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30 October 2023

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 8 November 2023** at **6.00 pm** in the **Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** to transact the business set out below:



Karl Roberts and Philippa Dart
Interim Joint Chief Executives

AGENDA

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 **Wednesday, 1 November 2023** in line with current Council Meeting Procedure Rules.

For further information on the items to be discussed, please contact Committees@arun.gov.uk

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 19 July 2023, which are *attached*.

7. CHAIR'S ANNOUNCEMENTS

To receive such announcements as the Chair 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. YAPTON NEIGHBOURHOOD PLAN (Pages 17 - 20)

The Yapton Neighbourhood Development Plan 2011-2031 passed Examination in May 2023. 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 Yapton Neighbourhood Development Plan 2011-2031 was held on the 12 September 2023 where 91.15% 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, need 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 Neighbourhood Development Plan, unless materials considerations indicate otherwise.

10. USE OF URGENT POWERS BY THE JOINT INTERIM CHIEF EXECUTIVE AND DIRECTOR OF ENVIRONMENT AND COMMUNITIES - LOCAL AUTHORITY HOUSING FUND GRANT (Pages 21 - 24)

This report details the use of urgent powers by the Interim Joint Chief Executive and Director of Environment and Communities on 14 August 2023 to sign a Memorandum of Understanding, which would enable the Council to receive funding of £1,092,000 from The Department of Levelling Up, Housing and Communities (DLUHC) from the Local Accommodation Housing Fund (LAHF).

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

11. AUDIT & GOVERNANCE COMMITTEE - 25 JULY 2023 (Pages 25 - 60)

The Chair of the Audit & Governance Committee, Councillor Walsh, will present recommendations from the meeting of the Audit & Governance Committee held on 25 July 2023.

The recommendations for the Council to consider are set out below:

- Minute 186 [Treasury Management Annual Report 2022/23] – the Minutes of the meeting and the Officer's report with appendices are attached.

12. PLANNING POLICY COMMITTEE - 21 SEPTEMBER 2023 (Pages 61 - 72)

The Chair of the Planning Policy Committee, Councillor Lury, will present recommendations from the meeting of the Planning Policy Committee held on 21 September 2023.

The recommendations for Council to consider are set out below:

- Minute 261 [Local Development Scheme] – the minutes and the Officer's report are attached.

13. AUDIT & GOVERNANCE COMMITTEE - 28 SEPTEMBER 2023 (Pages 73 - 92)

The Chair of the Audit & Governance Committee, Councillor Walsh, will present recommendations from the meeting of the Audit & Governance Committee held on 28 September 2023.

The recommendations for the Council to consider are set out below:

- Minute 273 [Treasury Management – Quarter 1 Report 2023/24] – the minutes and the Officer's report are attached.

14. POLICY & FINANCE COMMITTEE - 26 OCTOBER 2023

The Chair of the Policy & Finance Committee will present recommendations from the meeting of the Policy & Finance Committee held on 26 October 2023.

The minutes from this meeting confirming recommendations for Council to consider will be circulated separately to this agenda.

15. MOTIONS

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

MOTION 1

Proposer: Councillor McAuliffe
Seconder: Councillor Wallsgrove

Summary

It is requested that Council supports a motion to examine the concept and feasibility of establishing a mechanism of advocacy and improved protection for the River Arun.

Context

Our rivers and streams are under severe pressure from a range of human activities. Sewage discharges, agricultural runoff, chemicals from road drainage, industrial effluent and non-native invasive species all have adverse impacts on water quality, riparian biodiversity and river health. These activities are not prevented in law. Indeed, in many cases they are designed into our infrastructure, our business models and are allowed to persist despite the known harm. This has direct impacts for wildlife and humans through deterioration of aquatic habitats, lower water quality which leads to increases in water treatment costs, losses of recreational availability and ultimately, downstream impacts spreading to the coastal waters which support our local economy and wildlife.

It is evident that existing legal systems have failed to adequately protect our rivers and coastal waters. In England, 90 per cent of rivers are classified as being in 'unfavourable' condition. Those tasked with safeguarding these environments are under-resourced and lack the legal sanctions they would like. Adopting this Motion is an opportunity for the Council, as Civic Leaders, to support our partner organisations and bolster the health and future of the River Arun and our coastal communities.

Rights of Rivers is a global movement that aims to rebalance our relationship with rivers. The aim is to reverse the current societal position that rivers serve a utilitarian function and exist for the use and exploitation of humanity. Rights of Rivers establishes an intrinsic right for rivers to exist as entities in their own right and as vital components of the natural world rather than merely serving the needs of humanity.

The Rights of Rivers global movement has framed The Universal Declaration of River Rights which says that all rivers shall possess the following fundamental rights: (1) the right to flow (2) the right to perform essential functions within the river's ecosystem (3) the right to be free from pollution (4) the right to feed, and be fed, by sustainable aquifers (5) the right to native biodiversity (6) the right to regeneration and restoration.

This approach is supported by the Sussex Wildlife Trust, the Ouse and Adur Rivers Trust, Lewes District Council '*Rights of the River Ouse*' Motion and Adur District Council's '*Declaration on the Rights of the River Adur*'. Angling clubs, boating interests, tourism bodies, wild swimming clubs and conservation organisations have all expressed support for establishing Rights of Rivers. Our residents have also robustly demonstrated their opposition to the way rivers and streams are exploited by water companies for the disposal of human waste – as has this Council.

This Motion is our opportunity to explore methods of establishing a legacy of protection and enhancement for the River Arun. We can examine how, through mechanism that promote advocacy enshrined in our policies, strategic vision and Local Plan, we can set a goal of reversing the historic over exploitation of the Arun – the river that defines our landscape and gives this District its name.

Motion

- (1) This Council acknowledges the work of multiple bodies in addressing the health and wellbeing of the River Arun and believe that there is a case to be made for adopting the 'Rights of Rivers' approach; and
- (2) This Council will explore, with local communities and relevant stakeholder, the feasibility of implementing Rights for the River Arun and will, within two years return to Full Council with its findings for further debate and possible adoption.

Supporting ADC Policies

C SP1
ENV SP1
ENV DM3
H SP2
QE SP1
T SP2
TOU SP1
W SP1
W DM1
W DM2
WDM4

16. **QUESTIONS FROM MEMBERS**

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

17. **COMMITTEE MEMBERSHIPS**

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

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 : 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 \(arun.gov.uk\)](#).