



Public Document Pack

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20 May 2024

COUNCIL MEETING

To all Members of the Council

You are summoned to attend a meeting of the ARUN DISTRICT COUNCIL to be held on **Thursday 9 May 2024 at 6.00 pm** in the **Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** to transact the business set out below:

Karl Roberts/Philippa Dart
Joint Interim Chief Executives

AGENDA – SUPPLEMENT – PUBLIC QUESTIONS AND GENERAL QUESTIONS FROM MEMBERS

3. PUBLIC QUESTION TIME (Pages 1 - 6)

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

The schedule of questions asked with responses is attached.

14. QUESTIONS FROM MEMBERS (Pages 7 - 12)

To consider general questions from Members in accordance with Council Procedure Rule 14.3.

The schedule of questions asked with responses is attached.

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FULL COUNCIL MEETING – 9 MAY 2024

AGENDA ITEM 3 – PUBLIC QUESTION TIME – ORDER IN WHICH THE CHAIR OF THE COUNCIL WILL INVITE QUESTIONS BELOW RECEIVED IN WRITING IN ADVANCE OF THE MEETING

1. From Mr and Mrs Smith to the Chair of the Corporate Support Committee, Councillor Oppler
2. From Mr and Mrs Smith to the Chair of the Corporate Support Committee, Councillor Oppler
3. From Mrs Godfrey to the Chair of the Environment Committee, Councillor Wallsgrove

FULL DETAIL OF THE QUESTIONS TO BE ASKED IS DETAILED BELOW

Note, the Chair will:

- invite questions from members of the public who have submitted in writing their questions in line with the Council's Constitution.
- confirm that Public Question Time allows Members of the public to ask one question at a time and that a maximum of one minute is allowed for each question;
- state that questions will be invited in the order in which they have been received and that if there is time remaining from the 15 minutes allowed for Public Question Time, questioners will be allowed to ask a supplementary question.
- Outline that if in the opinion of the Monitoring Officer the question relates to the terms of reference of a Council committee, the question is to be accepted by Full Council and be automatically referred by Full Council without discussion or debate to the relevant committee and that the questioner would have been advised of this at the time they submitted their question

QUESTION ONE

From Mr and Mrs Smith to the Chair of the Corporate Support Committee, Councillor Oppler

In the absence of Councillor Oppler, the Vice-Chair of the Corporate Support Committee, Councillor Tandy provided the response below

Question

Because you never ever came to our house to investigate any of the issues we ever identified, we finally made a Formal Complaint of Malfeasance against certain Members of the Planning Department. This Stage Two Complaint was 'investigated' by Oliver Handson. As well as concluding that some opportunities to solve the problems described had clearly been missed, he took the attitude that no Officer had done anything wrong and rather than solve these problems, he would recommend that the Council strengthened the procedures already in place to develop a Policy for 'Vexatious Complainants' which did not exist at that time. Clearly a way to silence us and make us 'go away'.

Before doing that, we were officially declared, 'Vexatious Complainants', by the Chief Executive and all our emails and telephone calls to all Council Officers were BLOCKED and Elected Councillors were informed not to reply to our emails or telephone calls.

We would like you to explain, which legal process you used in order to do this, and deny us access to both Government Officials (Public Servants) and our democratically elected representatives.

Response

Thank you for your question.

My understanding of the situation is that on 24 February 2021 you were written to by the then Interim Monitoring Officer – Mr Nicholas Bennett, regarding your behaviour and asked that it be modified otherwise it would lead to an assessment on whether you should both be treated as vexatious complainants. That warning was not heeded and so an assessment was undertaken by the new Interim Monitoring Officer – Mr Solomon Agutu. The outcome of his assessment is that you should be treated as vexatious complainants. Mr Agutu confirms this to you in a letter dated the 25 June 2021 in which he explains the rationale for his decision. The same letter explained how we would as a Council manage your communications with the Council and that this decision would be reviewed in three months. It is my understanding that two review meetings took place and after the second one held on 6 January 2022 it was agreed that the vexatious classification should now be lifted. Whilst it is helpful and desirable to have a policy regarding 'Unreasonable Behaviour' to ensure consistency and improve

transparency it is not an absolute requirement and prior to the introduction of the policy the Council relied upon guidance available from the Ombudsman and Information Commissioners Office (ICO). The Council adopted its policy in mid-January 2022 and has subsequently reviewed and approved it in January 2023.

Supplementary Question

I would like to say that you have not actually, as in the past, answered the question. I asked you what legal process you could deny me access to duly elected representatives. It is undemocratic and where is the law that allows you to do that.

Supplementary Response

I can briefly respond, as you said Chair, I am not an expert and was not on the Council at the time. My understanding is that it is perfectly common for a Council to have vexatious complainants policies and that the Council has followed the guidance from the Ombudsman and the appropriate Information Commissioner's office and in terms of the process taken, both the original policy of January 2022 and then the review of January 2023 went to, and was approved by, the Corporate Support Committee which has delegated authority to make such a decision.

QUESTION TWO

From Mr and Mrs Smith to the Chair of the Corporate Support Committee, Councillor Oppler

In the absence of Councillor Oppler, the Vice-Chair of the Corporate Support Committee, Councillor Tandy provided the response below

Question

As there was no policy in place at that time, and you have already confirmed by a Freedom of Information Request, (Subject Access Request) that NO SPECIFIC MEETING was held to make this decision, we would like to know what criteria was used, other than gossip and innuendo from individual Officers, in order to substantiate the declaration, that we were 'Vexatious Complainants and therefore could be deprived of the normal democratic right of access to the Council?

Response

As indicated in the response to the previous question the decision to give the status of vexatious complainants was made by the then interim Monitoring Officer and he issued a letter on 25 June 2021 in which the reasons and rationale for the Councils actions was made and I am sure that if necessary a copy of that can be provided by the Council.

Supplementary Question

I would like to say that there are further questions related to this issue that will be coming along and I am happy to provide, as I have already done so, copies of the letters that Councillor Tandy had just referred to, to all Elected Councillors tomorrow morning.

QUESTION THREE

From Mrs Godfrey to the Chair of the Environment Committee, Councillor Wallsgrove

Question

Could the Chair of the Environmental Committee who does not live in the Parish of Middleton on Sea please advise why the decision to install ticket machines at the free car park at Shrubbs Field was made and how she thinks this would be of benefit to the residents of the Parish?

Response

The free car park at Shrubbs Field is currently open to abuse as motorists can park for over the current 24 hour restriction. They are able to take advantage of extended parking as this Car Park does not have a no return period.

In practice, this means that motorists can park for an unlimited amount of time, without the need to move their vehicles.

The responses received during the consultation period evidenced that the current 24 hour maximum stay time is regularly breached, with cars remaining in situ for several days/ weeks at a time. To ensure that the parking restrictions can be enforced, motorists using the free Car park, will be required to obtain a free ticket between the hours of 8am-6pm. The maximum free parking time has only been reduced to 23 hours in Shrubbs Field, as there is no requirement to obtain a ticket between 6pm-8am.

In addition, the current restrictions make it extremely challenging to identify abandoned vehicles and the process of identifying and removing these vehicles takes a significant amount of officer time and results in legal costs for Arun District Council. The proposed changes will enable Arun District Council to identify abandoned vehicles as soon as possible which will facilitate their removal at the earliest opportunity, increasing amenity and reducing costs to ADC.

The installation of the machines will also enable us to collect usage data from Shrubbs Field car park. This data can be used to inform decisions regarding any future changes to the car park.

Supplementary Question

Bearing all of what you have said, why has Arun District Council agreed to give Buckingham Court, an assisted living facility, 23 parking places.

Supplementary Response

I do not have a reply to that question. I will endeavor to find out and will get back to you.

The response from Councillor Wallsgrove is set out below:

Bearing all of what you have said, why has Arun District Council agreed to give Buckingham Court, an assisted living facility, 23 parking places.

The following is an extract from the report presented to Full Council on the 9 May 2024, accompanying the petition:

'It is accepted that whilst Buckingham Court have their own car park for their residents, some residents have been parking their cars at Shrubbs Field car park in breach of the existing 24-hour maximum stay time. In order to avoid displacing such vehicles onto the highway, as a transitional measure the operators of Buckingham Court will be offered in the region of 20 parking permits for use within Shrubbs Field Car Park, for a period of one year.'

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COUNCIL MEETING – 9 MAY 2024

QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 14.3

Q1 Councillor Gunner to the Chair of the Planning Committee, Councillor Hamilton

Q1 Three years ago, when talking about the cost of fighting and losing planning appeals, you called this “the price of democracy”. Can you explain why you are willing to pay that price for your residents in Pagham and not Cllr Bower’s residents in Kingston?

A1 The Planning Committee is not party political. It is based on fine judgement by a democratically appointed Committee based on Elected Member numbers. The Chair of the Planning Committee is not the decision maker, all the voting Members of the Committee are the decision makers, as our democracy provides. Sometimes we like those decisions and sometimes we don’t. I would remind Councillor Gunner that his Party’s creation of the totally lopsided Conservative Local Plan, pushed through by the Conservative majority (in spite of over 3,000 written objections), has brought about the near destruction of Pagham’s fields including Sefter Lake, all of which are now unrecognisable and the whole area is suffering from continuous flooding and sewage pollution as a result. Much of our finest agricultural land has been lost; traffic congestion is at an all-time high; and road quality is at an all-time low. Meanwhile, none of the promised infrastructure has been provided. But that is what happens when an authority tries to fit so much of a huge housing “allocation” into a small geographical cul-de-sac set within a flood plain, without using the knowledge of local people and without apparent enforcement.

Q2 Councillor Gunner to the Chair of the Planning Committee, Councillor Hamilton

Q2 Since you became chair of the Planning Committee, the committee has approved applications covering 1,500 new houses in Arun, including over 400 in Pagham. Can you explain why?

A2 I think that perhaps Councillor Gunner should seek the advise of his own party. This question directly contradicts the first question and I would simply remind him that it was his party’s Conservative Policy that worked hand in glove with major property developers after which the current planning legislation favouring development on a huge scale, particularly in the South East of England, emerged. The results of all of this have been driven by Mr Gove’s inexplicable algorithms for this area, one of the most popular and profitable areas for the developers. I don’t think this is an appropriate relationship, however, I would just add in July last year an article appeared on the front page of The Times which described the threats of the developers to withdraw their party political donations unless they were given more control of the planning system and I find that to be deeply concerning.

COUNCIL MEETING – 9 MAY 2024

QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 14.3

Supp

Q I noted in Councilor Hamilton's answer, both her first and second answer, that she said that planning was not party political and then she proceeded to attack a political party. She hasn't actually answered either question at all apart from talking about the Government and all that is happening under her Chairmanship is that there are even more houses in her own ward than ever before. This is despite the fact that her own election literature said that in Arun we needed Councillors who needed to stand up to orders from Westminster dictated by powers who had never even visited Sussex that are being blindly followed by Arun's unelected officers and their career politicians who only care about the numbers. Is this not now what we are doing at this council and is it not the case that despite the promises of both her and the Liberal Democrats they are going to stop all the houses and there are now more houses in Pagham than ever before thanks to her votes.

Supp

A I have never made such promises and we are bound by the Conservative local plan which was pushed through years ago.

Q3 **Councillor Gunner to the Chair of the Economy Committee, Councillor Nash**

Q3 On the Labour leaflets last year, Labour promised to scrap community wardens and invest in police officers. When can we expect the community wardens to be made redundant and the promised police officers to arrive?

A3 I think that we should start by asking why we have community wardens. The fact is that since 2010 there has been a huge cut to police resources, even though they are trying to grow back from that. It has meant that in towns and cities up and down this country, antisocial behaviour has got bigger; youth services have been cut and we have had, as a Council, both at Arun and Town Councils, had to have Community Wardens to have a degree of good experience when people come to shop. The question that has been asked, when we had more police officers, that is down to the newly elected Katy Bourne, the Police and Crime Commissioner for Sussex, the fact is that we are going to make sure that in every town in every part of Arun people feel safe and that is why Community Wardens have a role to play. The answer, as has been said, we may or may not have a situation where that will come forward. We will make sure both at Littlehampton Town Council and Bognor Regis they are talking to Arun about reviewing that and that will come forward to fruition. The Bognor Regis BID actually employ and work with the wardens supported by the Town Council. We wish that we did not have to do that and that we had enough police to be able to make sure that every time there was any problem we could react quickly, and that people felt safe, but we are where we are and the fact is that community wardens, sadly, are a real necessity.

COUNCIL MEETING – 9 MAY 2024

QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 14.3

Supp

Q I have just heard waffle from the Deputy Leader of the Labour Party who failed to spot his own leaflet which promised the Community Wardens to be scrapped and money spent on police. I believe that he has just confirmed that he has no intention of keeping his promise to the public. He talks about Katy Bourne and it gives me the opportunity to mention that she was heartedly re-elected last week by the residents of Arun with over 48% vote share. Is it not the case that as Councillor Nash says if people want more police officers, they should not be voting Labour but should be voting Conservative as they did last week for a record number of police officers as we do in this County now.

Supp

A I think that Councillor Gunner needs to his maths, it was not 48% that Katy Bourne got it was a lot less than that and the fact is that since 2010 we have had a huge cut in police numbers and in resources and the consequences are there for all of us to see. It provides no satisfaction at all that it is time to catch up – the way in which the cuts to police resources have impacted on communities up and down the country including here at Arun.

Q4 **Councillor Gunner to the Chair of the Economy Committee, Councillor Nash**

Q4 Last year Labour said they could not support a budget which increased rents on council tenants. This year you voted for an above inflation rise in rents. Can you understand why your residents and voters feel betrayed?

A4 One of the problems that we face when we formed the Alliance was that we faced a huge financial black hole which you as Leader of the Conservatives, allowed to happen. You allowed the Housing Revenue Account (HRA) to spiral downwards; a dire situation which we are only beginning to address and improve. It is total hypocrisy for Councillor Gunner to talk about this. We had to make some difficult decisions, he and his colleagues did not make them before, we are now steadying the ship and going forward.

Supp

Q It is interesting to hear Councillor Nash say that, because when he was sitting in front of the now appointed Chief Executive his exact words to her were that the Council is in a good financial position. It is curious that he is now saying this in public – does the fact that the Labour Party has said one thing and done another, again, now show that all the pre-election promises and statements that they made are completely worthless and the public feel cheated as they voted for one thing and got another.

COUNCIL MEETING – 9 MAY 2024

**QUESTIONS FROM MEMBERS PURSUANT TO
COUNCIL PROCEDURE RULE 14.3**

Supp

A I think that the public feel cheated by the fact that since 2010 this country has gone from bad to worse. The fact is that nothing works and what has actually improved since 2010. The answer is nothing. The fact is that we, as we came the administration a year ago, were faced with a very difficult situation which we have started to address. We have a Financial Strategy; we are now improving the HRA; we have consulted widely, and we are making sure that the wrongs are now being put right. In terms of the financial position that we are in, yes, we are in a better financial position than we were. Had we gone on with the way we were, we would have been bankrupt in just a few years.

Q5 Councillor Gunner to the Chair of the Economy Committee, Councillor Nash

Q5 In your manifesto, you said that Arun would hold a “Big Listening” exercise last summer. Can you explain why you didn’t do that?

A5 There is big listening and a big lie. The fact is that Councillor Gunner is not telling the truth; the fact is that we have been listening very intently since we became the administration. We are reviewing the Local Plan, with lots of consultation taking place, and we have listened about the housing situation and the HRA and there is a lot of consultation going on there. We have listened in terms of the Financial Strategy, and we have voted for that and there is a lot of consultation taking place there. So, the fact is that we are listening and we will continue to listen and we will continue to learn.

Supp

Q I am just getting the Labour Party manifesto as he is accusing me of lying. There was a very specific pledge in the Labour Party’s manifesto to hold a big listening exercise and I think that Councillor Nash should withdraw the accusation that it was a lie. I did not say that they were not listening, I very specifically said a big listening exercise which was what was promised.

Supp

A I am not withdrawing anything that I said. The fact is that I said the big listen and what is being talked about by Councillor Gunner is the big lie. We have been listening and we have been very intently.

Q6 Councillor Gunner to the Chair of the Policy & Finance Committee, Councillor Stanley

Q6 Do you regret promising to reduce council tax and then voting to increase council tax?

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QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 14.3

A6 Firstly, I take you back to my budget speech where I stated that there were significant challenges facing the finance of local authorities up and down the country and that Arun was not immune to this. Coastal communities such as Arun have been under funded by central government for years. In passing the budget, there were decisions that I am sure that many Members would rather not take, but we had to pass a balanced budget. I want to take this opportunity to repeat a request I made in my budget speech – that the next Government urgently conduct a review of how local authorities are financed and seek to provide long term sustainable funding and to move away from the short-term grants that appear to be a preference by this current government.

Supp

Q Councillor Stanley has just said that he had taken decisions that he would rather he had not made. In which case will he take this opportunity to apologise to the public for breaking his election promise.

Supp

A I don't believe that I have.

Q7 Councillor Gunner to the Chair of the Policy & Finance Committee, Councillor Stanley

Q7 Do you regret promising to decrease parking charges and then voting for a budget based on increasing them?

A7 So Councillor Gunner is correct, I did vote for a balanced budget. The Council recently passed a balanced budget, a budget that addressed the Council's initial financial challenges by focusing on operational savings; and preserving front line services. As this budget was passed through the Committee system, we had more meetings; more scrutiny; and more briefings and more information available to Councillors than ever before and to my recollection there were no suggestions, or any alternatives provided by any other members.

Supp

Q Saying there are no cuts to front line services is not accurate because we are cutting lifeguards and foreshore officers and playgrounds. I think that there are a lot of residents that would have something to say about that. I also think that many residents and many of your own activists feel let down by the Liberal Democrats now that they are in administration. Is it now the time to say sorry for breaking your election pledges.

Supp

A I am pleased to be part of Councillor Gunner's interview for his parliamentary seat. What I said was preserving front line services.

COUNCIL MEETING – 9 MAY 2024

**QUESTIONS FROM MEMBERS PURSUANT TO
COUNCIL PROCEDURE RULE 14.3**

**Q8 Councillor Gunner to the Chair of the Policy & Finance Committee,
Councillor Stanley**

Q8 It seems as if so many Liberal Democrat promises, along with Labour and Independent ones, have been completely broken – why do you think that's happened?

A8 I would like to start by reminding Councillor Gunner in January 2022 this Council asked his administration what their priorities were and to publish those. You voted against this and refused to do so and clearly Councillor Gunner spent a lot of time looking at our cross party administration, including Liberal Democrat, Labour, Independent and Green Councillors are delivering so he will know that we have decided to review the local plan process; set up the Arun Flood Forum; we delivered a balanced budget; we brought forward the Levelling-Up projects in Bognor Regis and Littlehampton; we have re-opened the Sunken Gardens; we have initiated two projects to provide homes on brownfield sites; we have appointed a Chief Executive Officer; we have begun work on a masterplan for the Littlehampton seafront; and we have transformed the culture and external reputation of this Council.

Supp

Q It is good of Councillor Stanley to list off so many things that belonged to the Conservatives. As he leaves office next week, with the expectation that he will be replaced by Councillor Lury, is it not the time for the Liberal Democrats to also be replaced by a Conservative administration next week. A conservative administration that got more votes and more seats than any other and a conservative administration that keeps its promises and delivers for the residents of this district.

Supp

A I think that there are a couple of points in there. Of course, Conservatives would have to make promises in order to deliver them and I would be very keen to see what they were firstly. I must be frank if we are having this conversation here, the Conservatives are the largest party in this Council. I think that Councillor Gunner needs to ask himself the question why no one is willing to work with him.