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Tel: (01903 737500)  
Fax: (01903) 730442  
DX: 57406 Littlehampton  
Minicom: 01903 732765

e-mail: [committees@arun.gov.uk](mailto:committees@arun.gov.uk)

6 September 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 15 September 2021** 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:



Nigel Lynn  
Chief Executive

Any members of the public wishing to address the Council meeting during Public Question Time will need to email [Committees@arun.gov.uk](mailto:Committees@arun.gov.uk) by **5.15 pm on Tuesday, 7 September 2021** in line with current Council Procedure Rules. It will be the Chief Executive's /Chair's discretion if any questions received after this deadline are considered.

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

## **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 (Pages 1 - 16)

To approve as a correct record the Minutes of the Meeting of the Council held on 14 July 2021, which are *attached*.

The Council is also asked, as this is its first physical meeting in the new Municipal Year, to ratify the following decisions made at the virtual Annual Meeting of the Council held on 19 May 2021, which could not be signed off by the Chief Executive in respect of the following minutes:

- ***Minute 6 [Appointment of Chair of the Council]***
- ***Minute 8 [Appointment of Vice-Chair of the Council and Chair-Elect]***
- ***Minute 10 [Appointment of the Leader and Deputy Leader of the Council]***
- ***Minute 11 [Review of Entitlement of Political Groups to Seats on Committees [Proportionality] and Appointments to Committees]***
- ***Minute 12 [Representation on Outside Bodies]***

For ease of reference by clicking on this link – you can access the Annual Council Meeting minutes here - [Annual Council Meeting – Minutes – 19 May 2021](#)

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.

## **OFFICER REPORTS**

### 9. **CHIEF EXECUTIVE'S RECRUITMENT & SELECTION PANEL [10 MINUTES]**

A report from the Council's Group Head of Law & Governance & Monitoring Officer will be circulated separately to this agenda.

### 10. **MOTIONS**

The following Motions have been submitted in accordance with Council Procedure 15.1 and 15.2:

#### **MOTION 1**

**Proposer: Councillor Stanley**

**Seconder: Councillor Bennett**

This Council requests an officer report be produced exploring how we can further enhance our performance regarding Empty Homes, with an aim to bring even more of them back into use.

This report should include but not exclusively contain:-

1. Council tax charged on Empty Homes with a view to exploring a potential sliding scale increase over time. A similar system is currently being used in Brighton and Hove.
2. Council tax charged on Holiday Homes with a view to encourage owners to utilise their properties on at least an annual basis.
3. A review of the incentives and services we (could) offer property owners to increase engagement with our Empty Homes Team and support tenant management issues and misconceptions.
4. A review of how we promote our Empty Homes service and how we communicate success stories.

This Council acknowledges the potential financial impact of this work (both costs and income streams) well as the potential impact on officer resource and requests this information is included in the report.

Finally this Council requests a letter is sent to the relevant minister and local members of parliament requesting consideration is given to including Empty Homes that are brought back into use into the Housing Delivery targets for Local Authorities, and an option to co-sign this letter be given to all District Council Groups Leaders.

## **MOTION 2**

**Proposer: Councillor Edwards**  
**Secunder: Councillor Gunner**

### **Motion about Southern Water**

We are unfortunately hearing about the continuous discharges of untreated sewage in the sea which has directly affected our residents' opportunity to use the bathing waters, as well as affecting the wildlife in our harbours and waterways.

This is not just an issue for the Arun District either, it is affecting the coastline from Kent to Portsmouth. Residents along the coast are being constantly subjected to incidents where raw sewage is simply pumped directly into the sea.

Arun District Council believes that the health of residents is of the utmost importance, and this situation therefore must not be allowed to continue. It will also potentially affect our local economy if people are unable to use the seaside because of unsafe bathing water.

This Council urges Arun District Council to condemn this disgraceful practice in the strongest possible terms and calls upon Southern Water and Mr Andrew Griffith, MP and The Rt Hon Nick Gibb, MP to meet together with Arun District Council to agree specific timed commitments for ceasing the practice of discharging untreated sewage into our safe water system.

## **MOTION 3**

**Proposer: Councillor Dixon**  
**Secunder: Councillor Thurston**

The Coastal Plain in the Arun District is low lying and flat – making it vulnerable to the risks arising from climate change, particularly rising sea levels. This land was under the sea once (as evidenced by the district's raised beaches), and, if recent climate change forecasts are to be believed, it can be again.

There are already thousands of existing homes on the Coastal Plain. Also, the Council is compelled by government policy to build a further 20,000 new homes.

Normally, in districts at risk of flooding, it is possible to build on higher ground but in the Arun district our higher ground is National Park, where there is a presumption against development, and so we are prevented from doing this. New homes can only be built on the Coastal Plain.

On the 5 December 2019, the Prime Minister said:

*"We've got to stop building on flood plains. We've got to stop building on areas which are vulnerable to flooding."*

And

*“The other thing we've got to do, we've got to put in long-term flood defences ...*

This Council supports these aims, as expressed by the Prime Minister.

The Council therefore calls on the government to recognise the flood risks to the Coastal Plain arising from climate change, by commissioning a full and comprehensive risk assessment for the Coastal Plain, utilising the most up to date and credible scientific data available, in order to identify what mitigation measures will be required to protect new and existing communities.

The Council instructs the Chief Executive to write to the Secretary of State for Housing, Communities and Local Government to request a meeting to discuss this.

### **MOTION 3**

**Proposer: Councillor Stanley**

**Seconder: Councillor Dixon**

I wish to submit the following motion to rescind for September's Full Council, as a motion to rescind requires the support of at least 14 Councillors to be placed on the agenda I can confirm the following Councillors support both of these motions.

Councillors Batley, Bennett, Blanchard-Cooper, Gregory, Jones, Lury, Needs, Oppler, Purchase, Smith, Stanley, Tilbrook, Walsh, Warr, Worne, Yeates, Coster, Dixon, Hamilton, Haywood, Huntley, Catterson and Thurston.

In line with Council Procedure Rule 19.1 this is a motion to rescind a decision. I move that the decision at minute 176 of the Economic Committee Meeting of the 26 July 2021 be rescinded.

This being

- 1) Officers to immediately re-market the London Road Lorry Coach Park (Bognor Regis) for sale, and to report back a marketing and level of interest update to the next meeting of the Economic Committee.
- 2) When re-marketing, Officers are to advise interested parties that the Council would prefer a developer to retain 100 public car parking spaces, re-provide public toilets, and facilitate a quality entrance route to Hotham Park.
- 3) The land area under consideration incorporates the adjoining car park. In marketing the site, Officers will use an agent, and the terms of sale will be as before, with no end use defined.
- 4) Officers are given authority to exceed their £100,000 delegated authority in respect of a fee which could become payable to an agent

## **MOTION 4**

**Proposer: Councillor Bennett**

**Secunder: Councillor Haywood**

I wish to submit the following motion to rescind for September's Full Council, as a motion to rescind requires the support of at least 14 Councillors to be placed on the agenda I can confirm the following Councillors support both of these motions.

Councillors Batley, Bennett, Blanchard-Cooper, Gregory, Jones, Lury, Needs, Oppler, Purchase, Smith, Stanley, Tilbrook, Walsh, Warr, Worne, Yeates, Coster, Dixon, Hamilton, Haywood, Huntley, Catterson and Thurston.

In line with Council Procedure Rule 19.1 this is a motion to rescind a decision. I move that the decision at minute 200 of the Audit & Governance Committee Meeting of the 29 July 2021 be rescinded.

This being that the Committee's start times for meetings for 2021/22 be 10.00 am

## **MOTION 5**

**Proposer: Councillor Thurston**

**Secunder: Councillor Walsh**

### **Introduction**

Whilst recognising the good intentions of the Council as expressed in the Energy Efficiency strategy 2020-25, for measures such as improved insulation and energy saving measures, this Council believes that action now needs to be stepped up if we are to meet our carbon reduction targets. We recognise two major difficulties: a high level of fuel poverty in the district; and the need to understand the new and emerging technologies required to address the carbon reduction targets. However, Arun District has declared a Climate Emergency and aims to be a carbon neutral authority by 2030. That is only eight years away.

In the last few years, Arun District Council has connected 200 council homes to the gas network, and in 2020, around 80 properties had gas boilers installed under the Safe and Warm Home grants scheme. And a few weeks ago, a special meeting of the Wellbeing and Residential committee was called at very short notice to authorise a communal heating gas boiler serving 70 homes to be replaced at Bersted Green Court. This boiler was known to be reaching the end of its life and its replacement had been planned.

Gas is a fossil fuel and causes high levels of carbon dioxide emissions. As we know, the government will be phasing out the use of gas for new housing in the next few years. It is still legally possible to carry on replacing boilers until around 2030 if they are assumed to last for up to twenty years; this would tie in with the government's target of reaching carbon neutral by 2050. However, at Arun we have set a higher target and so this does not set a good precedent. In fact, this decision alone will surely prevent us being a carbon neutral council by 2030 as we intended.

## **Motion**

This Council requires that carbon neutral alternatives are found to replace heating systems in Council owned properties, rather than replacing gas boilers with new gas boilers. There are systems available and research for alternatives to suit a variety of properties should start now, so that Arun District Council is never again in the position of having to renew a gas boiler.

## **MOTION 6**

**Proposer: Councillor Walsh**

**Seconder: Councillor Stanley**

This Council notes with great concern that Southern Water has been fined £90m for sustained sewage discharges into seawater and water courses in our region, after earlier repeated offences. It also notes that Macquarie, a company with a history of asset stripping and profit taking, have taken a majority stake in the company.

It RESOLVES to request the Chief Executive and Group Head of Planning write to them asking what plans and timescales they have to:

- a) Cease such illegal discharges causing risk to public and environmental health
- b) Separate rainwater drainage from sewage networks
- c) Accommodate all the proposed new house building with main sewer connection before a) and

If no satisfactory answers are received, it further RESOLVES to request the DCHLG to drastically reduce the Arun Local Plan housing delivery targets until safe sewage disposal and reasonable rainwater excess drainage can be achieved.

**THE CHAIR WILL CONFIRM THAT IN ACCORDANCE WITH PART 5 - RULES OF PROCEDURE (MEETINGS) - SECTION 1 [COUNCIL PROCEDURE RULES] RULE 8 [CANCELLATION, POSTPONEMENT OR ADJOURNMENT OF MEETINGS] OF THE CONSTITUTION AND IN CONSULTATION WITH THE CHIEF EXECUTIVE THAT THE COUNCIL WILL NOW DEFER THIS MEETING TO ALLOW COUNCIL TO COMPLETE THE BUSINESS REMAINING FROM THE LAST FULL COUNCIL [14 JULY 2021] AS SET OUT BELOW IN ITEMS 11 TO 13. AFTER THIS, THE COUNCIL WILL RESUME THE BUSINESS OF THIS MEETING - ITEMS 14 TO 18**

### **11. CONSTITUTION WORKING PARTY - REPORT TO FULL COUNCIL [5 MINUTES]**

At the Full Council meeting on 14 July 2021, Full Council was asked to agree the recommendations of the Constitution Working Party held on 28 June 2021 on the suggested amendments to the Constitution following implementation of the Committee style of governance and following the first round of Committee meetings.

The meeting was adjourned prior to the vote on Recommendation 4 had been concluded.

The Council needs to conclude this item.

The Officer report and the minutes from the Working Party can be found by clicking on these links: [Constitution Working Party – Report to Full Council – 14 July 2021](#) and [Constitution Working Party Minutes – 28 June 2021](#)

12. CORPORATE POLICY AND PERFORMANCE COMMITTEE - 17 JUNE 2021 [30 MINUTES] (Pages 17 - 28)

The Chair, Councillor Gunner, will present the one outstanding recommendation from the meeting of the Corporate Policy and Performance Committee held on 17 June 2021, with the Council being informed that the recommendations contained in Minute 85 [Supplementary Estimate to Cover Costs Awarded Against the Council in Appeal P/58/19/PL and Minute 86 [Supplementary Estimate to Cover Costs for Defending Appeal on Land South of Barnham Station, Barnham] were taken via an urgent Chief Executive Decision on 22 July 2021, following full consultation with all Group Leaders.

This leaves one outstanding recommendation for Council to consider:

Minute 88 [Minutes from the meeting of the Planning Policy Committee – 1 June 2021 – Minute 42 – Delivery of West Bank Strategic Allocation] – to view the minutes from the Planning Policy Committee on 1 June and the Officer's report – please click on these links – [Report](#) and [Planning Policy Committee – Minutes 1 June 2021](#)

13. GENERAL QUESTIONS FROM MEMBERS [BY ADVANCE NOTICE] (Pages 29 - 38)

To consider the general questions from Members in accordance with Council Procedure Rule 14.3 – that were submitted for 14 July 2021 Council meeting, as attached. [30 minutes].

**RECOMMENDATIONS FROM SERVICE COMMITTEES, REGULATORY AND STANDARDS COMMITTEES AND FROM WORKING PARTIES**

14. PLANNING COMMITTEE - 21 JULY 2021 [30 MINUTES] (Pages 39 - 48)

The Chair, Councillor Chapman, will present the Minutes from the meeting of the Planning Committee held on 21 July 2021. There are a range of recommendations at:

Minute 36 [Planning Review Update Report and Future Actions] – to view the Officer's report and Appendices, please click on these links - [Planning Review Report](#); and [Appendix A](#); and [Appendix B – Officer Recommendations](#); and [Appendix C – Member Recommendations](#); and [Appendix D – Member-Officer Recommendations](#)



15. AUDIT & GOVERNANCE COMMITTEE - 29 JULY 2021 [30 MINUTES] (Pages 49 - 58)

The Chair, Councillor Clayden, will present the Minutes from the meeting of the Audit & Governance Committee held on 29 July 2021. There are a range of recommendations at:

- Minute 207 [Treasury Management Annual Report – 2020/21] – to view the Officer’s report and Appendices, please click on this link – [Report with Appendices](#)
- Minute 209 [Chair’s Annual Report to Council] – to view the Officer’s report and Appendix, please click on this link - [Report](#) and [Appendix](#)

16. QUESTIONS FROM MEMBERS [BY ADVANCE NOTICE] [30 MINUTES]

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

Any questions received will be circulated in advance of the meeting.

17. COMMITTEE MEMBERSHIPS

The Leader of the Council will report the following changes in Committee Memberships which the Council is asked to note.

**Corporate Support** – Councillor Buckland has filled the Independent Independent seat and Councillor Warr has replaced Councillor Purchase

**Planning Policy** – Councillor Thurston has filled the Green seat

**Residential & Wellbeing Services** – Councillor Catterson has filled the Green seat

**Environment & Neighbourhood Services** – Councillor Thurston has filled the Green seat

**Economic** – Councillor Northeast has filled the Labour seat

**Audit & Governance** - Councillor Northeast has filled the Labour seat

**Planning Committee** – Councillor Thurston has filled the Green seat

**Planning Committee – Named Substitutes** - Councillors Catterson, Daniells, Hamilton, Clayden, Alison Cooper and Rhodes have been added

**Licensing** - Councillor Northeast has filled the Labour seat

**CEO Remuneration Committee** – Councillor Bennett has replaced Councillor Walsh

**Constitution Working Party** – The membership is now confirmed as Councillors Bower [Chair] Andy Cooper [Vice-Chair], Bennett, Chace, Daniells, P English, Haywood and Yeates.

**Standards** – Councillor Buckland has filled the Independent Independent seat.

18. **REPRESENTATION ON OUTSIDE BODIES**

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

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 : Where there are recommendations from other Committees, please refer to the e-link under the specific agenda item to access the Officer report.

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 [PART 8 - CP - Section 5 Filming Photographic Protocol.pdf \(arun.gov.uk\)](#).