



Public Document Pack

Arun District Council
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Littlehampton
West Sussex
BN17 5LF

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31 October 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 9 November 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:

A handwritten signature in black ink, appearing to read "James Hassett", is written in a cursive style.

James Hassett
Chief Executive

PLEASE NOTE: Where public meetings are being held at the Arun Civic Centre, to best manage safe space available, members of the public are encouraged to watch the meeting online via the Council's Committee pages.

1. Where a member of the public wishes to attend the meeting or has registered a request to take part in Public Question Time, they will be invited to submit the question in advance of the meeting to be read out by an Officer, but of course can attend the meeting in person.
2. We request members of the public do not attend any face to face meeting if they have Covid-19 symptoms.

Any members of the public wishing to address the Committee meeting during Public Question Time, will need to email Committees@arun.gov.uk by 5.15 pm on **Tuesday, 1 November 2022** in line with current Council Meeting Procedure Rules.

It will be at the Chief Executive's/Chair'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

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 - 22)

To approve as a correct record the Minutes of the Meetings of the Council held on 14 and 29 September 2022, which are *attached*.

7. CHAIR'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. ADOPTION (MAKING) OF THE LYMINSTER AND CROSSBUSH NEIGHBOURHOOD PLAN 2020-2031 (Pages 23 - 28)

A successful Neighbourhood Planning Referendum on the Lyminster and Crossbush Neighbourhood Development Plan (NDP) 2020-2031 was held on 11 October 2022, where 86.88% of voters casted a 'Yes' vote.

If more than 50% of those voting on the day, vote 'yes' then the local planning authority, under section 61E(4) of the 1990 Act, needs to 'make' (adopt) the Plan.

The purpose of this report is to make the Lyminster and Crossbush NDP 2020-2031 which is a legislative requirement.

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

There are no recommendations for this meeting.

10. MOTIONS

The following Motion has been submitted in accordance with Council Procedure Rules 15.1 and 15.2.

Proposer – Councillor Oppler

Secunder – Councillor Walsh

At this time of financial hardship, many Arun residents are looking at ways of cutting down on their financial expenditures. They are closely examining what they can cut out and what is really needed for the future.

Our residents are also facing year-on-year council tax rises, and many residents in Arun are on fixed incomes, so these increases become even more of a struggle.

Since the last boundary review, Arun District Council has cut hundreds of members of staff from the council. Departmental budgets have continued to contract year on year. Residents and staff have all paid the price for these reductions.

The last boundary review in 2012 missed a golden opportunity to significantly reduce the number of councillors, it settled for a total reduction of two.

If Arun were to reduce the number of councillors by twenty, the council would save well in excess of £100,000 per year.

Therefore, this council agrees to:-

- 1) Invite the Local Government Boundary Commission for England to carry out a review of:-
 - a) The number of councillors needed at Arun, but with a specific focus of reducing members by a maximum of twenty.
 - b) The warding arrangements in the Arun district.
- 2) Instruct officers to carry out an assessment of how much an individual member costs the council. This should include the basic allowance, IT provision, and all hidden officer support.

11. GENERAL QUESTIONS FROM MEMBERS [BY ADVANCE NOTICE] [30 MINUTES]

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

12. COMMITTEE MEMBERSHIPS

Any changes to Committee Memberships that need noting by the Council will be reported at the meeting.

13. REPRESENTATION ON OUTSIDE BODIES

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

14. EXEMPT BUSINESS

The Council is asked to consider passing the following resolution:

That under Section 100a (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

15. APPOINTMENT TO THE POST OF GROUP HEAD OF FINANCE AND SECTION 151 OFFICER (EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO ANY INDIVIDUAL) (Pages 29 - 32)

This report asks Full Council to approve an appointment to the post of Group Head of Finance (Section 151 Officer) in accordance with the Council's Constitution.

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

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**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 14 SEPTEMBER 2022 AT 6.00 PM**

Present: Councillors Staniforth (Chair), Mrs Cooper (Vice-Chair), Batley, Bennett, Blanchard-Cooper, Bower, Brooks, Buckland, Caffyn, Chace, Chapman, Clayden, Cooper, Coster, Daniells, Dendle, Dixon, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Haywood, Kelly, Lury, Needs, Pendleton, Purchase, Rhodes, Stanley, Tilbrook, Thurston, Walsh, Warr and Yeates.

260. WELCOME

On behalf of the Chair, the Committee Manager welcomed Councillors, representatives of the public, press and officers to the meeting.

A special welcome was extended to Councillor Sue Wallsgrove who had been elected as Councillor for the Barnham Ward following the By-Election held on 8 September 2022.

The Chair outlined that as this was the first Council Meeting to be held since the sad passing of Her Majesty the Late Queen Elizabeth II, before starting the formal business of the meeting, that a minute's silence be held in memory and in honour of Her Majesty the Late Queen Elizabeth II.

The Chair then thanked all those present and asked them to join her in offering heartfelt condolences to His Majesty the King and The Royal Family at this time.

261. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Huntley, Madeley, Northeast, Oliver-Redgate, Oppler, Roberts, Seex, Smith and Worne and from Honorary Aldermen, Mrs Stinchcombe and Mr Dingemans.

The Chair then stated that in response to the sudden passing of her Majesty the Late Queen Elizabeth II, as a mark of respect, she would be proposing a Motion without Notice, in accordance with Part 5 – Rules of Procedure (Meetings) – Section 1 – Council Procedure Rules – Rule 16 (i) to adjourn this meeting to outside of the official mourning period.

The unfortunate position was that the summons to attend this meeting and the agenda for it had already been published and so there was no provision for Council officers or Councillors to unilaterally cancel meetings in those circumstances. The Council was obliged to open the meeting with the option to either agree to adjourn it to a future date or to proceed with the business on the agenda this evening. The Chair

acknowledged that this was a sensitive time and that much thought had been given to the matter. It was confirmed that this meeting was being held in line with protocols from Buckingham Palace.

The Chair then formally proposed a Motion without Notice to adjourn the meeting and she asked the Committee Manager to confirm a rearranged date as soon as possible.

Councillor Hamilton seconded this motion.

The Chair then invited debate. Councillor Stanley outlined that as there were members of the public present who had, prior to the meeting, confirmed that they wished to submit questions as part of Public Question Time, would it be permissible to adjourn the meeting following that item [Item 3]. The Chair was able to confirm that all members of the public who had registered to take part in Public Question Time and in attendance had been contacted in advance of the meeting by the Committee Manager and given warning that the motion to adjourn could take place and be approved. They had therefore attended this meeting accepting this possible course of action.

Debate continued. Councillor Bower, as Chair of the Constitution Working Party, highlighted a section in the Constitution covering procedure rules for adjournments that needed to be addressed, but that he totally supported suspending the meeting as the country was in the period of national mourning. Other Councillors who spoke in support of the adjournment also supported adjourning the meeting once Public Question Time had concluded.

Following further debate, Councillor Stanley proposed an amendment to the Motion to adjourn in that the adjournment be actioned once Public Question Time had taken place.

This amendment was seconded by Councillor English.

On the amendment being put to the vote it was declared LOST.

The Chair then returned to the voting on the original motion. A recorded vote had been requested. Those voting for it were Councillors Batley, Bennett, Blanchard-Cooper, Bower, Brooks, Buckland, Caffyn, Chapman, Clayden, Cooper, Coster, Daniells, Dendle, Dixon, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Haywood, Kelly, Lury, Needs, Purchase, Rhodes, Staniforth, Stanley, Tilbrook, Wallsgrove, Walsh, Warr and Yeats (35). No Councillors voted against. Councillors Chace, Mrs Cooper, Pendleton and Thurston abstained from voting (4).

The Motion to adjourn the meeting was therefore CARRIED.

Subject to approval at the next Full Council meeting

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The Council therefore

RESOLVED

That the Full Council meeting of 14 September 2022 be adjourned to a date to be confirmed as soon as possible by Committee Services to outside of the official mourning period.

Before adjourning the meeting, the Chair invited Councillors to make tributes to her Majesty the Late Queen Elizabeth II. Tributes were then made by Councillors Walsh, Edwards, Dixon, Needs, Lury and Thurston.

(The meeting concluded at 6.34 pm)

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Subject to approval at the next Full Council meeting

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MINUTES OF A MEETING OF THE ARUN DISTRICT COUNCIL HELD IN THE ARUN CIVIC CENTRE ON 29 SEPTEMBER 2022 AT 6.00 PM

Present: Councillors Staniforth (Chair), Mrs Cooper (Vice-Chair), Bicknell, Bower, Brooks, Caffyn, Chapman, Chace, Clayden, Cooper, Coster, Dixon, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Haywood, Hughes, Huntley, Kelly, Lury, Madeley, Needs, Northeast, Oliver-Redgate, Oppler, Pendleton, Roberts, Smith, Stainton, Stanley, Thurston, Walsh, Warr, Worne and Yeates.

[Note: The following Councillor was absent during the consideration or vote on the following minutes – Councillor Bicknell – Minute 318 to Minute 321 (Part)].

318. WELCOME

The Chair welcomed Councillors, members of the public, press and officers to the meeting and in doing so reminded everyone that this meeting had been convened following the adjourned meeting of 14 September 2022.

319. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Batley, Bennett, Blanchard-Cooper, Daniells, Dendle, Purchase, Rhodes, Tilbrook and Wallsgrove and from Honorary Aldermen, Mrs Stinchcombe and Mr Dingemans.

320. DECLARATIONS OF INTEREST

Councillor Dixon declared a Personal Interest in Agenda Item 11 [Policy & Finance Committee – 6 September 2022 – Minute 236 [Strategic Options for the Regeneration of the Regis Centre and Heads of Terms for Hotel and Regis Centre] as he owned fourteen Whitbread shares.

The following Councillors also declared a Personal Interest in this item:

- Councillors Goodheart and Needs as Members of Bognor Regis Town Council

Councillor Northeast declared a Personal Interest in Agenda Item 12 [Motions] as his wife was an employee of the council.

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The Declaration of Interest Sheet set out below confirms those Members who had made a declaration of their personal interest as a Member of a Town or Parish Councillor or a West Sussex County Councillor, as confirmed in their Register of Interest as these declarations could apply to any of the issues to be discussed at the meeting.

Name	Town or Parish Council or West Sussex County Council [WSSC]
Councillor Tracy Baker	Littlehampton
Councillor Kenton Batley	Bognor Regis
Councillor Jamie Bennett	Rustington
Councillor Paul Bicknell	Angmering
Councillor Billy Blanchard-Cooper	Littlehampton
Councillor Jim Brooks	Bognor Regis
Councillor Ian Buckland	Littlehampton and WSSC
Councillor David Chace	Littlehampton
Councillor Mike Clayden	Rustington
Councillor Andy Cooper	Rustington
Councillor Alison Cooper	Rustington and WSSC
Councillor Sandra Daniells	Bognor Regis
Councillor Roger Elkins	Ferring and WSSC
Councillor Paul English	Felpham
Councillor Steve Goodheart	Bognor Regis
Councillor Pauline Gregory	Rustington
Councillor June Hamilton	Pagham
Councillor Shirley Haywood	Middleton-on-Sea
Councillor David Huntley	Pagham
Councillor Henry Jones	Bognor Regis
Councillor Martin Lury	Bersted
Councillor Claire Needs	Bognor Regis
Councillor Mike Northeast	Littlehampton
Councillor Francis Oppler	WSSC
Councillor Jacky Pendleton	Middleton-on-Sea and WSSC
Councillor Vicky Rhodes	Littlehampton
Councillor Emily Seex	Littlehampton
Councillor Martin Smith	Aldwick
Councillor Samantha Staniforth	Bognor Regis
Councillor Matt Stanley	Bognor Regis
Councillor Will Tilbrook	Littlehampton
Councillor Isabel Thurston	Barnham & Eastergate
Councillor James Walsh	Littlehampton and WSSC
Councillor Jeanette Warr	Bognor Regis
Councillor Amanda Worne	Yapton
Councillor Gillian Yeates	Bersted

321. PUBLIC QUESTION TIME

The Chair confirmed that nine public questions had been submitted for the meeting adjourned on 14 September 2022. The questions have been very briefly summarised below:

- (1) From Mr Chester to the Chair of the Policy & Finance Committee, Councillor Gunner regarding increased costs to the council's budget for energy bills and staffing costs as a result of any pay offer. The Chair confirmed that since 14 September 2022, this question had been withdrawn by the questioner.
- (2) From Mr Slater to the Chair of the Economy Committee, Councillor Cooper, regarding the Economy Committee's decision to demolish 9 garages in Arundel and to approve their replacement with a 4 bedroom holiday let.
- (3) From Mr Meadmore to the Chair of the Planning Committee, Councillor Chapman regarding wastewater and sewage pollution incidents and how the Council should respond to this
- (4) From Mr Cosgrove to the Chair of the Environment Committee, Councillor Edwards regarding the Place St Maur project in Bognor Regis
- (5) From Mr Cosgrove to the Chair of the Policy & Finance Committee, Councillor Gunner regarding the Levelling-Up project for the Regis Centre, Bognor Regis
- (6) From Mr Cosgrove to the Chair of the Policy & Finance Committee, Councillor Gunner, regarding Levelling-Up project for the Regis Centre, Bognor Regis
- (7) From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman, regarding planning application AL/121/16/PL and enforcement matters
- (8) From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman, regarding enforcement and compliance issues relating to planning application AL/121/16/PL; and
- (9) From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman, regarding enforcement investigations relating to AL/121/16/PL, although this question was not presented by the questioner and a statement made instead.

Having extended the time in place for Public Question Time to allow all questions to be presented to the meeting, the Chair confirmed that she would not permit any further extension to allow supplementary questions to be asked and so drew Public Question to a Close.

(A schedule of the full questions asked, and the responses provided can be found on the Public Question Web page at: <https://www.arun.gov.uk/public-question-time>)

322. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

No questions were asked.

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323. PETITIONS

There were no petitions presented to this meeting.

324. MINUTES

The Minutes of the Council Meeting held on 13 July 2022 were approved by the Council as a correct record and would be signed by the Chair at the end of the meeting.

325. CHAIR'S ANNOUNCEMENTS

The Chair provided some detail surrounding some of the recent engagements that she had attended and confirmed that full details of the events attended would be uploaded to her Facebook page and circulated to Members.

Having been asked about what charity she would be supporting during her year in office, she explained that although she had not confirmed one particular charity at this time, any monies raised from events would be directed towards a charity supporting teenage mental health issues.

326. URGENT MATTERS [NON-ATTENDANCE BY A COUNCILLOR FOR SIX MONTHS], [CLAPHAM PARISH COUNCIL - TEMPORARY APPOINTMENTS] AND REVIEW OF ENTITLEMENT OF POLITICAL GROUPS TO SEATS ON COMMITTEES - PROPORTIONALITY AND APPOINTMENTS TO COMMITTEES]

The Chair confirmed that there were three urgent items for this meeting to consider.

The first related to the non-attendance by a Councillor for six months. The Chair invited the Group Head of Law & Governance and Monitoring Officer to present his report which had been circulated to Councillors on 14 September 2022 and uploaded to the Full Council web pages that day.

The Group Head of Law & Governance and Monitoring Officer explained the urgent nature of this item, which was that on 3 September 2022 the six month period in respect of a Councillor performing their statutory duty to attend meetings had expired and that this was in respect of former Councillor Faye Catterson. It was important for the council to receive a report on this matter urgently as it was the council's statutory duty to now declare this seat vacant forthwith and in line with Section 86 of The Local Government Act 1972, any delay in declaring this seat as vacant would not fulfil that duty and would prevent the electorate from deciding if they wished to call a by-election for the Arundel and Walberton ward. It was confirmed that the council had not yet entered the six-month period deadline before its own elections on 4 May 2023 which would prevent a by-election being called.

Councillor Thurston then proposed the recommendation outlined in the report which was seconded by Councillor Gregory.

The Chair then invited debate. A question was asked surrounding the recent Barnham By-Election held on 8 September 2022 and whether it could be confirmed how much this had cost the council. The Group Head of Law & Governance and Monitoring Officer confirmed that he did not have this figure with him and could not respond at this precise time.

Councillor Thurston as Leader of the Green Group wished to have placed on record confirmation that former Councillor Catterson's absence had been down to ill health and no other reason. Although she had not been able to physically attend meetings, she had continued to perform her duties as best she could from home. Councillor Thurston thanked Councillor Catterson for her work and support as a Councillor.

The Council

RESOLVED

That the Arundel and Walberton ward seat formerly occupied by Councillor Faye Catterson is declared vacant.

The Chair then turned to the second urgent item relating to Clapham Parish Council and temporary appointments and invited the Group Head of Law & Governance and Monitoring Officer to present his report. This report had been circulated to Members on 28 September 2022 and uploaded to the Council's web pages that same day.

It was confirmed that the Clerk to Clapham Parish Council had been in contact with the council as its current situation meant that it no longer had a full membership of five Councillors. Following a number of Parish resignations, the Council now found itself in the position that it was no longer quorate and therefore could not proceed with co-option nor could it carry out any other business. Under Section 91 of the Local Government Act 1972, a temporary solution could be used whereby Arun District Council could exercise its statutory power to make quorate the Parish Council through the temporary appointment of sufficient District Councillors to enable the Parish Council to meet and return to full functionality. The Group Head of Law & Governance and Monitoring Officer confirmed that he had liaised with District Councillors for the Angmering & Findon Ward [covering the area of Clapham Parish Council] and that Councillors Bicknell and Andy Cooper had confirmed their willingness to be temporarily appointed to the Parish Council for a period of six months to make it quorate.

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For administrative reasons a further conversation had taken place with the Clerk of the Council resulting in the need to only temporarily appoint one District Councillor to the Parish Council and this had been confirmed to be Councillor Paul Bicknell, following consultation with all parties. A slight amendment to reflect this update was therefore required to Recommendations (i) and (ii) of the report, confirming the appointment of one instead of two District Councillors with this being Councillor Paul Bicknell.

The recommendations, to include the proposed amendments from the Group Head of Law and Governance and Monitoring Officer, as explained, were then proposed by Councillor Cooper and seconded by Councillor Bower.

Following some debate, the Council

RESOLVED – That

- (1) One District Councillor be temporarily appointed to Clapham Parish Council, to make it quorate and therefore fully functional, for six months; and
- (2) This District Councillor be Councillor Paul Bicknell.

The Chair then turned to the final urgent matter providing a review of entitlement of Political Groups to seats on Committees [Proportionality] following the Barnham By-Election held on 8 September 2022.

The Group Head of Law & Governance and Monitoring Officer presented this report explaining that there was an urgent need for the council to agree revised Committee allocations reflecting the updated political proportionality of the council following the Barnham District By-Election held on 8 September 2022. The council had a statutory requirement to review proportionality and allocations to committee seats following any change to the political balance of the council. Liaison had been undertaken with all political Group Leaders on the revised allocations as set out within the report and as detailed within the appendix attached to the report.

The recommendations were then proposed by Councillor Gunner and seconded by Councillor Thurston.

The Chair then invited debate. A query was raised by Councillor Walsh in terms of the percentage number of seats allocated to the Liberal Democrat Group. This was stated to be 34.96% but had been rounded down to 34 and not up to 35 in one of the tables in the report. In finding a solution to this query, Councillor Walsh suggested that the vacant seat on the Audit & Governance Committee be allocated to his Group to iron out this anomaly if others felt this to be a reasonable solution.

The Group Head of Law & Governance and Monitoring Officer agreed that this could be accepted as an amendment without affecting proportionality. This proposal was then formally proposed by Councillor Walsh and seconded by Councillor Stanley.

In inviting debate on the amendment, Councillor Gunner as proposer of the recommendations in the report confirmed that he would be happy to accommodate the proposal and amend recommendation (3) to reflect the request. Councillor Thurston, as seconder of the recommendations, also confirmed her agreement.

On putting this amendment to the vote, it was declared CARRIED.

The Chair then returned to the substantive recommendations and the Council

RESOLVED – That

- (1) The outcome of the review of entitlement of political groups and non-aligned councillors to seats on committees, based upon proportionality rules, as set out in Appendix 1 to the report be approved;
- (2) Approval be given to the allocation of seats to political groups; and
- (3) The appointments to Committees for the remainder of the municipal year, as confirmed in Paragraph 4.11 of the report be approved, subject to the addition that Councillor Stanley would fill the vacant seat now gifted to the Liberal Democrat Group on the Audit & Governance Committee.

327. REPORT FROM THE RETURNING OFFICER OF THE PERSON ELECTED AS DISTRICT COUNCILLOR FOR ARUN DISTRICT COUNCIL ON 8 SEPTEMBER 2022

The Council received and noted a report from the Chief Executive, circulated separately to the agenda as part of Supplement Pack 1, declaring that Councillor Sue Wallsgrove had been elected as a Member of Arun District Council's Barnham Ward following the By-Election held on 8 September 2022.

328. AUDIT & GOVERNANCE COMMITTEE - 28 JULY 2022

The Chair of the Audit & Governance Committee, Councillor Clayden, presented recommendations from the meeting of the Audit & Governance Committee held on 28 July 2022.

Councillor Clayden, turned to the first set of recommendations at Minute 210 [Treasury Management Annual Report 2021/22] which he duly proposed. The recommendations were then seconded by Councillor Chapman.

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The Council

RESOLVED – That

- (1) The actual prudential and treasury indicators for 2021/22 contained in the report be approved;
- (2) The annual treasury management report for 2021/22 be noted; and
- (3) The treasury activity during 2021/22 which had generated interest receipts of £460,000 (0.59%), Budget £332,000 (0.64%) be noted.

Councillor Clayden then referred Members to the next recommendation at Minute 214 [Chair's Annual Report to Full Council for 2021/22] which Councillor Clayden formally presented and proposed. Councillor Chapman then seconded the recommendation for this report to be presented and endorsed by Council.

The Council

RESOLVED

That the content of the Chair's Annual Report to Full Council for 2021/22 be endorsed.

329. POLICY & FINANCE COMMITTEE - 6 SEPTEMBER 2022

(Prior to the commencement of this item, Councillor Needs redeclared her Personal Interest made at the start of the meeting).

The Chair of the Policy & Finance Committee, Councillor Gunner, presented recommendations from the meeting of the Policy & Finance Committee held on 6 September 2022. The Minutes from this meeting had been circulated separately to the agenda having already been uploaded to the Council's web pages and circulated to Members on 14 September 2022.

Councillor Gunner then presented a series of recommendations at Minute 236 [Strategic Options for the Regeneration of the Regis Centre and Heads of Terms for Hotel and Regis Centre] confirming that he supported the principles and ideas for investment in both recommendations which would help the council to deliver regeneration in Bognor Regis. The proposals had been approved by the Policy & Finance Committee as part of a £25m scheme for investment in Bognor Regis and regeneration in the Town. Councillor Gunner's view was that he believed that all Councillors supported the idea of having a hotel on the seafront in Bognor Regis as well as plans to invest in the Alexandra Theatre and in the Town itself. The two recommendations before Members would ensure the delivery of this project and so Councillor Gunner was delighted to be able to formally propose them. In proposing the recommendations, Councillor Gunner asked for a recorded vote to be undertaken on

each of the recommendations. The recommendations were then seconded by Councillor Pendleton.

Two Points of Order were raised over whether the debate on the recommendations would be held in Open or Exempt session. The Chair confirmed that she wished to conduct the debate in open session where possible accepting that if Councillors outlined that they wished to address details that were confirmed to be of a confidential nature, then the meeting would need to move into Exempt business at that point. Now that the Exempt report had been considered by the Policy & Finance Committee and the minutes from that item published as an open document, this was how she wished this part of the meeting to proceed.

A debate around the Exempt papers and Exempt discussion held at the Policy & Finance Committee on 6 September 2022 took place. It was one Councillor's view that this discussion had been in breach of The Local Government Act 1972 and he explained why. In view of this, he asked why the debate on the recommendations could be held in open session now?

The Group Head of Law & Governance and Monitoring Officer explained that the minutes [the decisions and recommendations] from the meeting of the Policy & Finance Committee on 6 September 2022 were an open document. The council did not produce Exempt minutes. The reports considered by the Policy & Finance Committee had been Exempt reports and the reason for their need to be Exempt fully explained. Those reports and their contents remained confidential as they contained commercially sensitive confidential information that had not been published and remained Exempt under Schedule 12A of the Local Government Act 1972, the minutes did not. If Members wished to discuss any matters that were of a confidential nature, they could but only if a proposal to move into Exempt business was proposed, seconded and passed.

The Chair then invited debate on the recommendations. There were Councillors who spoke expressing great concern over the additional £3m supplementary capital estimate being requested. It was accepted that this was largely down to world events and economic policies of the current Government. There were many Councillors who fully supported the project, but due to inflationary pressures there was now a financial shortfall that if approved would be funded by the council's taxpayers and this did not sit comfortably with them during these extreme times of hardship. Many felt that the Government should be funding these shortfalls. It was also outlined that some of the changes taking place within the project varied considerably to the Levelling-Up Fund Bid (LUF) that had been submitted to Government. These surrounded what Councillors had been told would be an increase in seats for the theatre to 450 seats. This was now no longer the case with just 25-27 additional seats being provided. What was new was a plan to provide another 100 seats in a separate auditorium, which was a different concept. It was highlighted that the theatre as it was constructed was too small to attract and support larger acts. A much bigger prime theatre was needed in Bognor Regis to attract well known performers to the Town, but this was not what was going to be delivered. This change in concept had not been discussed or approved by Councillors making it difficult to accept the recommendations being proposed. Was the

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addition of the auditorium an option that could be debated further? There was a firm view that the council should contact its Members of Parliament with a request that they put pressure onto Government to secure the additional funding needed from the Levelling-Up Fund.

Other Councillors speaking against the recommendations questioned whether the supplementary capital estimates equalling nearly £4m were affordable or necessary and as other councils finding themselves in a similar situation to Arun were delaying projects as they could not afford to fund the gaps. There were also other theatre refurbishment projects in the country that were being completed for much less emphasising the need for this project to be completed within budget. Other concerns expressed related to the deal in place with Whitbread Plc, with some Councillors airing opinions that the decisions made by the Policy & Finance Committee on 6 September 2022, had locked the council into an unattractive commitment which would deny Bognor Regis any meaningful regeneration on the Regis Centre site. There was still concern expressed that Councillors had not been made aware at the time of approving the LUF bid that Whitbread would not allow the council to take possession of the site to access it for refurbishment unless a hotel was constructed on this publicly owned land. It had not been confirmed that the deal with Whitbread was conditional. There were also concerns over the development of the hotel, its size and that this might mean the loss of the façade of the fire station a vital part of Bognor Regis heritage.

The Council's Regeneration Consultant was invited to respond to some of the points raised in the debate. He explained that the initial design and costings had been drafted quickly to ensure that the Bid had been submitted by the deadline imposed. Having undertaken further detailed surveys coupled with the full pressure of inflation, it had been clear that additional significant funding was required. Extensive discussions had been held with Arun Arts over seating and what their preferences were. They had confirmed this to be for two separate auditoriums. In listening to the concerns of Members, if the message was preference for a 450 seat theatre, the design was in its infancy. The council's architects were working up a design towards RIBA Stage II which would be followed by a tender process for a builder who would work to the design and build scheme. At its meeting held on 6 September 2022, the Policy & Finance Committee had agreed that monthly updates be brought to each future meeting of the committee. At the next meeting of the Committee on 20 October 2022, the council's architects would be present to provide to Members a presentation on the current design. If it transpired that it was Members' overriding wish to proceed with a 450 seat theatre, that would be discussed at that meeting with the Architects explaining design constraints and costs. This did not mean that this option would be ruled out however Councillors were reminded that the concept design to date had been based upon the brief from the LUF bid and from Arun Arts. If Councillors felt that they could not accept the initial design, this was an evolving design that could be changed, it was not final.

Councillor Pendleton, as the seconder to the recommendations, reminded Councillors that this was an amazing opportunity for the residents and visitors to Bognor Regis. She could not understand some of the arguments put forward to delay the project. She urged Councillors to support the recommendations as they would allow the council to provide the best project it could alongside the money already awarded by Government. Extensive consultation had been undertaken with Arun Arts who had confirmed that the proposals in place would work and it had to be accepted that they were the experts in this field running the theatre on a daily basis. Back stage facilities were important and had been acknowledged providing larger performers with the space needed for equipment and facilities. The increased seat capacity was an issue that could be examined further but that the economics for that would need to be investigated.

Councillor Gunner, as proposer of the recommendations, responded to some of the comments made and urged Councillors to support the recommendations.

The Chair then turned to the two recommendations confirming that a recorded vote would be undertaken on both recommendations separately.

Those voting for recommendation (1) were Councillors Bicknell, Bower, Brooks, Caffyn, Chace, Chapman, Clayden, Mrs Cooper, Cooper, Edwards, Elkins, Mrs English, English, Goodheart, Gunner, Haywood, Hughes, Kelly, Madeley, Oliver-Redgate, Pendleton, Roberts, Stainton and Staniforth (24). Those voting against were Councillors Coster, Dixon, Gregory, Hamilton, Lury, Needs, Oppler, Smith, Stanley, Thurston, Walsh, Warr, Worne and Yeates (14). Councillors Huntley and Northeast abstained from voting.

The Council therefore

RESOLVED

That a supplementary Capital estimate of £3m to support the delivery of Option 2 as outlined in the report is approved.

The Chair then returned to conducting a recorded vote on Recommendation (2). Those voting for this recommendation were Councillors Bicknell, Bower, Brooks, Caffyn, Chace, Chapman, Clayden, Mrs Cooper, Cooper, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Haywood, Hughes, Kelly, Lury, Madeley, Needs, Oliver-Redgate, Oppler, Pendleton, Roberts, Smith, Stainton, Staniforth, Stanley, Thurston, Walsh, Warr, Worne and Yeates (35). Those voting against were Councillors Coster, Dixon and Hamilton (3). Councillors Huntley and Northeast abstained from voting.

The Council, therefore

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RESOLVED

That a supplementary Capital estimate of £750k to buy back the current lease of the site as outlined in Paragraph 4.15.6 be approved.

Councillor Gunner then drew Members' attention to the next recommendation at Minute 243 [Environment Committee – 14 July 2022 and Financial Report] which set out financial arrangements for Council to consider in implementing the recommendation made by the Environment Committee at its meeting held on 14 July 2022. The recommendation to approve a supplementary estimate of up to £40,000 for additional resources to support the consultation process required to implement the additional licensing scheme for houses in multiple occupation was proposed by Councillor Gunner and seconded by Councillor Pendleton.

The Council

RESOLVED

That a supplementary estimate of up to £40,000 be approved for additional resources to support the consultation process required to implement the additional licensing scheme for houses in multiple occupation. This equates to a Band D Council Tax equivalent of 0.63p.

330. MOTIONS

The Chair confirmed that one motion had been received in accordance with Council Procedure Rule 15.

Councillor Gregory was then invited to present and propose her motion to the Council.

She outlined that it was asking the Council to confirm a Cost of Living Emergency in acknowledging that its residents were suffering due to a cost-of-living crisis.

On 6 April 2022, the Government increased National Insurance by 1.25% which was projected to cost the average Arun family an additional £117.10 per year. Councillor Gregory also referred to recent figures provided by the Trussell Trust (Bognor Regis & Littlehampton Food Banks) for the last financial year confirming that 2,665 food parcels had been distributed, feeding 6,263 individuals (including repeat users) with 2,321 being distributed to children.

On 1 April 2022, Ofgem increased the energy price cap by 54%. The average standard tariff energy bill had increased by £693 with further increases due imminently to a capped average cost of £2.5K per annum for just two years, more for those on pre-payment meters. Many households in Arun would be injected into immediate fuel poverty, meaning that more than 10% of their income would be spent on fuel particularly those on low pay and pensioners regardless of the additional monies received from Government and increased Winter Fuel Allowance.

Recent research undertaken with the Joseph Rowntree Foundation looked at the precarious position of the worst-off 40% of households. Recommendations had been made to Government including stopping deducting benefits at unaffordable rates; capping deductions from Universal Credit from 25% to 15%; increasing basic Universal Credit entitlements to enable people to afford their essentials. In July 2022, inflation was confirmed to be 10.1% compared to 9.4% in June and this was still rising.

The Conservative Government had suspended the pensions “triple lock” for 2022/23, meaning Arun’s pensioners would see a below inflation increase. Councillor Gregory believed that under this Government, people would see tax hikes, energy bills soaring and petrol, diesel and food prices rising dramatically regardless of any help that could be received. The Government had failed to tackle the cost-of-living crisis effectively and so it was felt relevant for this Council to declare a “Cost of Living Emergency”.

Councillor Gregory outlined that her motion was asking the council to:

To declare a “Cost of Living Emergency” and as part of this, the Council should call on the Government to:

- Immediately reduce the standard rate of VAT from 20% to 17.5% for one year, saving the average Arun household £600
- Immediately scrap the 5% VAT levied on domestic energy bills
- Immediately implement the cut to the National Insurance Tax hike which is costing £117.10 to local families.
- Immediately use revenue from the windfall tax to help Arun families with their energy bills.

Council requests the Chief Executive to write to the Government to express the Council’s demands for VAT to be cut to 17.5% and to scrap the 5% VAT levied on domestic energy bills.

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Further, Council requests:

- Officers to start working with a clear goal of a Council Tax Freeze for next year.
- An internal review into any additional help it can offer Arun families struggling with the Cost-of-Living Emergency.
- A section added to the website dedicated to highlight help available to those struggling with Cost of Living that is clear and easy to navigate. To include information on different organisations, local and national such as the Community Fridge, Food Banks, grants for boilers, solar panels.

Councillor Walsh then seconded the motion.

The Chair then invited debate. There were Councillors who stated that there were many factors within the motion that they felt they could support as it reflected accurately what many residents, especially those residing in the most deprived wards in the district, were experiencing. In addressing some of these factors, a suggestion was made by Councillor Northeast that the Motion be divided into two sections as the first part of it covered points of a political nature whereas the concluding points were relevant for this council to consider in helping those suffering as part of the crisis.

This suggestion was generally accepted as a sensible suggestion as it was felt that Part (i) might not be carried upon undertaking a vote due to its political nature. This was because there were Councillors who felt uneasy about considering a Council Tax Freeze which would limit income for the council and could result in service or staff cuts, neither of which could be sustained.

Part (ii) contained important work that the council could progress easily in ensuring that its website had a page dedicated to providing information that would help those in desperate need. Councillor Northeast confirmed that he wished to propose this as an amendment but that he was happy for the general debate to proceed first.

In discussing this point, the suggestion to split the motion into two parts was widely supported. It was acknowledged that the council was already undertaking a lot of work to assist residents in providing information of who they could contact for help, support and information but that this could be expanded and provided in a way for all sectors of the community to understand. It was also highlighted that further information was also being provided in the next edition of Arun Times which would be published soon.

There was debate on whether a cost of living emergency should be declared. The views on this were evenly split with Councillors agreeing on the need to provide easily accessible information that would assist residents through this difficult time ensuring that this information would be made available to those who did not have access to the web and other electronic means.

As part of the continuing debate, Councillor Roberts outlined his strong feeling that the content of the motion should not have been made political. He outlined that Councillors should work together to solve the problems highlighted in the second part of the motion by highlighting strategies and solutions that could help residents. Councillor Roberts then proposed that the Motion be referred to the appropriate Committee to debate and confirm solutions to resolve some of the issues. As with Councillor Northeast's proposal to split the motion into two parts, the Chair confirmed that she would allow debate to continue and would then ask the proposer and seconder of the motion to confirm how they might wish to proceed.

In response to the debate in general, it was accepted that the council did care greatly about its vulnerable residents and families that were struggling but that the council did already have mechanisms in place to address the difficulties being experienced. Councillor Pendleton highlighted that she would be looking very closely at the issues raised as Chair of the Housing & Wellbeing Committee in terms of what could be done to offer assistance. Based on this, she questioned the need for the motion, although accepting that it had been well intentioned.

Councillor Walsh, as seconder of the motion, felt that referring the motion to a Committee might not portray the reassuring and necessary signals to the residents as they needed to know that the council did have concern and needed to be confirming how it would consider assisting residents.

Councillor Gregory, as proposer of the motion, confirmed how she wished to proceed. She outlined the extensive research she had undertaken in formulating the Motion but felt that she could agree to it being split into two parts, due to its partly political stance. She also confirmed that she would be happy for the content of the motion to also be addressed by the Housing & Wellbeing Committee as a mechanised for addressing the issues raised.

Following extensive debate, the Chair confirmed that the motion would be split into three parts, as set out below:

This Council resolves: To declare a "Cost of Living Emergency"

(1) As part of this, the Council calls on the Government to:

- Immediately reduce the standard rate of VAT from 20% to 17.5% for one year, saving the average Arun household £600 this year
- Immediately scrap the 5% VAT levied on domestic energy bills
- Immediately cut the National Insurance Tax hike which is costing £117.10 to local families.
- Immediately use revenue from the windfall tax to help Arun families with their energy bills.

Council requests the Chief Executive to write to the Government to express the Council's demands for VAT to be cut to 17.5% and to scrap the 5% VAT levied on domestic energy bills.

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(2) Further, Council requests:

- ADC Officers to start working with a clear goal of a Council Tax Freeze for next year.
- An internal review into any additional help it can offer Arun families struggling with the Cost-of-Living Emergency.
- A section added to the website dedicated to highlight help available to those struggling with Cost of Living that is clear and easy to navigate. To include information on different organisations, local and national, for example Community Fridge, Food Banks, grants for boilers, solar panels.

(3) To take further consideration of these issues through the Housing & Wellbeing Committee.

Following further debate, the proposer and seconder of the motion confirmed that they would be happy to remove the heading of the Motion which read “This Council resolves to declare a “Cost of Living Emergency” in view of concerns expressed by some Members.

The Chair confirmed that as requested, a recorded vote would be undertaken on each three parts of the motion, as agreed.

Those voting for Part (1) of the motion – as outlined below were:

1. The Council calls on the Government to:
 - Immediately reduce the standard rate of VAT from 20% to 17.5% for one year, saving the average Arun household £600 this year
 - Immediately scrap the 5% VAT levied on domestic energy bills
 - Immediately cut the National Insurance Tax hike which is costing £117.10 to local families.
 - Immediately use revenue from the windfall tax to help Arun families with their energy bills.

Council requests the Chief Executive to write to the Government to express the Council’s demands for VAT to be cut to 17.5% and to scrap the 5% VAT levied on domestic energy bills.

Councillors Brooks, Coster, Dixon, Gregory, Hamilton, Haywood, Huntley, Lury, Needs, Northeast, Oliver-Redgate, Oppler, Smith, Stanley, Thurston, Walsh, Warr, Worne and Yeates (19). Those voting against were Councillors Bicknell, Bower, Caffyn, Chace, Chapman, Clayden, Mrs Cooper, Cooper, Edwards, Elkins, Mrs English, English, Gunner, Hughes, Kelly, Madeley, Pendleton, Roberts, Stainton (19). Councillors Goodheart and Staniforth abstained from voting.

It was announced that this was a tied vote with 19 Councillors voting for and 19 Councillors voting against. The Chair confirmed that she had abstained from voting for the vote and would do so again in using her casting vote. Therefore, the voting on Part (i) of the motion was not passed as there was not a majority vote.

Voting then commenced on Part (ii) of the motion with the wording outlined below:

2. Further, Council requests:
 - ADC Officers to start working with a clear goal of a Council Tax Freeze for next year.
 - An internal review into any additional help it can offer Arun families struggling with the Cost-of-Living Emergency.
 - A section added to the website dedicated to highlight help available to those struggling with Cost of Living that is clear and easy to navigate. To include information on different organisations, local and national, for example Community Fridge, Food Banks, grants for boilers, solar panels.

A recorded vote had been requested. Those voting for it were Councillors Brooks, Coster, Dixon, Gregory, Hamilton, Haywood, Huntley, Lury, Needs, Northeast, Oppler, Smith, Stanley, Thurston, Walsh, Warr, Worne and Yeates (18). Those voting against were Councillors Bicknell, Bower, Caffyn, Chace, Chapman, Clayden, Mrs Cooper, Cooper, Edwards, Elkins, Mrs English, English, Gunner, Hughes, Kelly, Madeley, Oliver-Redgate, Pendleton, Roberts and Stainton (20). Councillors Goodheart and Staniforth abstained from voting (2).

Part (ii) of the Motion was therefore declared as being NOT CARRIED.

Voting then commenced on Part (iii) of the motion with the wording outlined below:

3. That further consideration of the points covered in the motion be submitted to a future meeting of the Housing & Wellbeing Committee.

A recorded vote had been requested. Those voting for were Councillors Bicknell, Bower, Brooks, Caffyn, Chace, Chapman, Clayden, Mrs Cooper, Cooper, Coster, Dixon, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Haywood, Hughes, Huntley, Kelly, Lury, Madeley, Needs, Northeast, Oliver-Redgate, Oppler, Pendleton, Roberts, Smith, Stainton, Staniforth, Stanley, Thurston, Walsh, Warr, Worne and Yeates (40). No Councillors voted against and no Councillors abstained from voting.

As the voting on Part (iii) of the motion was unanimously carried, the Council

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RESOLVED

That further consideration of the points covered in the motion be submitted to a future meeting of the Housing & Wellbeing Committee.

Before moving onto the next agenda items, the Chair, inline with the Constitution at Part 5, Rules of Procedure (Meetings) – Section – Council Procedure Rules, Rule 11 [Duration of Meeting] confirmed that the Council would need to adjourn at 9.00 pm unless a vote was undertaken to extend the length of the meeting by a further 30 minutes. Councillor Staniforth asked for a show of hands to extend the meeting by this time to 9.30 pm, if needed, to ensure that all business on the agenda would be concluded. This was unanimously CARRIED.

331. QUESTIONS FROM MEMBERS

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

332. COMMITTEE MEMBERSHIPS

The Chair confirmed that in light of the urgent item considered earlier in the meeting, there were no changes to Committee Memberships to report to the meeting.

333. REPRESENTATION ON OUTSIDE BODIES

The Chair confirmed that there were no changes to representation on Outside Bodies for the meeting to consider.

(The meeting concluded at 9.04 pm)

Arun District Council

REPORT TO:	Full Council - 9 November 2022
SUBJECT:	Adoption (making) of the Lyminster and Crossbush Neighbourhood Plan 2020 - 2031
LEAD OFFICER:	Donna Moles - Principal Planning Officer
LEAD MEMBER:	Councillor Ricky Bower
WARDS:	Arundel & Walberton Ward
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>The recommendations supports:-</p> <ul style="list-style-type: none"> • Improving the wellbeing of Arun; • Delivering the right homes in the right places. 	
DIRECTORATE POLICY CONTEXT:	
<p>Under section 61E(4) of the 1990 Act, Arun District Council as the Local Planning Authority has to make a Neighbourhood Development Plan if it meets the statutory requirements.</p>	
FINANCIAL SUMMARY: There are no financial implications arising from the recommendations of this report.	

1. PURPOSE OF REPORT

- 1.1. A successful Neighbourhood Planning Referendum on the Lyminster and Crossbush Neighbourhood Development Plan (NDP) 2020-2031 was held on 11 October 2022, where 86.88% of voters casted a 'Yes' vote. If more than 50% of those voting on the day, vote 'yes' then the local planning authority under section 61E(4) of the 1990 Act, needs to 'make' (adopt) the Plan.
- 1.2. The purpose of this report is to make the Lyminster and Crossbush NDP 2020-2031 which is a legislative requirement.

2. RECOMMENDATIONS

- 1.3. Recommend that Full Council 'makes' the Lyminster and Crossbush Neighbourhood Plan 2020-2031 and it becomes part of the Development Plan for Arun District Council.

2. EXECUTIVE SUMMARY

- 2.1. The Lyminster and Crossbush Neighbourhood Development Plan 2020-2031 passed Examination in July 2022. The Examiner's report concluded that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning Referendum. A successful Neighbourhood Planning Referendum on the Lyminster and Crossbush NDP 2020-2031 was held on 11 October 2022, where 86.88% of voters casted a Yes vote. If more than 50% of those voting on the day, vote 'yes' then the local planning authority under section 61E(4) of the 1990 Act, needs to 'make' (adopt) the Plan. The 'making' of the plan by Full Council will give it legal force and it will form part of the statutory Development Plan for Arun Local Planning Authority area. Consequently, decisions on planning applications in the neighbourhood area will need to be made in accordance with the NDP, unless material considerations indicate otherwise.

3. DETAIL

- 3.1. The Localism Act, which received Royal Assent on November 15 2011, introduced new rights and powers to allow local communities to shape new development by coming together to prepare Neighbourhood Plans and Orders. Neighbourhood forums and Parish Councils can use new Neighbourhood Planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as 'Neighbourhood Development Plans'. They have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations.
- 3.2. Under the Town and Country Planning Act 1990 (as amended), the Local Planning Authority has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans and Orders and to take Plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 3.3. The Lyminster and Crossbush NDP relates to the area that was designated by Arun District Council and South Downs National Park Authority as a neighbourhood area on 13 March 2019. This area is coterminous with the Lyminster and Crossbush Parish Council boundary that lies within the Arun District Council Local Planning Authority Area. Part of the specified area falls within the South Downs National Park Local Planning Authority Area and part within Arun District Council Local Planning Authority Area.
- 3.4. Mr Christopher Lockhart-Mummery was appointed by Arun District Council with the consent of the Parish Council, to undertake the examination of the Lyminster and Crossbush NDP and to prepare a report of the independent examination.

- 3.5. On 25 August 2022, the Decision Statement, which is a report that outlines all the Examiner’s modifications and confirms acceptance by all parties, was signed by the Group Head of Planning and published on the Arun District Council website.
- 3.6. The Examiner’s report concluded that subject to making the modifications recommended by the Examiner, the NDP meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning Referendum.
- 3.7. If a plan passes the referendum, i.e. more than 50% of those voting on the day, vote ‘yes’; then the local planning authority under section 61E(4) of the 1990 Act, needs to ‘make’ (adopt) the NDP. This ‘making’ of the NDP by Full Council will give it legal force and it will form part of the statutory Development Plan for that area. Consequently, decisions on planning applications in the neighbourhood area will need to be made in accordance with the NDP, unless material considerations indicate otherwise.
- 3.8. On Tuesday 11 October 2022, Lyminster and Crossbush Neighbourhood Development Plan successfully passed its referendum with 86.88% of the votes agreeing that the Neighbourhood Development Plan be used in Development Management decision making.

Polling Station	Votes recorded	Percentage
Number cast in favour of a ‘Yes’	106	86.88%
Number cast in favour of a ‘No’	16	13.11%
Turnout		38.85%

4. CONSULTATION

- 4.1. Various rounds of statutory consultation with the parishes, the community, Statutory bodies and relevant stakeholders as per the regulations, have been undertaken as part of the Neighbourhood Plan process.

5. OPTIONS / ALTERNATIVES CONSIDERED

- 5.1. The options are

1.To ‘make’ the Lyminster and Crossbush Neighbourhood Plan 2020-2031 to become part of the Development Plan for Arun District Council **OR**

2. To not ‘make’ the Lyminster and Crossbush Neighbourhood Plan 2020-2031 which would not become part of the Development Plan for Arun District Council.

6. COMMENTS BY THE GROUP HEAD OF CORPORATE SUPPORT/SECTION 151 OFFICER

6.1. There are no financial considerations arising from this report.

7. RISK ASSESSMENT CONSIDERATIONS

7.1. Once 'made', the Lyminster and Crossbush NDP will become part of the Development Plan for the District and will be used by the Council when determining planning applications for this area.

8. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

8.1. There are no Governance or legal implications.

9. HUMAN RESOURCES IMPACT

9.1. There are no human resources implications.

10. HEALTH & SAFETY IMPACT

10.1. The proposals may help to improve housing delivery through evidenced plan making, having a positive impact on health and wellbeing.

11. PROPERTY & ESTATES IMPACT

11.1. There are no direct implications for Council property.

12. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

12.1. The proposals may help to improve access to housing through plan making for all sections of the community, having a positive impact on health and wellbeing.

13. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

13.1. There are no direct adverse implications for Climate Change.

14. CRIME AND DISORDER REDUCTION IMPACT

14.1. There are no direct adverse implications for crime and disorder.

15. HUMAN RIGHTS IMPACT

15.1. There are no direct adverse implications for human rights.

16. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

16.1. There are no implications.

CONTACT OFFICER:

Name: Donna Moles
Job Title: Principal Planning Officer
Contact Number: 01903 737697

BACKGROUND DOCUMENTS:

The web link provides access to the background stages and formulation of the NDP:
[Lyminster and Crossbush neighbourhood development plan | Arun District Council](#)

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

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