



Public Document Pack

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6 March 2020

CABINET

A meeting of the Cabinet will be held in **The Pink Room, at the Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex BN17 5LF** on **Monday 9 March 2020 at 5.00 pm** and you are requested to attend.

Members: Councillors Dr Walsh (Chairman), Oppler (Vice-Chair), Mrs Gregory, Lury, Purchase, Stanley and Mrs Yeates

AGENDA

4. URGENT BUSINESS

(Pages 1 - 22)

The Cabinet may consider items of an urgent nature on functions falling within their responsibilities where special circumstances apply. Where the item relates to a key decision, the agreement of the Chairman of the Overview Select Committee must have been sought on both the subject of the decision and the reasons for the urgency. Such decisions shall not be subject to the call-in procedure as set out in the Scrutiny Procedure Rules at Part 6 of the Council's Constitution.

There are two urgent reports as set out below:

(i) A27 Arundel Bypass Consultation – February 2020

This urgent report is presented at the request of the Leader, Councillor Dr Walsh, so the Cabinet can be updated on the actions taken to respond to the most recent consultation on the A27 Arundel Bypass.

In accordance with Part 3 (Responsibility for Functions) Section 2.0, Paragraph 2.3 of the Council's Constitution, the Cabinet may consider items of an urgent nature where special circumstances apply. The circumstances for presenting this

report as a matter urgency are to ensure that Members are aware of the response made by the Leader of the Council and the Chief Executive to the most recent consultation on the A27 Arundel Bypass. As this is a key decision, the agreement of the Chairman of the Overview Select Committee, Councillor Coster, has been sought and he has agreed to this report and the reason for its urgency. As this will be dealt with as an urgent matter, the report is being published with less notice than the 'five clear days' and will not be subject to the Call-In procedure as set out in the Scrutiny Procedure Rules at Part 6 of the Council's Constitution.

The report provides the background to the consultation by Highways England on a set of corrections to the revised 'A27 Bypass – Further Consultation Brochure', published in September 2019. It explains the urgency of the decision and the reason for the response given by the Leader of the Council to Highways England.

(ii) Littlehampton Harbour Board – Exempt – Paragraphs 5 and 6 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

This is a confidential urgent key decision report that is being taken in accordance with Part 3 (Responsibility for Functions) – Section 20.0, Paragraph 2.3 of the Council's Constitution. The agreement of the Chairman of the Overview Select Committee, Councillor Coster, has been sought and he has agreed to this report and the reason for its urgency.

This report considers the draft Littlehampton Harbour Board – Harbour Revision Order and options available to the Council.

Note : Report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – Filming Policy - [Filming Policy](#)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 9 MARCH 2020

SUBJECT: A27 Arundel Bypass Consultation February 2020

REPORT AUTHOR: Nigel Lynn, Chief Executive

DATE: 4 March 2020

EXTN: 37600

PORTFOLIO AREA: Corporate Policy

EXECUTIVE SUMMARY:

This urgent report is presented at the request of the Leader, Councillor Dr Walsh, so the Cabinet can be updated on the actions taken to respond to the most recent consultation on the A27 Arundel Bypass.

In accordance with Part 3 (Responsibility for Functions) Section 2.0, Paragraph 2.3 of the Council's Constitution, the Cabinet may consider items of an urgent nature where special circumstances apply. The circumstances for presenting this report as a matter of urgency are to ensure that Members are aware of the response made by the Leader of the Council and the Chief Executive to the most recent consultation on the A27 Arundel Bypass. As this is a key decision, the agreement of the Chairman of the Overview Select Committee, Councillor Coster, has been sought and he has agreed to this report and the reason for its urgency. As this will be dealt with as an urgent matter, the report is being published with less notice than the 'five clear days' and will not be subject to the Call-In procedure as set out in the Scrutiny Procedure Rules at Part 6 of the Council's Constitution.

The report provides the background to the consultation by Highways England on a set of corrections to the revised 'A27 Bypass – Further Consultation Brochure', published in September 2019. It explains the urgency of the decision and the reason for the response given by the Leader of the Council to Highways England.

RECOMMENDATIONS:

Cabinet is requested to endorse the action taken by the Leader of the Council on 2 March 2020 in re-confirming the Council's decision on its preferred route for the proposed A27 Arundel Bypass as agreed at the Special Meeting of the Council on 10 October 2019.

1. BACKGROUND:

1. The initial consultation on the A27 Arundel Bypass had taken place in the Autumn of 2017, with a preferred route announced in May 2018. As more detailed design work took place Highways England discovered new information which led to a Further Public Consultation on the A27 Arundel Bypass in August 2019.

2. The Council held a Special Council Meeting on 10 October 2019 and it was resolved that the Magenta Route (Option 4/5AV1) be confirmed as the Council's preferred route.
3. In February 2020, Highways England announced a further four-week consultation period to end on 1 March 2020, as a number of errors had been identified in the underlying technical documents. In many cases the errors were minor technical corrections (eg transcription errors caused by human error), in some instances Highways England incorrectly stated the likely effect that an individual aspect (such as noise) would have on a particular scheme option – either positive or negative. A link to the 'Errata' document is in the Background Papers and shows the errors identified in the main Public Consultation document, which formed the basis of this most recent consultation.
4. The Leader of the Council and Chief Executive took part in a conference call with Highways England and their Contractors, WSP, on 2 March 2020 at which this document and its implications were discussed. Due to annual leave and the availability of all parties it was not possible to hold this meeting any earlier in the consultation period and the Leader was keen to ensure that he understood the issues set out in the consultation before deciding whether or not to make a formal response. The closing date for responses was 1 March 2020, which was extended for Arun District Council to 2 March 2020 due to the timing of this meeting.
5. The Leader of the Council concluded the following:
 - That many of the corrections were technical in nature and did not materially impact on the previous decision to support the Magenta Routes made by the Council at its meeting on 10 October 2019.
 - A number of issues were clarified with Highways England and their contractors WSP and the Leader and Chief Executive were reassured that there were no individual issues which would have significantly changed the overall assessment of the different elements which contributed to the HE conclusions in the August 2019 consultation. One of these issues was the significant adverse effect on existing dwellings which were south of the river on Fitzalan Road in Arundel, which had not originally been included in the summary table in the earlier consultation, but the modelling, prediction and assessment work was correct.
 - It was noted that whilst the changed area of 'impacted woodland' for each option had decreased for three of the options (Cyan, Beige and Crimson), the Magenta route remains as the second lowest impact of all the options.
6. On the basis of point 5 above, a formal response was sent to Highways England to confirm that the original Council decision on its preferred route still stands. Links to this response and the full minutes of the Special Council Meeting held on 10 October 2019 are attached as background papers. The Council Resolution at this meeting stated:

"That Option (4/5AV1) Magenta be submitted to Highways England as this Council's supported option for the A27 Trunk Road, Improvements at Arundel."

2. PROPOSAL(S):

N/A

3. OPTIONS:		
N/A		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		√
Relevant District Ward Councillors		√
Other groups/persons – the Chairman of the Overview Select Committee	√	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
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)		√
6. IMPLICATIONS:		
The consultation was solely on the implications of errors identified in the original Public Brochure		

7. REASON FOR THE DECISION:
Urgent decision needed to comply with Highways England consultation period
8. EFFECTIVE DATE OF THE DECISION: 9 March 2020

9. BACKGROUND PAPERS:
Corrections to public brochure: https://highwaysengland.citizenspace.com/he/a27-arundel-2019-further-consultation-corrections/supporting_documents/A27 Arundel Bypass Further Consultation Brochure Errata 3 February 2020.pdf
Response by Leader of the Council to Highways England – please click on this Letter
Special Council Meeting – 10 October 2020 – Minutes – please click on this link – Special Council Minutes

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By virtue of paragraph(s) 5, 6a of Part 1 of Schedule 12A
of the Local Government Act 1972.

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