



# Public Document Pack

Arun District Council  
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Maltravers Road  
Littlehampton  
West Sussex  
BN17 5LF

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12 July 2022

## 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 13 July 2022 at 6.00 pm** in the **Council Chamber, at the Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** to transact the business set out below:

James Hassett  
Chief Executive

### **AGENDA – SUPPLEMENT – AGENDA ITEM 13 – POLICY & FINANCE COMMITTEE – 30 JUNE 2022 - MINUTES**

13. POLICY & FINANCE COMMITTEE - 30 JUNE 2022 (Pages 1 - 12)

The Chair, Councillor Gunner, will present the Minutes containing recommendations from the meeting of the Policy & Finance Committee held on 30 June 2022.

Please note that the minutes containing recommendations for the Council to consider are now attached.

There are recommendations for Council to consider at:

- [Supplementary Estimate to Defend Planning Appeals at Chandlers, Angmering (A/1101/21/PL) Rustington Golf Centre (A/129/21/PL), Worthing Road (A/168/21/PL) and Pagham Road (P/178/21/OUT) – the Officer's report is contained the agenda pack.

- [Combined Cleansing Services Contract Extensions – Financial Implications] – the Officer's report is contained in the agenda pack.

Note : If Members have any detailed questions, they are reminded that they need to inform the Chair and relevant Director in advance of the meeting.

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# Public Document Pack Agenda Item 13

Subject to approval at the next Policy and Finance Committee meeting

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## POLICY AND FINANCE COMMITTEE

30 June 2022 at 6.00 pm

Present: Councillors Gunner (Chair), Pendleton (Vice-Chair), Cooper, Dixon, Oppler, Roberts, Stanley and Walsh.

Councillors Bower, Chace, Mrs Cooper and Goodheart were also in attendance for all or part of the meeting.

### 102. WELCOME

The Chair welcomed Members and Officers to the meeting and extended a very warm welcome to Daniel Bainbridge the Council's newly appointed Group Head of Law & Governance and Monitoring Officer.

The Chair also welcomed Non-Committee Councillors present being Councillors Bower, Chace, Mrs Cooper and Goodheart.

### 103. APOLOGIES FOR ABSENCE

There were no Apologies presented to this meeting.

### 104. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

### 105. MINUTES

The minutes from the meeting of the Committee held on 31 March 2022 were approved by the Committee as a correct record and were signed by the Chair at the conclusion of the meeting.

### 106. ITEMS NOT ON THE AGENDA THAT THE CHAIR OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chair confirmed that there were no urgent items for this meeting.

### 107. PUBLIC QUESTION TIME

The Chair confirmed that no questions had been submitted for this meeting.

Policy and Finance Committee - 30.06.22

108. START TIMES

The Committee

RESOLVED

That its start times for meetings for the remainder of the Municipal Year be 6.00 pm.

109. SUPPLEMENTARY ESTIMATE TO DEFEND PLANNING APPEALS AT CHANDLERS, ANGMERING (A/1101/21/PL), RUSTINGTON GOLF CENTRE (A/129/21/PL), WORTHING ROAD (A,168/21/PL) AND PAGHAM ROAD (P/178/21/OUT). THIS WILL ALSO COVER THE COSTS AWARD AT SHIRPNEY ROAD (BE/109/19/OUT)

The Group Head of Planning presented his report to the Committee. He explained that four public appeals had been submitted all in close succession of each other. Normal practice was to receive one at the most every one or two years and so to receive this level was highly unusual. The Planning Department did not have the capacity in house to deal with the volume of work for all four of those appeals. The Group Head of Planning then explained the appeal costs as outlined in his report and why a supplementary estimate of £100,000 would be sufficient to cover all costs highlighted.

The Chair invited questions from the Committee. A couple of questions were asked in recognition of the fact that £100,000 was a significant amount of money. An observation was made that the current appeals had all been refused under delegated authority, which was positive, but the question that needed to be asked was whether the appeals were happening because of the presumption in favour of development and because the council was not complying with the Government's demands for house building in the area. Were developers seeing opportunities to make demands and submit planning applications on sites outside of the local plan, with the expectation that the applications would be granted on appeal? What progress was the council making on putting this situation right? Another question was asked in relation to the Fitzalan Road acoustic barrier as it was understood that the acoustic advice given had been provided by the Highways Department at West Sussex County Council. Was there merit in negotiating with WSCC to meet some of these costs, especially as the height of the barrier was felt to be unnecessary for the noise and volume of traffic along that road.

The Group Head of Planning responded. He outlined that the appeals had been applications refused under delegated authority. He stated that the council had had the presumption in favour of sustainable development imposed upon it for over 2 years now and so this was not a new issue. There had also been some substantial appeals held recently such as Tarrs Farm, Barnham which because of the situation the council was in with its housing land supply and the high targets imposed, developers were taking a chance at appeal because it was a process and a system that was heavily in their favour in terms of applying that. It could not be said with absolute certainty that the council would win the appeals in front of an Inspector that might give way to other

factors. Turning to the Fitzalan Road acoustic barrier, it was confirmed that WSCC did not get involved in the process in terms of the noise effectiveness of the barrier. They had only become involved in the technical aspects when Persimmon Homes had handed over the maintenance and management of the structure. It had been the council's Environmental Health team that had dealt with the noise implications and the noise surveys that the applicants submitted at the time of the planning application.

Councillor Cooper then proposed the recommendation which was seconded by Councillor Roberts.

The Committee

#### RECOMMEND TO FULL COUNCIL

That a supplementary estimate of £100,000 is agreed in order to defend appeals taken on planning applications A/110/21/PL A/168/21/PL, A/129/21/PL and P/178/21/OUT to cover the costs awarded in respect of BE/109/19/OUT and to carry out further work required on the Fitzalan Acoustic Barrier.

The Band D equivalent for a £100,000 supplementary estimate is £1.58.

*(During the course of the debate on this item, Councillor Walsh declared a Personal Interest as a Member of West Sussex County Council).*

#### 110. COMBINED CLEANSING SERVICES CONTRACT EXTENSIONS - FINANCIAL IMPLICATIONS

In the absence of the Interim Group Head of Corporate Support and Section 151 Officer, the Interim Financial Services Manager joined the meeting virtually and presented the report to the Committee. He explained that at its meeting held on 19 May 2022, the Environment Committee had considered a report entitled 'Combined Cleansing Services Contract' and had made decisions that had significant financial implications for the council. This report explained those implications.

Working in line with the Constitution, it was necessary for this Committee to confirm that the finances needed would be available. The Committee was therefore being requested to recommend to Full Council supplementary estimates to regularise the budget position for 2022/23 and future years.

Various questions were asked about costs. Clarification was sought in terms of whether the extra costs were a result of not proceeding with the food waste collection due to start next year. It was explained that the additional costs resulted from the council deciding to continue with its existing service. It was highlighted that the costs as set out in the report reflected the current position, however Members were reminded of the inflationary pressures that existed in the economy at the moment and the impact this was having on the cost of living. It was possible that as a result of those pressures the council would need to revisit these costs.

Other comments made were that the Environment Committee had made a sensible decision to continue with the current service until more was known about Central Government funding for food waste.

The recommendations were then proposed by Councillor Dixon and seconded by Councillor Roberts.

The Committee

**RECOMMEND TO FULL COUNCIL - That**

(1) It approves a supplementary revenue budget of £180k in 2022/23 to fund the increase in cost of the contract indexation as agreed for year 6 of the current contract and 2 months of the new contract. This equates to a Band D equivalent tax of £2.86; and

(2) It approves a further supplementary revenue budget of £109k (£655k full year effect) plus appropriate indexation in 2022/23 to fund the increased cost of continuing current weekly refuse collections in February and March 2023. The £109k for 2022/23 equates to a Band D equivalent Council Tax of £1.73 (and the £665k equates to a Band D Council Tax of £10.40).

**111. LITTLEHAMPTON SEAFRONT PROJECT**

The Principal Landscape and Project Officer presented her report highlighting that it provided a general update as to how this project was progressing. She focused Members' attention on the sections of the report that were relevant to what the Committee was being asked to approve. Firstly, paragraph 1.3 noted the appointment of the consultants through the Southern Construction Framework. It was outlined that the fee submission had exceeded the sum allocated in the Levelling-Up Fund bid and the approval from the meeting of the Committee in December 2021. This had partly been due to the percentage applied previously being on the lower side and because the sum for surveys originally sat in the contingency sums for the project. This meant that there was a need to increase the fees in order to award a contract for the full value and the table in the report illustrated that adjustment.

Paragraph 1.7 of the report looked at the intention of appointing a design and build contractor which would mean that at this stage they could be involved in the preconstruction phases which would help the transition through to construction. Finally, Paragraph 2.2 set out the heads of terms for the procurement process in terms of the scope, contract duration and the form of contract.

The response from Members was that they were pleased to see the project reaching a stage where a contractor could be appointed to meet the tight deadlines that were a condition of the grant. A question was asked over the condition of the drainage system and capacity of the existing toilet provision and whether the council had access

to site maps of the drainage network in the area. Similar issues had been encountered with the Littlehampton Wave project when at that time the council did not have access to drainage maps for the Southern Water pipes and so it was hopeful that Officers could confirm or provide reassurance that this project would not be hit or delayed in this way causing unexpected extra costs as a result of finding unexpected or unknown drainage networks.

The Officer response was that some of this information was already contained in council systems, however, pipes were not always evident. Therefore, some underground surveys would be undertaken next month to map the underground infrastructure.

A due diligence exercise to review the scheme had been undertaken with this process highlighting a number of considerations requiring further investigation. Were any of these serious enough to jeopardise the project? The Officer confirmed that at this stage it was not possible to answer – the process of survey work and the collection of data would help the consultant team to pull all information together and from that it would then be achievable to identify any causes for concern.

Although Members of the Committee welcomed the update provided and applauded the progress being made with the project, there was one Member who felt that communication around LUF projects had been sporadic and he sought a commitment from Officers to have regular updates planned for future meetings of the Committee. The Chair referred Members to the Committee's Work Programme which detailed when these updates would be received.

Having had the recommendations proposed by Councillor Cooper and seconded by Councillor Roberts,

The Committee

RESOLVED – That

- (1) It approves that the budget for the procurement of multi-disciplinary services for RIBA Work Stages 0-7 is increased from £460,340 to £549,357 to be contained within the project budget; and
- (2) Authority be given to carrying out a procurement process for the appointment of a design and build contractor to provide pre-construction and construction services in accordance with the heads of terms in 2.2 of the report.

112. LEVELLING-UP FUND, ROUND TWO BID

The Chair invited the Business Development Manager to present her report. She outlined that the report was asking the Committee to endorse the submission of a bid for funding to the Levelling Up Fund Round Two for funding to support the Arun Cycle Way project in Arundel and Littlehampton.

The Committee was reminded that a total of up to £20 m was available for non-transport projects and this project was not seen to be a transport project. Members were also made aware of the fact that the deadline for submission of this round of completed bids was 6 July 2022 and that submitters of bids needed to be able to demonstrate spending from the fund in the 2022-23 financial year. This was an important development project to put forward as it sought to deliver both a leisure cycleway down to the western bank of the River Arun and would provide delivery of a commuter route between Arundel and Ford station, along Ford Road and beyond the A259, providing a wide range of economic and health and wellbeing benefits.

It had been vital to have a developed bid to put forward and Members were reminded that the Economy Committee had agreed last year to the further development of this project, with this work having now been completed. Also, as the Council had already been successful in achieving funding from Round One of the Levelling Up Fund for projects in Littlehampton and Bognor Regis, this project was sighted as suitable for submission. Members were also reminded that the number of applications to the Levelling Up Fund were allocated by Parliamentary constituency. As Arun had three Parliamentary constituencies it could submit a further application to Round Two covering the constituency area of this project.

Section two of the report detailed the proposals in place and that it was hoped that the parts of the commuter route not covered by this project could be delivered through a mixture of Community Infrastructure Levy funding, capital from WSCC and a bid to National Highways using what was referred to as Designated Funds. The report covered the predicted costs of the project and that consultation with landowners had taken place as this needed to be provided as evidence when the bid was submitted.

In discussing the project, the project was welcomed by the Committee with Members acknowledging the benefit for the district and ward areas.

In looking at the recommendations, an amendment was requested by Councillor Roberts to Recommendation (2) with the additional wording shown in bold as set out below:

**“Authorises the Director of Place/ in consultation with the Chair of the Policy & Finance Committee to finalise the bid documentation and make changes as considered appropriate without changing the core message or details”.**

This amendment was seconded by Councillor Dixon.



A further amendment was then requested to add in the words **Chief Executive** after the Director Place.

On these amendments being put to the vote they were declared CARRIED.

Further discussion on the project saw some Members referring back to the process that had been put into place when compiling the LUF Round one bids which they felt had been far more consultative. The benefits of a Working Party of Members established to consider the Round One projects were highlighted. For Round One, the establishment of a Working Party had allowed Members to submit suggestions for the bid and to then refine the detail of the bids selected. Despite the tight deadline in place, there was feeling that it would have been beneficial to Members if a similar approach could have been taken with this submission. Questions were also asked as to whether the council had the required officer capacity to develop this project, if approved and in the timescales dictated by Government. The Chief Executive responded stating that the council had committed to this project formally already and as an agreed priority for the council, would have always approached any funding stream to support it as it had been confirmed as a priority. On officer capacity, this was partly why he and the Business Development Manager had developed the project further. It was a live existing project that would continue irrespective of funding sources but would require a bid for additional resources to ensure that the council was adequately resourced to progress it. Part of the process being worked on currently was looking at zero based budgeting as an organisation to identify headroom within the overall budget to allow the council to bend its resources to meet the vision document that the council had adopted, with the economy being one of the four major strands pushed forward. The council was in a point of transition and would be bringing forward subsequent requests for resources to deliver its priorities and vision.

Returning to the bid, concern was expressed at the statement made earlier that this project was not a transport plan. It was the view of one Member that cycling routes were part of transport strategies. Concerns were also expressed over the costs quoted in the report which were seen as high for a cycle route of this length. Other questions focused on what would be the effect of running this bid alongside the existing bid from Arundel Town Council, supported by this Council and WSCC, for the central commuter route along Ford Road and had these consultations taken place. Other concerns expressed were over connectivity and concerns that the project could end up with a not very well connected junction. The section between Ford Station and the River at Littlehampton was a vital component which should be included. Further concerns over connectivity at the southern end with the existing south coast cycle path and the connections around the Tesco roundabout and bridge over the River Arun were raised as these still needed to be resolved.

Responses were provided to these concerns. Officers had studied the LUF guidance which had confirmed this project as not being a transport bid. Referring to the link to the Arundel project, Arundel Town Council was not bidding to LUF and so there was no direct conflict, any inclusion of this part of the route meant that it would have to be submitted through Arun or WSCC. The southward route from Ford Station was being funded by developers via the CIL process and Officers outlined that they were fully

aware of the concerns towards the south end and would seek to address these but not before the bid was submitted. The Chair also confirmed that for the commuter route, WSCC was in discussion with National Highways over funding.

Other Councillors expressed their enthusiasm for the project sighting its huge benefits for the district as well as enhancing the connectivity of the towns which would also promote visitor economy. Questions were then asked about the ten per cent match funding and how would this be found. It was confirmed that this would be funded from CIL funding.

Following some discussion about possible Round Three bids and ideas, the recommendation was then proposed by Councillor Cooper and seconded by Councillor Roberts.

#### The Committee

#### RESOLVED – That

- (1) It endorses the submission of a bid for funding to the Levelling-Up Fund for funding to support the Arun Cycle Way project in Arundel and Littlehampton; and
- (2) It authorises the Director of Place or Chief Executive in consultation with the Chair of the Policy & Finance Committee to finalise the bid documentation and make changes as considered appropriate without changing the core messages or details.

#### 113. UK SHARED PROSPERITY FUND - INVESTMENT PLAN

The Group Head of Economy in presenting this report provided a short presentation to the Committee.

The Committee was informed that the report explained the UK Shared Prosperity Fund and the preparation of the council's Investment Plan. The UK Shared Prosperity Fund was the Government's domestic replacement for the European Structural and Investment Programme (ESIF) which the UK continued to participate in until 2023. The ESIF programme was essential for local regeneration, employment and skills. The Government had published its prospectus for the UK Prosperity Fund in April 2022 inviting councils to prepare an Investment Plan. Many councils across the country had been awarded a grant from this fund with this council's grant being £1.083 m which needed to be spent over three years. A condition of receiving this money was that councils had to prepare an investment plan confirming how this money would be spent. The programme set out the priorities that should be focused on, which were community and place; supporting local businesses; people and skills with the council being required to consult with its communities and stakeholders on what should be included within the Investment Plan. This had been achieved through a process of consultation with the list of stakeholders having been attached as an appendix to the report. Stakeholders had had the opportunity to feed back to the council on what they felt

should be included as project ideas and local priorities. This process had been concluded with 118 project ideas being put forward. Moving forward, the process now was to collect that information, to understand what the themes and focuses were and to see if these matched with the council's local priorities prior to matching these against the council's vision. The slides before the committee were then explained highlighting that each project or theme had to have an input and an outcome matching the Government's interventions which were explained.

In developing the Investment Plan for the council, the confirmed three themes of the fund were explained in further detail and that there was a need for the council to be able to demonstrate how its plan would contribute towards these.

Arun's funding was explained and what could be spent and when. It was highlighted that the council was at the preparation stage of its plan which had to be submitted on 1 August 2022. Once the plan had been completed and if accepted by Government, it was explained that the council would consult further with its partners and stakeholders explaining the framework of the plan and inviting them to put more substantial bids forward that the council could then assess and hopefully support.

The Chief Executive confirmed that the Economy Committee would be included as part of the discussions as to how the council would handle the priorities discussed and that there was opportunity for a Member Briefing or Working Party to be organised if this would be of benefit.

Many questions were asked by the Committee in considering this item. It was felt that it was vital for the council or this committee to see the final plan before it was submitted rather than having to accept that it aligned to the council's vision. Many Councillors wanted to see what the council was bidding for and whether these aligned to Councillors' visions. A suggestion was made as to whether this could be brought to the Special Meeting of the Committee on 18 July 2022. The Chair highlighted that the meeting on 18 July might not be proceeding but that he could see no reason not to provide Councillors with a copy of the Investment Plan prior to its submission. Upskilling and Job Creation were highlighted as key priorities. A further request was made that the finalised Investment Plan be shared with the Economy Committee if that met prior to the August deadline and if that was not possible that the Plan be circulated to Members of that and this Committee in advance of the submission deadline.

The Group Head of Economy provided reassurance to Members in that the intention of the Plan was to provide notional indication within it as to how much budget would be set aside for each of the three themes. Year 3 of the plan had the most money in it and would be when most activity would occur with the plan giving an indication as to the outputs or outcomes of this work which would align with the council's corporate priorities and economic development strategy. Years 1 and 2 of the Plan would prepare for this.

Following further discussion and having had the recommendations proposed by Councillor Cooper and seconded by Councillor Roberts,

## The Committee

### RESOLVED – That

- (1) The outcome of consultation with local partners be noted and it notes how the consultation has been taken into account in preparing the required Investment Plan, the priorities of the Government as set out in the 'outputs and outcomes' document and the priorities of this council in determined the content of the Investment Plan;
- (2) Delegated authority be given to the Chief Executive in consultation with the Chair of the Policy & Finance Committee to make any changes necessary to improve clarity, understanding and then submit the completed Investment Plan to the Government;
- (3) The Committee accepts the UK Shared Prosperity Fund conditional grant from Government; and
- (4) The Committee authorises the Chief Executive to process, assess and where appropriate approve applications for funding from local partners in accordance with the details of the approved Investment Plan.

114. CORPORATE PLAN AND SERVICE DELIVERY PLAN 2018-2022 - QUARTER FOUR/END OF YEAR PERFORMANCE REPORT FOR THE PERIOD 1 APRIL 2021 TO 31 MARCH 2022

The Group Head of Policy presented this report confirming that it set out the End of Year Performance of the council and covered the final year of the Corporate Plan with the appendices of the report providing performance figures for the past four years. Looking forward there would be an annual report covering other issues and key milestones on the performance of the council which would be reported to this Committee at its October 2022 meeting.

The key performance headlines had been set out within the report and it was outlined that the first report of the new vision indicators would be coming to this Committee in September 2022.

The Committee focused firstly on those indicators that had been coloured in red – indicators that were failing their targets. These were:

- CP7 – Homelessness applications where homelessness is prevented. It was felt that the council needed to lobby the Government for additional funding as during Covid it had been proved successfully that with adequate funding in place – homelessness could be massively reduced.
- CP11 – Household waste sent for reuse, recycling and composting – what was being done to advance the move to food waste

- CP8 – Number of new Council homes built or purchased per annum
- SDP 5 – Occupied retail units in Bognor Regis – the work of the Bognor Regis Business Improvement District (BID) was praised which had assisted in improving this target
- SDP 6 – Vacant private sector dwellings returned to occupation – congratulations were extended to the council's Empty Homes Officer for her effective work.

Discussion returned to recycling and homelessness and how the council could improve its performance in these areas. Education for recycling was seen as a key issue in terms of educating the public more on what they could and could not recycle and if they could learn about the benefits of recycling and what new products were produced from recycling. Discussion then continued on the following indicators:

- CP9 – Number of new homes implemented – could it be confirmed in writing to the Committee how many new homes had been completed?
- SDP 1, 2 and 3 – concerns were expressed over the length of time it took to determine planning applications and the critical overuse of extension of time agreements which was still continuing and needed to be addressed.

Following further discussion, a proposal was put forward by Councillor Walsh that there needed to be an indicator on planning enforcement which was becoming an issue due to a lack staffing and vacant posts that could not be filled. The request to include this as an indicator was seconded by Councillor Dixon. The Chief Executive reminded Councillors that these indicators were indicators from the previous corporate plan and were effectively now legacy indicators. The Council at previous meetings of the Full Council had already approved its indicators moving forward with the new Vision of the Council. The Chief Executive confirmed that he would take this forward.

#### 115. WORK PROGRAMME

The Committee received and noted its Work Programme for the new Municipal Year acknowledging that it was work in progress and would be expanded further.

(The meeting concluded at 7.58 pm)

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