONTACT:</b> Jackie Follis, Group Head of Policy Extn: 37580 E.mail: <a href="mailto:jackie.follis@arun.gov.uk">jackie.follis@arun.gov.uk</a>	
<b>EXECUTIVE SUMMARY:</b> The Cabinet received the Minutes of the meeting of the Environment & Leisure Working Group held on 20 February 2018. The Minutes contained a recommendation at Minute 35, Arun District Council Tree Policy.	
<b>DECISION:</b>  <b>Minute 35 – Arun District Council Tree Policy</b>  As recommended in the minutes, Cabinet  RESOLVED  that the Council's Tree Policy 2018-2028 be adopted, subject to the amendments made.	
<b>REASON FOR THE DECISION:</b> To endorse the recommendations of the Environment & Leisure Working Group.	
<b>OPTIONS CONSIDERED BUT REJECTED:</b> To not endorse the recommendations of the Environment & Leisure Working Group	
<b>CABINET MEMBER(S):</b>	
<b>DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:</b>	None
<b>DISPENSATIONS GRANTED :</b>	None
<b>CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION:</b> None	

REFERENCE NO: C/057/090418

<b>FULL CABINET DECISION</b>	<b>YES</b>
<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	<b>NO</b>
<b>SUBJECT:</b> Disposal of Council land at Waterloo Square Bognor Regis – Exempt – (Paragraph 3 – Information relating to Internal Business Affairs)	
<b>OFFICER CONTACT:</b> Charles Hothershall, Property & Estates Principal Surveyor Extn: 37729 E.mail: <a href="mailto:charles.hothershall@arun.gov.uk">charles.hothershall@arun.gov.uk</a>	
<b>EXECUTIVE SUMMARY:</b> The purpose of the report is to seek the authority of Cabinet for the disposal of freehold land located at Waterloo Square, Bognor Regis for best consideration.	
<b>DECISION:</b>  As recommended in the report, Cabinet  RESOLVED – That  (1) the freehold disposal of land located at Waterloo Square, Bognor Regis for best consideration' be approved, and;  (2) delegated authority be given to the Director of Place and the Section 151 officer in consultation with the Cabinet Member for Technical Services, to agree to accept the best consideration in accordance with the Council's Property Investment Strategy for the disposal of the freehold interest and to conclude any and all matters necessary to complete disposal and conveyance of the freehold site.	
<b>REASON FOR THE DECISION:</b> The disposal of the freehold will facilitate regeneration of this historic area of Bognor Regis.	
<b>OPTIONS CONSIDERED BUT REJECTED:</b> That Cabinet do not approve the freehold disposal of land located at Waterloo Square, Bognor Regis for best consideration.	
<b>CABINET MEMBER(S):</b>	
<b>DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:</b>	None
<b>DISPENSATIONS GRANTED :</b>	None
<b>CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION:</b> None	

477

DEVELOPMENT CONTROL COMMITTEE

11 April 2018 at 2.30 p.m.

Present: Councillors Bower (Chairman), Hitchins (Vice-Chairman), Mrs Bence, Mrs Bower, Brooks, Cates, Charles (substituting for Councillor Gammon), Mrs Hall, Haymes, Mrs Oakley, Mrs Stainton, Tyler (substituting for Councillor Dillon) and Wells.

Councillor Ambler was also in attendance at the meeting.

534. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Dillon, Gammon and Miss Rhodes.

535. DECLARATIONS OF INTEREST

Declarations of interest were made by:-

Planning Applications LU/278/17/RES and LU/284/17/DOC – Councillor Bower declared a personal interest as a member of the North Littlehampton Steering Group, where the matters had been discussed and he had reserved his position.

Planning Application Y/44/17/OUT – Councillor Haymes declared a personal interest as Chairman of Yapton Parish Council. He also stated that, since the matter had been deferred, a meeting had taken place between the relevant parties to address the issues, which he had attended.

Planning Application AL/123/17/PL – Councillor Brooks declared a personal interest as his business partner lived near to the site.

536. MINUTES

The Minutes of the meeting held on 14 March 2018 were approved by the Committee and signed by the Chairman as a correct record.

478

Development Control  
Committee – 11.04.18.

### 537. PREVIOUSLY DEFERRED APPLICATIONS

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

AL/123/17/PL – Demolition of existing dwelling & erection of 1 No. dwelling (resubmission following AL/83/17/PL), Mildmay, Hook Lane, Aldingbourne

This application had been deferred from the meeting held on 14 March 2018 to enable the Post Site Inspection Panel to visit the site to ascertain how the design would fit in with the street scene.

In presenting the proposal, the Planning Team Leader directed Members to the written officer report update that had been circulated at the meeting which detailed a further representation from the Parish Council and 5 additional letters of objection, together with the officer's response to the points raised.

The Chairman of the Site Inspection Panel informed the Committee that, although some Members did not like the modern design, there were no planning reasons to warrant a refusal of the application, particularly in light of the fact that there was no regularity of design in the lane.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/328/17/OUT – Outline application with some matters reserved for the conversion of existing dwelling into 5 self contained flats with front, rear, side & dormer extensions (resubmission following AW/71/17/OUT), 14 Princess Avenue, Aldwick

This application had been deferred from the meeting held on 14 March 2018 to enable the Post Site Inspection Panel to visit the site to ascertain whether the proposal could be considered to be an overdevelopment and whether it was out of character with the locality.

The officer's written report update had been circulated at the meeting which detailed a representation from the applicant and the officer's response to the points raised. A verbal correction was also provided that the Aldwick Parish Council representative at the site visit was Mrs Lilian Richardson and not Richardson Warden.

The Chairman of the Site Inspection Panel informed the Committee that Members were of the unanimous view that the proposal would provide an overly dominant form of development and that the crenulations in particular would be out of keeping with the character of the area.

Having taken account of the views of the Site Inspection Panel, the Committee did not accept the officer recommendation to approve and

#### RESOLVED

That the application be refused for the following reasons:-

- (1) Flats 1, 3 and 5 are considered to be unsatisfactory in size and would give rise to an unsatisfactory living environment for future occupiers in conflict with the good design principles in the National Planning Policy Framework and with reference to Policy D DM2 of the emerging Local Plan and the Nationally Described Space Standard as set out in ID: ID: 56-018-20150327 of the Planning Practice Guidance.
- (2) The proposed extensions will result in an over dominant form of development which will be out of character with the surrounding area and will harm the amenities of the adjoining properties to the North East on Wessex Avenue in conflict with Policies DEV19 & GEN7 of the Arum District Local Plan 2003, Policies D DM1 & D DM4 of the emerging Local Plan and the good design principles in the National Planning Policy Framework.
- (3) The proposed introduction of a crenulated parapet wall on the front elevation is considered to be an alien feature in the street scene and will be harmful to the appearance of the road in conflict with Policies DEV19 & GEN7 of the Arum District Local Plan 2003, Policies D DM1 & D DM4 of the emerging Local Plan and the good design principles in the National Planning Policy Framework.

480

Development Control  
Committee – 11.04.18.

*(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.)*

Y/44/17/OUT – Outline Planning Application for 70 No. residential dwellings including 30% affordable, public open space & associated landscaping. All matters to be reserved apart from access (access to be achieved via permitted road (Reference Y/93/14/OUT). This application is a Departure from the Development Plan. This application affects the character & appearance of Main Road/Church Road Yapton Conservation Area & the setting of Listed Buildings, Land at Stakers Farm, North End Road, Payton

This application had been deferred from the meeting held on 17 January 2018 for further negotiation and clarification with (i) Southern Water; (ii) West Sussex County Council Education Department; and (iii) the applicant with reference to land issues for the potential expansion of the primary school.

A written officer report update was circulated at the meeting which detailed additional representations from West Sussex County Council and a letter of objection from a member of the Parish Council who was making representation as an individual, together with the officer's response.

The Principal Planning Officer advised the Committee of the additional information that had now been received to address the concerns of Members, as outlined in the agenda report. He confirmed that it was not felt that the objection of Southern Water to the proposal could be supported, as outlined in the report. In the event of Members approving the application, delegated authority was sought for the Director of Place, in consultation with the Chairman and Vice-Chairman, to take the decision in order for the S106 to be completed and signed.

In considering the revised proposal, Member comment was made that the additional land to be provided for the school, should it wish to expand in the future, was now considered to be satisfactory.

A concern was still raised with regard to the objection by Southern Water. The Group Head of Planning advised that the legislation had changed on 1 April 2018 in respect of a right to a connection to Southern Water's network. A standard charge per dwelling was now applicable and Southern Water was then obliged to provide adequate infrastructure to serve development.



481

Development Control  
Committee – 11.04.18.

The Committee

## RESOLVED

That the application be approved as detailed in the report and that the decision be delegated to the Director of Place, in consultation with the Chairman and Vice-Chairman.

538. PLANNING APPLICATIONS

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

LU/278/17/RES – Approval of reserved matters following outline permission LU/47/11 for construction of the southern section of the Lyminster Bypass, including northern and southern roundabouts, surface water drainage and landscaping. Departure from the Development Plan & affects a Public Right of Way, North Littlehampton Strategic Development Site, Land West of Toddington Park, Toddington Lane, Littlehampton Having received a report on the matter, together with the officer's written report update detailing:-

(i) an additional paragraph to be added under Development Plan and/or Legislative Background to ensure the report made reference to environmental information provided; and

(ii) the recommendation be amended to seek delegated authority for the Group Head of Planning, in consultation with the Chairman and Vice-Chairman to approve the application following the grant of planning permission LU/181/15/PL.

The Principal Planning Officer presented this report which would be providing a new northern route into Littlehampton, with an anticipated completion date of 2020.

In discussing the matter, a reassurance was sought that any proposed artwork for the scheme should be presented and approved prior to installation. Advice was given that the North Littlehampton Steering Group, made up of the three tiers of local government, would be considering the matter in due course.

A further concern was raised with regard to the noise mitigation barriers being erected and officer advice was given that consultation had been undertaken with the relevant parties.

482

Development Control  
Committee – 11.04.18.

The Committee then

RESOLVED

That the application be approved and the decision be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, following the grant of planning permission LU/181/15/PL.

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

LU/284/17/DOC – Application for approval of details reserved by conditions imposed under LU/47/11 relating to conditions: 1 – Reserved Matters Application to be submitted; 5 – Details of Materials & External Finishes; 7 – Appearance, Landscaping & Layout; 8 – Design Statement; 10 – Surface Water Drainage Strategy; 14 – Landscaping; 15 Trees; 19 & 20 – Ecology; 21 – Ecological Management; 26 – Highway Specification & Construction Details; 36 – Noise Assessment; & 37 – Noise Mitigation, North Littlehampton Strategic Site West of Toddington Park, Toddington Lane, Littlehampton Having received a report on the matter, the Committee was also circulated with the officer's written report update which added a paragraph under Development Plan Policies to ensure report made reference to environmental information provided in support of outline planning application LU/47/11 so it would be taken into consideration as part of this subsequent application.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/75/17/PL – 4 No. dwellings. This application affects the setting of a Listed Building and is a Departure from the Development Plan, Avenal's Farm, Water Lane, Angmering Having received a report on the matter, together with the officer's written report update detailing a correction to the agenda report relating to the Listed Building paragraph and a map showing the Right of Access to Weavers Hill, the Committee

RESOLVED

That the application be approved as detailed in the report.

483

Development Control  
Committee – 11.04.18.

A/155/17/OUT – Outline application with some matters reserved for 3 No. dwellings. This application may affect the setting of a Listed building & is a Departure from the Development Plan, Avenal's Barn, Water Lane, Angmering  
Having received a report on the matter, together with the officer's written report update detailing a correction to the agenda report relating to the Listed Building paragraph, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/368/17/HH – Alterations to create an elderly7 persons annexe, 44 Christchurch Crescent, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

539. PLANNING APPEALS

The Committee noted the planning appeals that had been received.

(The meeting concluded at 3.40 p.m.)



# **ARUN DISTRICT COUNCIL**

## **FULL COUNCIL MEETING 2 May 2018**

**SUBJECT: Final update on the Council's 2020 Vision Programme (2016-2018) –  
"Working together for a better future"**

**REPORT AUTHOR:** Nigel Lynn, Chief Executive  
**DATE:** 1 March 2018  
**EXTN:** 37600

### **EXECUTIVE SUMMARY:**

Following the LGA Corporate Peer Challenge Review in March 2014, the Council has been considering how it needs to change to reflect the predicted shift in the population and business needs for the future, in the knowledge of the Council's reducing financial stability.

The 2020 Vision programme was established in 2016 to provide the strategic direction required to help the Council become a more effective and sustainable one and to enable it to meet future demands that are placed upon it.

The programme set out proposals across a range of services to contribute towards the required financial savings to assist reducing the Council's continued reliance on its General Fund Balances.

This report updates Members on the final outcome and savings identified from Members and Officers working together over the last two years leading toward the 2018/19 budget that Full Council approved on 21 February 2018.

### **RECOMMENDATIONS**

It is recommended that:

1. Full Council acknowledges the latest position of the 2020 Vision Programme and the successful financial outcome.

### **1. BACKGROUND:**

#### **1.1 LGA Corporate Peer Challenge (19-21 March 2014)**

Headlines were presented to Full Council (30 April 2014) and an Action Plan agreed (Full Council 18 June 2014). In summary, the report (May 2014) is very positive, highlighting "strong top team" leadership from the Leader, Cabinet and the Chief Executive, Resources Director and Deputy Chief Executive and Directors that constitute the Corporate Management Team (CMT).

- 1.2 However, the report did highlight that there are a number of issues for the Council to consider, in particular:

*Given there is no 'burning platform' providing an immediate change imperative, the Corporate Peer Challenge Review Team think there is currently insufficient attention to developing a change and transformation plan which will secure the Council's financial position in the longer term. There is a risk that the Council may not take advantage of the breathing space offered by the current position to develop a proactive approach to all the challenges ahead.*

*The Corporate Peer Challenge Review Team believe the Council needs a clearer vision for customer services which is both agreed and enjoys the commitment of Members and senior managers across the organisation.*

- 1.3 Although reduced costs ("smaller but more effective") was not the only objective of the 2020 Vision programme, it has generated significant savings to support the Council's Financial Strategy.

Savings from the programme are measured between the five year period 2016/17 to 2020/21 and over this period there is a confirmed annual saving to the Council of slightly over £3m.

There are an additional ten projects still to be completed which could generate an additional revenue savings.

The 2020 Vision Programme is now overseen by the Arun Improvement Programme Board. This board is made up of officers and members (including the Leader of the Council). The group meet quarterly to review the 2020 Vision Programme and approve any major business change projects including those supported by technology. It is, therefore, not anticipated that there will be further reports to update on the 2020 Vision Programme.

- 1.4 Members also received an update on the Management Restructure at the Full Council meeting held on 11 December 2017. These savings (£1.15m pa) are included in the £3m annual saving (referred to in 1.3 above).
- 1.5 The graph shown in **Appendix A** to this report highlights the forecast financial trajectory (without the 2020 Vision programme) and the actual trajectory (following the 2020 Vision programme).

## 2. PROPOSAL(S):

That Full Council acknowledges the latest position of the 2020 Vision Programme and the successful financial outcome.

## 3. OPTIONS:

- a) to acknowledge the successful financial outcome of the 2020 Vision Programme.
- b) to propose an alternative way forward.

## 4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		√

Relevant District Ward Councillors		√
Other groups/persons - All Members	√	
<b>5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES:</b>	<b>YES</b>	<b>NO</b>
Financial	√	
Legal		√
Human Rights/Equality Impact Assessment		√
Community Safety including Section 17 of Crime & Disorder Act		√
Sustainability		√
Asset Management/Property/Land		√
Technology	√	
Safeguarding		√
Other (please explain)		

#### **6. IMPLICATIONS:**

- 6.1 The Equality Act 2010 legally protects people from discrimination, both in the workplace and in wider society. As a local authority, Arun District Council is further bound by the Public Sector Equality Duty. This means that it has to consider all individuals in their day-to-day work – in shaping policy, in delivering services, and in relation to our own employees. Equality Impact Assessments have been considered for each relevant project for the 2020 Vision programme. At this stage, the effect of the Equality Act has been considered, but no further work is needed at this time.
- 6.2 Consideration of equality issues must influence the decisions reached by public bodies – such as in how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services; and how they commission and procure from others.

#### **7. REASON FOR THE DECISION:**

To update Full Council on the outcome of the 2020 Vision Programme, which have been fed into the Council's budget for 2018/19, which was subsequently agreed by a special meeting of Full Council on 21 February 2018.

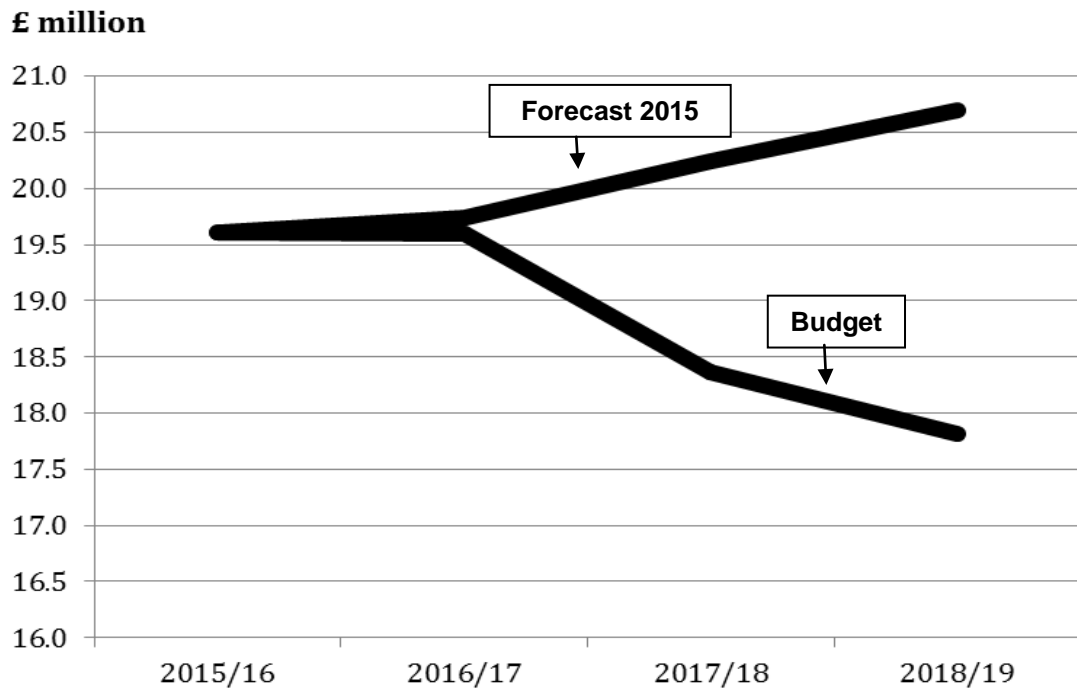
#### **8. BACKGROUND PAPERS**

Full Council Report 20 July 2016 (item 36 on the agenda – The Council's 2020 Vision)  
 Full Council Report 9 November 2016 (item 26 on the agenda – The Council's 2020 Vision – "Working together for a Better Future" and Update on Management Restructure)  
 Cabinet Report 12 December 2016 (item 11 on the agenda – Management Restructure – request for supplementary estimate)  
 Council Report on Management Restructure 13 September 2017 (item 24)  
 Cabinet Report – 16 October 2017 (Update on 2020 Vision – working together for a better future)  
 Cabinet Report – 11 December 2017 (Vision 2020 restructure – request for supplementary

estimate)

## Appendix A

### Net Service Expenditure Budget 2015/16 to 2018/19





# **ARUN DISTRICT COUNCIL**

## **FULL COUNCIL MEETING ON 2 MAY 2018**

<b>SUBJECT:</b>	<b>Data Protection Policy</b>
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<b>REPORT AUTHOR:</b>	Liz Fitcher – Group Head of Council Advice & Monitoring Officer
<b>DATE:</b>	April 2018
<b>EXTN:</b>	01903 737610

### **EXECUTIVE SUMMARY:**

The Council has been reviewing its data protection policies and guidance to meet the requirements of the General Data Protection Regulation (GDPR) which comes into force on 25 May 2018. This report presents the corporate Data Protection Policy which explains the measures the Council has put in place to meet its obligations under the GDPR.

### **RECOMMENDATIONS:**

It is recommended to Full Council that:

1. the Data Protection Policy, as set out in Appendix 1 to the report, be approved; and
2. the Group Head of Council Advice & Monitoring Officer be given delegated authority to make any necessary consequential changes to the Data Protection Policy as a result of new legislation or alternative practices.

### **1.0 BACKGROUND**

- 1.1 The GDPR includes provisions that promote accountability and governance. Whilst the principles of accountability and transparency have previously been implicit requirements of data protection law, the GDPRs emphasis elevates this significance. The expectation is that Councils will put in place comprehensive governance measures and be able to demonstrate their compliance with the principles and obligations of the GDPR.
- 1.2 The Council has already adopted a number of new data protection policies in preparation for the GDPR namely:
  - Clear Desk & Clear Screen Policy – 13 September 2017
  - Records Retention & Disposal Policy – 13 September 2017
  - Homeworking Policies – 8 November 2017
- 1.3 The next policy to be reviewed is the corporate Data Protection Policy.

<b>2.0 PROPOSALS</b>			
2.1	Appendix 1 to the report sets out the proposed Data Protection Policy. This aims to demonstrate the Council's compliance with the GDPR and that it understands its responsibilities for promoting accountability and good governance.		
2.2	As there has been insufficient time to present this policy to the Overview Select Committee ahead of the GDPR coming into force, the Chairman of the Committee has been consulted and has supported the report being made directly to Full Council on this occasion.		
<b>3.0 OPTIONS:</b>			
1. To support the policy as presented.			
2. To not support the policy and request that additional work is undertaken and reported back to a future meeting.			
<b>4.0 CONSULTATION:</b>			
Has consultation been undertaken with:		<b>YES</b>	<b>NO</b>
Relevant Town/Parish Council			✓
Relevant District Ward Councillors			✓
Other groups/persons (please specify)		✓	
<ul style="list-style-type: none"> <li>• Chairman of the Overview Select Committee</li> <li>• Information Security Group</li> </ul>			
<b>5.0</b>	<b>ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail below)</b>	<b>YES</b>	<b>NO</b>
	Financial	✓	
	Legal	✓	
	Human Rights/Equality Impact Assessment		✓
	Community Safety including Section 17 of Crime & Disorder Act		✓
	Sustainability		✓
	Asset Management/Property/Land		✓
	Technology		✓
	Other (please explain)		✓
<b>6.0 IMPLICATIONS:</b>			
Failure to adopt this corporate policy will not allow the Council to demonstrate that it recognises the accountability and governance requirements of the GDPR.			

**7.0 REASON FOR THE DECISION:**

To ensure the Council is compliant with the obligations of the GDPR.

**8.0 BACKGROUND INFORMATION**

**Information Commissioner's Guide to the General Data Protection Regulation**  
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>

**ARUN DISTRICT COUNCIL**

**Data Protection Policy**

**Document Control**

Document Owner	Liz Futcher, Data Protection Officer
Version	V1
Date	2 May 2018

**Version History**

Date	Version Number	Revision Notes	Author

## 1. Introduction

- 1.1. The Data Protection Act 1998 (the Act) and the General Data Protection Regulation (GDPR) aim to protect all personal data which is collected, processed, stored and disposed of by an organisation.
- 1.2. Arun District Council (the Council) has a statutory duty to comply with the requirements of both the Act and the GDPR as it collects personal data when conducting its business.
- 1.3. The Information Commissioner's Office (ICO) is responsible for regulating and enforcing the Act and the GDPR.

## 2. Aim

- 2.1. The aim of this policy is to demonstrate the Council's compliance with the principles of the Act and the GDPR.
- 2.2. The policy also aims to demonstrate that the Council understands its responsibilities for promoting accountability and good governance, and has put appropriate technical and organisational measures in place to minimise the risk of data breaches.

## 3. Scope

- 3.1. The policy applies to:
  - 3.1.1. All personal data processed by the Council regardless of format.
  - 3.1.2. Any individual processing of personal data held by the Council.

## 4. Definition of Terms

- 4.1. The following definitions shall apply as defined by the Act and the GDPR:

Term	Definition
Data	Information which: <ol style="list-style-type: none"> <li>a) is being processed by means of equipment operating automatically in response to instructions given for that purpose;</li> <li>b) is recorded with the intention that it should be processed by means of such equipment;</li> <li>c) is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system, i.e. a highly structured readily accessible paper filing system;</li> <li>d) does not fall within the above but forms part of an accessible</li> </ol>

	record, i.e a housing record; or e) is recorded information held by a public authority and does not fall within any of the above paragraphs.
Personal Data	Information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. Personal identifiers can include a name, identification number, location data or online identifier.
Special Category Data (defined under the GDPR)	Sensitive information about an individual's <ul style="list-style-type: none"> <li>• race</li> <li>• ethnic origin</li> <li>• politics</li> <li>• religion</li> <li>• trade union membership</li> <li>• genetics</li> <li>• biometrics (where used for ID purposes)</li> <li>• health</li> <li>• sex life</li> <li>• sexual orientation</li> </ul>
Processing	Obtaining, recording or holding the information or data, or carrying out an operation or set of operations on the information or data.
Data subject	An individual who is the subject of the personal data
Data Controller	A person who alone, jointly or in common with other persons, determines the purposes and means of processing personal data. A data controller may also act jointly with another organisation to process personal data. The controller must ensure contracts with any processors comply with GDPR obligations.
Data Processor	Any person, other than an employee of the data controller, who is responsible for processing personal data on behalf of the data controller. The processor will have a legal liability if they are responsible for a breach.

## 5. Data Protection Principles

- 5.1. The Council shall adhere to the principles of the GDPR which require that personal data shall be:
- 5.1.1. processed lawfully, fairly and in a transparent manner in relation to individuals;
  - 5.1.2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
  - 5.1.3. adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed;
  - 5.1.4. accurate and, where necessary, kept up to date;
  - 5.1.5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; and
  - 5.1.6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or

unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

- 5.2. The Council shall also be responsible for, and be able to demonstrate, compliance with these principles.

## **6. Responsibilities**

- 6.1. The Council shall ensure that:

- 6.1.1. It is a registered Data Controller. The registration number for the Council is Z5626915
- 6.1.2. It has specialist staff with specific responsibility for ensuring compliance with the Act and the GDPR.
- 6.1.3. Individuals processing personal data understand that they are responsible for complying with the data protection principles.
- 6.1.4. Individuals processing personal data are appropriately trained to do so.
- 6.1.5. Individuals are provided with appropriate data protection support and guidance.

## **7. Roles**

- 7.1. The following roles shall be established:

<b>Role</b>	<b>Responsibilities</b>
Data Protection Officer (DPO)	<ol style="list-style-type: none"> <li>1. Providing data protection support and guidance to the Council to ensure that staff and Councillors are aware of their responsibilities and obligations.</li> <li>2. Developing and monitoring the annual mandatory data protection training programme for staff.</li> <li>3. Providing appropriate training and briefings to Councillors on data protection policies and procedures.</li> <li>4. Acting as a contact point for data subjects and the Council to ensure that any queries about data protection are dealt with effectively.</li> <li>5. Monitoring compliance across the Council's functions to ensure that there is consistency and application of data protection rules and procedures.</li> <li>6. Developing and regularly reviewing the Council's data protection policies and procedures.</li> <li>7. Developing and regularly reviewing a data retention schedule across the Council working to the Data Retention &amp; Destruction Policy.</li> <li>8. Facilitating information sharing between the Council and other organisations by developing information sharing agreements where required.</li> </ol>

Senior Information Risk Owner (SIRO)	<ol style="list-style-type: none"> <li>1. Leading and fostering a culture that values, protects and uses information for the benefit of the Council and its customers.</li> <li>2. Owning the Council's overall information risk management policies and procedures and ensuring they are implemented consistently across the organisation.</li> <li>3. Monitoring compliance through the annual assurance statement.</li> </ol>
Group Heads	<ol style="list-style-type: none"> <li>1. Ensuring that the requirements for data protection are integrated into service procedures.</li> <li>2. Ensuring that staff comply with all relevant policies and procedures within their area of responsibility.</li> </ol>
Council staff	<ol style="list-style-type: none"> <li>1. Processing information in line with the Act and the GDPR.</li> <li>2. Complying with all policy and procedural requirements.</li> <li>3. Undertaking mandatory annual data protection training.</li> </ol>

7.2. The role of Data Protection Officer and Senior Information and Risk Owner will be held by the relevant Group Head and this responsibility confirmed within the Scheme of the Delegation, at Part 4 of the Council's Constitution.

7.3. The Council shall also establish a corporate officer working group to oversee the management of data protection and information risk across the Council comprising the:

- 7.3.1. Group Head of Corporate Support (SIRO)
- 7.3.2. Group Head of Council Advice & Monitoring Officer (DPO)
- 7.3.3. Chief Internal Auditor
- 7.3.4. ICT and Service Improvement Manager
- 7.3.5. ICT Technical Manager

## **8. Privacy Notices**

8.1. The Council shall ensure that a corporate privacy notice is published on the Council's website. It shall explain in general terms:

- 8.1.1. what information is being collected;
- 8.1.2. why the Council collects information;
- 8.1.3. who the Council may share this information with;
- 8.1.4. what the Council will do with the information;
- 8.1.5. how long the Council will keep the information; and
- 8.1.6. what rights individuals have.

8.2. Where relevant, service areas shall provide their own privacy notice confirming this information in specific terms.



### 9. Individuals Rights

- 9.1. Individuals have the right to find out what information the Council holds about them through a data subject request. Requests can be made via: <https://www.arun.gov.uk/data-protection>
- 9.2. The GDPR also provides for individuals to have:
  - 9.2.1. the right to be informed about the collection and use of their personal data;
  - 9.2.2. the right of access to their personal data and supplementary information;
  - 9.2.3. the right to have inaccurate personal data rectified or completed if it is incomplete;
  - 9.2.4. the right to have personal data erased in certain circumstances;
  - 9.2.5. the right to request the restriction or suppression of their personal data in certain circumstances;
  - 9.2.6. the right to data portability which allows them to obtain and reuse their personal data for their own purposes across different services;
  - 9.2.7. the right to object to processing in certain circumstances; and
  - 9.2.8. rights in relation to automated decision making and profiling.
- 9.3. Any complaints made about how the Council processes personal data will be considered by the Data Protection Officer.

### 10. Data Protection Impact Assessments

- 10.1. A data protection impact assessment (DPIA) is a process to help the Council identify and minimise the data protection risks of a project.
- 10.2. The Council will conduct a DPIA for major projects which require the processing of personal data or where processing is likely to result in a high risk to individuals' interests.
- 10.3. DPIAs shall be considered as part of the Arun Improvement Programme process for reviewing the viability and business case for new ICT systems.

### 11. Data Security and Breach Management

- 11.1. The Council shall ensure that it processes personal data securely by means of appropriate technical and organisational measures. These measures will include adherence with relevant Council policies.

- 11.2. Access to personal data shall be strictly controlled.
- 11.3. The Council shall investigate all suspected breaches which involve personal data. Where a breach is identified, this will be reported to the Information Commissioner's Office based on GDPR requirements.

## **12. Training and Awareness**

- 12.1. A mandatory training programme for all staff was undertaken over February to April 2018 covering the requirements of the GDPR and management of cyber security. All Councillors were also briefed on the changes affecting their role in March and April 2018.
- 12.2. On joining the Council all new staff shall be required to undergo an induction programme including data protection and cyber security training.
- 12.3. The Data Protection Officer shall agree an ongoing annual programme of mandatory data protection training for all the Council's staff with the Corporate Management Team to be run from 2019 onwards.
- 12.4. Appropriate training and briefings on data protection policies and procedures shall be provided to Councillors on a biannual basis as a minimum, as agreed by the Data Protection Officer in consultation with the Cabinet Member for Corporate Governance.
- 12.5. All staff and councillors shall be required to sign up to the Council's Information Security Policy at the start of their employment/term of office.
- 12.6. The Data Protection Officer shall identify appropriate data protection training for any Contractors working within the Council's buildings.

## **13. Information Sharing**

- 13.1. The Council shall ensure that information is shared only when it is permitted to do so within the law or where this can be justified.
- 13.2. Where personal information is shared with an external partner organisation, the Council shall establish formal information sharing agreements to ensure that adequate technical and organisation measures are put in place to protect the information.

- 13.3. Any transfer of personal information between the Council and partner organisations shall be carried out using a secure method agreed by the ICT Services.
- 13.4. Where personal information needs to be shared within the Council under a lawful or justified purpose, the Council shall ensure that access rights are approved by the relevant Group Head or their representative and the individual is informed of the intention to share information through a privacy notice.

### **14. Contracts**

- 14.1. All Council contracts shall include appropriate terms to ensure that personal data is handled in accordance with the Act and the GDPR.
- 14.2. Personal data shall only be supplied for the agreed purposes as set out in the contract and shall not be used or disclosed for any other reason.
- 14.3. The Council shall ensure that before personal data is shared with a third party as part of a contract that appropriate technical and organisational security controls are in place.

### **15. Policy Review**

- 15.1. This policy will be reviewed on an annual basis by the Data Protection Officer.

### **16. Relevant Council Policies**

- 16.1. This policy should be read in conjunction with the following documents:
  - 16.1.1. Information Security Policy
  - 16.1.2. Privacy Policy
  - 16.1.3. Homeworking Policies
  - 16.1.4. Clear Desk/Clear Screen Policy
  - 16.1.5. Documentation Retention & Disposal Policy
  - 16.1.6. Human Resources Data Protection Policy



# **ARUN DISTRICT COUNCIL**

**FULL COUNCIL MEETING  
ON 2 MAY 2018**

**SUBJECT: Grievance Procedure for Employees**

**REPORT AUTHOR: Karen Pearce, Human Resources Manager**

**DATE: 6 April 2018**

**EXTN: 37807**

## **EXECUTIVE SUMMARY:**

A revised Grievance Procedure was approved at the Formal Unison/Employer Consultation Meeting on 29 March 2018. This procedure needs formal approval by Full Council before it can be adopted.

## **RECOMMENDATIONS:**

- (1) The Council is requested to approve and formally adopt the Grievance Procedure; and
- (2) The Group Head for Corporate Support be given delegated authority to make any necessary consequential changes to the Grievance Procedure as a result of new legislation or alternative practices.

## **1. BACKGROUND:**

A revised Grievance Procedure was presented at the Formal Unison/Employer Consultation meeting on 29 March 2018 by Karen Pearce, Human Resources Manager. The Grievance Procedure sets out how employees can raise complaints with the employer, how the complaint will be investigated and the appeal process. The Grievance Procedure follows the principles of the ACAS guidance and therefore the changes made are for clarity and ease of reference. A copy of the revised Grievance Procedure is attached as Appendix 1.

## **2. PROPOSAL(S):**

Members are asked to approve the revised Grievance Procedure for adoption by the Council.

## **3. OPTIONS:**

To adopt the revised procedure, this has been updated and provides greater clarity on the process for Managers and staff.

To reject the revised procedure and the Council will continue to use the current grievance procedure.

<b>4. CONSULTATION:</b>		
HR Management has consulted with Unison Representatives at informal meetings and the final version was agreed at the Formal Unison/Employer Consultation Meeting.		
Has consultation been undertaken with:	<b>YES</b>	<b>NO</b>
Relevant Town/Parish Council		<b>X</b>
Relevant District Ward Councillors		<b>X</b>
Other groups/persons (please specify) With UNISON via the Staff Consultation Panel	<b>X</b>	
<b>5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)</b>	<b>YES</b>	<b>NO</b>
Financial		X
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		
<b>6. IMPLICATIONS:</b>		
There are certain elements of the current procedure that has led to confusion over the process to be followed. The revised policy addresses these issues and therefore without the adoption of this procedure, clarification on points of process will continue to be sought.		

**7. REASON FOR THE DECISION:**

The Grievance Procedure is a legal requirement and is needed to allow staff complaints to be dealt with fairly and consistently.

**8. BACKGROUND PAPERS:**

A copy of the revised Grievance Procedure.

### **Grievance Procedure**

#### **Introduction**

There may be an occasion during the course of your employment with the Council where you wish to make a complaint about the way you believe you have been treated by the organisation or about an aspect of your work such as allocation of work, your working conditions or opportunities for development. Complaints that are related to collective negotiation or consultation will not be dealt with under this grievance procedure.

Employees should refer to the Dignity at Work Policy in the first instance for information on grievances related to Bullying or Harassment.

Grievances raised while you are subject to disciplinary or capability proceedings will usually only be heard when the disciplinary/capability process has been completed. If a grievance has any bearing on the disciplinary/capability process, the HR Manager has the discretion to either suspend the disciplinary/capability process while the grievance is being investigated or run the two procedures alongside each other.

#### **The right to be accompanied**

You have the right to be accompanied by a fellow worker or trade union official at the grievance meeting or subsequent appeal. The choice of companion is a matter for you and the onus is on you to arrange for your representative to be present at any meeting.

If your chosen representative is unavailable on that date, the meeting will be rescheduled, provided that you can propose an alternative time within 5 working days of the scheduled meeting.

At any meeting or appeal hearing, your representative will be allowed to address the meeting and sum up the case on your behalf, however, they cannot respond to any questions put directly to you.

Witnesses who may be interviewed as part of a grievance investigation do not have a right to representation. If the witness would prefer to have a representative present, the Council will endeavour to accommodate this request, however, the meeting will not be delayed if representation is unavailable.

#### **Accessibility and Adjustments**

If any aspect of the grievance procedure causes you difficulty on account of any disability you may have or if English is not your first language, then you should raise this with the HR Manager who will make the appropriate arrangements.

#### **Recording of Meetings**

It is the Council's preference to record meetings held in relation to the grievance, particularly where the complaint may be complex, to ensure that an accurate record of the meeting is kept. We therefore do not expect the interviewee or any person acting on their behalf to make separate recordings of meetings. Copies of the recording can be made available on request.

Any person being interviewed in relation to a grievance is able to request that the meeting is not recorded and in this instance, notes will be made by the HR Representative or a formal note taker.

Please note that a copy or transcript of the recording or notes from the meeting may be disclosed if it is used as evidence at any subsequent hearing, appeal or if any other form of disclosure is required.

### **Data Protection**

The Council processes personal data collected during informal complaints and the formal grievance procedure in accordance with its data protection policy. In particular, data collected as part of informal complaints and the grievance procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to the complaints or conducting the grievance procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Council's disciplinary procedure.

### **The Procedure**

You should initially discuss your complaint with your Line Manager who will attempt to resolve the complaint on an informal basis. If your complaint relates to your Line Manager, you should raise the matter with his/her Line Manager or you can speak to HR who will advise you accordingly.

If the complaint cannot be dealt with informally, or where the complaint is considered to be serious, the complaint should be raised as a formal grievance.

In order for the complaint to be dealt with formally, you should put your complaint in writing as this will form the basis of any investigation and subsequent meetings. You should set out the nature of your grievance and indicate the outcome that you are seeking. Where relevant, it is helpful if you could provide examples of your complaint, for example, the behaviour/ treatment/working conditions that you have been experiencing. Please note that, to enable a witness or the person against whom you may be complaining, to respond to the allegations/questions put to them as part of the investigation it is sometimes necessary to disclose your grievance in part or in full. The original written grievance may also be disclosed at any subsequent appeal. You should therefore take this into consideration when writing your complaint and do not commit to writing anything that you would not want disclosed at a later date.

Your written grievance should be sent to the HR Manager who will nominate a manager from another department, who has been appropriately trained, to investigate your complaint. The investigating manager will arrange to meet with you and we will endeavour to arrange this meeting within 10 working days of receipt of your complaint, subject to the availability of the parties involved. The purpose of this meeting is to establish the facts of your grievance and who should be interviewed as part of the investigation.

The time taken to investigate will vary dependent on the nature of the grievance and the number of interviews required. The investigating manager will therefore provide the employee with an anticipated date for concluding the grievance and will be responsible for keeping the employee updated should this date change for any reason.



Once the investigation is completed, the investigating manager will prepare a report setting out his/her findings and any recommendations he/she may have. Where possible, the manager should meet with the complainant to feedback verbally and hand the employee a copy of the report. Where relevant, the investigating manager has the discretion to share his/her report in full or in part with other parties such as the complainant's manager or the person who may be the subject of the grievance. If any recommendations are made, the investigating manager should nominate a manager to ensure that those recommendations are implemented and monitored. It is the responsibility of the investigating manager to discuss this with the nominated manager.

### **Appeal**

#### **1<sup>st</sup> Stage**

Should you wish to appeal against the outcome of your grievance, you should do so in writing, to the HR Manager, within 10 working days of receipt of the investigating manager's report. You should clearly state the grounds of your appeal i.e. the basis on which you say that the findings of the grievance was wrong or that the action taken was inappropriate. It is not sufficient to say that you were unhappy with the outcome and the appeal is not an opportunity to have your grievance re-heard.

An appeal hearing will be arranged and we will endeavour to arrange this meeting within 10 working days of receipt of your appeal, subject to the availability of the parties involved. The appeal will be heard by a Director. A member of the HR team will also be present as will the investigating manager.

If you are unable to attend the meeting, you should inform the HR Manager as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may take place in your absence.

If your grievance relates to another employee, they will be advised that you have appealed and the outcome of the appeal, however, they will not be expected to attend the hearing.

Calling witnesses to an appeal hearing should be by exception only and will be at the Director's discretion. If you, or the investigating manager, wish to call a witness you will be required to state the name of the witness and the relevance of their attendance. This information should form part of your written appeal. It will be the responsibility of the person calling the witness to arrange for them to attend and hearings will not be delayed due to the unavailability of a witness unless agreed by the Director.

The Director will be given copies of the original grievance, the report from the investigating manager and the grounds of the appeal. If you wish the Director to consider additional information (related to the original complaint), this should be provided at the time that the appeal is submitted. The Director has the discretion to postpone the appeal hearing in the event that new information is submitted that was not made available to the investigating manager. In this instance, the investigating manager will be given time to consider whether this would have made any material difference to the outcome of the grievance had that information been made available earlier. Any documentation provided by the investigating manager in response to the appeal submitted will be circulated in advance of the hearing.

At the appeal hearing, the Director will consider the grounds that you have put forward and assess whether or not the conclusion reached in the original grievance was appropriate. In the event that the Director finds against the original conclusion, the Director is able to instruct the investigating manager to re-visit the investigation or in exceptional circumstances, recommend that a new investigating manager considers the case. You will be informed of the Director's findings within 10 working days of the appeal hearing.

### **2<sup>nd</sup> Stage**

The final appeal stage to Members is only available to employees in specific circumstances. These are:-

- A new piece of information has come to light since the previous meetings (only where the new information is in relation to the original complaint), or;
- There has been a fundamental error in the application of the procedure that has brought about a substantial disadvantage to the employee; or;
- Some other substantial reason such as a significant allegation of discrimination.

If you wish to raise an appeal at the final appeal stage you must do so in writing to the HR Manager within 10 working days of the outcome of the 1<sup>st</sup> stage appeal. Your written appeal must include which of the above reasons for appeal you are using and provide the appropriate evidence to support your case. The HR Manager, in conjunction with advice from an Employment Lawyer if appropriate, will decide if you meet the criteria to pursue the appeal to the final stage.

The appeal will be heard by the Staff Appeals Panel, a body made up of 3 Members of the Council. To ensure impartiality, the panel may be supported by an external adviser if members of the HR team have been involved in the previous stages of the grievance.

The HR Manager will write to you detailing the arrangements for the Appeal to Members. Once a date for the appeal hearing has been arranged, you will be advised of the date all paperwork has to be submitted by. Additional documentation will not be accepted after this date. Please note, the appeal to Members is not a re-hearing of your grievance and paperwork submitted should be in relation to the grounds of appeal as stated above.

Calling witnesses to an appeal hearing should be by exception only and will be at the discretion of the Member panel. If you, or the Director, wish to call a witness you will be required to state the name of the witness and the relevance of their attendance. This information should form part of your written appeal. It will be the responsibility of the person calling the witness to arrange for them to attend and the hearing will not be delayed due to the unavailability of a witness unless agreed by the Member panel.

Following the hearing, the panel will adjourn to consider the information and a majority decision will be made. The decision and the rationale will be recorded and communicated to the employee in a letter written by the panel within 5 working days of the appeal hearing. The employee will be advised if the panel are unable to meet this deadline for any reason.

This is the final stage of the Grievance Procedure.

Please Note: Delays to the Grievance Process will not be permitted for reasons related to Subject Access Requests submitted by the employee.

Agreed at Employer/Unison Consultative Meeting on 29 March 2018

Agreed by Full Council on (data)

APPENDIX

**Grievance Appeal Procedure**

(A) Those to be present:-

The Director or 3 Members comprising the Appeals Panel

Employee and Employee's Representative

Investigating Manager – 1<sup>st</sup> Stage Appeal or Director – 2<sup>nd</sup> Stage Appeal

HR Adviser or Adviser to the panel

(B) Procedure

1. If the appeal is being heard by a Members panel then the Members of the Panel should appoint a Chairman.

2. The Chairman/Director introduces those present and states:-

- That the meeting will deal with the Grievance Appeal within the scope of the Council's Grievance Procedure.
- That the HR Adviser/Adviser to the panel is present to advise on points of law and procedure only and will not take part in the decision making process.

If a note taker is present it should be explained that their role is to keep an accurate record of events only and will not take part in the hearing. In the absence of an independent note taker the HR Adviser/Adviser to the panel will record notes of the meeting.

- That adjournment may be sought by either side if necessary and the Chairman/Director will give consideration to such requests.
- That the Chairman/Director may ask questions/seek clarification at any time during the hearing of the Appeal.
- That the introduction of new information/evidence presented on the day of the hearing will not be permitted.

3. Witnesses shall be present only when giving evidence. The employee and the investigating manager (1<sup>st</sup> stage) or Director (2<sup>nd</sup> stage), will be present throughout the hearing.

4. The Employee or his/her representative will state the grounds for the grievance appeal and provide any supporting evidence where appropriate and call any relevant witnesses. Witnesses can be questioned by the employee, his/her representative, the investigating manager/Director or Member panel.

5. The Manager states his/her response to the Grievance appeal provides any supporting evidence and, where appropriate, calls any relevant witnesses.

6. The Employee/Employee's representative sums up his/her case.
7. The Investigating Manager/Director sums up his/her case.
8. The Director/Members of the Panel may ask the parties or any witnesses for clarification on any issues raised.
9. The parties and representatives withdraw whilst the Director/Members consider the issues and reach a decision. The HR Adviser/Adviser to the panel will remain in the room to provide advice upon points of law and procedure. The note taker may also remain in the room to make notes, however, the hearing notes will not include the notes taken whilst the Director/Members consider the issues in private.
10. If the Director/Members require further clarification from either party, both parties and their representatives will be called.
11. The Director/Members will notify both parties of the decision in writing.

The hearing closes.