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7 June 2021

## **CORPORATE POLICY AND PERFORMANCE COMMITTEE**

A virtual meeting of the Corporate Policy and Performance Committee will be held on **Thursday 17 June 2021 at 6.00 pm** and you are requested to attend.

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

***PLEASE NOTE:*** *This meeting will be a 'virtual meeting' and any member of the press and public may listen-in and view the proceedings via a weblink which will be publicised on the Council website at least 24 hours before the meeting.*

*This meeting is held in accordance with the resolution of made by the Extraordinary Meeting of the Council on 12 May 2021 (Minute 551) which continues Section 5 Part 5 of the Constitution (The Virtual Meeting Procedure Rules) and declares the use of Council powers, under Section 111 of the Local Government Act 1972, and the general power of competence under Section 1 of the Localism Act 2011, for making advisory decisions, as appropriate.*

*This Council's revised Rules of Procedures for 'virtual meetings' can be found by clicking on this link: <https://www.arun.gov.uk/constitution>*

*Any members of the public wishing to address the Committee meeting during Public Question Time, will need to email [Committees@arun.gov.uk](mailto:Committees@arun.gov.uk) by 5.15 pm on **Wednesday, 9 June 2021** in line with current Procedure Rules. It will be at the Chief Executive's/Chairman's discretion if any questions received after this deadline are considered.*

*For further information on the items to be discussed, please contact: [committees@arun.gov.uk](mailto:committees@arun.gov.uk)*

## **AGENDA**

1. **APOLOGIES**

2. DECLARATIONS OF INTEREST

Members and Officers are invited to make any declaration 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 items 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 interest and/or prejudicial interest
- c) the nature of the interest

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

4. PUBLIC QUESTION TIME

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

5. TERMS OF REFERENCE FOR THE CORPORATE POLICY AND PERFORMANCE COMMITTEE; MATTERS RESERVED; AND DELEGATION TO OFFICERS (Pages 1 - 8)

This report asks the Committee to note its Terms of Reference as given by Full Council and to make any suggestions to the Constitution Working Party for clarifying these Terms of Reference and to make, by exception, delegations to Officers under matters reserved.

6. CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT, 1960 - FIT AND PROPER PERSON TEST (Pages 9 - 36)

Committee approval is sought to adopt a Fit and Proper Person Fees Policy and Determination Policy to support the introduction of the Fit and Proper Person test (F&PP) in relation to caravan site licensing (residential sites) on 1 July 2021.

The F&PP legislation is a new mechanism for local authorities to determine whether the person with day-to-day responsibility for managing every residential, commercial site within their district is fit and proper to do so.

Applications can be made to the Local Authority (LA) from 1 July 2021. The LA will need to assess the applicant's circumstances in consideration of any determination policy. A register of approved F&PP applicants will also need to be maintained by the LA.

This is a new function of the LA, who is able to recover its costs only in accordance with an Adopted Fees Policy.

7. SUPPLEMENTARY ESTIMATE TO COVER COSTS AWARDED AGAINST THE COUNCIL IN APPEAL P/58/19/PL (Pages 37 - 40)

Planning permission was refused for application P/58/19/PL. The decision was taken by the Development Control Committee (DCC) and was contrary to the advice of Officers from Arun District Council, West Sussex County Council (as Highway Authority) and the Council's appointed Highways Consultant. In deciding the subsequent appeal, the Inspector has concluded that the Council acted unreasonably in refusing planning permission and has awarded costs against the Council.

This award follows an award of costs for BE/69/19/OUT, Y/103/18/PL & EP/148/20/PL; all of which were refused planning permission contrary to the advice of Officers. Costs of £11,400 were paid from the Department budget for BE/69/19/OUT and a Supplementary Estimate of £33,000 was agreed at Cabinet on 11 January 2021 for Y/103/18/PL & EP/148/20/PL.

A further Supplementary Estimate is now sought to pay these further costs as the Department budget is unable to accommodate these significant additional payments.

8. SUPPLEMENTARY ESTIMATE TO COVER COSTS FOR DEFENDING APPEAL ON LAND SOUTH OF BARNHAM STATION, BARNHAM (Pages 41 - 44)

An appeal has been submitted against the decision of the Council to refuse planning permission for up to 200 dwellings on Land South of Barnham Station, Barnham (application reference BN/142/20/OUT). The application was refused under delegated authority on 23 February 2021 for ten reasons relating to poor placemaking, highway impact and lack of mitigation, impact on high quality trees, concerns around foul drainage, flooding, air quality, securing affordable housing and the impact on the Barnham Church Lane Conservation Area.

The appeal will be heard in September 2021 and is to be heard by way of a Public Inquiry lasting an estimated eight days.

This report seeks approval for a supplementary estimate of up to £50,000 to cover the costs of defending this appeal.

9. CORPORATE PLAN 2018-2022 - QUARTER 4 AND END OF YEAR PERFORMANCE REPORT FOR THE PERIOD 1 APRIL 2020 TO 31 MARCH 2021 FOR THE CORPORATE PLAN AND SERVICE DELIVERY PLAN INDICATORS (Pages 45 - 70)

This report sets out the Q4 and End of Year performance outturn for the Corporate Plan and Service Delivery Plan performance indicators for the period 1 April 2020 to 31 March 2021.

### **ITEMS PUT FORWARD FROM SERVICE COMMITTEES**

10. MINUTES FROM THE MEETING OF THE PLANNING POLICY COMMITTEE - 1 JUNE 2021

To receive the minutes from the meeting of the Planning Policy Committee held on 1 June 2021 in relation to recommendations from that Committee in relation to the Delivery of West Bank Strategic Allocation.

Due to timing, these minutes will be circulated separately to the agenda. To view the Officer's report – please click on this link – [Report](#)

### **FEEDBACK FROM JOINT ARUN AREA COMMITTEES**

There is nothing to report to this meeting.

### **OUTSIDE BODIES**

The Committee will receive feedback from the Council's representatives or appointees on Outside Bodies as appropriate.

11. LOCAL COUNCIL TAX SUPPORT SCHEME (Pages 71 - 76)

In accordance with the provisions of the Officer Scheme of Delegation in the Council's Constitution, this report provides an update to the Committee on the decisions taken by the Chief Executive to incur expenditure or take urgent action to continue the Covid-19 Hardship Fund for claimants of the Local Council Tax Support Scheme (LCTS) for 2021/22

12. CONTAIN OUTBREAK MANAGEMENT FUND (COMF) GRANT (Pages 77 - 84)

The report provides an update on the Contain Outbreak Management Fund (COMF) grant allocations. The grants are ring fenced and must be spent on public health outcomes.

13. THE COUNCIL'S RESPONSE TO THE COVID-19 PANDEMIC SITUATION (Pages 85 - 98)

This report updates the Corporate Policy and Performance Committee on the Council's response to the pandemic situation.

14. WORK PROGRAMME (Pages 99 - 100)

A draft of the Committee's Work Programme is attached for the Committee's information.

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.

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](#)