



Public Document Pack

Arun District Council
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Littlehampton
West Sussex
BN17 5LF

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[Arun District Council](#)

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2 January 2024

COUNCIL MEETING

To all Members of the Council

You are summoned to attend a meeting of the ARUN DISTRICT COUNCIL to be held on **Wednesday 10 January 2024** at **6.00 pm** in the **Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** to transact the business set out below:

A handwritten signature in black ink, appearing to read "Philippa Dart". Above the signature is a stylized, scribbled mark that resembles the letters "KAR".

Karl Roberts/Philippa Dart
Joint Interim Chief Executives

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, 3 January 2024** in line with current Council Meeting Procedure Rules.

For further information on the items to be discussed, or about attending the meeting or how to find the webcast link, 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 - 18)

To approve as a correct record the Minutes of the Meeting of the Council held on 8 November 2023 and the Minutes of the Special Meeting of the Council held on 29 November 2023, 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. **REVIEW OF ENTITLEMENT OF POLITICAL GROUPS TO SEATS ON COMMITTEES - PROPORTIONALITY AND APPOINTMENTS TO COMMITTEES** (Pages 19 - 26)

The purpose of this report is to update Members on changes to the allocation of seats to political groups and appointments to committees for the remainder of the municipal year following the creation of the Arun Independent Group.

10. **APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER** (Pages 27 - 30)

This report seeks approval to the appointment of Philippa Dart as the Returning Officer and Electoral Registration Officer.

11. **RECRUITMENT TO THE PERMANENT CHIEF EXECUTIVE OFFICER POST** (Pages 31 - 42)

The report informs members of, and asks approval for, the recommendations to Full Council from the Chief Executive's Recruitment and Selection Panel and the Chief Executive's Remuneration Committee. The minutes from both meetings are attached as Appendices.

12. **STATEMENT OF COMMUNITY INVOLVEMENT** (Pages 43 - 46)

The purpose of the report is to adopt the updated Statement of Community Involvement following a public consultation period.

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

13. **CONSTITUTION WORKING PARTY - 16 NOVEMBER 2023** (Pages 47 - 100)

The Chair of the Constitution Working Party, Councillor Yeates, will present recommendations from the meeting of the Constitution Working Party held on 16 November 2023.

The minutes from the meeting are attached. The recommendations for the Council to consider are set out below:

- Minute 6 [Audit & Governance Committee – 28 February 2023 – Recommendation for the Working Party] – the Officer's report is attached.
- Minute 7 [Planning Protocol] – the Officer's report is attached.
- Minute 8 [Constitution Amendments – Finance Group] – the Officer's report is attached
- Minute 9 [Constitution Changes and Updates] – an Appendix is attached.

14. ENVIRONMENT COMMITTEE 21 NOVEMBER 2023 (Pages 101 - 198)

The Chair of the Environment Committee, Councillor Wallsgrove, will present recommendations from the meeting of the Environment Committee held on 21 November 2023.

The minutes from this meeting are attached and the recommendations for the Council to consider are set out below:

- Minute 382 [Additional Houses in Multiple Occupation Licensing Scheme] – the Officer's report and appendices are attached.

15. AUDIT & GOVERNANCE COMMITTEE - 30 NOVEMBER 2023 (Pages 199 - 222)

The Chair, Councillor Walsh, will present recommendations from the meeting of the Audit & Governance Committee held on 30 November 2023.

The minutes from the meeting are attached and the recommendations for the Council to consider are contained within:

- Minute 445 [Treasury Management – Interim Report 2023/24] – the Officer's report is attached.

16. POLICY & FINANCE COMMITTEE - 6 DECEMBER 2023 (Pages 223 - 250)

The Chair of the Policy & Finance Committee, Councillor Stanley, will present recommendations from the meeting of the Policy & Finance Committee held on 6 December 2023.

The minutes from this meeting are attached and the recommendations for Council to consider are set out within the minute below:

- Minute 456 [Council Vision Working Party – 19 September, 23 October and 13 November 2023] – the Vision document is attached.

17. PLANNING COMMITTEE - 14 DECEMBER 2023

The Chair of the Planning Committee, Councillor Hamilton, will present recommendations from the meeting of the Planning Committee held on 14 December 2023.

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

18. SPECIAL POLICY AND FINANCE COMMITTEE - 8 JANUARY 2024

The Chair of the Policy & Finance Committee, Councillor Stanley, will present recommendations from the Special Meeting of the Policy & Finance Committee held on 8 January 2024.

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

19. MOTIONS

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

MOTION 1

Proposer: Councillor Gunner
Seconder: Councillor Greenway

That this Council will provide to all Members full details of all proposed cost savings in the 2024/5 budget, including implications on service delivery, ahead of the individual service committee meetings where their service committee budgets will be recommended for the 2024/5 budget.

20. QUESTIONS FROM MEMBERS

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

21. COMMITTEE MEMBERSHIPS

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

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

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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 8 NOVEMBER 2023 AT 6.00 PM

Present: Councillors Mrs Cooper (Chair), Walsh (Vice-Chair), Ayling, Batley, Bicknell, Birch, Blanchard-Cooper, Mrs Bower, Bower, Brooks, Cooper, Elkins, English, Greenway, Goodheart, Gunner, Hamilton, Haywood, Huntley, Jones, Kelly, Lawrence, Lloyd, Long, Lury, Madeley, May, McAuliffe, McDougall, Nash, Needs, Northeast, O'Neill, Oppler, Partridge, Pendleton, Pencycate, Stainton, Stanley, Stainton, Tandy, Turner, Wallsgrove, Warr, Wiltshire, Woodman, Mrs Worne, Miss Worne and Yeates.

Honorary Alderman Mr Dingemans was also in attendance at the meeting.

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated – Councillor Bicknell – Minute 342 to Minute 344 [Part] and Councillor Goodheart – Minute 342 to Minute 345]Part]].

342. WELCOME

The Chair welcomed Councillors, representatives of the public, press and officers to the meeting.

A special welcome was extended to Honorary Alderman Mr Dingemans.

343. FORMER MEMBER AND CHAIR OF THE COUNCIL - MR DON AYLING

The Chair stated that it was with great sorrow that she had to commence the meeting by announcing some sad news which was the death of former Councillor and Chair of the Council, Don Ayling.

The Chair confirmed that the Council had received an email on 10 August 2023 to confirm that Don Ayling has passed away on 6 August 2023.

Don Ayling had first become a Councillor on 1 May 2003 and had given twelve years of dedicated service to the Council standing down on 7 May 2015. During that time, Don has represented the Arundel Ward and had been a former Chair of the Council as well as serving on the Licensing Committee for many years.

The Council's condolences were extended to Don's family, friends and colleagues.

Having received tributes from Councillors Cooper and Walsh, the Council then undertook a minute's silence to his memory.

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344. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Bence, Butcher, Edwards, Patel, and Purser.

345. DECLARATIONS OF INTEREST

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 [WSCC]
Councillor Kenton Batley	Bognor Regis
Councillor Trevor Bence	WSCC
Councillor Paul Bicknell	Angmering
Councillor Carol Birch	Aldwick
Councillor Billy Blanchard-Cooper	Littlehampton
Councillor Jim Brooks	Bognor
Councillor Alan Butcher	Littlehampton
Councillor Andy Cooper	Rustington
Councillor Alison Cooper	Rustington and WSCC
Councillor Roger Elkins	Ferring and WSCC
Councillor Steve Goodheart	Bognor
Councillor Keir Greenway	Bersted and WSCC
Councillor Thomas Harty	Felpham
Councillor Shirley Haywood	Middleton-on-Sea
Councillor David Huntley	Pagham
Councillor Lesley-Anne Lloyd	Rustington
Councillor Jill Long	Littlehampton
Councillor Martin Lury	Bersted
Councillor Maralyn May	Littlehampton
Councillor Roger Nash	Bognor Regis
Councillor Claire Needs	Bognor Regis
Councillor Mike Northeast	Littlehampton
Councillor Peggy Partridge	Rustington
Councillor Jacky Pendleton	Middleton-on-Sea and WSCC
Councillor Matt Stanley	Bognor Regis
Councillor Freddie Tandy	Littlehampton
Councillor Sue Wallsgrove	Barnham and Eastergate
Councillor Jeanette Warr	Bognor Regis

Councillor Christine Wiltshire	Littlehampton
Councillor Bob Woodman	Littlehampton
Councillor Amanda Worne	Ford and Yapton
Councillor Amelia Worne	Littlehampton
Councillor Gillian Yeates	Bersted and Bognor Regis

Councillor Huntley declared a Personal Interest in Agenda Item 8 [Urgent Items – Storm Ciaran and Flooding Impacts] as he lived in a property that was very close to the beach.

346. PUBLIC QUESTION TIME

The Chair confirmed that five questions had been submitted for this meeting. All five questions were from Mrs Smith to the Chair of the Planning Committee, Councillor Hamilton, and related to various issues relating planning application AL/52/19/DOC.

The Chair then 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: [Arun District Council](#))

347. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

The Chair confirmed that there were no questions for this meeting.

348. PETITIONS

The Chair confirmed that no petitions had been received.

349. MINUTES

The minutes from the last meeting of the Council held on 19 July 2023 were approved by the Council as a correct record and would be signed by the Chair at the end of the meeting.

350. CHAIR'S ANNOUNCEMENTS

The Chair provided an update to Members on Civic activities attended since the last Full Council meeting held on 19 July 2023, these had been emailed to all Councillors in advance of tonight's meeting and have been summarised below:

- 19 July – Afternoon Reception, Bishops Palace Gardens in Chichester
- During the summer break supporting her chosen charity AJs Legacy attending a sports day where over £2k was raised

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- August – visited the Littlehampton Love Local Arts Kids Fun Day with Councillor Tandy as Mayor supporting a fabulously fun event for the children of Littlehampton and the surrounding areas
- The official opening of the wet change facilities at the Arun Leisure Centre
- 3 September – attended The Coppice and Angmering Surgeries Boot Sale and Health Awareness Day
- 17 September attended the West Sussex County Council's Scouts AGM
- Taking full advantage of the September sunshine also attending the opening of the newly refurbished tennis courts at Swansea Gardens
- 27 September – numerous events were attended. Firstly, to the Greenleas MacMillan Cancer Support Big Coffee Morning and then onto Voluntary Action Arun & Chichester AGM
- 28 September attended the launch of a new restaurant venture called The Landing Place in Bognor Regis
- 8 October – attended Horsham District Council's Civic Service
- 12 October attended the Bognor Regis in Bloom and Allotments Award Evening
- 24 October attended the Lord-Lieutenant's Annual Awards Ceremony at Lancing College
- 28 October had been planning to attend the Littlehampton Bonfire Celebration, but this had been sadly cancelled due to the poor weather
- Early November attended the NSPCC South and Mid Sussex AGM at Arundel Castle and then finally raised the flag at Brookfield Park for the Green Flag Awards.
- Many invites had been received to attend carol services and tree lighting events in the build up to Christmas, these would be reported to the next meeting of Full Council
- Finally, the Chair reminded Members of the Special Meeting of the Council taking place on 29 November to honour former Councillor Paul English as an Honorary Alderman.

351. URGENT MATTERS - STORM CIARAN AND FLOODING IMPACTS

The Chair confirmed that there was one urgent item for this meeting to consider which was a report setting out the impacts of Storm Ciaran. This report has been uploaded to the Full Council web pages earlier on in the day as a second supplement pack and had also been circulated to the meeting.

The Chair invited the Joint Interim Chief Executive and Director of Environment and Communities to present her report. It was explained that this report had been considered as urgent considering the unprecedented flooding in the district that the storm had caused.

The Director of Environment and Communities confirmed that the report set out the Council's emergency planning response under the Civil Contingencies Act 2004. Its purpose was to update Members on the impacts following Storm Ciaran; setting out the multi-agency response that had taken place; and how the Council proposed to review the various issues following the incident by taking steps to reduce impacts in the future.

The unprecedented rainfall received during October 2023 was highlighted. A major impact of Storm Ciaran following this high level of rainfall [on 2 November 2023] had been that of flooding in numerous areas of the district to include homes, businesses and roads. The storm, although significant, had not been declared as a major incident however the Council's emergency planning role in dealing with such an event had followed the Civil Contingencies Act (CCA) 2004 and had been supported by other lead agencies such as the Environment Agency (EA), supported by West Sussex County Council (WSSCC) as the flood authority. A full list of the involvement of the Emergency Planning Officer and others involved in responding to matters that had arisen over the past week had been set out in Appendix 2. Services provided by the Council had continued as normal during the storm period and had included the removal of fallen trees; ensuring that streets remained clear of debris; checking and clearing drain grates; inspecting the condition of the coast, breaches, promenades and sea defences. The council's refuse collection service had continued as normal.

Communications during this period had been key and had been issued almost daily with the Communications Team distributing information using various channels and heavily using social media platforms. The full impact of the storm was still being assessed and it had been reported that at least 5 properties had endured internal flooding requiring the assistance of the fire service. Other reports of flooding in other properties had also been received via the multi-agency recovery process and several businesses had been badly affected. Numerous information sources had provided Members with details on how to report flooding which was via the Storm Ciaran email address. It was the Council's responsibility to take the lead role in coordinating the recovery from such an incident with the aim of restoring key services, and establishing a collaborative approach to help communities recover to achieve relative normality and to establish communication channels with the public, partners and other stakeholders.

In taking this forward it was proposed that the council, via its Environment Committee, should establish a 'Forum' made up of various partners responsible for flood preparation, planning and response, to investigate and consider the contributing factors, impacts and possible solutions.

Councillor Stanley, as Leader of the Council, then presented the report and in doing so applauded the work of Councillors and Officers who had worked exceptionally hard in very challenging times to support residents and businesses in the district. In response to this, Councillor Stanley confirmed how necessary it was to support the numerous recommendations detailed.

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Councillor Stanley then referred to Appendix 2 of the report detailing the extensive work and meetings that had been undertaken and he thanked officers for pulling this vital information together within a very short period of time. Councillor Stanley stated that it was essential for the council to continue with this cross party and cross organisation work as these events were still very real and were live situations that required a continued multi-agency approach. The second recommendation in the report addressed how the council would work to mitigate similar events in the future.

In formally proposing the recommendations, Councillor Stanley confirmed that he wished to make an amendment to Recommendation 2 (C) to read as follows [additions have been shown in **bold** with deletions shown using ~~strikethrough~~].

(2) This Council recommends to the Environment Committee that a 'Forum' is established made up of various partners responsible for flood preparation, planning and response, including the Environment Agency, Southern Water, West Sussex County Council and others, to investigate and consider the contributing factors, impacts and possible solutions;

A) The Forum is to be chaired by a suitably qualified independent person;

B) The Forum's findings be reported back to the Environment Committee and Full Council;

C) Authority is delegated to the ~~Interim Chief Executives in consultation with the Leader of the Council and the Chair of the~~ Environment Committee to agree the terms of reference and arrangements for the establishment of the forum.

Councillor Tandy then seconded this amendment.

The Chair then invited debate on the amendment. This saw widespread and varied discussion. Thanks were extended by Councillor Wallsgrove to Councillor Gunner who had provided her with information allowing her to establish direct contact with the Chief Executive at Southern Water. This had allowed her to have progressed many conversations covering the severity of numerous flooding incidents in Barnham and where it had been critical to have removed two residents from their properties having only just returned following severe flooding in 2022. It was agreed that Southern Water and the EA needed to address and be looking to rectify such ongoing flooding and the reasons for them urgently.

All Councillors agreed that the Forum needed to be established and that it should be chaired by a suitably qualified independent person. Questions were asked as to who this would be and how long it might take to secure such an individual before the Forum could meet. In response it was explained that Officers were planning to approach an independent expert, possibly through the University of Chichester, who would have the ability to take on this responsibility using an academic and dispassionate approach to the problem.

Councillors also praised the work of their fellow Members and affected residents who had been extremely active within their Wards over the past ten days, and they echoed the strength of concern that had been expressed over the severe flooding incidents reported and that urgent action was required within those Wards. The Wards identified as being the most severely impacted were Bersted, Barnham, Climping, Pagham, and Middleton on Sea with sympathy being extended to all residents and businesses affected, as well as other areas across the district. It was acknowledged that Councillors and residents had worked very hard distributing sandbags and passing on information to those that needed it. In view of this, the amendment was welcomed as it would encourage further collaborative working and was a positive way forward.

Questions were asked as to how non-Environment Committee Members could become involved. It was important for the Forum to put in place measures to ensure that the impacts from future storms would not be so severe moving forward. Discussion also focused upon whether the Forum was the correct mechanism to achieve the work required. There were some Councillors who strongly believed that such discussions should sit with Full Council only and that instead a Special Meeting of the Council should be called as soon as possible.

Concern was also expressed over the lack of maintenance and clearance of ditches. In years gone by, the Council had employed a Ditches Officer who had responsibility for assessing who were riparian owners and ensuring that they were aware of and actioned their responsibilities in terms of maintenance. It was felt that this was a major contributing factor to many of the flooding issues within the district. There was concern over the number of ditches that needed to be put back into service and that over time working on this would quickly reduce flooding incidents. The fact that management agents had been passed responsibility for managing ditches was seen to be part of this problem.

Continuing with the debate on ditches and riparian ownership, it was highlighted that many riparian owners did not understand or were not aware of their responsibilities. This was an argument to consider in supporting the Forum as part of its work would look to address such issues. There were some Councillors who agreed that Full Council should have overall responsibility for the Forum and that in receiving reports back, a Special Meeting of the Council should be convened to provide dedicated time for all Councillors to discuss and debate findings.

In continuing debate, many concerns were expressed over the exclusion of Southern Water and their responsibilities. It was felt that they had exacerbated many of the problems with pumping stations having been switched off during the period of the storm and afterwards. Another major problem had been sewage backing up in drainage systems and leaking into houses and business premises. Many Councillors aired their frustration over the lack of response to the sewage flooding situation which had caused misery to many residents. Despite the best efforts of local Members of Parliament, Councillors and residents, the response provided by Southern Water had been poor and so it was vital that they be included in the work that the Forum would initiate.

Further detailed discussion took place where concerns were expressed regarding:

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- The over development of the district in terms of housing
- The impacts caused by a severe lack of funding provided to the EA.
- That natural water courses such as the Aldingbourne Rife were being mismanaged by the EA and were not being dredged
- A poorly maintained Victorian drainage infrastructure that Southern Water were responsible for which was severely outdated and could not cope with today's demands
- The pumping of raw sewage into the sea
- The tankering of flood water with polluted sewage
- Shareholder profits versus public services
- Climate change and rising sea levels
- Large strategic development sites were contributory factors
- A Special Council was needed to add weight and input from all responsible agencies
- Who should be invited and how long would the forum continue, what would its terms of reference be?
- Councillors could and should be given the opportunity to provide real input into the Forum
- The district was only at the start of what looked like to be a terrible flood season and so urgent action was required
- Communication from this council needed to be improved
- The forum needed teeth and could not afford to become a talking shop – action was needed now and plans to prevent repeated incidents in the future
- Residents and businesses should not have to tolerate coping with raw sewage seeping into their homes and businesses
- Parish Councils had not been included as part of this council's communication responses which needed to be rectified.

Councillor Tandy, as seconder to the amendment, thanked Councillors for their detailed debate in response to so many areas having been affected. It was clear that the council needed to work with calm heads without making criticisms of individuals whilst holding statutory agencies to account and as they had failed in their duties. Equally, there was the need to look internally as some of the decisions made by the council had not been perfect. The establishment of the Forum would allow the council to work together in partnership with all agencies.

Councillor Tandy applauded the work of Officers who had worked very hard over the last ten days to help, it was his view that communication had been good and had reached those that needed it. He supported the amendment and views that the Forum's findings be reported back to Full Council.

In response, the Group Head of Law and Governance and Monitoring Officer recommended that with Recommendation 2 (B) that the reference to Full Council should be changed to “an Extraordinary Meeting of the Council” to ensure dedicated debate. As this was fully supported by Councillors, the proposer and seconder to the amendment, Councillors Stanley and Tandy confirmed their agreement to this change.

Councillor Stanley, as proposer of the recommendations, thanked Members for a very worthwhile and constructive debate. He reconfirmed that the Environment Committee would decide the terms of reference and arrangements for establishing the Forum which would address two conflicting situations, the urgency in responding to this event, which was not a new situation, and working together to mitigate the problem for the remainder of this year and future years to reduce repeating events moving forward. This would also require input nationally from Government and the need for strong commitment to climate change which had certainly been a contributing factor.

Following further discussion, the Council then

RESOLVED - That

- 1) Arun District Council acknowledges the devastating impact the recent flooding has had on residents and businesses within the district;
- 2) This Council recommends to the Environment Committee that a ‘Forum’ is established made up of various partners responsible for flood preparation, planning and response, including the Environment Agency, Southern Water, West Sussex County Council and others, to investigate and consider the contributing factors, impacts and possible solutions;
 - a) The Forum is to be chaired by a suitably qualified independent person;
 - b) The Forum’s findings be reported back to the Environment Committee and an Extraordinary Meeting of Full Council;
 - c) Authority is delegated to the Environment Committee to agree the terms of reference and arrangements for the establishment of the forum.

352. YAPTON NEIGHBOURHOOD PLAN

The Chair of the Planning Policy Committee, Councillor Lury, presented a report recommending that the council ‘makes’ the Yapton Neighbourhood Development Plan 2011-2031 and that it should become part of the Development Plan for Arun District Council. This was following a successful Neighbourhood Planning Referendum held on 12 September 2023 where 91.15% of voters had a cast a ‘yes’ vote.

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In formally proposing the recommendation, Councillor Lury praised Councillor Bower, as the former Chair of the Planning Policy Sub-Committee, for his work in pushing forward Neighbourhood Development Plans across the district following the introduction of the Localism Act. Thanks, were also extended to the Planning Policy team for their work with town and parish councils in pulling together the plans.

Councillor Yeates then seconded the recommendation.

Following a brief discussion, the Council

RESOLVED

That Full Council 'makes' the Yapton Neighbourhood Development Plan 2011-2031 and it becomes part of the Development Plan for Arun District Council

The Chair then called a five minute adjournment.

353. USE OF URGENT POWERS BY THE JOINT INTERIM CHIEF EXECUTIVE AND DIRECTOR OF ENVIRONMENT AND COMMUNITIES - LOCAL AUTHORITY HOUSING FUND GRANT

The Council received and noted a report from the Joint Interim Chief Executive and Director of Environment and Communities detailing the use made of her urgent powers on 14 August 2023 [in accordance with the Constitution] to sign a Memo of Understanding, which would enable the Council to receive funding of £1,092,000 from The Department of Levelling Up, Housing and Communities to acquire or develop seven additional temporary accommodation homes to fulfil the council's statutory duties

354. AUDIT & GOVERNANCE COMMITTEE - 25 JULY 2023

The Chair of the Audit & Governance Committee, Councillor Walsh, presented the Minutes from the meeting of the Audit & Governance Committee held on 25 July 2023.

Councillor Walsh drew Members' attention to a range of recommendations at Minute 186 [Treasury Management Annual Report] which he formally proposed.

The recommendations were then duly seconded by Councillor O'Neill.

The Council

RESOLVED - That

1. the actual prudential and treasury indicators for 2022/23 contained in the report be approved
2. the annual treasury management report for 2022/23 be noted
3. the treasury activity during 2022/23 which has generated interest receipts of £1,455,650 (2.35%); budget £370,000 (0.84%) be noted
4. the addition of Handelsbanken Plc (Fitch rating AA, F1+) and Natwest Markets Plc (NRFB–Non Ring Fenced Bank) (Fitch rating A+, F1) to the 2023-24 treasury management strategy, be approved
5. as agreed at Audit & Governance Committee on 28 February 2023, that the Qatar National Bank and First Bank of Abu Dhabi have been removed from the counterparties list in the Council's Treasury Management Strategy, be noted.

355. PLANNING POLICY COMMITTEE - 21 SEPTEMBER 2023

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

Councillor Lury alerted Members to the first set of recommendations at Minute 261 [Local Development Scheme] which he formally proposed. The recommendations were then seconded by Councillor Yeates.

The Council

RESOLVED

That the draft Local Development Scheme September 2023 for the period 2023-2025 as amended (and set out in Background Paper 2) be adopted.

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356. AUDIT & GOVERNANCE COMMITTEE - 28 SEPTEMBER 2023

The Chair of the Audit & Governance Committee, Councillor Walsh, presented the Minutes from the meeting of the Audit & Governance Committee held on 28 September 2023.

Councillor Walsh drew Members' attention to a range of recommendations at Minute 283 [Treasury Management Quarter 1 Report 2023/2024] which he formally proposed.

The recommendations were then duly seconded by Councillor O'Neill.

In discussing the recommendations, a question was asked in relation to Recommendation 2.2 and if this could be explained further as in terms of the generated estimated receipts of just under £0.5m (4.27%) against a budget of £1,540 (3.20%)

Councillor Walsh responded confirming that extra income was being received due to a steady rise in interest rates. The Group Head of Finance and Section 151 Officer confirmed this and stated that the £460,918 was in addition to the budget but that he would circulate an explanatory note following the meeting.

The Council

RESOLVED - That

1. the quarter 1 treasury management report for 2023/24 be noted;
2. they note the treasury activity for the quarter ended 30 June 2023, which has generated interest receipts of £460,918 (4.27%). Budget £1,540,000 (3.20%); and
3. the quarter 1 actual prudential and treasury indicators for 2023/24 contained in the report be noted.

357. POLICY & FINANCE COMMITTEE - 26 OCTOBER 2023

The Chair of the Policy and Finance Committee, Councillor Stanley, presented the minutes from the meeting of the Policy and Finance Committee held on 26 October 2023, which had been circulated separately to the agenda.

Councillor Stanley alerted Members to a recommendation at Minute 328 [Housing and Wellbeing Committee – 12 September 2023 – Local Authority Housing fund] which he formally proposed.

The recommendation was then seconded by Councillor Nash.

The Council,

RESOLVED

That this includes this scheme within the Council's capital programme at a total cost of £2.7m with £1.09m to be funded from central government grant and £1.6m to be funded by the Council through additional borrowing.

358. MOTIONS

The Chair confirmed that in line with requirements of the Constitution a motion had been submitted in accordance with Council Procedures 15.1 and 15.2.

The Chair invited Councillor McAuliffe to present his motion.

Councillor McAuliffe stated that when he had first come across the Rights to Rivers concept, he had questioned what this meant and so he had undertaken some research. This had revealed that we afford rights, as a society, to entities all the time, examples were The Albert Hall, Arundel Cathedral and Castle. They were all afforded special rights and protection under the listed buildings process. Trees were protected by Tree Protection Orders and even companies were afforded legal rights under English law. As part of his role as this council's appointed representative on the South Downs National Park, an authority that had 27 Councillors to speak up for and to protect the park's area, why could we not do something similar for rivers and the River Arun? It was accepted that the public wanted councils to afford greater protection to rivers; the anger relating to sewage discharge and the anger and anguish relating to village ponds littered with dead and dying fish due to a lack of oxygen and wildlife choking due to plastic waste was all there to be seen.

The existing protections had clearly failed and so it was time to rethink our relationship now with rivers and do better. Councillor McAuliffe outlined that he was suggesting that the council look at the possibilities of where it could provide extra protection and that as a council we should look at the options coming forward from external stakeholders and engage with those people that work, live and care for the River Arun every day so that we could understand the issues and where the council could play a part whether that was through the Local Plan, the council's Vision and objectives. This process needed to start now, and it was suggested that this work commence over a two year period to look at feasibility before reporting back to Council with outcomes.

Full Council - 8.11.23

Councillor McAuliffe outlined that this was a global movement with many cities around the world having adopted Rights for Rivers. Adur District Council had recently passed this very Motion for the River Adur and Lewes District Council had adopted rights for the River Ouse. The council would not be working in isolation and should find ways of achieving this to better protect the River Arun. Councillor McAuliffe hoped that Councillors would give his motion consideration in an attempt to explore a legacy of protection and enhancement for the River Arun. He hoped that Councillors would give their consideration in protecting the river that defined Arun's landscape and gave the district its name.

Councillor Wallsgrove then seconded the Motion.

The Chair confirmed that the Motion would now stand referred to the Environment and that this had been decided in consultation with Councillors McAuliffe and Wallsgrove.

359. QUESTIONS FROM MEMBERS

The Chair referred Councillors to the Questions from Members that had been submitted in line with Council Procedure Rule 14.3 and the schedule of questions that had been circulated to the meeting. This confirmed that nine questions had been received.

The Chair invited questioners to read out their questions which would be responded to by the appropriate Committee Chair. It was explained that the schedule of questions would be updated to include the responses provided and would be uploaded to the Council's web page within ten working days of the meeting, in line with the Council's Constitution.

Nine questions had been submitted as bullet pointed below:

- (1) From Councillor Kelly to the Chair of the Housing & Wellbeing Committee, Councillor Birch regarding an item to refer to the Sussex Police and Crime Panel;
- (2) From Councillor Kelly to the Chair of the Environment Committee, Councillor Wallsgrove regarding car parking;
- (3) From Councillor Greenway to the Chair of the Policy & Finance Committee, Councillor Stanley regarding recent flooding in the District;
- (4) From Councillor Pendleton to the Chair of the Policy & Finance Committee, Councillor Stanley regarding the recent flooding in the District;
- (5) From Councillor Purser to the Chair of the Policy & Finance Committee, Councillor Stanley regarding the recent flooding in the District;

- (6) From Councillor Bower to the Chair of the Planning Policy Committee, Councillor Lury regarding the recent flooding in the District and changes to planning policy;
- (7) From Councillor Lloyd to the Chair of the Policy & Finance Committee, Councillor Stanely regarding the recent flooding in the District;
- (8) From Councillor Gunner to the Chair of the Policy & Finance Committee, Councillor Stanely regarding the alliance administration; and
- (9) From Councillor Gunner to the Chair of the Economy Committee, Councillor Nash regarding statements made online and decision making.

360. COMMITTEE MEMBERSHIPS

The Leader of the Opposition, Councillor Gunner, confirmed the following changes to Committee Memberships which were noted by the Council:

- Councillors Stainton and Pendleton were confirmed as named substitutes on the Planning Committee;
- Councillor Greenway would fill the conservative vacancy on the Constitution Working Party;
- Councillors Elkins and Pendleton would fill the two conservative vacancies on the CEO Remuneration Committee;
- Councillor Andy Cooper would replace Councillor Gunner as the conservative member on the CEO Appraisal Panel; and
- Councillors Gunner and Pendleton would fill the two conservative vacancies on the CEO Statutory Officers' investigatory and Disciplinary Committee

361. REPRESENTATION ON OUTSIDE BODIES

The Leader of the Council, Councillor Stanley, formally proposed a change to the representation to an existing Outside Body and a newly created Outside Body:

- (1) Councillor Walsh would replace Councillor Nash on the Littlehampton Town Centre Action Group; and
- (2) Councillor Wallsgrove to be confirmed as this Council's nominated representative on the Southern Water Local Authorities Stakeholders Action Group

Councillor Nash then seconded these changes.

The Council then

RESOLVED – That

The following changes be made to representation on Outside Bodies:

Full Council - 8.11.23

(3) Councillor Walsh would replace Councillor Nash on the Littlehampton Town Centre Action Group; and

(4) Councillor Wallsgrove to be confirmed as this Council's nominated representative on the Southern Water Local Authorities Stakeholders Action Group

(The meeting concluded at 8.29 pm)

Public Document Pack

Subject to approval at the next Full Council meeting

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MINUTES OF A SPECIAL MEETING OF THE ARUN DISTRICT COUNCIL HELD IN THE ARUN CIVIC CENTRE ON 29 NOVEMBER 2023 AT 6.00 PM

Present: Councillors Mrs Cooper (Chair), Walsh (Vice-Chair), Ayling, Bicknell, Blanchard-Cooper, Cooper, Mrs Bower, Bower, Butcher, Edwards, Elkins, English, Greenway, Gunner, Harty, Huntley, Kelly, Lawrence, Long, Lury, McAuliffe, Nash, Northeast, O'Neill, Partridge, Patel, Pendleton, Stanley, Tandy, Wallsgrove and Yeates.

433. WELCOME

The Chairman welcomed Councillors, special guests and members of the public and the press who might be watching the webcast to this Special Meeting of the Council.

434. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Batley, Bence, Brooks, Goodheart, Hamilton, Haywood, Jones, McDougall, Needs, Oppler, Penycate, Purser, Turner, Woodman, Mrs Worne, Miss Worne and from Honorary Aldermen Mr Dingemans.

435. DECLARATIONS OF INTEREST

Councillor English declared a Personal Interest as it was her husband who was being conferred the title of Honorary Alderman.

436. CONFERMENT OF THE TITLE OF HONORARY ALDERMAN

The Council

RESOLVED

That in pursuance of Section 249(1) of the Local Government Act 1972, the title of Honorary Alderman be conferred on Paul English who has, in the opinion of the Council, rendered eminent services to this Council as a past Member of this Council.

A commemorative certificate and Honorary Alderman's Jewel were then presented to Mr English by the Chair.

(The meeting concluded at 6.20 pm)

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Arun District Council

REPORT TO:	Full Council – 10 January 2024
SUBJECT:	Review of Entitlement of Political Groups to Seats on Committees – Proportionality and Appointments to Committees
LEAD OFFICER:	Daniel Bainbridge, Group Head of Law and Governance (Monitoring Officer)
LEAD MEMBER:	N/A
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
This report updates members on changes in political proportionality and revised committee allocations following the creation of the Arun Independent Group.	
DIRECTORATE POLICY CONTEXT:	
Responsibility for these matters sits within the remit of the Monitoring Officer.	
FINANCIAL SUMMARY:	
There are no financial implications associated with this report.	

1. PURPOSE OF REPORT

- 1.1. To update members on changes to the allocation of seats to political groups and appointments to committees for the remainder of the municipal year following the creation of the Arun Independent Group.

2. RECOMMENDATIONS

- 2.1 It is recommended that Full Council notes the changes set out within this report.

2. EXECUTIVE SUMMARY

- 2.1. The Monitoring Officer has received written confirmation from Councillor Steve Goodheart and Councillor Tom Harty that they wish to form a political group called the 'Arun Independent Group'. As a political group the Arun Independent Group is entitled to a proportionate allocation of seats to the Council's committees.

3. DETAIL

- 3.1. It is the duty of the Council to review from time to time the entitlement of political groups to seats on Committees in accordance with the proportionality rules set out in the Local Government & Housing Act 1989 (the Act) and the Local Government (Committees and Political Groups) Regulations 1990 (the Regulations), together hereinafter referred to as "the rules". The rules allow adjustments to be made to fractions in order to make whole numbers of seats

and, once the Council has determined how adjustments should be made, appointments are made to Committees on that basis.

4.2 The Act sets out four proportionality rules and requires authorities to apply them in descending order of priority:

- a) The first rule is that no political group (“group”) can have all the places on a Committee.
- b) The second rule is that a group having an overall majority on the Council is entitled to a majority of seats on each Committee.
- c) The third rule provides that, without being inconsistent with the first two rules, the gross number of seats on all Committees is allocated as near as possible in accordance with each group’s proportionate entitlement.
- d) The fourth rule provides that, so far as is consistent with Rules (a) to (c), the number of seats on each Committee is allocated in accordance with each Group’s entitlement

4.3 Legislation defines a political grouping for these purposes and in accordance with that legislation Arun political make-up has now increased from five to six “political groups”. The application of these rules to Arun Council indicates that:

- a) Paragraph 1.2(a) above **does** apply to Arun and therefore no Committee can be made up of Councillors from only one political group;
- b) Paragraph 1.2(b) above **does not** apply to Arun as no political group has an overall majority of seats on the Council;
- c) Paragraph 1.2(c) above **does** apply to Arun so that when the Council considers the total number of seats on Committees, the proportion allocated to any one political group is the same as that group’s proportion of seats on the Council; and
- d) Paragraph 1.2(d) above **does** apply to Arun to allow for the total number of seats on each individual Committee allocated to a political group to be the same proportion as they have on the Council

4.4 Under the rules above, if there are Councillors who do not belong to a political group then, once the division of seats between the political groups has been made, any remaining seats are allocated to these Members by the Council. This no longer applies.

4.5 The Council can only depart from these rules by passing a resolution with no Member voting against the resolution.

4.6 The current distribution of elected Members on Arun District Council following the formation of the Arun Independent Group in November 2023 is as follows:

Conservatives	20
Liberal Democrats	14
Labour	8
Green	6
Independent Group	4
Arun Independent Group	2

4.7 The Council has the following relevant Committees:

Committee	Seats
Policy & Finance Committee	9
Corporate Support Committee	11
Planning Policy Committee	11
Housing & Wellbeing Committee	11
Environment Committee	11
Economy Committee	11
Audit & Governance Committee	11
Planning Committee	11
Licensing Committee	11
Standards Committee	11
CEO Remuneration Committee	5
Statutory Officers Investigatory and Disciplinary Committee	5
Total	118

4.8 The table below sets out the percentage of the 54 Councillors belonging to each grouping and the number of committee seats that each grouping is entitled to based upon the percentage of Councillors:

Number of Councillors (54)						
Con	Lib Dem	Labour	Green	Ind	AIG	
20	14	8	6	4	2	
37.04%	25.93%	14.81%	11.11%	7.41%	3.70%	
Number of Committee Seats (118) (First row – seats as % of Cllrs – second row – rounded seats)						
43.71	30.60	17.48	13.11	8.74	4.37	
44	31	17	13	9	4	

4.9 Appendix 1 to this report sets out the allocation of seats prepared by officers to each political group based on the proportionality rules.

4.10 Group Leaders have been provided with the officer calculation of seats to be allocated to political groups. It has been confirmed that as Councillors Goodheart and Harty had each been allocated two Committee seats as ungrouped independents, the number of allocated seats to which they are entitled to as a group is now a total of four seats. The formation of the Group does not impact any other political group's entitlements.

4.11 The change highlighted earlier in this report means a slight change to committee memberships. There is a vacant seat on the Standards Committee and Councillor Goodheart has confirmed his intention to take this seat.

4.12 Under Council Procedure Rule 28.1, if at any time following an election there is a change to the number of members in each political group, the Chief Executive shall review the allocation of seats and inform the leader of each political group of any changes required. Permanent changes in the membership of committees and sub-committees must be notified by the relevant group leader or their deputy, in writing, to the Monitoring Officer at least 24 hours before the relevant meeting. Such changes will take immediate effect and then be reported to the next full council meeting for information.

5 CONSULTATION

5.1 Consultation has taken place with all Group Leaders as required by the Council Procedure Rules.

6 OPTIONS / ALTERNATIVES CONSIDERED

6.1 At the time of writing this report, no alternative proposals to the statutory allocations have been made. To not agree updated allocations would put the Council at risk as set out below. No alternative allocations have been put forward by Group Leaders, with Appendix 1 having been agreed by all Group Leaders ahead of this meeting.

7 COMMENTS BY THE INTERIM GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1 There are no financial implications associated with this report.

8 RISK ASSESSMENT CONSIDERATIONS

8.1 This report provides the Full Council with the earliest opportunity to update the memberships.

9 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

9.1 The legal and governance positions are set out within the body of this report.

10 HUMAN RESOURCES IMPACT

10.1 None associated with this report.

11 HEALTH & SAFETY IMPACT

11.1 None associated with this report.

12 PROPERTY & ESTATES IMPACT

12.1 None associated with this report.

13 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 None associated with this report.

14 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 None associated with this report.

15 CRIME AND DISORDER REDUCTION IMPACT

15.1 None associated with this report.

16 HUMAN RIGHTS IMPACT

16.1 None associated with this report.

17 FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 None associated with this report.

CONTACT OFFICER:

Name: Daniel Bainbridge

Job Title: Group Head of Law and Governance (and Monitoring Officer)

Contact Number: 01903 737607

BACKGROUND DOCUMENTS: None.

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Table A - Percentage of 54 seats and 118 committee seats by each group

Number of Councillors (54)					
Conservative	Liberal Democrat	Labour	Green	Independent Group	Arun Independent Group
20	14	8	6	4	2
37.04%	25.93%	14.81%	11.11%	7.41%	3.70%
Number of Committee Seats (118) (First row – seats as percentage of Councillors; Second row – rounded seats)					
43.71	30.60	17.48	13.11	8.74	4.37
44	31	17	13	9	4

Table B - Committees and seat allocations

	Conservative	Liberal Democrat	Labour	Green	Independent Group	Arun Independent Group
Policy & Finance (9 seats)	4	2	1	1	1	0
Corporate Support (11 seats)	4	3	2	1	1	0
Planning Policy (11 seats)	4	3	1	1	1	1
Housing & Wellbeing (11 seats)	4	3	2	1	1	0
Environment (11 seats)	4	3	2	1	1	0
Economy (11 seats)	4	3	2	2	0	0
Audit & Governance (11 seats)	3	3	2	1	1	1
Planning Committee (11 seats)	4	3	2	1	1	0
Licensing (11 seats)	4	3	1	1	1	1
Standards (11 seats)	4	3	1	1	1	Vacancy (1)
CEO Remuneration Committee (5 seats)	2	1	1	1	0	0
Statutory Officers' Investigatory and Disciplinary Committee (5 seats)	2	1	1	1	0	0
TOTAL (118)	43	31	18	13	9	4

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REPORT TO:	Full Council - 10 January 2023
SUBJECT:	Appointment of Returning Officer and Electoral Registration Officer
LEAD OFFICER:	Philippa Dart and Karl Roberts, Joint Interim Chief Executives
LEAD MEMBER:	Leader of the Council
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
The Council is required to have in place appropriate statutory officers, including the appointment of a Returning Officer and Electoral Registration Officer for the administration of elections	
DIRECTORATE POLICY CONTEXT:	
The Council's Electoral Services Team sits within the Organisational Excellent directorate and reports to the Group Head of Law and Governance.	
FINANCIAL SUMMARY:	
There is no financial cost associated with this report. Fees paid to the Returning Officer are met from within existing budgets and set on an election-by-election basis.	

1. PURPOSE OF REPORT

1.1 This report seeks approval to the appointment of Philippa Dart as the Returning Officer and Electoral Registration Officer.

2. RECOMMENDATIONS

It is recommended that Philippa Dart be appointed as the Returning Officer for local elections, the Electoral Registration Officer for Arun District Council and the Acting Returning Officer for UK Parliamentary Elections.

3. EXECUTIVE SUMMARY

3.1 At its annual meeting on 31 May 2023, the Council jointly appointed Philippa Dart (Director of Environment and Communities) and Karl Roberts (Director of Growth) as Returning Officer and Electoral Registration Officer until such time as the Council agrees alternative interim arrangements and/or a permanent replacement is in post.

- 3.2 Both postholders have been operating in the role since 31 May 2023 but have agreed that for both practical and operational reasons it is in the Council's interests to have a single person in the two roles which would ensure effective and clear decision-making in the lead up to and on the day of elections.

4. DETAIL

- 4.1 The Council is required to have in place appropriate statutory officers, including the appointment of a Returning Officer and Electoral Registration Officer for the administration of elections.
- 4.2 The Council appointed Philippa Dart and Karl Roberts jointly to the two roles in May 2023 and over the course of working together since that date they consider that greater clarity would be brought to decision-making in relation to electoral registration and elections if a single officer were to be appointed to the positions.
- 4.3 Karl Roberts would continue to support the electoral process as a Deputy Returning Officer.

5. CONSULTATION

- 5.1 Philippa Dart and Karl Roberts have both been consulted, together with the Group Head of Law and Governance and the Electoral Services Manager.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 The alternative option is to continue as currently, which is not considered to be the best option for the reasons set out above.

7. COMMENTS BY THE INTERIM GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 7.1 There is no separate payment for the appointment of Electoral Registration Officer.
- 7.2 The role of Returning Officer is appointed by the council but is personally accountable for the effective running of elections and is remunerated by an established schedule of fees that are discussed by West Sussex councils and with the Government, and recouped in part from parish and county councils and the Government as appropriate. Separate Returning Officers would be paid their fees according to ordinary practice and so there will not be any additional financial burden to Arun District Council as a consequence of this decision.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1 This proposal is itself a measure to reduce and mitigate the risks that are foreseen to be associated with the district, parish and parliamentary elections.

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

9.1 There are no direct legal implications arising from this report.

10. HUMAN RESOURCES IMPACT

Not applicable

11. HEALTH & SAFETY IMPACT

Not applicable

12. PROPERTY & ESTATES IMPACT

Not applicable

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

Not applicable

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

Not applicable

15. CRIME AND DISORDER REDUCTION IMPACT

Not applicable

16. HUMAN RIGHTS IMPACT

Not applicable

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

Not applicable

CONTACT OFFICER:

Name: Daniel Bainbridge

Job Title: Group Head of Law and Governance

Contact Number: 01903 737607

BACKGROUND DOCUMENTS: None

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REPORT TO:	Full Council - 10 January 2024
SUBJECT:	Recruitment to the Permanent Chief Executive Officer Position
LEAD OFFICER:	Jackie Follis, Group Head of Organisational Excellence
LEAD MEMBER:	Cllr Stanley, Leader of the Council
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
<p>The role of the Head of Paid Service and Chief Executive Officer (CEO) is to provide the leadership to deliver the Council’s vision and strategic direction, working with members and officers to create and implement the Council’s Corporate Plan. The position of Head of Paid Service is a statutory position, and the Chief Executive’s Recruitment and Selection Panel are responsible for the process to enable a successful appointment to this post.</p>	
DIRECTORATE POLICY CONTEXT:	
<p>It is important that the process for recruiting a permanent CEO is recognised as fair and robust allowing the Council to appoint the best possible candidate, including decisions on the remuneration for this post. These processes are set out in the Constitution under the Terms of Reference for the Chief Executive’s Recruitment and Selection Panel and for the Chief Executive’s Remuneration Committee.</p>	
FINANCIAL SUMMARY:	
<p>The total cost of the proposals in this report is £178,500, which includes salary plus salary on-costs. There is a minor funding shortfall of £5,260, which will be addressed as part of the 2024/25 budget setting process. A one-off budget of £30,000 will be set aside to fund recruitment costs.</p>	

1. PURPOSE OF REPORT

1.1 The report informs members of, and asks approval for, the recommendations to Full Council from the Chief Executive’s Recruitment and Selection Panel and the Chief Executive’s Remuneration Committee. The minutes from both of these meetings are attached as Appendices.

2. RECOMMENDATIONS

It is recommended that:-

2.1 The recommendations of the Chief Executive’s Recruitment and Selection Panel are agreed, as follows:

2.1.1 That approval be given to recruit externally for a permanent Chief Executive Officer using a specialist executive recruitment agency.

2.1.2 The recommendations of the Chief Executive’s Remuneration Committee are agreed, as follows:

- 2.2.1 The annual salary to be paid for the permanent Chief Executive be £140,000;
- 2.2.2 This salary be an all-inclusive salary with no other allowances being paid; and
- 2.2.3 The annual pay award should continue to be aligned with the national pay award and should not be linked to the annual appraisal panel and subsequent review by the Chief Executive's Remuneration Committee.

3. EXECUTIVE SUMMARY

- 3.1 The role of the Chief Executive's Recruitment and Selection Panel as set out in the Constitution is "to undertake all processes leading to the recruitment and selection of a new Chief Executive". This report confirms that the Recruitment and Selection Panel met and agreed, and is recommending to Full Council, to recruit a full time, permanent Chief Executive Officer and recommends that a specialist executive recruitment agency is used to assist with the recruitment process and search for suitably qualified candidates.
- 3.2 Following this recommendation, the Chief Executive's Remuneration Committee met to carry out its role as set out in the Constitution "to consider the remuneration to be paid for the post of Chief Executive that takes into account the report of the Chief Executive's Recruitment and Selection Panel". Having considered market data and other relevant factors in respect of recently recruited Chief Executive Officers in comparable local authorities, the Committee has recommended to Full Council an all-inclusive annual salary of £140k.

4. DETAIL

- 4.1 The resignation of the previous Chief Executive presented an opportunity for the Council to review the requirements of the role, the skills and experience needed from a future postholder, the terms and conditions offered and whether there are alternative methods of working. The Recruitment and Selection Panel met on 20 September 2023 and 19 October 2023 to discuss these points and unanimously agreed that a full time permanent Chief Executive Officer should be appointed.
- 4.2 It is anticipated that a full and comprehensive recruitment process, recommended for a post of this seniority and importance, could take approximately six months, including a notice period of up to 3 months for the successful candidate.
- 4.3 The recruitment process for a Chief Executive post is complex with a number of stages to the process. The Recruitment and Selection Panel recommended that a Specialist Executive Agency is used to assist with marketing the vacancy and publicising via social media and known networks. In addition, they will lead on assessing the technical suitability of the candidates using tests and technical assessments. The final decision on the successful candidate will be made by a member recruitment panel who will take this information into account. Proposals for which agency the Council wishes to work with are being considered by the Leader of the Council, in consultation with Human Resources.

- 4.4 The submissions received from agencies indicate a cost of £25,000 to £30,000, although the final cost will depend on the detail of the process, a significant element of which is for advertising.
- 4.5 The Chief Executive Remuneration Committee met on 11 December 2023 and agreed that a recommendation should be made to Full Council that an all-inclusive salary of £140,000 be approved. This figure was decided based on market data provided by an external agency. The data gathered was taken from published statutory accounts for 2022/23, recent job adverts for Local Authority Chief Executives and published structure charts, as well as population size. The average salary being paid in October 2023 to Chief Executives of Local Authorities close to our population size (130,00 to 170,000) is £138,191. It was the opinion of the agency that a salary of £140,000 would attract existing Chief Executives from similar sized authorities.
- 4.6 In between the meeting of the Recruitment and Selection Panel on 20 October and the Remuneration Committee on 11 December, the national pay negotiations for Chief Executives were concluded and an award of 3.5% was agreed, effective from 1 April 2023. Local authorities have a number of different ways in which they determine CEO salaries, not necessarily linked to national agreement, so it is not possible to apply this accurately to the data received in October 2023. However, it is likely that this would mean that the proposed salary of £140,000 is no longer above the average of £138,191 stated in the previous paragraph.
- 4.7 Members of the Committee agreed that the salary to be offered should be all-inclusive with no other allowances being paid, in particular that no relocation allowance should be offered.
- 4.8 It was also agreed that the annual cost of living pay award for the Chief Executive should continue to be aligned with the national pay award. It should not revert back to being linked to the annual appraisal and subsequent review by the Remuneration Committee each year.

5. CONSULTATION

- 5.1 Given the nature of the recommendations there has been no consultation as the recommendations are a Full Council decision.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 The Recruitment and Selection Panel asked officers to carry out research into different models for the appointment of a Chief Executive which was presented to the Panel. They considered a number of other options, including a fixed term contract, different structures that did not include a Chief Executive, sharing a chief executive and a part time contract. Their conclusion is that research into other authorities' experience and practical considerations mean that the Council should recruit a full time permanent Chief Executive to provide the leadership and ongoing commitment that is required.

6.2 To undertake the recruitment process in house using internal resources – Although there is sufficient expertise to undertake a comprehensive recruitment and selection process internally, the HR team does not have access to the same senior officer networks that a specialist agency would have to encourage suitably qualified ‘passive’ applicants to apply. Additional external resource would also have to be sourced for technical interviews and tests, such as a neighbouring Chief Executive.

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1 The costs set out above are £178,500 per annum, which includes the salary for a Chief Executive Officer plus employers pension and national insurance costs.

7.2 Recruiting the right candidate to the role will also incur a one-off cost of up to £30,000 as set out in paragraph 4.4. It is not possible at this stage to know exactly when these costs will fall. If any are incurred in 2023/24, the Section 151 Officer is confident that the costs can be absorbed within existing budgets. However, as a precaution, a budget will also be set aside in 2024/25 to fund this.

8. RISK ASSESSMENT CONSIDERATIONS

8.1 The current CEO vacancy is identified as a significant risk factor in the Corporate Risk Register. Although appropriate arrangements have been in place to cover the post since the resignation of the previous CEO a longer term solution is now required and the recruitment process should commence as soon as possible.

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

9.1 Under section 4 of the Local Government and Housing Act 1989 it is the duty of the Council to designate an officer as Head of Paid Service and to provide that officer with such staff, accommodation and resources as are, in that officer’s opinion, sufficient to allow their duties to be performed.

9.2 The duties set out within the 1989 Act:

- a. the manner in which the discharge by the authority of their different functions is co-ordinated;
- b. the number and grades of staff required by the authority for the discharge of their functions;
- c. the organisation of the authority’s staff; and
- d. the appointment and proper management of the authority’s staff.

9.3 Under the Local Authorities (Standing Orders) Regulations 2001, this appointment has to be approved by the Full Council and cannot be delegated to a committee or a sub-committee of the Council. The Head of Paid Service, in addition to their statutory role, undertakes all the functions listed in the Council's constitution, including overall responsibility for the delivery and direction of Council services.

10. HUMAN RESOURCES IMPACT

The Council must have a Head of Paid Service, a requirement under section 4 of the Local Government and Housing Act 1989 as described in section 9.

11. HEALTH & SAFETY IMPACT

No direct impact

12. PROPERTY & ESTATES IMPACT

No direct impact

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 No direct impact as a fair and legal best practice recruitment process will be followed.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

No direct impact

15. CRIME AND DISORDER REDUCTION IMPACT

No direct impact

16. HUMAN RIGHTS IMPACT

No direct impact

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

No direct impact

CONTACT OFFICER:

Name: Jackie Follis

Job Title: Group Head for Organisational Excellence

Contact Number: 01903 737580

BACKGROUND DOCUMENTS:

The Council's Constitution – Part 3 – Responsibility for Functions – Chief Executive Committees and Panels

[PART 3 - Responsibility for Functions.pdf \(arun.gov.uk\)](#)

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CHIEF EXECUTIVE'S RECRUITMENT AND SELECTION PANEL

20 September 2023 at 6.00 pm

Present: Councillors Stanley (Chair), Birch (Vice-Chair), Gunner and Pendleton.

Councillor Northeast was also in attendance at the meeting.

1. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Nash.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

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

The Chair confirmed that there were no items for this meeting.

4. MINUTES

The Minutes from the last meeting of the Chief Executive's Recruitment & Selection Panel held on 22 December 2021 were approved as a correct record and were signed by the Chair.

5. START TIMES

The Panel

RESOLVED

That is start times for 2023/2024 be 6.00 pm.

6. RECRUITMENT TO CHIEF EXECUTIVE POST - [EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO ANY INDIVIDUAL]

The Panel received a report from the Group Head of Organisational Excellence explaining the background to the current arrangements for the Head of Paid Service and Chief Executive Officer (CEO).

This report also set out several options/models for the future of this role, whilst recognising that the Panel might also have its own ideas that it may wish to explore.

Chief Executive's Recruitment and Selection Panel - 20.09.23

The Panel was alerted to the briefing note that had been circulated prior to the meeting compiled by the Chief Executive of South East Employers. This had been prepared following a meeting held between South East Employers and the Chair and Vice-Chair of the Panel, providing detailed advice on various options that the Panel would be discussing – these were:

- Appoint a full time Chief Executive, returning to the established model of a Chief Executive and two Directors [Option 1]
- Appoint a part time Chief Executive with two Directors [Option 2a and 2b]
- Progress an option of a shared Chief Executive with another Council [Option 3]
- Continue with the temporary arrangement to allow more time to consider options
- Formalise the current arrangement appointing a joint Chief Executive/Director role [Options 5a and 5b].

An advisory note had also been provided to the Panel from the Group Head of Finance and Section 151 Officer.

The Panel then worked through each of the options outlined taking into consideration the professional commentary provided by South East Employers. A full debate took place on each of the options, discussing advantages, disadvantages and financial implications.

Following detailed discussion, the Panel confirmed that the following options be investigated further:

- In view of timelines, and the temporary decision made by Council on 31 May 2023, the Leader of the Council to liaise with the Interim Joint Chief Executives to ascertain if there was willingness to continue this temporary arrangement further until the Panel and Council had agreed and confirmed an option and timescales.
- A hybrid of Option 4 and 5a and 5b (the Hastings option)
- A hybrid of Options 1 and 2

It was agreed that further information would be brought back to the Panel for its next meeting confirmed as 19 October 2023 so that one option could be recommended as a confirmed way forward.

(The meeting concluded at 7.26 pm)

Public Document Pack

Subject to approval at the next Chief Executive's Remuneration Committee meeting

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CHIEF EXECUTIVE'S REMUNERATION COMMITTEE

11 December 2023 at 6.00 pm

Present: Councillors Northeast (Chair), Lury (Vice-Chair), Elkins, McAuliffe and Pendleton.

460. APOLOGIES FOR ABSENCE

No Apologies for Absence had been received.

461. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

462. MINUTES

The Minutes of the meeting held on 11 October 2021 were approved by the Committee as a correct record and signed by the Chair.

463. PUBLIC QUESTION TIME

The Chair confirmed that one question had been submitted for this meeting. This was from Mr Chester and asked what the justification was for considering the level of salary for a vacant post in Exempt business?

The Chair responded confirming that the reason for the item being considered in Exempt Business was because, at this point in time, the information being discussed was about the business affairs of the Authority and so it was not appropriate for the discussion to be held in public session.

The minutes from this meeting would make recommendations to Full Council on 10 January 2024 where the salary would be published as part of the minutes and once Full Council had made a resolution.

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

The Chair confirmed that there were no items for this meeting.

465. START TIMES

The Committee

RESOLVED

That the start times for its meetings for the remainder of 2023/24 be 6.00 pm.

466. EXEMPT INFORMATION

The Committee

RESOLVED

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 they 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.

467. REMUNERATION FOR THE VACANT CHIEF EXECUTIVE POST

The Chair invited the Group Head of Organisational Excellence to present her report summarising the information that it needed to consider in making recommendations on the remuneration to be paid for the Chief Executive Officer post.

The items that the Committee were being asked to consider were based on recommendations made to this meeting from the meeting of the Chief Executive's Recruitment & Selection Panel held on 19 October 2023. That meeting also made a recommendation to Full Council on 10 January 2024, which was to seek approval to appoint a full-time permanent Chief Executive.

The Chair referred to the last meeting of the Recruitment and Selection Panel and to the Officer's report which was asking this Committee to:

- To make recommendations on the annual salary to be paid to the Chief Executive
- Whether this should be an all-inclusive salary or whether any additional allowances should be paid
- Whether to continue to align the annual pay award with the national pay award or revert to linking pay to the annual appraisal and subsequent review by the Remuneration Committee

Debate then took place on what the salary for the Chief Executive should be; should a relocation bonus be applied; should the post holder be able to claim expenses and if so, what would these be; and should the salary be aligned to the national pay award or be subject to linking pay awards to the annual appraisal.

Following a lengthy debate, the Committee

RECOMMEND TO FULL COUNCIL - That

- (1) The annual salary to be paid for the permanent Chief Executive be £140k;
- (2) This salary be an all-inclusive salary with no other allowances being paid; and
- (3) The annual pay award should continue to be aligned with the national pay award and should not be reverted to linking it to the annual appraisal panel and subsequent review by the Remuneration Committee.

(The meeting concluded at 6.49 pm)

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REPORT TO:	Full Council - 10 January 2024
SUBJECT:	Statement of Community Involvement
LEAD OFFICER:	Kevin Owen (Planning Policy & Conservation Manager)
LEAD MEMBER:	Cllr Martin Lury (Chair of Planning Policy Committee)
WARDS:	All
<p>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: The production of an up-to-date Statement of Community Involvement (SCI) is required as part of the Local Plan Update. The SCI is therefore an important part of the process to achieving the corporate vision of Delivering the right homes in the right places.</p>	
<p>DIRECTORATE POLICY CONTEXT: Community involvement is a key element in the planning system in order to ensure that all of those with an interest are actively involved. The Statement of Community Involvement sets out how and when local communities, businesses and organisations will be involved in the planning process.</p>	
<p>FINANCIAL SUMMARY: There are no financial implications arising from this report.</p>	

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to adopt the updated Statement of Community Involvement following a public consultation period.

2. RECOMMENDATIONS

- 2.1 It is recommended that Full Council adopts the Statement of Community Involvement (Background Paper 1).

3. EXECUTIVE SUMMARY

- 3.1 The Statement of Community Involvement (SCI) is a statutory document which sets out the ways in which the council will engage with residents, communities, businesses, local organisations, and other groups to ensure as many people as possible are able to have a say in planning decisions that affect them.
- 3.2 The document provides guidance on how the planning system works and how the council will inform, consult, and involve people in planning decisions within the Arun District Local Planning Authority Area (i.e. excluding that part of the district covered by the South Downs National Park Planning Authority).
- 3.3 A draft Statement of Community Involvement was agreed for public consultation at the Planning Policy Committee Meeting of 21 September 2023. Consultation was held between Thursday 28 September and Friday 27 October 2023, and in response to this consultation only one minor amendment has been made to the document.

4. DETAIL

- 4.1 The Local Planning Authority is required to produce a Statement of Community Involvement (SCI) in accordance with section 18 of the Planning and Compulsory Purchase Act 2004. The purpose of the SCI is to set out how the council will engage with the public, developers, businesses, and other agencies with an interest in the development of the district, as part of the planning system.
- 4.2 This includes the preparation and revision of Local Plans, and Supplementary Planning Documents (SPDs). The SCI is also required to be in conformity with The Town and Country Planning (Development Management Procedure) Order 2015 which establishes requirements for consultation on planning applications. As a result, the SCI also includes procedures for consulting the public on planning, listed building, and other applications. Essentially, the SCI also sets out standards and arrangements as to how the council will consult and report back to those engaged in the process.
- 4.3 The SCI contains: -
- Information on who and how we will consult when drafting planning documents, and at what stage.
 - Information on when, who and how we will consult on planning, listed building, and other types of applications.
 - The techniques available, and likely to be used, during consultation. It is important that methods can be appropriately tailored to the planning document in question, to allow for changes in the regulations or best practice guidance, and to reflect that new methods of communication and engagement may become available over the life of the document.

5. CONSULTATION

- 5.1 The SCI was published for a four-week period of public consultation from Thursday 28 September and Friday 27 October 2023.
- 5.3 The responses were generally supportive of the updated SCI (e.g. Environment Agency and Natural England and Bognor Regis Town Council). A number of comments made suggestions but were not directly relevant or appropriate to the content of the SCI or were of note but did not require changes for example:-
- The degree of weight which should be given to the volume of support/objection.
 - Previous communications with the council on specific applications.
 - Scope for non-development plan documents e.g. the role of Supplementary Planning Documents.
 - Whether all consultation responses should be made public.
 - Concerns about the legitimate use of Community right to Build Orders and Neighbourhood Development Orders.
 - The democratic legitimacy of planning decisions and whether delegation of some decisions to officers should be removed.
 - Concerns that appeal decisions by Inspector are not democratic.
 - The inclusion of Planning Performance Agreements (PPAs).

- The scope for impartial advice - Planning Aid.
- Monitoring of web hits not sufficient on its own to measure consultation effectiveness.
- Whether some consultees are no longer appropriate e.g. Coal Authority.
- The need to ensure that appropriate council expertise including County Council expertise and national organisations are involved in heritage and amenity matters.

5.4 However, one helpful clarification was sought by one respondent with respect to site notices and that these should include a clear description of the proposed development being consulted on. The SCI document has therefore been amended to reflect this minor addition (highlighted in yellow in the SCI).

6. OPTIONS / ALTERNATIVES CONSIDERED

6.1 The options are:

- To adopt the updated Statement of Community Involvement
- Not to adopt the updated Statement of Community Involvement

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1 There are no financial implications arising from this report.

8. RISK ASSESSMENT CONSIDERATIONS

8.1 Implementing the recommendation will minimise the risk that the council will fail its statutory duty.

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

9.1 The current system of plan making is contained in the Planning and Compulsory Purchase Act 2004 (PCPA) (as amended) and the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) and supported by the National Planning Policy Framework and Planning Practice Guidance.

9.2 The Authority has a statutory duty pursuant to Section 18 of the PCPA 2004 to prepare a statement of community involvement which is a local development document that sets out the authority's policies on giving advice and guidance for neighbourhood planning and on how it will involve those persons with an interest in matters relating to development in their area on the preparation of specified planning documents.

9.3 The Local Planning Authority has reviewed and updated the SCI in order to ensure compliance with regulation 4 of the Town and Country Planning (Local Planning) (Amendment) Regulations 2017 which requires it to be reviewed every five years starting from the date of its adoption.

10. HUMAN RESOURCES IMPACT

10.1 There is a need to ensure that staff are continually engaged in this process.

11. HEALTH & SAFETY IMPACT

11.2 No additional health and safety risks have been identified in relation to the proposals.

12. PROPERTY & ESTATES IMPACT

12.1 There are no direct implications for council estate arising from this report.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 The council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. The SCI ensures that all those with an interest in the planning process are involved at the appropriate time using the most suitable methods to ensure that they are genuinely involved.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 There are no implications.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 There are no implications.

16. HUMAN RIGHTS IMPACT

16.1 There are no implications.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 There are no implications.

CONTACT OFFICER:

Name: Hannah Riddle
Job Title: Planning Officer
Contact Number: 01903 737646

BACKGROUND DOCUMENTS:

Background Paper 1: Appendix 1: Statement of Community Involvement:
<https://www.arun.gov.uk/statement-of-community-involvement-sci-and-engagement>

Public Document Pack Agenda Item 13

Subject to approval at the next Constitution Working Party meeting

1

CONSTITUTION WORKING PARTY

16 November 2023 at 6.00 pm

Present: Councillors Yeates (Chair), Jones (Vice-Chair), Bower, Butcher, Haywood, Pendleton (Substituting for Councillor Greenway) and Purser.

1. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Greenway.

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

3. MINUTES

The minutes of the last meeting of the Working Party held on 5 December 2022 were approved as a correct record with the Chair confirming that these would be signed at the end of the meeting.

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

The Chair confirmed that there were no urgent matters for this meeting.

5. START TIMES

The Working Party

RESOLVED

That its start times for the remainder of 2023/2024 be 6.00 pm.

6. AUDIT & GOVERNANCE COMMITTEE - 28 FEBRUARY 2023 - RECOMMENDATION FOR THE WORKING PARTY

The Group Head of Law & Governance and Monitoring Officer presented this item explaining that at the meeting of the Audit & Governance Committee held on 28 February 2023, that Committee had received a report asking it to extend the terms of office for all five members of the Independent Remuneration Panel (IRP) until 31 March 2024.

Constitution Working Party - 16.11.23

It was explained that the IRP were appointed to review the Members' Allowances Scheme and make recommendations to Full Council. The request to extend their term of office would allow the IRP to commence work on undertaking its next review of the Members' Allowances Scheme immediately following the District Elections that had been held in May 2023 and could be extended immediately from 31 March 2023 to 31 March 2024 allowing the review to commence.

The Monitoring Officer had identified a gap in the Constitution. Although the Responsibility for Functions for the Audit & Governance Committee stated that "Approving arrangements for establishing an IPR, in accordance with statutory requirements, and instructing the Chief Executive to make any appointments to the Panel in line with their delegated authority at Part 3, Section 2 of the Constitution", that delegation had not been included and needed to be. It was clear that the intention of Full Council was for this matter to be delegated to the Chief Executive.

To correct this error, the Audit & Governance Committee were recommending the Working Party to approve that the following wording be added to the Chief Executive's delegations at Part 4 of the Constitution to read:

After consultation with and agreement of the Chair of the Audit & Governance Committee, to appoint members of the Independent Remuneration Panel for Members' Allowances and be able to extend their term of office.

Should the Chief Executive consider that the appointment of any Independent Remuneration Panel Member for the Members Allowances Scheme be changed or terminated, the Chief Executive will consult with the Chair of the Audit & Governance Committee prior to making a final decision.

Having had the recommendation proposed by Councillor Purser and seconded by Councillor Butcher, the Working Party

RECOMMEND TO FULL COUNCIL

The following wording be added to the Chief Executive's delegation at Part 4 of the Constitution:

After consultation with and agreement of the Chair of the Audit & Governance Committee, to appoint members of the Independent Remuneration Panel for Members' Allowances and be able to extend their term of office.

Should the Chief Executive consider that the appointment of any Independent Remuneration Panel Member for the Members Allowances Scheme be changed or terminated, the Chief Executive will consult with the Chair of the Audit & Governance Committee prior to making a final decision.

7. PLANNING PROTOCOL

The Working Party received a report from the Group Head of Planning proposing some minor changes to the Planning Protocol. Some of these changes related to the public speaking rules and how Arun Councillors could address the Planning Committee (Section 11 of the Protocol).

Members' attention was drawn to each of the proposed changes in the order that they had been set out within the report. These were:

- Paragraph 6 – Development Proposals Submitted by Councillors and officer and Council Development – Paragraph 6.2, bullet point 1 provided alternative wording for clarity purposes.
- At Section 11 – the order of speaking table, part 5 the changes proposed aimed to make the speaking rules clearer to Councillors not on the Committee including those representing the Ward in which an application was sited. This reinforced that Ward Members had an automatic right to address the Committee and reconfirming that non-Ward Councillors required the agreement of the Committee before they could address the meeting. Paragraph 11.8 reminded Members of the restriction in place for addressing the Committee.
- Section 13 – Committee Site Visits – 13.3 provided additional clarity in terms of process.
- Section 15 – Deferral – Additional paragraphs had been added to tidy up and strengthen the process in place when deferring an application.

The Chair then invited debate on the proposed changes. The following comments/observations were made:

- On the speaking rules for Councillors under 5) and the suggestion that Councillors limit their presentation to 3 minutes. The Working Party did not like the word 'presentation'. Following debate, it was agreed to remove the wording in the time allowed column and insert 3 minutes so that consistency and the same rules were applied for all speakers.
- On non-ward members addressing the Committee, an observation was made that Members needed to ensure that their contributions were confined to the application and did not stray into discussing the policy being applied as this fell under the remit of another Committee. The response was that this was down to the Chair to manage. Discussion drifted into Planning Committee training and that this should be compulsory for all 54 Councillors to attend.
- On deferral, some tweaking to the wording in 15.4 was requested to make it clear that when an application was deferred for a specific reason, when that application returned to Committee, that debate would only focus on the matters that were new.

Constitution Working Party - 16.11.23

Following considerable debate, the following alternative wording was approved by the Working Party – deletions have been shown using ~~strikethrough~~ with additions shown in **bold**:

Members need to be mindful that when an application returns to the committee following a deferral there will be reasonable expectation from the applicant and officers that ~~matters that were not part of the deferral were acceptable~~ **the subsequent debate should** only focus on the matters that are new. If the committee are not satisfied with all other matters, these should either be included within the deferral, or the application should be refused planning permission. It is unreasonable to repeatedly defer applications for different reasons.

Having had the recommendations, as amended, proposed by Councillor Bower and seconded by Councillor Jones, the Working Party

RECOMMEND TO FULL COUNCIL

That the proposed amendments to the Planning Protocol, as amended by the Working Party, be agreed.

8. CONSTITUTION AMENDMENTS - FINANCE GROUP

The Working Party received a report from the Group Head of Finance and Section 151 Officer proposing changes to the Council's Constitution in relation to Contract Standing Orders which would improve operational practices and efficiency in terms of procurement activity.

The report explained the reasons for requesting a slight change to the financial thresholds at Part 6, Section 4 of the Constitution determining what procurement activity needed to take place and when.

The table at Paragraph 4.2 of the report illustrated the current thresholds with the recommended new thresholds being set out in the table at Paragraph 4.4 of the report. There one change proposed was to change the threshold from £10,001 to £50,000 to £10,001 to £100,000. It was explained that the current thresholds had been in place for many years during which time the cost of materials and services had risen considerably. This had meant that contract values had increased in line with inflation resulting in smaller sized contracts having to be referred to procurement. By increasing the thresholds to a higher threshold of £100,001 would reduce the impact and the number of smaller contracts needing to be referred to procurement support at Hampshire County Council. The request for this change had been consulted fully with Hampshire Procurement and would allow for Arun's procurement process to become more agile and in some cases would mean that a contract could be awarded more quickly, but still in line with the usual approval mechanisms but allowing Hampshire Procurement to focus on larger projects and contracts.

Questions raised by Members focused on Councillor input and the need to be involved in such processes. It was explained that this was a judgement for the Officer concerned as they might decide to use a framework or dynamic purchasing system. Officers would consult with Members on anything that was contentious or on a contract that was above the UK threshold.

Following brief discussion, the majority of the Working Party was content with the revised thresholds as they recognised that Officers needed a level of flexibility to get the day job done without having to refer to Committees constantly. There were other Councillors who were more hesitant with the proposals. The Group Head of Finance and Section 151 Officer provided reassurance stating that if the changes were approved, monthly meetings would be held with Hampshire Procurement to assess the adoption of the changes. Procurement training was also being rolled out to staff in December 2023 where the changes could be monitored regarding suitability of the threshold over time. The Group Head of Finance and Section 151 Officer confirmed that he would be happy to report the findings of this review and report back to Members any concerns.

Having had the recommendations proposed by Councillor Yeates and seconded by Councillor Jones, the Working Party

RECOMMEND TO FULL COUNCIL

The Contract Standing Orders be amended as set out in the report.

9. CONSTITUTION CHANGES AND UPDATES

The Group Head of Law and Governance and Monitoring Officer explained that he felt that it would provide more benefit for the Working Party to have the opportunity to discuss the list of areas that required review in the Constitution, as detailed in the minutes from the last meeting, rather than providing a written report.

It was explained that the Monitoring Officer kept and reviewed a record of requests for change received from Officers and Members. Due to a significant change in the membership of this Working Party, following Annual Council in May 2023, this was an opportunity for new Members to discuss and prioritise areas for review.

The list of items for review identified at the last meeting of the Working Party were:

- Part 3 – Responsibility for Functions – Committees in terms of approving cases for Write-Offs, looking at write-off levels, in respect of tenant arrears, rent arrears and other debts; Council Tax and National Non-Domestic Rates to include Part 6 – Financial Procedure Rules
- Part 5 – Rules of Procedure (Meetings) Section 1 – Council Procedure Rules in respect of Questions by Members of the Public; Notices of Motion; Referral and Recovery; Previous Decisions and Motions – Motion to Rescind a previous decision; and General Questions from Members;

Constitution Working Party - 16.11.23

- Part 5 – Rules of Procedure (Meetings) – Section 2 – Committee Procedure Rules – Questions by Members of the Public

The Chair in inviting Member input, suggested that a schedule of items for review be pulled together for the Working Party so that Members were aware of what should be reviewed and when. It was also highlighted that meetings of the Working Party were not programmed into the annual Meetings Calendar as they had been before and that meetings should be confirmed in setting a future schedule of work. This would allow the Working Party to prioritise its work. It was agreed that a work programme would be circulated to Members of the Working Party ahead of confirming its next meeting so that recommendations could be made to the 13 March 2024 Council meeting. This would then form the agenda for the next meeting of the Working Party.

Questions were asked as to how Members, not on the Working Party, could put forward areas that they felt needed to be reviewed. It was explained that Members could put forward their suggestions via their Group Leaders; the Chair of the Working Party or could approach the Monitoring Officer directly. It was acknowledged that once the draft work programme had been circulated to Working Party Members, Members could liaise with their Groups over the content and when matters would be reviewed.

The Working Party then had a detailed discussion on the priority areas requiring review – these were:

- Part 5 – Section 2 – Committee Procedure Rules – Rule 8 – Duration of Meeting. It was unanimously agreed that the 3 hour duration time for meetings was not working for meetings of the Planning Committee and Licensing Sub-Committee. Additional meetings of both Committees had had to be organised over the last year to accommodate instances where all the items on the agenda had not been considered.
- Part 3 – Responsibility for Functions – Committees in terms of approving write-offs – the Group Head of Finance and Section 151 Officer confirmed that a Debt Write-Off Policy would need to be submitted to the Policy & Finance Committee first for approval before any of the write-off levels and anomalies could be considered and addressed by the Working Party.
- Public Question Time for Full Council and Committees – in terms of the criteria for allowing and refusing questions and the number of questions that could be asked by each person.
- Council Procedure Rule 14.3 – General Questions from Members – a tidying up in terms of who was responsible for responding to questions.
- Council Procedure Rule 18 – The Referral and Recovery procedures – reviewing the number of Councillors who could request a referral or recovery.
- Council Procedure Rule 19 – the removal of the rescinding motion and reinstating this

Following a lengthy discussion, the priority for the Working Party was to address the duration of meetings rule for the Planning Committee and Licensing Sub-Committee. As the next meeting of Full Council was taking place on 10 January 2024, and there was no opportunity for the Working Party to meet again ahead of that date, it was agreed that a recommendation from the Working Party to make the Planning Committee and Licensing Sub-Committee exempt from this procedure rule be considered now.

Following discussion, this was unanimously agreed and so Councillor Bower formally proposed this as a recommendation which was seconded by Councillor Pendleton.

The Working Party

RECOMMEND TO FULL COUNCIL

That the Planning Committee and the Licensing Sub-Committee be excluded from applying the duration of meeting Committee Procedure Rules.

The Working Party

RESOLVED

That the Monitoring Officer draft the exact wording to be proposed by the Chair of the Constitution Working Party at Full Council on 10 January 2024, with this being circulated to Working Party Members in advance.

(The meeting concluded at 7.37 pm)

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Public Document Pack

Subject to approval at the next Audit & Governance Committee meeting

489

AUDIT & GOVERNANCE COMMITTEE

28 February 2023 at 10.00 am

Present: Councillors Clayden (Chair), Chapman (Vice-Chair), Bennett, Brooks, Chace, Oliver-Redgate and Wallsgrove

716. APOLOGIES

Apologies for absence had been received from Councillors Goodheart and Oppler.

717. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

718. MINUTES

The Minutes of the meeting held on 29 November 2022 were approved by the Committee. These would be signed at the end of the meeting.

719. ITEMS ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCE

The Chair confirmed that there were no urgent matters for this meeting.

720. PUBLIC QUESTION TIME

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

721. MEMBERS' ALLOWANCES - EXTENSION OF APPOINTMENTS FOR THE INDEPENDENT REMUNERATION PANEL

Upon invitation of the Chair, the Group Head of Law & Governance introduced the report, which sought the Committee's approval to extend the terms of office for all five members of the Independent Remuneration Panel (IRP) until 31 March 2024. The IRP were appointed to recommend Members' allowances to Full Council. Officers had also noticed a gap in the Constitution, which was set out in Paragraph 4.3. It was clear from wording in the Constitution that the intention had been that the appointment of Members of the IRP, and any removal of Panel Members, was to be delegated to the Chief Executive. Members were asked to recommend these changes, as set out in Paragraph 4.5 of the report, to the Constitution Working Party.

Audit & Governance Committee - 28.02.23

Members then took part in a question-and-answer session and the following points were made:

- What circumstances may arise that would require the Chief Executive to remove an IRP Member? The Group Head of Law & Governance gave an example that a Member of the Independent Remuneration Panel may not be a Councillor, so if they became a Councillor during their term, they would need to cease their role on the IRP.
- Could the Committee extend the term for a further 3 years? The Group Head of Law & Governance explained that the IRP should be refreshed every 3 years, so it would be important to go through the process of reappointing the Panel.

The recommendations were proposed by Councillor Chace and seconded by Councillor Bennett.

The Committee

RESOLVED

That they agree to extend the terms of office for all five members of the Independent Remuneration Panel until 31 March 2024; and

RECOMMEND TO THE CONSTITUTION WORKING PARTY

That it considers recommending to Full Council that an additional delegation be granted to the Chief Executive (regarding appointments to the Independent Remuneration Panel) as per the proposed wording set out at Paragraph 4.5 of the report.

722. AUDIT RESULTS REPORT

The Chair invited the Associate Partner, Kevin Suter and the Audit Manager, James Stuttaford, from Ernst & Young LLP to present the Audit Results Report. They explained the purpose of the report was to set out the key issues from their external audit, therefore Members could take a degree of assurance on whether or not to approve the Council's accounts. Their audit work was substantially progressed, and they had been able to draw sufficient conclusions to be able to present the report to Committee. For various reasons they had been unable to complete their review procedures in advance of the meeting, so they would not be in a position for the audit to be signed off today. This meant there would be an amended Officer recommendation for the next report. Key areas of the document were highlighted to Members.

Members then took part in a question-and-answer session and the following points were made:

- It was noted that any uncorrected misstatements greater than £105,000 were reported, but were those less than this figure taken into account? The Associate Partner of Ernst & Young LLP explained that they kept a close eye on this and there was a running total.
- With regard to assets that had been overvalued, would Officers be made aware? It was explained the valuation judgment was at a point in time and was subject to change as valuations fluctuated and contracts changed, therefore this did not mean the decision to purchase was wrong. The Group Head of Finance and Section 151 Officer explained that the valuations changes were not material, and also did not affect the Council's cash until it came to sell the asset.

This was an item for information only.

723. ANNUAL STATEMENT OF ACCOUNTS 2021/22 AND LETTER OF REPRESENTATION

Upon invitation of the Chair, the Group Head of Finance and Section 151 Officer introduced the report. He explained the three recommendations and that the third recommendation had changed slightly, and now included the words 'subject to the completion of the final audit procedures, with any resulting changes delegated to the Section 151 Officer, in consultation with the Chair of the Audit & Governance Committee, for resolution.'. This was, as mentioned by the Associate Partner from Ernst & Young LLP in the previous item, because the audit was not yet complete. He explained the Council expected to get an unqualified opinion, which was a positive thing and something all Councils wanted, as otherwise reputational damage could be done. The Letter of Representation was a broad statement written by management to the auditors, which said that management took responsibility for the accuracy of the accounts, and gave the auditors confidence in the accounts. The statement of accounts were required by law. They were not the same as the management accounts which reported the Council's performance against the budget. The Statement of Accounts were in compliance with accounting rules and regulations.

Key points were highlighted including the Expenditure and Funding Analysis statement on page 90 of the report and the Comprehensive Income and Expenditure statements on page 91 of the report. The comparator figures had been restated to reflect the change from the Cabinet to the Committee structure of the Council. There were a few differences in the accounts, which was not unusual, and they had fallen below the material threshold so had not been changed.

There were no questions from Members.

The recommendations were proposed by Councillor Bennett and seconded by Councillor Wallsgrove.

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The Committee

RESOLVED that

- 1) the findings of the Ernst & Young LLP Audit Results Report (previous item on the agenda) be noted;
- 2) the Management representation letter on behalf of the Council in appendix 1, be approved; and
- 3) the Statement of Accounts for the financial year ended 31 March 2022 contained in appendix 2 be approved, subject to the completion of the final audit procedures, with any resulting changes delegated to the Section 151 Officer, in consultation with the Chair of the Audit & Governance Committee, for resolution.

724. FINAL ANNUAL GOVERNANCE STATEMENT 2021/22

Upon invitation of the Chair, the Internal Audit Manager introduced the report, which presented the final Annual Governance Statement for 2021/22. This was a mandatory document required to accompany the audited Annual Accounts. The draft Annual Governance Statement had been noted by the Committee at its July 2022 meeting, and had been presented to external audit who had raised no issues. The Annual Governance Statement covered the period of accounts from April 2021 – March 2022. There had since been significant inflation for the year 2022-23, which would be reflected in the Annual Governance Statement for the next year, which would be presented to Committee at its next meeting.

There were no questions from Members.

The recommendations were proposed by Councillor Chace and seconded by Councillor Bennett.

The Committee

RESOLVED

That the final version of the Council's Annual Governance Statement for 2021/22 be approved

725. UPDATE ON APPOINTMENT OF EXTERNAL AUDITOR

Upon invitation of the Chair, the Internal Audit Manager introduced the report which set out the current position regarding the appointment of an external auditor to the Council for the 5-year period from 2023/24 to 2027/28. Public Sector Audit Appointments (PSAA) Ltd had now completed the appointment exercise, and Officers had been informed that Ernst & Young LLP would be appointed again to cover this period. Fees had yet to be agreed.

There were no questions from Members.

The Committee noted the report.

726. INTERNAL AUDIT CHARTER 2023/24

The Chair welcomed Iona Bond, Senior Audit and Counter Fraud Manager, from Southern Internal Audit Partnership (SIAP), who then presented the report to the Committee. The Internal Audit Charter was a formal document that defined the purpose of internal audit activity, the authority and responsibility consistent with the Definition of Internal Auditing, the Code of Ethics and the Standards. The Public Sector Internal Audit Standards required the Charter to be reviewed and approved annually. There were no significant changes to the document as presented last year.

There were no questions from Members.

The recommendation was proposed by Councillor Chace and seconded by Councillor Oliver-Redgate.

The Committee

RESOLVED

That the Internal Audit Charter be approved

727. INTERNAL AUDIT ANNUAL PLAN 2023-24

The Chair invited Iona Bond, Senior Audit and Counter Fraud Manager, from Southern Internal Audit Partnership (SIAP), to present the report to the Committee. The Internal Audit Plan provided the mechanism through which the Chief Internal Auditor could ensure most appropriate use of internal audit resources to provide a clear statement of assurance on risk management, internal control and governance arrangements. This report presented the plan for 2023/24 for approval by the Committee. In drawing up the plan, the Senior Audit and Counter Fraud Manager from Southern Internal Audit Partnership had met with all Group Heads, Directors and the

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Chief Executive to go through the proposals for the year. It was envisaged there would be some changes over the course of the year to the Plan, which would be done in consultation with the Senior Management Team and would be brought to the Committee via the regular progress reports.

There were no questions from Members.

The recommendation was proposed by Councillor Chace and seconded by Councillor Bennett.

The Committee

RESOLVED

That the Internal Audit Plan 2023-24 be approved

728. INTERNAL AUDIT PROGRESS JANUARY 2023

The Chair invited Iona Bond, Senior Audit and Counter Fraud Manager, from Southern Internal Audit Partnership (SIAP), to present the report to the Committee. The report outlined the progress of the Council's Internal Audit service against the approved Internal Audit Plan for 2022/23 from 1 April 2022. Very good progress was being made and they were on track to substantially deliver the revised plan by the end of March, and all individual assignments would be completed in time for the annual report that would be presented to the Committee in July. Regarding the analysis of 'Live' audit reviews, there were very few management actions left to be completed. There had been no reports published concluding a "Limited" or "No" assurance opinion to date for 2022/23. The rolling work programme was looking very good.

The Vice-Chair was pleased to see that action was being taken on Cyber Security, and that there was nothing vitally urgent around health and safety. There were no questions from Members.

The Committee noted the report.

729. TREASURY MANAGEMENT - STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2023/24

Upon invitation of the Chair, the Senior Accountant (Treasury Management) introduced the report, which was the Annual Treasury Management Strategy relating to the 2023/24 activities. This required the approval of Full Council and was a mandatory requirement under the Local Government act 2003. The Annual Treasury Management Strategy was the management of the borrowing, investments and cash flows, and the

effective control of the risks associated with those activities; security, liquidity and yield in that order. The main changes were due to the new treasury management and prudential codes introduced in December 2021.

The Senior Accountant went on to highlight a few key areas from the body of the report as follows:

- 1.2.2 (page 269-270) - there would be 4 reports per year starting from 2023/24. The additional report would not be required to go to Full Council but was for scrutiny in the September Committee meeting.
- 1.4 (page 271-272) - with the new codes there was even more emphasis on training for Members and Officers responsible for Treasury Management. On 22 June 2023 a 1.5 hour training session would be taking place, and work was being done to develop a self-assessment form for Members to complete to assess their knowledge and skills.
- 2.3 (page 275-276) - an additional performance indicator, Liability Benchmark, had been introduced as a result of the new codes. A liability benchmark below the current maturity profile, as was the case for Arun, highlighted a no additional borrowing need due to the level of investments.
- 3.7 (page 286) - there were potential new options for borrowing if required.
- 4.1 (page 288-289) - as a result of the change in accounting standards for 2022/23 under IFRS 9, override, this had been extended to 31 March 2025 which impacted any losses or gains, therefore they would not be taken to the General Fund in 2023/24.
- 4.2 (page 289) - Environmental, Social and Governance (ESG) was a new area as a result of the code. These areas would be considered and work was being done to assess each counterparty.
- 4.5 (Page 294) - listed all changes as a result of the new codes. This also contained the addition of 2 counterparties and the removal of 1.
- 4.6 (Page 295) – The Link Group Benchmarking Club showed Arun's returns were just above the upper returns guidelines, and were performing well compared to other councils.

Councillor Wallsgrove felt Abu Dhabi should be removed from the list of counterparties which she said was due to their use of child labour, investments in palm oil and paper products, their failure to cut all reduction on the Paris Agreement on Climate Change and their government committing human rights violations. She felt Arun District Council should not be investing in this kind of bank. She Proposed an amendment to recommendation 2) which was that Abu Dhabi be added to the list of Removals of Counterparties. This amendment was seconded by Councillor Bennett.

The Group Head of Finance and Section 151 Officer explained Officers worked with the treasury management advisors for advice, which was why Abu Dhabi was on the list. He explained Members were able to remove Abu Dhabi from the list, but as a Council the priority was to look at Security, Liquidity and Yield. Members should be aware that they may not be able to achieve a better investment rate.

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The Chair invited debate on the amendment and one Member made the point that they felt security of investments was important, but it was a comparatively small amount invested, and it was felt there were more ethical investments and the amendment was supported.

The Seconder fully supported this amendment and felt the human rights issues should take priority. The Council were investing taxpayer's money and it was important they were looking at investing in not only financially safe areas, but safe areas in terms of the human population as well.

Councillor Wallsgrove, as the Proposer, explained the Council should be looking after people's human rights, and the abuse some people faced was horrific.

A recorded vote on the amendment was requested. Those voting for were Councillors Bennett, Brooks, Oliver-Redgate and Wallsgrove. No Councillors voted against. Councillors Chace, Chapman and Clayden abstained from voting. The vote was therefore declared CARRIED

Turning to the substantive, the Chair invited questions from Members and the following points raised:

- It was understood there was still £6m invested with Qatar National Bank, and £1m with Abu Dhabi, would these be withdrawn and money returned to Council funds? The Group Head of Finance and Section 151 Officer would provide a written response to this after the meeting.
- One Member pointed out these were fixed term investments and it was not expected they would be withdrawn earlier and investments lost.

Councillor Bennett believed it was possible to withdraw from these investments early, and he Proposed an amendment to the recommendations, which was that a fourth recommendation be added. This would be as follows 'Officers be requested to enquire into the early withdrawal of all investments in Qatar National Bank and First Abu Dhabi Bank and report back to the Audit & Governance Committee at its next meeting with the findings.'

This amendment was seconded by Councillor Wallsgrove, who expressed the view that the Council should be looking at the morals of the banks being investing in, and felt it was not right to invest public money in companies that abused human rights.

A brief debate took place in which one Member felt this would be very difficult to support, as he understood why the Council would want to remove these counterparties from future investments, but did not feel it was right to incur fees using Council Tax payer's money to withdraw early. Another Member expressed the view that nothing would happen until the report had come back, and so it was felt a reasonable request.

The Group Head of Finance and Section 151 Officer confirmed that this amendment was that a report be brought back to the Audit & Governance Committee with information around the charges and implications of early withdrawal from

investments with the Qatar National Bank and Abu Dhabi, some of which would have already matured by the next meeting.

A recorded vote on the amendment was requested. Those voting for were Councillors Bennett, Brooks, Chapman, Clayden, Oliver-Redgate, Wallsgrove. No Councillors voted against. Councillor Chace abstained from voting. The vote was therefore declared CARRIED

The substantive recommendations were proposed by Councillor Bennett and seconded by Councillor Oliver-Redgate.

The Committee

RESOLVED

That Officers be requested to enquire into the early withdrawal of all investments in Qatar National Bank and First Abu Dhabi Bank and report back to the Audit & Governance Committee at its next meeting with the findings.

RECOMMEND TO FULL COUNCIL that

1. The Treasury Management Strategy Statement for 2023/24 to 2025/26 be approved and adopted.
2. The Annual Investment Strategy for 2023/24 to 2025/26, including the addition of two new counterparties and removal of two, be approved and adopted;

Additions:

Australia & New Zealand Banking Group (ANZ)
National Bank of Canada

Removal:

Qatar National Bank
Abu Dhabi

3. The Prudential Indicators within the TMSS and AIS for 2023/24 to 2025/26 as contained in appendix 1 and the body of the report, be approved.

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730. APPROVAL OF ACCOUNTING POLICIES 2022/23

Upon invitation of the Chair, the Group Head of Finance and Section 151 Officer introduced the report. He explained that the Committee was requested to approve the accounting policies that would be applied to the Statement of Accounts 2022/23. There were no major changes to the Chartered Institute of Public Finance and Accountancy's (CIPFA) Accounts Code of Practice for 2022/23, and therefore no changes to the Council's accounting policies from 2022/23.

There were no questions from Members.

The recommendation was proposed by Councillor Bennett and seconded by Councillor Oliver-Redgate.

The Committee

RESOLVED

That the accounting policies that will be applied to the Statement of Accounts 2022/23, be approved.

731. PROGRESS UPDATE ON HOUSING TENANCY FRAUD

Upon invitation of the Chair, the Neighbourhood Services Manager introduced the report. She explained that the calculations around how much a Council was saving each time a property was identified and put back into the correct use, had increased to £93,000. The majority of these properties were coming to attention due to concerns around illegal subletting, and these were often found in an abandoned state. She then explained the figures to the Committee. The Housing Tenancy Fraud Officer was fully integrated within the Housing Officer team, and Housing Officers were all very aware of the potential for fraud. The total savings to the Council were very large, and recovering one property more than covered the Housing Tenancy Fraud Officer's salary, so the value to the Council of the service, was clearly evidenced.

The Chair felt this was a very positive report, and asked that congratulations be given to the Housing Tenancy Fraud Officer for her great work. He felt that taking homes from people that did not need them or were not eligible for them, and giving them to people in desperate need had far more benefits than just the cost element. The most important thing was that people that needed the homes were being given them. He asked whether they monitored subletting and overcrowding.

The Neighbourhood Services Manager confirmed that any suspicious activity where it was believed the occupants were not the original occupants or the property being used by occupants they were not suitable for, would raise alarm and this would be investigated. She explained there were far more properties this year being brought

back into use for the benefit of the community than in previous years, which was largely down to the vigilance of the Officers.

One Member asked the average turn around time for getting a property back into use. The Neighbourhood Services Manager explained the average period from receiving the keys back to re-letting the property was around 73 days, which was reflective of the amount of work required to the properties when they came back to the Council.

Other Members expressed their praise for such a positive report and great work.

The Committee noted the report.

732. WORK PROGRAMME

The Committee noted the Work Programme.

At the end of the meeting the Chair and Vice Chair reflected that having sat on the Audit & Governance Committee since 2007, which they had enjoyed, this was to be their last meeting on the Committee. They thanked the Audit Team, the Finance department and Committee Services Team for all their help over the years and would miss sitting on the Audit & Governance Committee.

(The meeting concluded at 11.22 am)

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Arun District Council

REPORT TO:	Audit & Governance Committee – 28 February 2023
SUBJECT:	Members' Allowances – Extension of Appointments for the Independent Remuneration Panel
LEAD OFFICER:	Daniel Bainbridge – Group Head of Law & Governance and Monitoring Officer
LEAD MEMBER:	Councillor Mike Clayden
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: The Local Authorities (Members Allowances) Regulations 2003 Section 20 requires any District Council to have an Independent Remuneration Panel properly appointed before it can undertake any review of that authority's Members' Allowances Scheme.	
DIRECTORATE POLICY CONTEXT: The Chief Executive has responsibility to ensure that the Council's Independent Remuneration Panel is legally appointed.	
FINANCIAL SUMMARY: No financial implications are identified.	

1. PURPOSE OF REPORT

- 1.1 The Committee has responsibility for reviewing Councillor Allowances based on reports received from the Council's Independent Remuneration Panel created under the Local Authorities (Members Allowances) Regulations 2003.
- 1.2 This report seeks the Committee's approval to extend the existing appointments of all five members of the Independent Remuneration Panel which expire on 31 March 2023 to allow the Panel to commence work on undertaking its next review of the Members' Allowances Scheme following the District Elections to be held in May 2023.
- 1.3 These extensions are required to also allow the Panel to consider the Allowances Scheme for Parish and Town Councillors. The Panel will be undertaking a separate review once the District Council review has been concluded.

2. RECOMMENDATIONS

It is recommended that the Committee:

- 2.1. Agrees to extend the terms of office for all five members of the Independent Remuneration Panel until 31 March 2024; and
- 2.2. Recommends to the Constitution Working Party that it considers recommending to Full Council that an additional delegation be granted to the Chief Executive (regarding appointments to the Independent Remuneration Panel) as per the proposed wording set out at Paragraph 4.5 of the report.

3. EXECUTIVE SUMMARY

- 3.1. This report seeks the Committee's approval to extend the terms of office for all five members of the Independent Remuneration Panel until 31 March 2024.

4. DETAIL

- 4.1. The Audit & Governance Committee's specific functions as set out in Part 3 of the Council's Constitution [Responsibility for Functions] states that the Committee shall also exercise the following specific functions by or on behalf of the Council:

- Approving arrangements for establishing an Independent Remuneration Panel, in accordance with statutory requirements, and instructing the Chief Executive to make any appointments to the Panel in line with their delegated authority at Part 3, Section 2 of this Constitution.
- Overseeing the work of the Independent Remuneration Panel in its periodic consideration of Members Allowances.
- Reviewing and considering the Member Allowances Scheme based on reports from the Independent Remuneration Panel and making recommendations to the Full Council as required.

- 4.2 By asking the Committee to approve extending the appointments now, the terms of office for the Independent Remuneration Panel can be extended immediately from 31 March 2023 to 31 March 2024. This approval is required now as this is the last meeting of this Committee in this Municipal Year. The next meeting of this Committee is not scheduled until the end of July 2023, which will be too late to begin the review process.

- 4.3 The Monitoring Officer had identified a gap in the Constitution in that "Part 3, Section 2" referred to in the first bullet point of 4.1 above, does not appear within the Constitution. This appears to be a referencing error, and the Chief Executive's delegations at Part 4 of the Constitution should contain this delegation but currently does not. However, it is clear that the intention of Full Council was for this matter to be delegated to the Chief Executive.

- 4.5 To correct this, the Committee is requested to recommend to the next meeting of the Constitution Working Party:

"After consultation with and agreement of the Chair of the Audit & Governance Committee, to appoint members of the Independent Remuneration Panel for Members' Allowances and be able to extend their term of office.

Should the Chief Executive consider that the appointment of any Independent Remuneration Panel member for the Members' Allowances Scheme be changed or terminated, the Chief Executive will consult with the Chair of the Audit & Governance Committee prior to making a final decision".

5. OPTIONS / ALTERNATIVES CONSIDERED

- 5.1. No feasible alternative options exist. The terms of office of the Panel need to be extended to allow the Panel to start its next review of the Members' Allowances Scheme following the District Elections in May 2023.

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

- 6.1. The report has no financial implications.

7. RISK ASSESSMENT CONSIDERATIONS

- 7.1. No risk assessment considerations are necessary.

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

- 8.1 The legal and governance implications of this decisions are set out within the body of the report.

9. HUMAN RESOURCES IMPACT

- 9.1 No impact assessment is necessary.

10. HEALTH & SAFETY IMPACT

- 10.1 No impact assessment is necessary.

11. PROPERTY & ESTATES IMPACT

- 11.1 No impact assessment is necessary.

12. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 12.1 No impact assessment is necessary.

13. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

- 13.1 No impact assessment is necessary.

14. CRIME AND DISORDER REDUCTION IMPACT

- 14.1 No impact assessment is necessary.

15. HUMAN RIGHTS IMPACT

- 15.1 No impact assessment is necessary.

16. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

- 16.1 No impact assessment is necessary.

CONTACT OFFICER:

Name: Daniel Bainbridge
Job Title: Group Head of Law & Governance and Monitoring Officer
Contact Number: 01903 737607

BACKGROUND DOCUMENTS: None

Arun District Council

REPORT TO:	Constitution Working Party - 16 November 2023
SUBJECT:	Planning Protocol
LEAD OFFICER:	Neil Crowther – Group Head of Planning
LEAD MEMBER:	Cllr Yeates
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: <ul style="list-style-type: none">• Delivering the right homes in the right places.• Supporting our environment to support us.	
DIRECTORATE POLICY CONTEXT: <p>The proposals to the protocol will assist in delivering performance targets by ensuring that there is an appropriate balance between decisions that can be taken under delegated authority and those that should be determined at Planning Committee.</p>	
FINANCIAL SUMMARY: <p>No implications.</p>	

1. PURPOSE OF REPORT

- 1.1 The report proposes some minor changes to the Planning Protocol which will be considered by the Planning Committee on 15 November 2023. This report sets out those proposed amendments for the benefit of CWP and asks Members to recommend the proposed amendments to Full Council. These proposed amendments are shown in Appendix 1.

2. RECOMMENDATIONS

- 2.1 That Constitution Working Party recommend to Full Council that the proposed amendments to the Planning Protocol are agreed.

3. EXECUTIVE SUMMARY

- 3.1 The report asks Constitution Working Party to consider some minor changes to the Planning Protocol. These amendments are proposed to correct some inconsistencies, provide clarity and reflect updated application types.

4. DETAIL

- 4.1 It has been a few years since the Planning Protocol (section 8.3 of the Constitution) has been reviewed. In that time, the new Committee system has been established and a new Scheme of Delegation has been agreed by Planning Committee.

- 4.2 Some of the proposed changes to the Planning Protocol (Appendix 1) relate to the public speaking rules and how Arun Councillors can address the Planning Committee (section 11 of the Protocol). These changes are included for there to be consistency throughout all Committees, and they reflect a guidance memo circulated to all members in August 2023 which all members of the Planning Committee have informally endorsed. The guidance on how Councillors can address the Planning Committee in accordance with the Planning Protocol is reproduced at Appendix 2.
- 4.3 The only other proposed changes relate to providing some essential clarity around what must happen for the Planning Committee to defer applications. Deferring applications is a perfectly normal and correct process; however, the Committee has often got into difficulty when doing so around being able to articulate the reasons for a deferral. It is hoped that the proposed amendments will assist in these instances (sections 13 & 14 of the Protocol).
- 4.4 The proposed amendments are highlighted in underlined text in Appendix 1 from section 11 onwards.
- 4.5 Some confirmation on interpretation of the Planning Protocol where it comes to applications submitted by Councillors, Arun District Council or Arun District Council staff is required. The Scheme of Delegation has previously been amended to be clear on what type of applications submitted by Arun District Council (as applicant) will be determined at Planning Committee. The Planning Protocol has also been amended (para 6.2) to make it clear which staff applications will need to be determined at Planning Committee. In these areas, the Constitution is clear.
- 4.6 For the purposes of clarity, in interpreting this paragraph where it relates to applications submitted by Councillors, those applications for planning permission or Listed Building Consent will be determined at Planning Committee. Applications that are required to be determined within specific time periods (such as trees or prior notifications), applications that are factual determinations (certificates of lawful development) or that are minor in nature (non-material amendments, adverts) will not be determined at Planning Committee. All applications made by Councillors will require notification of the Monitoring Officer in the normal way (para 6.2 of the Planning Protocol).

5 CONSULTATION

- 5.1 Consultation has taken place with the Director of Growth and the Group Head of Law & Governance. These proposals have also been informally presented to members of Planning Committee.

6 OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 n/a

7 COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1 No financial implications.

8 RISK ASSESSMENT CONSIDERATIONS

8.1 No implications

9 COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

9.1 No comments to make.

10 HUMAN RESOURCES IMPACT

10.1 No implications.

11. HEALTH & SAFETY IMPACT

11.1 No implications.

12 PROPERTY & ESTATES IMPACT

12.1 No implications.

13 EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 No implications.

14 CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 No implications.

15 CRIME AND DISORDER REDUCTION IMPACT

15.1 No implications

16 HUMAN RIGHTS IMPACT

16.1 No implications

17 FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 No implications.

CONTACT OFFICER:

Name: Neil Crowther
Job Title: Group Head of Planning
Contact Number: 01903 787539

BACKGROUND DOCUMENTS:

Planning Committee agenda February 2021.

PART 8
SECTION 3 – PLANNING PROTOCOL

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PROTOCOL FOR MEMBERS ON DEALING WITH PLANNING MATTERS

1.0 INTRODUCTION

- 1.1 One of the key purposes of the planning system is to regulate the development and use of land in the public interest.
- 1.2 Planning decisions are based on balancing competing interests and making an informed judgement against a local and national policy framework. Planning necessarily affects land and property interests and as a consequence decision can often be highly contentious.
- 1.3 The risk of controversy and conflict are heightened by the openness of a system which invites public opinion before taking decisions and the legal nature of the development plan and decision notices. Nevertheless, it is important that the decision-making process is open and transparent.
- 1.4 The aim of this protocol is to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.
- 1.5 This protocol applies at all times when Members are involved in the planning process. This includes meetings of the Planning Committee, meetings of the Council when exercising the functions of the Planning Authority and less formal occasions, such as meetings with officers or the public and consultative meetings. It applies to planning enforcement matters, to site specific policy issues and to the making of compulsory purchase orders on planning grounds.

If you have any queries or concerns about the application of this protocol to your own circumstances, you should seek advice early from the Monitoring Officer or Deputy Monitoring Officer and preferably well before any meeting takes place.

2.0 RELATIONSHIP TO THE MEMBERS CODE OF CONDUCT

- 2.1 The Council has adopted a local Code of Conduct which reflects the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 2.2 This protocol is intended to supplement the Members Code of Conduct where members are involved in the planning process.
- 2.3 The rules set out in the Members Code of Conduct must be applied first and must always be complied with.
- 2.4 Where a member does not abide by the Members Code of Conduct and/or this protocol when involved in the planning process it may put the Council at risk of challenge on the legality of any decision made or at risk of a finding of maladministration.
- 2.5 The failure is also likely to be a breach of the Members Code of Conduct and may be the subject of a complaint to the Standards Committee. **Members should apply common sense in the interpretation of this protocol.**

3.0 THE GENERAL ROLE AND CONDUCT OF COUNCILLORS AND OFFICERS

- 3.1 Councillors and officers have different but complementary roles. Both serve the public, but councillors are responsible to the electorate whilst officers are responsible to the Council as a whole. Officers advise councillors and the Council and carry out the Council's work. They are employed by the Council, not by individual councillors. A successful relationship between councillors and officers will be based upon mutual trust, understanding and respect of each other's position. The Council has a protocol giving guidance on relationships between officers and members.
- 3.2 Both councillors and officers are guided by codes of conduct. The Members Code of Conduct and its relationship to this protocol are set out in Part 8 section 1 of the Constitution.
- 3.3 Planning Officers who are chartered town planners are subject to the Royal Town Planning Institute (RTPI) Code of Professional Conduct breaches of which may be subject to disciplinary action by the Institute. In addition, the Council has a Code of Conduct for employees.
- 3.4 In addition to these codes, the Council's Procedure Rules govern the conduct of Council business.
- 3.5 Councillors and officers should view with extreme caution any offer of gifts or hospitality. The Council has adopted separate protocols for officers and for members giving guidance on gifts and hospitality.
- 3.6 Serving councillors who act as agents for people pursuing planning matters within their authority should not be members of the Planning Committee.
- 3.7 Councillors and particularly those serving on the Planning Committee must receive training on planning when first appointed to the Planning Committee and regularly thereafter.

4.0 REGISTRATION AND DISCLOSURE OF INTERESTS

- 4.1 The Member Code of Conduct sets out detailed requirements for the registration and disclosure of disclosable pecuniary interests. Members should not participate in any decision and should leave the meeting where they have a disclosable pecuniary interest unless they have first obtained a dispensation.

In addition, unless they have obtained a dispensation, they should:-

- NOT participate or give the appearance of trying to participate in the making of any decision on the matter by the Council
- NOT get involved in the processing of the application
- NOT use their position to discuss the proposal with officers or members when other members of the public would not have the opportunity to do so or in any other way seek or accept any preferential treatment or give the appearance of so doing.

- 4.2 In addition, the Member Code of Conduct requires members to consider whether they have a non-disclosable interest or personal interest in any item. Such an interest will arise where the matter may reasonably be regarded as affecting the wellbeing or financial standing of the member concerned, a member of their family or a person with whom they have a close association to a greater extent than the majority of people in their ward. Such an interest will also arise where it would be a disclosable pecuniary interest but relates to a member of the councillor's family or to a close associate rather than to the member themselves or to their spouse or partner.
- 4.3 In the event that a member considers that they have a non-disclosable pecuniary interest or personal interest in any matter they should disclose the existence and nature of the interest at or before the consideration of that item of business or as soon as the interest becomes apparent.
- 4.4 The member then needs to consider very carefully whether it would be appropriate to participate in discussion and voting on the matter. They should think about how a reasonable member of the public, with full knowledge of all the relevant facts would view the matter when considering whether their participation would be appropriate.

5.0 PREDISPOSITION, PREDETERMINATION OR BIAS

- 5.1 To preserve the integrity of committee decisions, it is vital that members do not make up their minds before they have all relevant materials and arguments before them at the Planning Committee meeting. Members must retain an open mind at the time the decision is made and not make up their minds or appear to have made up their minds until they have heard the officer's presentation and evidence at the Planning Committee when the matter is considered. This is particularly important if a member is contacted by an external interest or lobby group. If a member has made up their mind prior to the meeting and is not able to reconsider their previously held view, they will not be able to participate in the determination of the matter by the because if they did take part in the discussion or vote it would put the Council at risk in a number of ways. Firstly, it would probably, in the view of the Local Government Ombudsman, constitute maladministration. Secondly, the Authority could be at risk of legal proceedings on a number of possible grounds:-
- That there was a danger of bias on the part of the member; and/or
 - Predetermination; and/or
 - A failure to take into account all of the factors which would enable the proposal to be considered on its merits
- 5.2 Members are entitled to feel predisposed towards a particular decision but must still be able to consider and weigh relevant factors before reaching their final decision. Predetermination arises when members' minds are closed, or reasonably perceived to be closed, to the consideration and evaluation of the relevant factors. This risks making the whole decision vulnerable to legal challenge. Section 25 of the Localism Act 2011 provides that a councillor should not be regarded as having a closed mind simply because they previously did or

said something that, directly or indirectly, indicated what view they might take in relation to any particular matter. For example, a councillor who states “*wind farms are blots on the landscape and I will oppose each and every wind farm application that comes before committee*” has a closed mind. A councillor who states “*many people find wind farms ugly and noisy and I will need a lot of persuading that any more wind farms should be allowed in our area*” does not have a closed mind although they are predisposed towards opposing such applications.

5.3 Members may take part in the debate on a proposal when acting as part of a consultee body (i.e., where they are also a member of the county or parish council as well as being a member of the Authority) provided that: they make clear during discussion at the consultee body that-

- i. Their views are expressed on the limited information before them only; and
- ii. They will reserve judgement and the independence to make up their own mind
- iii. on each separate proposal when it comes before the District Council’s Planning Committee and they have heard all the relevant information; and
- iv. They will not in any way commit themselves as to how they or others may vote when the proposal comes before the District Council’s Planning Committee. In the interests of transparency, the member should, in such circumstances, disclose the personal interest regarding their membership of the consultee body when the District Council’s Planning Committee comes to consider the proposal.

5.4 Where a member has already made up their mind and therefore declines to speak or vote on a proposal, they do not also have to withdraw (unless they have a disclosable pecuniary interest and have not obtained a dispensation) but they may prefer to do so for the sake of appearances.

5.5 If a member decides to stay in the meeting, they should explain that they do not intend to speak and vote because they have (or could reasonable be perceived as having) judged the matter elsewhere, so that this may be recorded in the minutes.

5.6 Members who have participated in the development of planning policies and proposals need not and should not normally exclude themselves from decision making on individual applications for that reason.

6.0 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS AND COUNCIL DEVELOPMENT

6.1 Proposals submitted by serving and former councillors, officers and their close associates and relatives can easily give rise to suspicions of impropriety. Proposals could be planning applications or local plan proposals.

6.2 Such proposals must be handled in a way that gives no grounds for accusations of favouritism. In particular:-

- If a member or officer submits ~~their own proposal~~ an application for planning permission or listed building consent to the Authority, they should play no part in its consideration
- The Council's Monitoring Officer should be informed of any proposal submitted by any member or any officer employed by the Authority on the grade of Business Manager or above or any officer who would otherwise have been involved in processing or determining the application
- Such proposals should be reported to the Planning Committee and not dealt with by officers under delegated powers

6.3 A member will have a disclosable pecuniary interest in their own application and should not participate in its consideration. They have the same rights as any applicant in seeking to explain their proposal to an officer but the councillor, as applicant, should also not seek to improperly influence the decision.

6.4 Proposals for the Council's own development should be treated with the same transparency and impartiality as those of private developers.

7.0 LOBBYING OF AND BY COUNCILLORS

7.1 Lobbying is a normal part of the planning process. Those who may be affected by a planning decision, whether through an application, a site allocation in a development plan or an emerging policy, will often seek to influence it through an approach to their ward member or to a member of the Planning Committee. The Nolan Committee's 1997 report stated: *"it is essential for the proper operation of the planning system that local concerns are adequately ventilated. The most effective and suitable way that this can be done is through the local elected representatives, the councillors themselves"*.

7.2 Lobbying can, however, lead to the impartiality and integrity of a councillor being called into question, unless care and common sense is exercised by all the parties involved.

7.3 When being lobbied, councillors and members of the Planning Committee in particular, should take care about expressing an opinion that may be taken as indicating that they have already made up their mind on the issue before they have been exposed to all the evidence and arguments.

7.4 In such circumstances, members should consider restricting themselves to giving advice about the process and what can and cannot be taken into account.

7.5 Members can raise issues which have been raised by their constituents with officers.

7.6 If a member does express an opinion to objectors or supporters, it is good practice to make it clear that they will only be in a position to make a final decision after having heard all the relevant arguments and having taken into account all relevant material and planning considerations at committee.

7.7 If any councillor, whether or not a committee member, speaks on behalf of a lobby group at the Planning Committee, they should withdraw from the meeting

once the opportunity to make representations has been completed in order to counter any suggestions that members of the Committee may have been influenced by their continuing presence.

- 7.8 In no circumstances should planning decisions be made on a party-political basis in response to lobbying. The use of political whips to seek to influence the outcome of a planning application is likely to be regarded as maladministration.
- 7.9 Planning Committee members should in general avoid organising support for or against a planning application and should not lobby other councillors.
- 7.10 Members should not put pressure on officers for a particular recommendation or decision and should not do anything which compromises, or is likely to compromise, the officer's impartiality or professional integrity.
- 7.11 Members should pass any lobbying correspondence received by them to the Group Head of Planning at the earliest opportunity.
- 7.12 Any offers made of planning gain or restraint of development, through a proposed S106 Agreement or otherwise should be referred to the Group Head of Planning.
- 7.13 Members should not accept gifts or hospitality from any person involved in or affected by a planning proposal.
- 7.14 Members should inform the Monitoring Officer where they feel that they have been exposed to undue or excessive lobbying or approaches, including inappropriate offers of gifts or hospitality, who will in turn advise the appropriate officers to follow the matter up.

8.0 REQUESTS TO REFER ITEMS TO COMMITTEE

- 8.1 A request to refer a matter to Committee must be made in accordance with the Scheme of delegation then in operation. If a Member requests that a matter be referred to committee for determination, where it would otherwise be dealt with by officers acting under delegated powers, they should give written reasons for that request and those reasons should relate solely to matters of material planning concern. The member should also observe any additional rules and requirements set out in the Council's Constitution.

9.0 PRE-APPLICATION DISCUSSIONS

- 9.1 Pre-application discussions between a potential applicant and the Council can benefit both parties and are therefore encouraged. However, it would be easy for such discussions to become, or be seen by objectors to become, part of a lobbying process on the part of the applicant.
- 9.2 Councillors have an important role to play in pre-application discussions, bringing their local knowledge and expertise, along with an understanding of community views. Involving councillors can help identify issues early on, helps councillors to lead on community issues and helps to ensure that issues do not come to light for the first time at committee. Officers should therefore consider involving the local ward Member(s) particularly in relation to major applications. However, in order to avoid perceptions that councillors might have fettered their discretions,

such discussions should take place in accordance with the following guidelines:-

- (i) It should be made clear at the outset that the discussions will not bind the Council to making a particular decision and that any views expressed are personal and provisional. By the very nature of such meetings not all relevant information may be at hand, nor will formal consultations with interested parties have taken place.
- (ii) It should be acknowledged that consistent advice should be given by officers based upon the development plan and material planning considerations.
- (iii) Officers should be present with councillors in pre-application meetings. Councillors should avoid giving separate advice on the development plan or material considerations as they may not be aware of all the issues at an early stage.
- (iv) Members should not become drawn into any negotiations which should be done by officers (keeping interested members up to date) to ensure that the Authority's position is co-ordinated.
- (v) A written note should be made of all meetings. An officer should make the arrangements for such meetings, attend and write notes. A note should also be taken of any phone conversations, and relevant emails recorded for the file. Notes should record issues raised and advice given. The note(s) should be placed on the file as a public record. If there is a legitimate reason for confidentiality regarding a proposal, a note of the non-confidential issues raised or advice given can still normally be placed on the file to reassure others who are not party to the discussion.
- (vi) Care should be taken to ensure that advice is impartial, otherwise the subsequent report or recommendation to Committee could appear to be advocacy.

9.3 Although the term "pre-application discussions" has been used, the same consideration should apply to any discussions which occur before a decision is taken.

9.4 Common sense should be used by members in determining the scale of the proposals to which paragraph 9.2 above will apply. Councillors talk regularly to constituents to gauge their views on matters of local concern. Keeping a register of such conversations would be neither practical nor necessary. If for example a member is approached by an applicant or an objector in respect of what could reasonably be considered to be a minor application, it would be more appropriate for the member concerned to give advice on process only and what can and cannot be taken into account (see paragraph 7.4) and to refer the constituent to a planning officer if they need planning or technical advice.

10.0 OFFICER REPORTS TO COMMITTEE

- 10.1 Officer reports to Committee should be comprehensive and should include the substance of any objections and other responses received to the consultation. Relevant information should include a clear assessment against the relevant development plan policies, relevant parts of the National Planning Policy Framework (NPPF), any local finance considerations and any other material planning considerations.
- 10.2 Reports should have a written recommendation for a decision to be made.
- 10.3 Reports should contain technical appraisals which clearly justify the recommendation.
- 10.4 If the report's recommendation is contrary to the provisions of the development plan, the material considerations which justify the departure must be clearly stated. This is not only good practice, but also failure to do so may constitute maladministration or give rise to a Judicial Review challenge on the grounds that the decision was not taken in accordance with the provisions of the development plan and the Council's statutory duty under S38A of the Planning and Compensation Act 2004 and S70 of the Town and Country Planning Act 1990.
- 10.5 Any oral updates or changes to the report should be recorded.

11.0 PUBLIC SPEAKING AT PLANNING COMMITTEES

- 11.1 Members of the public, including any applicant or objector, are not entitled as of right to speak at meetings of the Planning Committee and are encouraged to submit any representations in writing during the consultation period.
- 11.2 All representations received will be reported to committee. Where they are received late, and after publication of the agenda for the Planning Committee they will be reported to the Committee by means of a late paper summarising any late representations received in respect of items on the agenda for the Planning Committee.
- 11.3 Any person who has made a written representation on an application and wishes to speak must register their request by 9.00 am on the Monday before the meeting, by phoning 01903 737512 or by email. It is the responsibility of the individual to check whether the application is to be considered by the Planning Committee [one should be able to register to be automatically notified when the agenda for the Committee is published].
- 11.4 There is a time limit of 3 minutes for each speaker i.e., ~~Ward Members~~, Parish Councils, objectors, applicants/agents, or supporters. Objectors & supporters include residents' groups, community groups or interest groups. A supporter must be an independent third party such as a local resident, not a relative of the applicant or the applicant themselves if their appointed agent is already speaking.
- 11.5 A speaker can speak for up to the 3 minutes. The order of speaking will be as follows:

Number/Order of Speakers Table

Order	SPEAKER	TIME ALLOWED
1.	Planning Officer to present and if necessary, update the report, particularly regarding further written representations received.	
2.	Town or Parish Council/Meeting which the application is sited within or which the application site immediately adjoins Maximum of two representatives (one per Parish/Town)	3 minutes
3.	Objectors to the Application Two Representatives only	3 minutes
4.	Applicants/Agents/Supporters Two Representatives only	3 minutes
5.	Ward Councillors (Councillors <u>not on the Committee, including those</u> representing the Ward in which the application is sited)	In the interest of fairness, the Chair will request Ward Councillors to limit their presentation to 3 minutes.
6.	Planning Officer to deal with any errors of fact which have arisen or any necessary clarification of policy or other issues	
7.	Committee to debate and determine the application, involving officers as necessary	
8.	No Further Right for Public Speaking	

- 11.6 ~~Non-Ward~~ Councillors not on the Planning Committee are also able to speak at meetings of the ~~Development Control Planning Committee~~ with the permission of the Committee, in line with the provisions of Committee Procedure Rule 12 (Attendance by other Members of the Council) as set out in Part 5 of this Constitution. Ward Members will have an automatic right to address the Committee. Non-Ward members will require the agreement of the Committee in order to address them.

- 11.7 In the event that more than two speakers have registered to speak in categories 2, 3, or 4, the first two registered persons appearing on the register only will be allowed to speak. Prior to the commencement of the meeting, attendance of those who have registered to speak will be listed. The Chair's discretion shall apply in the event of any dispute in the matter of which persons may speak.
- 11.8 A speaker can only speak once in respect of an application; in the case applications returning to committee where there has been public speaking previously. a speaker cannot speak at more than one meeting. This restriction includes Members who wish to address the Committee. Only in exceptional circumstances will speaking be allowed on applications returning to Committee following a deferral and this will only be allowed where significant new material is part of the application. Applications returning to Committee that have been deferred for a site visit will always have no further public speaking.
- 11.9 Exceptionally, the Chair may decide during the meeting to increase the time available, for example if an application straddles a parish boundary or if a large number of people wish to speak. In such cases the time will be increased equally for each of the groups.
- 11.10 New documents should not be circulated to the Committee. Councillors may not be able to give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material considerations arising. This should be made clear to those who intend to speak. If, in exceptional circumstances and at the Chair's discretion, new documents are accepted, the meeting may be adjourned for them to be properly considered.
- 11.11 Messages should never be passed to individual committee members, either from other councillors or from the public. This could be seen as seeking to influence that member improperly and will create a perception of bias that will be difficult to overcome.

12.0 DECISIONS WHICH DIFFER FROM AN OFFICER RECOMMENDATION

- 12.1 The law requires that decisions should be taken in accordance with the development plan, unless material considerations (which specifically include the NPPF) indicate otherwise (S38A Planning and Compensation Act 2004 and S70 of the Town and Country Planning Act 1990).
- 12.2 This applies to all planning decisions. Any reasons for refusal must be justified against the development plan and other material considerations.
- 12.3 The courts have expressed the view that the Committee's reasons should be clear and convincing. The personal circumstances of an applicant or any other material or nonmaterial planning considerations which might cause local controversy will rarely satisfy the relevant tests.
- 12.4 Planning Committees can, and often do, make a decision which is different from the officer recommendation. Sometimes this will relate to conditions or terms of a S106 obligation.

Sometimes it will change the outcome from an approval to a refusal or vice versa. This will usually reflect a difference in the assessment of how a policy has been complied with, or different weight ascribed to material considerations.

- 12.5 The Planning Committee should take the following steps before taking a decision which differs from an officer recommendation:-
- (i) Record the detailed reasons as part of the mover's motion
 - (ii) If necessary, adjourn for a few minutes for those reasons to be discussed and then agreed by the Committee
 - (iii) Where there is concern about the validity of reasons and/or officer concern about a potential award of costs on appeal, consider deferring to another meeting to have the putative reasons tested and discussed.
 - (iv) Ensure that a recorded vote is taken, recording the individual names of those present and how they voted
- 12.6 If the Planning Committee makes a decision contrary to the officer's recommendation (whether for approval or refusal or changes to conditions or S106 obligations), minutes of the Committee's reasons should be made and a copy placed on the application file. Councillors should be prepared to explain in full their planning reasons for not agreeing with the officer's recommendation.
- 12.7 The officer(s) should also be given an opportunity to explain the implications of the contrary decision should one be made.
- 12.8 All applications that are clearly contrary to the development plan and constitute notifiable departures must be advertised as such and are known as "departure" applications. If it is intended to approve such an application, the material considerations leading to this conclusion must be clearly identified, and how these considerations justify overriding the development plan must be clearly demonstrated.
- 12.9 The application may then have to be referred to the relevant Secretary of State, depending upon the type and scale of the development proposed (S77 of the Town and Country Planning Act 1990). If the officer's report recommends approval of such a departure, the justification for this should be included, in full, in that report.

13.0 COMMITTEE SITE VISITS

- 13.1 Committee site visits do not constitute formal meetings of the Council but rather their purpose is to enable members to observe the site and to gain a better understanding of the issues. Non-attendance of a site visit will not preclude a member from discussing and voting on the relevant matter at the Planning Committee meeting. Notwithstanding this, members should make every effort to attend where it is considered that a site visit is necessary and appropriate. In addition, any relevant information which members have gained from the site visit will if necessary, be reported back to the Committee so that all members have the same information.

- 13.2 Site visits should only be conducted where the benefit is clear and substantial. Officers will have visited the site and assessed the scheme against policies and material considerations already. A site visit should not take place unless:
- (i) There are particular site factors which are significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection; or
 - (ii) There are specific site factors and/or significant policy or precedent implications that need to be carefully addressed; or
 - (iii) The impact of the proposed development is difficult to visualise; or
 - (iv) The comments of the applicant and/or objectors cannot be expressed adequately in writing; or
 - (v) The proposal is particularly contentious
- 13.3 A record should be kept of the reasons why a site visit is called. Before moving to a vote on a deferral for a site visit, the Chair of the Committee will seek the clarification of what it is that needs to be inspected on site from the proposer.
- 13.4 Only members of the Planning Committee, the local ward member(s) and officers should participate in site meetings. A member who is not the local ward member but is able to demonstrate to the satisfaction of the Group Head Planning in consultation with the Chair of the Planning Committee prior to the site meeting taking place that the application will have a significant impact on their ward may be permitted to attend the site meeting.
- 13.5 The applicant may be present on site but should be kept a discreet distance away from the Planning Committee members and officers so that they cannot be a party to any comments or questions raised. Upon the refusal of the applicant to respect this requirement, the Committee shall leave the site immediately.
- 13.6 Members should not express opinions or views at the site meeting but may ask officers present questions or seek clarification from them on matters which are relevant to the site investigation.
- 13.7 Under no circumstances should the site visit members hear representations from any party other than the local ward member. Observations of the ward member(s) should be confined to site factors and site issues. If any member present at a site visit is approached by the applicant or a third party, they should advise them that they should make representations in writing to the Authority and should direct them to or inform the officer present.
- 13.8 Once a councillor becomes aware of a proposal, they may wish to visit the site alone. In such a situation, a councillor is only entitled to view the site from public vantage points, and they have no individual rights to enter private property.

14.0 VOTING AT COMMITTEE

- 14.1 Any member who is not present throughout the whole of the presentation and debate on any item shall not be entitled to vote on the matter. A site visit is not a presentation or debate.

15.0 DEFERRAL

- 15.1 Members should not seek to defer consideration of any item put before the Planning Committee unless there are clear and demonstrable reasons for doing so such as a relevant planning issue arising for the first time not having been previously considered and needing further investigation. In taking a decision to defer an application, the Committee must make it clear why the details before them are not sufficient to take a decision and what needs to be addressed for that matter (or matters) to return to Committee. These matters must then be recorded in the minutes.
- 15.2 Before moving to a vote on a deferral, the Chair of the Committee will check with the Lead Planning Officer present that Members and Officers are clear on the reasons for deferral. If Members and Officers are not clear what it is that is required to be done, they must seek further details before a vote to defer is taken.
- 15.3 Where a Member might otherwise be minded to seek deferral of an item by reason that they wish to seek clarification on a particular issue, consider that further material information is required on a particular matter or for any other substantial reason, they should seek to obtain such clarification or additional information from the relevant Case Officer at least two hours prior to the commencement of the Planning Committee meeting where possible. Members should avoid proposing a deferral on the grounds that there is insufficient information if that information could have been sought prior to the meeting.
- 15.4 Members need to be mindful that, when an application returns to Committee following a deferral, there will be reasonable expectation from the applicant and officers that matters that were not part of the deferral were acceptable and that the subsequent debate will only focus on the matters that are new. If the Committee are not satisfied with all other matters, these should either be included within the deferral, or the application should be refused planning permission. It is unreasonable to repeatedly defer applications for different reasons.
- 15.5 Deferral for a site visit should only occur exceptionally. Members are expected to inspect relevant details from public areas before the meeting if they feel that there is a need to. Details on the circumstances that deferral for site visits may be justified is in paragraph 13.2.

16.0 ANNUAL REVIEW OF DECISIONS

- 16.1 It is good practice for councillors to visit a sample of implemented planning permissions to assess the quality of the decisions and the development. This should improve the quality and consistency of decision making, strengthen public confidence in the planning system, and can help with reviews of planning policy.
- 16.2 Reviews should include visits to a range of developments such as major and minor schemes; upheld appeals; listed building works and enforcement cases.

Briefing notes should be prepared on each case. The Planning Committee should formally consider the review and decide whether it gives rise to the need to reconsider any policies or practices.

17.0 COMPLAINTS

- 17.1 Complaints relating to planning matters will be dealt with in accordance with the Council's complaints procedures.
- 17.2 So that complaints may be fully investigated and as general good practice, record keeping should be complete and accurate. Every planning application file should contain an accurate account of events throughout its life. It should be possible for someone not involved in that application to understand what the decision was, and why and how it had been reached. This applies to decisions taken by Committee and under delegated powers, and to applications, enforcement and development plan matters.

Appendix 2

- Any Member wishing to attend the Planning Committee (who is not sitting on the Committee) and wanting to address the meeting, should record their request to do so before the meeting to sue.bowley@arun.gov.uk (**not** the Chair or Committee Services) by midday the day before the meeting. These will be coordinate in one location.
- Ward Members will have an automatic right to speak at the meeting. Non-Ward Members will need the agreement of the Committee. Any representations will be limited to 3 minutes in the normal way and must be made before the Committee enter the debate and determine each application/item.
- If a Ward Member wishes a statement to be read out, then that should be submitted by midday on the day before the meeting.
- Any Member wishing to address the Planning Committee is not restricted to speaking on only one occasion. That does not mean more than once at the same meeting. However, there will be a strong presumption that only one opportunity will be given, and any subsequent opportunity must be agreed by the Chair (for all Members) who will need to be strict to ensure that comments relate only to matters that are new to the Committee on that day (not repeating previous comments again or talking on matters that are not before the Committee).
- This does not include where applications have been deferred for Site Visits and all requests to address the Committee after a site visit will be rejected because there will not be anything new before the Committee.

As part of this not every Ward Member (where there is more than one) should address the Committee on the same item to ensure that the business of the Committee is not delayed and Committee time is spent efficiently.

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Arun District Council

REPORT TO:	Constitution Working Party – 16 November 2023
SUBJECT:	Constitution Amendments – Finance Group
LEAD OFFICER:	Antony Baden – Group Head of Finance and Section 151 Officer
LEAD MEMBER:	Cllr Gillian Yeates
WARDS:	N/A
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:	
It is essential that the Constitution is up-to-date and operationally effective in order to support all strategic aims of the Council.	
DIRECTORATE POLICY CONTEXT:	
The Monitoring Officer is responsible for maintaining the Constitution and for ensuring that it is widely available for consultation by councillors, officers and the public.	
FINANCIAL SUMMARY:	
There are no direct financial implications arising from the proposals in this report.	

1. PURPOSE OF REPORT

- 1.1 To propose changes to the council’s constitution in relation to Contract Standing Orders to improve operational practices and efficiency of procurement activity.

2. RECOMMENDATIONS

- 2.1 It is recommended that the Constitution Working Party recommends to Full Council that the Contract Standing Orders be amended as set out in this report.

3. EXECUTIVE SUMMARY

- 3.1 This report requests that the Constitution Working Party recommends to Full Council that the council’s Contract Standing Orders (CSOs – Constitution Part 6, Section 4, Para 4.2) be amended in relation to the thresholds at which point the Procurement Service at Hampshire County Council are consulted. This change would allow for the procurement process to be more agile, in some cases allowing for a contract to be awarded much quicker, subject to the usual approval mechanisms. It is important to note that the proposed changes do not preclude lower value contracts being subject to a tender process, should that be the preferred route.

4. DETAIL

4.1 The Council's Constitution (Part 6, Section 4) includes regulations regarding procurement decisions, known as 'Contract Standing Orders'. These direct commissioning officers through the process to ensure the safeguarding of the council's reputation relating to the spending of public money, achieving value for money, fairness in awarding contracts, complying with legislation, and supporting the council's strategies and policies.

4.2 The Constitution sets out a series of financial thresholds which determine what procurement activity needs to take place and when, as follows:-

Estimated Contract Value	Number of Tenders to be invited
Below £1,000	Obtain a single written quote, where possible from a local contractor
£1,000 to £10,000	Ensure value for money by inviting at least 2 written quotes, one of which should be from a local contractor if possible
£10,001 to £50,000 (Contact Procurement)	Ensure value for money by Inviting at least 3 contractors to submit written quotations, one of which should be local, if possible or use of an appropriate framework agreement or dynamic purchasing system.
£50,001 to UK Threshold (Contact Procurement)	Formal tender process following appropriate advertisement or use of an appropriate framework agreement or dynamic purchasing system.
Above UK Threshold (Contact Procurement)	Formal process as set out in the Public Contracts Regulations 2015 or use of an appropriate framework agreement or dynamic purchasing system

4.3 These thresholds are set by us and have been in place, largely, for several years during which time we have seen the costs of materials, services etc rise considerably. As a consequence, contract values have increased in line with inflation. However, due to the existence of the above thresholds, effectively 'smaller' contracts are being referred to Procurement.

4.4 It is proposed that we increase the threshold at which we refer to our procurement support service at Hampshire County Council from the existing threshold of £10,001 to a higher threshold of £100,001. The revised thresholds would therefore be as follows:-

Revised Values	Number of Tenders to be invited
Below £1,000	Obtain a single written quote, where possible from a local contractor
£1,000 to £10,000	Ensure value for money by inviting at least 2 written quotes, one of which should be from a local contractor if possible
£10,001 to £100,000	Ensure value for money by Inviting at least 3 contractors to submit written quotations, one of which should be local, if possible or use of an appropriate framework agreement or dynamic purchasing system.
£100,001 to UK Threshold (Contact Procurement)	Formal tender process following appropriate advertisement or use of an appropriate framework agreement or dynamic purchasing system.
Above UK Threshold (Contact Procurement)	Formal process as set out in the Public Contracts Regulations 2015 or use of an appropriate framework agreement or dynamic purchasing system

- 4.5 It is important to note that, even if we do increase this threshold as proposed, lower value contracts can still be put out to tender if, for example, the market is unknown, or it relates to a potentially contentious or unpopular project.
- 4.6 We are also making more use of frameworks and Dynamic Purchasing Systems (DPS) which offer protection against challenges.
- 4.7 The raising of this threshold would allow for the procurement process to be more agile – in some cases allowing for a contract to be awarded much quicker, subject to the usual approval mechanisms. It would also relieve the support service provided by Hants CC as they could focus on larger projects/contracts which need supporting.

5. CONSULTATION

- 5.1 This proposal was considered by the Corporate Management Team at their meeting on 4 July 2023, and achieved their support. The Procurement team at Hampshire County Council suggested these changes so have their full support.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 To not change the thresholds as proposed and remain as is. This would have implications on officer workload and the speed of delivery of procurement matters.

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1 The proposals in this report will lead to a more streamlined and effective procurement function. It will not impact increase the Council's costs nor will it adversely impact the value for money currently obtained from contracts.

8. RISK ASSESSMENT CONSIDERATIONS

8.1 None.

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

9.1 The Constitution Working Party has the responsibility for monitoring and reviewing the operation of the constitution to ensure the aims and principles of the constitution are given full effect. The Working Party makes recommendations to Full Council in relation to any proposed amendments to the Constitution.

10. HUMAN RESOURCES IMPACT

10.1 None

11. HEALTH & SAFETY IMPACT

11.1 None

12. PROPERTY & ESTATES IMPACT

12.1 None

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 Not applicable.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 None

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 Not applicable.

16. HUMAN RIGHTS IMPACT

16.1 Not applicable.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 Not applicable.

CONTACT OFFICER:

Name: Antony Baden
Job Title: Group Head of Finance and Section 151 Officer
Contact Number: 01903 737558

BACKGROUND DOCUMENTS:

[Constitution January 2023](#)

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CONSTITUTION 2021

PART 5 – RULES OF PROCEDURE (MEETINGS)

SECTION 2 – COMMITTEE PROCEDURE RULES

8. DURATION OF MEETING

- 8.1 Each unfinished meeting [**with the exception of the Planning Committee and Licensing Sub-Committee**] will adjourn after 3 hours unless a majority of councillors present vote to extend the meeting for a further 30 minutes at which time the meeting will stand adjourned.

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Public Document Pack Agenda Item 14

Subject to approval at the next Environment Committee meeting

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ENVIRONMENT COMMITTEE

21 November 2023 at 6.00 pm

Present: Councillors Wallsgrove (Chair), Worne (Vice-Chair), Blanchard-Cooper, P. Bower, Brooks, Elkins, Greenway, Madeley, May, Warr and Wiltshire

Councillors Bicknell, Cooper, Mrs Cooper, Goodheart, Gunner and Haywood were also in attendance for all or part of the meeting.

[Note: Councillor Worne was absent from the meeting during discussion of all or part of Minute 383]

376. DECLARATIONS OF INTEREST

Councillor Greenway declared a Personal Interest in Agenda Item 7 as a Member of Bersted Parish Council and a Member of Friends of Bersted Brooks.

377. MINUTES

A query was raised regarding Minute 89 around the cost of producing the discs. Officers confirmed they believed this was showing correctly in the Minutes.

The Minutes of the meeting held on 07 September 2023 were approved by the Committee. These would be signed after the meeting.

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

[During discussion of this Item, Councillor Greenway declared a Personal Interest as a Member of West Sussex County Council]

[During discussion of this Item, Councillor Elkins declared a Personal Interest as a Member of West Sussex County Council]

The Chair confirmed that there was one urgent item for the Committee to consider, which would be discussed under Item 4 of the meeting. She explained that following Wednesday night's Full Council meeting where the urgent item entitled 'Storm Ciaran and Flooding Impacts' was considered and approved, an urgent report had been circulated to Members of the Environment Committee entitled 'Arun Flood Forum Following Storm Ciaran'. This Item was business of such urgency as to require

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immediate attention by the Committee in accordance with Committee Procedure Rule 3.1(vii).

Upon the invitation of the Chair, the Group Head of Environment and Climate Change introduced the report to Committee. He explained a report had been taken to Full Council on 08 November 2023 following Storm Ciaran which followed unprecedented rainfall in October 2023 and resulted in flooding impacts across the District. Full Council recognised the impacts on residents and business and recommended the Environment Committee establish a Forum to review the incident, to investigate and consider the contributing factors, impacts and possible solutions. The Forum would be made up of various partners responsible for flood preparation, planning and response, including the Environment Agency, Southern Water, West Sussex County Council and others. The Forum was to be Chaired by a suitably qualified independent person, and authority was delegated to the Environment Committee. In accordance with the Civil Contingencies Act (CCA) 2004 the District Council took the lead role in coordinating the recovery from an incident. He then took Members through the recommended Terms of Reference for the Forum, which were set out in Appendix 1, and explained this had been based on the model of other flood forums across the nation that were already operating.

The Chair then invited questions, and Councillor Greenway proposed an amendment to the Terms of Reference as shown in italics below. This was shared to the screen for Members to see.

Terms of Reference - Arun Flood Forum

1. Purpose of the Forum

The main purpose of the Forum is to:

- Understand the issues behind the main flooding events which occurred within the District following Storm Ciaran in October 2023.*
- Understand other recent flooding events which have occurred within the District where homes and businesses have been affected.*
- To understand the impact new development **and climate change have both** has had on these flooding events.*
- To make recommendations on practical and deliverable measures to reduce the impact of flooding on the District's residents, businesses and the environment, and to promote the implementation of permanent and sustainable solutions to mitigate or alleviate flooding.*
- The Forum will also seek to improve communication between the flood risk management authorities and representatives from flood affected communities.*
- **To highlight and signpost to residents funding opportunities, and help educate residents about what more they can do to protect their own properties.***

2. Scope

The Forum will focus on areas of flood risk resulting from the Storm Ciaran event but will cover other areas of flood risk as determined by the Forum.

43. Objectives

The Forum will work to:

- *Clearly establish the impact of flooding following the events following Storm Ciaran*
- *Clearly identify the highest risk areas to flooding resulting from the above review – which communities and businesses are at highest risk.*
- *Hear from communities and businesses affected by the flooding events.*
- *Understand the relationship between new developments and the functional flood plan, how they are drained and the impact on existing built up areas.*
- *Understand the various agencies roles and responsibilities in dealing flooding both in terms of prevention and solutions.*
- *Set out measures to mitigate these risks, from those already established and identify additional measures to assist in future flooding events.*
- *Consider the key agencies' responsibilities and their working relationships with the Council and each other.*
- *Establish what arrangements there are for involving and consulting local communities in determining flood prevention plans and in flood response and recovery arrangements.*
- *Ensure that partners' own organisations are aware of and can respond to flood related issues within their assigned duties and resources.*
- *Review procedures for flood prevention, response and recovery.*
- *Arrange periodic and appropriate training or information exchange for relevant personnel, including partners' own workforces, emergency services, volunteers and other stakeholders on the operational aspects of flood risk management.*
- *Make recommendations for appropriate action by the Council and partner agencies.*
- *Actively address funding opportunities to support projects / proposals resulting from the Forum.*
- *Ensure that the Council's interests are represented at regional and national level in respect of flood policy development and funding.*

4. Chairing

- *The Forum will be chaired by an independent professional, **with experience of chairing meetings, creating action plans, and understanding technical issues.***
- *The Chair will be chosen by the Chief Executive's Recruitment and Selection Panel.*

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- **The Chair will be responsible for communicating and engaging with other bodies, partners, landowners and other stakeholders to facilitate their engagement with the forum.**

5. Membership Attendees

- ~~The Forum will be chaired by an independent professional.~~
- ~~Up to 4 District Councillors from flood affected wards (with not more than one representative from each ward). All other Members are able to attend to observe and ask questions.~~
- ~~Up to 4 Parish Council representatives, who should be the Chair or Vice Chair of their Parish Council, (with not more than one representative from each parish)~~
- **Any Arun District councillor, West Sussex County councillor and town/parish councillor within the Arun District can attend all meetings of the Forum.**
- Appropriate officer representation from Southern Water
- Appropriate officer representation from the Environment Agency
- Appropriate officer representation from West Sussex County Council as the Lead Local Flood Authority
- Relevant officer representation from Arun District Council
- ~~The group may co-opt representatives of other organisations to sit on the group as appropriate.~~
- **Any affected business, resident, landowner or interested party within the District.**

6. Meetings and frequency

- The group will meet 4 times per year or as determined by the Forum.
- All meetings to be held in person.

7. Leadership and Governance

- The Forum would not be a committee, sub-committee or working party of the authority. Instead, it would be a body established by the Environment Committee and the appropriate statutory power for its establishment would be the Council's general power of competence under Section 1 of the Localism Act 2011.
- Agendas and minutes of the Forum meetings will be reported to Environment Committee.
- Forum member representatives attendees will determine for themselves how they wish to report back to their own organisations and communities on the work of the group.
- **Attendance at Membership of the Forum meetings** provides no undertaking or commitment by any member organisation to make available funding for any scheme or proposal, but representatives will use their best endeavours to secure funding from appropriate sources.

- *ADC will provide secretariat services for the Forum.*

98. Decision-Making Process

- *The Forum will make recommendations to Environment Committee where they relate to ADC decisions. It will have no decision-making authority.*

109. Communication

- *Communication resulting from the Forum meetings will be shared through ADC Communications team.*

Proposed Forum topics /meetings—~~one subject per meeting~~

- *To hear from affected communities and business representatives*
- *National Flood Forum experience, role and responsibilities*
- *Environment Agency (EA) responsibilities and actions*
- *Southern Water (SW) responsibilities and actions*
- **ADC responsibilities and actions**
- *WSCC (Lead Local Flood Authority (LLFA)) responsibilities and actions and ADC's role*
- *Impact of planning and development*
- **Landowners responsibilities and actions**

Councillor Greenway explained that during the debate at Full Council, Members had commented that it did not just relate to storm Ciaran, so he had tried to remove reference to this in the amendment. He was disappointed that Climate Change had not been mentioned in the Terms of Reference, so the amendment reflected this under Purpose. He had also included ways that members of the public may be able to help themselves right now, such as highlighting and signposting funding opportunities, and helping to educate residents about what more they could do to protect their own properties. He felt there was also little mention of responsibilities of landowners and riparian owners, so he amended the attendees to include them. He felt the Membership contradicted itself as although only allowed 4 District Councillors, it mentioned other Members could attend and observe, and he questioned what the role of the designated District Councillors would be on the Forum. He wanted to open this up to include West Sussex County Councillors and Parish Councillors. Under the possible Forum topics he had added 'Arun District Council's Responsibilities and Actions', and had crossed out one subject per meeting as he felt this may not take up a whole meeting. He had added in a section for Chairing the meeting to include how the Chair would be chosen and what their responsibilities would be.

The amendment was seconded by Councillor Madely.

The Interim Chief Executive Officer and Director of Environment and Communities explained to Members that the Chief Executive's Recruitment and

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Selection Panel would not be able to select the Chair of the Forum, as the purpose of the Panel was solely to select the Chief Executive.

With the agreement of the Committee the Chair announced a short adjournment to allow Members the opportunity to study the amendment.

Upon resuming the meeting, the proposer of the amendment, Councillor Greenway, with the agreement of the seconder, Councillor Madeley, altered his amendment as shown below in italics, which was shared to the screen for all Members to see. He explained that he had removed Paragraph 4 which related to the Chair, which he had done due to the advice of the Interim Chief Executive Officer and Director of Environment and Communities that the Chief Executive's Recruitment and Selection Panel would not be able to select the Chair of the Forum. He explained he would like Paragraph 5 to return to the Substantive, with the small amendment of allowing District and County Councillors to be able to attend the forum to observe and ask questions.

Terms of Reference - Arun Flood Forum

1. Purpose of the Forum

The main purpose of the Forum is to:

- *Understand the issues behind the main flooding events which occurred within the District following ~~Storm Ciaran in October 2023.~~*
- *Understand other recent flooding events which have occurred within the District where homes and businesses have been affected.*
- *To understand the impact ~~new~~ development **and climate change have both** had on these flooding events.*
- *To make recommendations on practical and deliverable measures to reduce the impact of flooding on the District's residents, businesses and the environment, and to promote the implementation of permanent and sustainable solutions to mitigate or alleviate flooding.*
- *The Forum will also seek to improve communication between the flood risk management authorities and representatives from flood affected communities.*
- ***To highlight and signpost to residents funding opportunities, and help educate residents about what more they can do to protect their own properties.***

2. Scope

The Forum will focus on areas of flood risk resulting ~~from the Storm Ciaran event but will cover other areas of flood risk as determined by the Forum.~~

3. Objectives

The Forum will work to:

- *Clearly establish the impact of flooding following the events following Storm Ciaran*

- *Clearly identify the highest risk areas to flooding resulting from the above review – which communities and businesses are at highest risk.*
- *Hear from communities and businesses affected by the flooding events.*
- *Understand the relationship between new developments and the functional flood plan, how they are drained and the impact on existing built up areas.*
- *Understand the various agencies roles and responsibilities in dealing flooding both in terms of prevention and solutions.*
- *Set out measures to mitigate these risks, from those already established and identify additional measures to assist in future flooding events.*
- *Consider the key agencies' responsibilities and their working relationships with the Council and each other.*
- *Establish what arrangements there are for involving and consulting local communities in determining flood prevention plans and in flood response and recovery arrangements.*
- *Ensure that partners' own organisations are aware of and can respond to flood related issues within their assigned duties and resources.*
- *Review procedures for flood prevention, response and recovery.*
- *Arrange periodic and appropriate training or information exchange for relevant personnel, including partners' own workforces, emergency services, volunteers and other stakeholders on the operational aspects of flood risk management.*
- *Make recommendations for appropriate action by the Council and partner agencies.*
- *Actively address funding opportunities to support projects / proposals resulting from the Forum.*
- *Ensure that the Council's interests are represented at regional and national level in respect of flood policy development and funding.*

4. Membership

- *The Forum will be chaired by an independent professional.*
- *Up to 4 District Councillors from flood affected wards (with not more than one representative from each ward). All other **District and County Councillors** are able to attend to observe and ask questions.*
- *Up to 4 Parish Council representatives, who should be the Chair or Vice Chair of their Parish Council, (with not more than one representative from each parish)*
- *Appropriate officer representation from Southern Water*
- *Appropriate officer representation from the Environment Agency*
- *Appropriate officer representation from West Sussex County Council as the Lead Local Flood Authority*
- *Relevant officer representation from Arun District Council*
- *The group may co-opt representatives of other organisations to sit on the group as appropriate.*

5. Meetings and frequency

- *The group will meet 4 times per year or as determined by the Forum.*
- *All meetings to be held in person.*

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6. Leadership and Governance

- *The Forum would not be a committee, sub-committee or working party of the authority. Instead, it would be a body established by the Environment Committee and the appropriate statutory power for its establishment would be the Council's general power of competence under Section 1 of the Localism Act 2011.*
- *Agendas and minutes of the Forum meetings will be reported to Environment Committee.*
- *Forum member representatives **attendees** will determine for themselves how they wish to report back to their own organisations and communities on the work of the group.*
- ***Attendance at Membership of the Forum meetings** provides no undertaking or commitment by any member organisation to make available funding for any scheme or proposal, but representatives will use their best endeavours to secure funding from appropriate sources.*
- *ADC will provide secretariat services for the Forum.*

7. Decision-Making Process

- *The Forum will make recommendations to Environment Committee where they relate to ADC decisions. It will have no decision-making authority.*

8. Communication

- *Communication resulting from the Forum meetings will be shared through ADC Communications team.*

Proposed Forum topics / ~~meetings~~ — ~~one subject per meeting~~

- *To hear from affected communities and business representatives*
- *National Flood Forum experience, role and responsibilities*
- *Environment Agency (EA) responsibilities and actions*
- *Southern Water (SW) responsibilities and actions*
- ***ADC responsibilities and actions***
- *WSSC (Lead Local Flood Authority (LLFA)) responsibilities and actions and ADC's role*
- *Impact of planning and development*
- ***Landowners responsibilities and actions***

Members were then given additional time to read the altered amendments to the Terms of Reference, as above. Members confirmed they understood these amendments, and the Chair invited debate as follows:-

- *This forum was important to residents as all areas were affected by flooding.*
- *It was felt important that Climate Change was included as there had been a dramatic increase to rainfall which had an impact, particularly where ditches were overflowing. It was asked whether this process would address the duties*

- under the Flood and Water Management Act of all the parties involved. The Group Head of Environment and Climate Change confirmed it would.
- It was asked how it would be decided which District Councillors would sit on the Forum, as it was felt that all wards were flood-affected. The Interim Chief Executive Officer and Director of Environment and Communities explained this would be decided by Members, but it would be a collaborative forum and would report back to the Environment Committee. It was an opportunity to examine the issues behind the main flooding events which had occurred within the District.

The amendment was put to the vote and was declared CARRIED.

Turning to the substantive, the amended recommendations were proposed by Councillor Blanchard-Cooper and seconded by Councillor Greenway.

The Committee

RESOLVED that

The Terms of Reference, as amended by Committee, be approved.

379. PUBLIC QUESTION TIME

The Chair confirmed one question had been submitted, which is briefly summarised below:

1. From Jan Malpas to the Chair of the Environment Committee, regarding Beach Access for all.

(A schedule of the full question asked and the response provided can be found on the [Environment Committee Public Question Web page](#))

380. QUARTER 2 BUDGET MONITORING REPORT

Upon the invitation of the Chair, the Group Head of Finance and Section 151 Officer introduced the report to Committee. He explained that the report was a forecast of outturn verses budget as at Quarter 2 (at the end of September). He drew Members' attention to table 1 on page 14, the bottom line showed a revenue budget underspend of £55k, which was a change of around £58k from the previous quarter, smaller amounts in the overall Committee budget. The main reasons were outlined in Paragraphs 4.2-4.7 of the report. Building Control Fees were around £35k lower than budget, which he felt was due to the general economic downturn; Car Parking Income was £55k higher than budget income, parking fees were increased in January this year, and it was fair to say those had not generated the extra level of income hoped for,

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however it was higher than budget income; he corrected that Cemeteries and Churchyards should read £21k underspend not overspend and this was related to staffing costs; Cleansing Services were showing £152k overspend which was predominantly due to two reasons, inflation was still high, and there was a back-dated pay increase for the contract staff involved in delivering that service; Parks and Greenspaces were showing £125k underspend, which was largely due to staff vacancies; he corrected that Management and Support costs should say a £53k underspend change since quarter 1, the report incorrectly said £125k. With regards to the Capital Programme the only issue to report was the slippage of £200k on the skate park, which was a result of capacity issues.

There were no questions from Members.

The Committee noted the report.

381. BERSTED BROOKS PARK

The Chair confirmed that this Item would be withdrawn for consideration at this meeting without discussion, and would instead be on the agenda for the next meeting of the Environment Committee on 23 January 2024. The reason for this was that the Item was not time sensitive and Members had requested a briefing for Members of the Environment Committee and Ward Members by the Lead Officer.

382. ADDITIONAL HOUSES IN MULTIPLE OCCUPATION LICENSING SCHEME

Upon the invitation of the Chair, the Principal Environmental Health Officer introduced the report to Committee. The report had originated from a Full Council resolution with two strands, the first relating to the quantity of Houses in Multiple Occupation (HMOs). Planning Policy Committee had implemented Article 4 Directions in January 2023, which meant that any new HMOs in the wards of River, Hotham and Marine now required planning permission. This report related to the second strand, which was the quality of HMOs, and proposed an extension to the type of HMOs requiring a licence. Currently there was a mandatory national HMO licence scheme that required any property with five or more people forming two or more households, sharing facilities to hold a licence. The Housing Act 2004 gave Local Authorities the discretion to introduce additional HMO licensing schemes. This could be to extend the type of properties that required licensing and could apply to the whole district or certain wards. The Council commissioned a report by the Building Research Establishment (BRE) and following the evidence and data provided, a public consultation took place between 12 June – 20 August 2023 on the proposal to introduce an additional HMO licensing scheme in the wards of River, Hotham and Marine. This would include properties occupied by three or four occupants forming two or more households, sharing facilities. It would also include Section 257 HMOs, which were properties converted into self-contained flats where the conversion did not meet current Building Regulations, with less than two thirds of the flats owner-occupied.

The aims of the scheme was to improve the standard of accommodation in the three wards. The report included a summary of the consultation results and feedback. There had been 99 responses to the survey, 69 being owner-occupiers, 14 tenants, 10 landlords and 6 other. 5 individual representations had been made. In summary there was agreement and support for the types of properties to be included within the scheme, the wards to be targeted and what the aims of the scheme would achieve. However, it must be noted that the highest number of respondents were from either tenants or owner occupiers, as opposed to landlords.

The HMO Licensing was a cost recovery scheme, and an analysis of the current mandatory licensing regime had been undertaken to ensure the Council had used a clear evidence base to set fees in order to fully recover the allowable costs incurred in regulating these properties. The proposed fees were shown at paragraph 4.35 and would be set for the 5 year term of the license. There was a risk to realising this income, based on the accuracy of figures from the BRE and also the risk of potential for landlords to choose to move out of the market. Resources would be required in terms of a Team Leader, HMO Officer and Technical Support Assistants, which were identified at paragraph 4.29. The additional licensing scheme, if introduced, would be for a five year period, after which time the Council would be required to evaluate its success, undertake another public consultation and a report would be provided to Members again with regards to whether the scheme should continue and/or be expanded to other wards. Currently these properties were not proactively inspected, and this scheme was a cost recovery way of introducing such a programme to enable inspections to ensure minimum standards and improve private rented sector accommodation for some of the more vulnerable residents.

Members then took part in a question-and-answer session and the following points were made:

- It was felt the consultation response rate was disappointing, and there was concern not enough weight had been given to landlords' views. The Principal Environmental Health Officer agreed that the response rate was disappointing, however letters had been sent to all households and businesses within the three wards, two landlord events had been held, and the consultation had been widely publicised.
- There was concern around the costs. The Principal Environmental Health Officer explained that they had broken down all of the costs and the admin involved in the tasks, and were confident that the fees stated would cover the cost to provide the scheme. This would be kept under review.
- There was concern that some existing landlords may choose not to continue providing accommodation.
- One Member stated there were differences between the fire brigade fire conditions and Local Authorities Coordinators of Regulatory Services (LACORS) fire guidance. The Principal Environmental Health Officer explained that the LACORS guidance needed to be followed, which was enforced by the Local Authority as they were the lead for fire safety in HMOs.

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- There was concern this would apply to homeowners taking in lodgers. The Principal Environmental Health Officer explained that where people took in up to two lodgers the property would not be classed as an HMO.
- It was suggested that consultation in future be available in simpler English or multiple languages. The Principal Environmental Health Officer explained they had tried to provide the information as simply as possible, but took the comments on board.
- The National Residents Landlords Association (NRLA) had offered to work with the Council to develop a dispute resolution service, and Officers views on this were sought. The Principal Environmental Health Officer explained the Council had a good relationship with the NRLA, and had responded to say they welcomed the idea of sharing best practice.
- The letter on page 105 from a local property manager made one Member think this may not be a good idea, most of the small private HMOs were not badly managed and it could drive some landlords out of business. The Member felt Arun should not expand too far outside of its' statutory duties, and financially It didn't seem like a good time to be doing this.

The recommendations were proposed by Councillor Blanchard-Cooper and seconded by Councillor Worne.

The Committee

RESOLVED that

1. It recommends to Full Council to Designate the whole of the three wards of Marine, Hotham and River as subject to Additional Licensing under section 56(1)(a) of the Housing Act 2004 for all Houses in Multiple Occupation that contain three or four occupiers making up two or more households irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under Housing Act 2004. Such designation to take effect in the financial year 2024/2025 and last for 5 years, the specific date to be agreed by the Group Head of Technical Services in consultation with Legal Services.
2. The fees for Additional HMO Licensing as set out in 4.35 be agreed for 2024/25.
3. It recommends to Policy and Finance Committee that the resources as set out in paragraph 4.29 are agreed in order to implement the additional HMO licensing scheme within the three wards of River, Marine and Hotham.

383. AIR QUALITY STRATEGY

Upon the invitation of the Chair, the Environmental Health Team Manager introduced the report, which concerned adoption of an Air Quality Strategy for Arun. Air pollution was associated with a number of adverse health impacts and was recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affected the most vulnerable in society. The Government had recently published their revised Air Quality Strategy (2023) and had revised the local air quality management framework which Arun followed, which now placed a new requirement on Local Authorities without air quality management areas to produce an air quality strategy, setting out the action that they would take to improve air quality in their area. Air quality monitoring carried out by the Council continued to indicate that there was good air quality within the District and the air quality objectives for Nitrogen Dioxide were being met. This was carried out through a system of 26 Nitrogen Dioxide monitoring tubes.

This first Air Quality Strategy set out the steps that were already being taken to help improve air quality, as part of the Sussex Air Quality Partnership and specifically within Arun, and the proposed priority areas. The air quality work was in relation to public health management and not directly to do with sustainability, although there were direct links as set out in part 14 of the report. The priority areas for focus within Arun included continuing with existing workstreams such as the NO₂ monitoring programme, amendments to the taxi licensing policy and our work as part of Sussex Air, which could be met within existing resources. Initial work to determine the feasibility of smoke control areas, investigate use of fixed penalty notice powers relating to idling vehicles, and evaluating options for proactive dust monitoring of large construction sites, would also be carried out utilising existing capacity within the Environmental Health Service. However, the ability to take some of these items forward, for example should it be determined appropriate to introduce a smoke control area or a programme of proactive dust monitoring, may be contingent on identifying additional capacity or resources, such as may be available through Defra grants, or revenues received from fixed penalty notice receipts.

Members (and a non-Committee Member given permission to speak) then took part in a question-and-answer session and the following points were made:

- It was asked what progress had been made across Arun regarding installation of on-street electrical charge points. The Group Head of Technical Services explained electric vehicle charge points were being rolled out across the County. There had been some lessons learnt from phase one roll-out where six charge points were being installed at every location, there was now a different approach involving earlier consultation with stakeholders. The intention was now to install two electric charge points at most locations, ensuring the infrastructure was there, and more could be installed as required.
- Clarification was sought on the impact of taxis. The Environmental Health Team Manager explained they were looking at revision of the taxi licence policy to look at introducing emission standards for taxi vehicles, and a report was going to Licensing Committee in December in relation to that matter.

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- It was asked whether buses would be monitored, in particular the measuring of particulates. The Environmental Health Team Manager explained the impact of busses would not be monitored directly. Any additional measures would need separate funding, however every year as part of the Sussex Air Quality Partnership there were opportunities to apply for funding through Defra, so this was something that could be looked at in the future.
- It was asked whether there were sufficient number of electric charge points at Harwood Road and Arun Civic Centre. The Group Head of Technical Services was confident there were sufficient numbers for Arun's modest fleet of electric vehicles.
- It was asked that the Group Head of Technical Services noted that electric vehicle charge points needed to be accessible.

The recommendations were proposed by Councillor Madeley and seconded by Councillor Bower.

The Committee

RESOLVED that

1. The Air Quality Strategy be adopted.
2. Authority be given to the Group Head of Technical Services to make minor and administrative amendments to the Strategy.

384. VARIATION TO PARKING FEES

Upon the invitation of the Chair, the Group Head of Technical Services introduced the report to Committee. He explained The Off-Street Parking Strategy 2021-2026 set out that the Council would review the charges annually. Inflation over the last 12 months had been running at around 10%, Consequently, three car parking fee options had been prepared from which the Committee was asked to select one. Option A delivered the smallest increase in revenue for the Council, which had been achieved by increasing fees overall by 5%, and represented a below inflation increase and thus a real term cut in income. Option C delivered the highest increase in revenue, with higher increases across all fees. This had been based on inflation plus 5%, for a 15% increase in fees overall. Option B delivered a medium increase in revenue, with fees increasing broadly in line with inflation, which was the recommended option, and would prevent the Council's income reducing in real terms. He then went onto explain the other recommendations.

Councillor Blanchard-Cooper proposed an amendment to the Officer recommendations, which was to add an additional proposed amendment to the Parking Order under recommendation 2, as follows:

2.3e. To change West Green car park tariff banding to replace reference to 3 hours with 4 hours.

Councillor Blanchard-Cooper explained current parking times restricted the use of the Harvester restaurant and Windmill Theatre, and this change would be more suitable when these facilities were back in use.

This amendment was seconded by Councillor Warr.

Councillor Greenway raised a Point of Order asking whether the substantive recommendations should be proposed and seconded before an amendment could be made. The Committee Manager advised that in Committee it was often the case that amendments be made to the Officer recommendations prior to the substantive recommendations being proposed and seconded, however if Members wanted to Move the recommendations prior to amendments being put forward, this would also be acceptable.

Following the opportunity being given to debate the amendment, it was put to the vote and declared CARRIED.

Councillor Elkins proposed an amendment to recommendation 2.6 as follows (deletions are shown in ~~strikethrough~~):

- 2.6 The development of a plan for improving ~~and introducing fees to~~ the car park to the rear of the Bluebird Café, Ferring Rife, Ferring.

Councillor Elkins explained that the matter of introducing fees had been raised over a number of years. It was a very popular location, and had mixed ownerships and was often flooded with an enormous amount of water. Councillor Elkins felt the existing wording implied it was a prerequisite that fees would be introduced, and he felt this should not be the case.

This amendment was seconded by Councillor Bower.

The Interim Chief Executive Officer and Director of Growth suggested that Councillor Elkins consider rewording his amendment to (additions shown in **bold**):

- 2.6 The development of a plan for improving and introducing fees to the car park to the rear of the Bluebird Café, Ferring Rife, Ferring, **and to report the outcome of these investigations to Committee for further consideration.**

Councillor Elkins was happy with these changes to the amendment, but felt strongly the word 'consider' in relation to introducing fees, should be included. With the agreement of the seconder, the amendment was therefore altered to (additions shown in **bold**):

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- 2.6 The development of a plan for improving and **consider** introducing fees to the car park to the rear of the Bluebird Café, Ferring Rife, Ferring, **and to report the outcome of these investigations to Committee for further consideration.**

Debate was opened on the amendment and support was offered for this. One Member was concerned about the linkage between introducing fees and paying for the improvements to the car park. The Interim Chief Executive Officer and Director of Growth explained investigations had not yet been conducted and ownership had not yet been looked into, therefore they were not yet aware of the costings of improvements and so were not currently in a position to look at how this would be funded.

Upon taking the vote, the amendment was declared CARRIED.

Returning to the substantive, the Chair invited Members to debate and ask questions on the recommendations.

It was asked whether further information could be circulated to Committee regarding paragraph 4.14, the solar canopy for Mewsbrook car park. The Group Head of Technical Services explained they were looking for approval to develop a proposal, it would then be brought back to Committee.

One Member felt that increasing car park charges would not support the needs of businesses, workers, shoppers, commuters, and visitors. There was concern no usage report of the car parks was included in the report, and he felt that Option B rise was too high and would increase higher than inflation. Reassurance was sought that the new pay and display machines used by Arun would allow for periods of less than 2 hours to be purchased. The Group Head of Technical Services explained that this was correct regarding the parking machines, and the Parking Services Review would address the concerns around the usage information.

The Committee gave their permission for a non-Committee Member to speak. It was requested that Committee exclude the car park in Middleton-On-Sea from recommendation 2.3. It was felt Arun could establish user data in a cheaper and more user-friendly way. The car park was extremely well used and did not suffer from long-stayers or abandoned vehicles. The Parish Council wanted to encourage use of the car park and it was felt this may have the opposite effect. There were also concerns that charges may be required for this at some point in the future if ticket machines were installed. The Group Head of Technical Services explained that the car parks would remain free under the proposals.

Clarification was sought on the free tickets. The Group Head of Technical Services explained users would be obliged to obtain a free ticket from the machine. The purpose of this was to gather data on the usage of the car park and also to enable

enforcement of long-staying and abandoned vehicles. He pointed out that Felpham Parish Council, where two of the car parks were situated, had confirmed their support for the installation of the machines.

The recommendations were proposed by Councillor Worne and seconded by Councillor Wallsgrove.

The Committee

RESOLVED that

1. Parking fee option B be introduced with effect from 01 April 2024.
2. Authority be delegated to the Group Head of Technical Services to advertise, consider representation and determine the following proposed amendments to the Parking Order:
 - a. To agree the redefinition of all short and long stay car parks as ‘town centre’ car parks.
 - b. To agree to the addition of Eldon Way car park to Arun District Council’s Parking Order and the associated charging tariff as set out in Appendix 1.
 - c. To agree the installation of parking ticket machines within the three free car parks operated in partnership with Middleton-On-Sea and Felpham Parish Councils.
 - d. To agree the cessation of refunds issued for the cancellation of virtual parking permits for Arun District Council car parks.
 - e. To change West Green car park tariff banding to replace reference to 3 hours with 4 hours.
3. Authority be delegated to the Group Head of Technical Services to introduce and revise annually an administration fee for road closures based on the cost recovery principal.
4. A feasibility assessment for the installation of a solar canopy in Mewsbrook car park, be undertaken.
5. The development of a plan for improving and to consider introducing fees to the car park to the rear of the Bluebird Café, Ferring Rife, Ferring, and to report the outcome of these investigations to Committee for further consideration.
6. A Parking Services Review be commissioned, and its scope as set out in paragraphs 4.17 – 4.30.

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385. UPDATE ON BEACH ACCESS FOR ALL - BOGNOR REGIS

[During discussion of this Item, Councillor Madeley declared a Personal Interest as the Ward Councillor for Felpham West]

Upon the invitation of the Chair, the Senior Coastal Engineer introduced the report to Committee. He explained this followed a report brought to Committee in February. The report illustrated the steps taken to meet the short-term objectives. A survey of existing ramps was attached as an appendix to the report, which presented methodology and identified that two ramps were suitable for future clearance. Those ramps were Blakes Road and Gloucester Road. The selection criteria applied principles from national standards and considered the entire access chain, thinking about transport, local infrastructure such as toilets, parking and cafes. It was important to note that the supporting provisions were extremely important when delivering accessible infrastructure. The report also begun to consider some of the medium and long-term objectives, exploring potential funding sources, possible stakeholders and talking to neighboring authorities about their experiences. Worthing Borough Council had kindly provided a statement under 4.6, they had their own issues in developing their model. Steps had been taken to commence stakeholder engagement and some positive meetings with Voluntary Action Arun & Chichester (VAAC), whose connections would help to progress stakeholder engagement along with the Vice-Chair of his Committee. Officers were looking to hold stakeholder engagement meeting in January.

Members then took part in a question-and-answer session which is summarised below.

There was concern that the two ramps to access the beach were in Gloucester Road and Blakes Road, which were used by jet skis and the sailing club. The Senior Coastal Engineer explained that they were looking to work actively with jet ski users and Felpham Sailing Club. There was a local business that had an interest in working with the Gloucester Road ramp, and it was hoped an agreement could be come to regarding managing this ramp.

It was suggested the best place for a ramp would be in the centre of Bognor Regis opposite Place St Maur, and it was asked whether the possibility of using ramps there had been excluded. The Senior Coastal Engineer explained the ramps that had been discounted were primarily due to them being covered in shingle, the shingle was the primary coastal defence. The possibility of a new ramp in that area would need to be looked at alongside a major capital project such as renewal of the sea defences.

The Senior Coastal Engineer and Group Head of Environment and Climate Change were thanked for their work on this report and also the Bognor Regis Beach Access Working Party, and it was clear they had wanted to support making the beach accessible. Immediate action had taken place allowing some access onto the beach during the summer of 2023, and this work would be continued for the 2024 season.

One Member was disappointed with what had been achieved so far, and hoped to see other things in place such as clearing shingle from more ramps, installing and a trial with beach wheelchairs, and he felt a budget was required. He hoped to see a metal roller ramp installed in the summer of 2024. The Group Head of Environment and Climate Change reminded Members that Committee agreed to the objectives set out in the report in February, and it was based on taking lots of small steps with the aim of helping as many people as possible. This was aimed at access for all, and the stakeholder meeting would invite people to make representations, to clearly understand people's aims and objectives. Nothing was discounted at this time, but Officers were keen not to embark on projects that would not be supported by stakeholders. One of the aims was for Bognor and the coast along this stretch to become an exemplar for access for all. The Senior Coastal Engineer explained that they needed to focus on the mental barriers as well as the physical solutions, and it was really important that supporting infrastructure was in place as this was instrumental in overcoming barriers, such as having toilet facilities etc.

A non-Committee Member given permission to speak by the Committee, and hoped that the stakeholder group were able to discuss the possibility of more Arun-owned ramps being cleared of shingle, so further investigations could take place.

The report was noted.

386. KEY PERFORMANCE INDICATORS 2022-2026 - QUARTER 2 PERFORMANCE REPORT FOR THE PERIOD 1 APRIL 2023 TO 30 SEPTEMBER 2023.

Upon the invitation of the Chair, the Group Head of Technical Services introduced the report, the purpose of which was to update the Committee with the Quarter 2 Performance Outturn for the Key Performance indicators for the period 1 April 2023 to 30 September 2023.

Members then took part in a question-and-answer session and the following points were made:

- CP39 (Building Control) – Were we continuing to see an increase in this return? The Group Head of Technical Services confirmed in October it had improved to 65%
- CP39 (Building Control) – Was there a reduction in people requesting Building Control Services, were people are seeking independent services? The Group Head of Technical Services explained Arun's market share in building regulation work was much higher than that of neighbouring authorities. Arun have been struggling for some time to recruit for a Senior Building Control Surveyor, however the market supplement for this had now been revised, and they were in a position to recruit for this post with a greater prospect of success. The team had been carrying out large volumes of work and also new competency assessment requirements that they were having to go through which was time consuming, so it was felt it was testament to the team's hard work that they were in the position they were.

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- CP24 (Household Waste and Recycling) – It was asked whether there was a plan to achieve the targets. The Group Head of Environment and Climate Change explained the insight gained in the food waste trial showed that where food waste was collected separately, recycling rates could reach upwards of 60%, and the Government had clarified this would be mandated from March 2026. A report would be going to the Committee in March 2024.
- CP25 (Contractor Green Space Management) – of 57 sites, 11 had failed to meet contractual standards and 7 had exceeded. Could Members be provided with a breakdown of this. The Group Head of Environment and Climate Change would provide a breakdown to Members after the meeting.
- CP37 and CP40 – these targets were both set at 100%, which neither were currently meeting, and it was asked whether the target was too high? The Group head of Technical Services felt a target of 99% would be more appropriate.
- CP24 (Household Waste and Recycling) – It was asked whether seagull proof bags and smaller boxes for people with no frontage, would be continued. The Group Head of Environment and Climate Change would circulate information regarding this to Members after the meeting.

The report was noted.

387. OUTSIDE BODIES

Upon the invitation of the Chair, Councillor Wiltshire gave a brief update on The Local Government Association Coastal Special Interest Group (LGA Coastal SIG), explaining they were currently a number of things they were promoting including Motion for the Ocean.

388. WORK PROGRAMME

Upon the invitation of the Chair, the Group Head of Technical Services presented the Work Programme to Committee, explaining that the Disabled Facilities Grant Item had been removed from the January meeting, as this had to be adopted by all Districts before the end of the calendar year. Revisions to the policy were very minor and were all in relation to providing larger grants for people in the District, reflecting the construction inflation increases. A Bathing Water Quality report had been added.

The Group Head of Environment and Climate Change explained that the Rights to the River Arun, which was a Motion at Full Council, would also be added to the Work Programme in due course.

Members were concerned that there were no budget reports on the Work Programme. The Group Head of Finance confirmed a Budget report would come to the January Committee.

It was asked whether a scrutiny report around the cleansing services could be added to the Work Programme. At Policy and Finance Committee the results of the residents survey showed there was a distinct split of East and West around cleanliness, and it was hoped an item specifically around this could be brought in order that it be scrutinised.

A non-Committee Member given permission to speak was concerned that regular reports brought to Committee in the past, such as tree planting, an annual update on engineering service, food safety plan etc, were not currently showing. It was asked that a review be undertaken regarding this to ensure the previously regular items were added to the Work Programme. The Chair confirmed this would be looked into.

The Work Programme was noted.

(The meeting concluded at 8.45 pm)

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Arun District Council

REPORT TO:	Environment Committee 21 November 2023
SUBJECT:	Additional Houses in Multiple Occupation Licensing Scheme
LEAD OFFICER:	Karl Roberts – Interim CEO and Director of Growth
LEAD MEMBER:	Councillor Sue Wallsgrove
WARDS:	River, Marine and Hotham
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: The Council’s Vision 2022 – 2026 has four key themes, one of which is “delivering the right homes in the right places”. To achieve this, amongst other measures, the council will “ensure the existing housing stock in the district (private sector and council owned) is maintained to a high standard”.	
DIRECTORATE POLICY CONTEXT: The service vision set out in the Directorate of Growth business Plan is to “raise the standard of private sector housing within the District and improve the health and wellbeing of its residents”. Introducing an Additional Houses in Multiple Occupation (HMO) Licensing Scheme will provide the resources to enable a proactive inspection regime of the properties included within the scheme. It will also provide greater confidence that there are adequate safeguards in place to help ensure that people in these types of properties are provided with appropriate, safe, good standard and affordable accommodation in private rented sector properties in the wards where the scheme is in place.	
FINANCIAL SUMMARY: With any licensing scheme fees can be charged to cover the cost of administering the scheme.	

1. PURPOSE OF REPORT

- 1.1. To provide the results and outcomes of the 10 week statutory consultation on a proposed additional HMO Licensing scheme in the wards of River, Hotham and Marine.

2. RECOMMENDATIONS

- 2.1. The Environment Committee having considered the results of the consultation in relation to the proposed additional HMO Licensing Scheme as summarised in the report resolves:

- 2.1.1. To recommend to full Council to Designate the whole of the three wards of Marine, Hotham and River as subject to Additional Licensing under section 56(1)(a) of the Housing Act 2003 for all Houses in Multiple Occupation that contain three or four occupiers making up two or more households, irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under Housing Act 2004. Such designation to take effect in the financial year 2024/2025 and last for 5 years, the specific date to be agreed by the Group Head of Technical Services in consultation with Legal Services.
- 2.1.2. The fees for Additional HMO Licensing as set out in 4.35 be agreed for 2024/25.
- 2.1.3. To recommend to Policy and Finance Committee that the resources as set out in paragraph 4.29 are agreed in order to implement the additional HMO licensing scheme within the three wards of River, Marine and Hotham.

3. EXECUTIVE SUMMARY

- 3.1. At the Environment Committee on 14 July 2022 members agreed to instigating the consultation process for a proposed additional licensing scheme for HMOs for the wards Marine, Hotham and River, to cover privately rented properties occupied by three or four people making up two or more households and properties converted into self contained flats that meet the definition of Section 257 HMOs.
- 3.2. The statutory 10 week consultation took place between 12 June to 20 August 2023 and this report details the results and outcomes of this consultation.

4. DETAIL

- 4.1. At the meeting of Full Council on 25 February 2020 a resolution was passed which stated: -

“The Council is asked to support a request for officers to explore what options might exist for introducing further controls on the definition, number and quality of homes in Multiple Occupation and prepare appropriate reports for the relevant decision body of the Council”
- 4.2. On 5 November 2020, the Housing and Customer Services Working Group recommended to Cabinet to continue to research and gather further evidence to help establish whether additional HMO licensing or selective licensing of the private rented sector was justified.
- 4.3. In addition Planning Policy presented a report to Development Control Committee on 28 October 2020 to recommend to Full Council that further research was undertaken to establish robust evidence to determine the justification and role for designating Article 4 Direction(s).

- 4.4. Both of these committee decisions were agreed and officers from Private Sector Housing and Public Health Team and Planning Policy jointly procured the services of a consultancy to undertake the required additional research.
- 4.5. The Building Research Establishment (BRE) were successful with their quote and project proposal and have provided the Council with a report on their findings.
- 4.6. The BRE report was presented to the Environment Committee on 14 July 2023. The Committee agreed to the instigating of the consultation process for a proposed additional licensing scheme for HMOs for the wards Marine, Hotham and River, to cover privately rented properties occupied by three or four people making up two or more households and properties converted into self-contained flats that meet the definition of Section 257 HMOs.
- 4.7. Section 257 HMOs are a converted block of flats, either the whole building or part of the building, where the following apply:
- The building or part of it (including those with commercial premises within the overall building and including common parts of buildings) has been converted into self contained; and
 - The conversion into self contained flats did not (and still does not) meet the Building Regulations 1991 (or later); and
 - Less than two thirds of the flats are owner occupied.
- 4.8. Planning Policy presented the research findings to Planning Committee on 26 October 2022 who resolved that:
- Notice be given of the authority's intention to designate Article 4 Directions under Article 4 (1) Schedule 3 (1) separately, for the three Wards of Marine, Hotham and River, following a notice period of six weeks (including to the Secretary of State) commencing on 2 November 2022 (which specifies a twenty one day representation period).
 - Any representations and amendments be reported back to Planning Committee on 11 January 2023, prior to recommending the Article 4 Directions be confirmed by Full Council on 18 January 2023 to commence on 19 January 2023.
 - The collective evidence studies demonstrably showed harm to the wards of River, Marine and Hotham, arising from the concentration of HMO developments and that this be used as a material consideration in determining further HMO proposals in those areas.
- 4.9. Therefore the outcome of this article 4 directive coming into force on 19 January 2023, means that a planning application is required to change the use of a dwelling house to a HMO which are shared houses occupied by between 3 and 6 unrelated individuals, as their only main residence, who share basic amenities such as a kitchen or bathroom.

4.10. The Article 4 direction is in the River, Hotham and Marine wards where existing future high concentrations of HMOs are considered likely to be harmful to the amenity or wellbeing of local residents and communities, As a result, the making of Article 4 direction ensures that the issue and impacts arising from this form of development can be properly assessed through planning policy.

Consultation Outcomes

4.11. The Private Sector Housing and Public Health Team carried out a 10 week statutory consultation on the proposed additional HMO licensing scheme between 12 June – 20 August 2023.

4.12. See paragraph 5.0 below for details of how the consultation took place.

4.13. The consultation results and feedback report is provided in Appendix 1 to this report. There were 99 responses to the survey, 69 being owner occupiers, 14 tenants, 10 landlords and 6 other. There were also 5 individual representations provided.

4.14. 55% of respondents said that they did not, based on their experience or opinion, agree that private landlords within the district maintain their properties to a good standard.

4.15. 29.6% thought that properties within the River ward Littlehampton, Hotham and Marin wards in Bognor Regis were more poorly maintained than those within the district as a whole.

4.16. The majority of respondents strongly agreed with the types of properties to be included within the proposed scheme:

Type of Property	Percentage Strongly Agree
Houses with 3 or 4 Occupants in 2 or more households sharing facilities	41.8%
Purpose built rented flats with 3 or 4 occupants in 2 or more households sharing facilities	34.7%
Building converted into flats with 3 or 4 occupants in 2 or more households in each flat sharing facilities	43.9%
Common parts of buildings converted into section 257 flats	28.6%

4.17. 38.8% of respondents either strongly disagreed or disagreed with the proposed licence fee. 20.4% of respondents strongly agreed or agreed with the proposed licence fee.

- 4.18. Representation was received from the National Residential Landlords Association (NRLA). They have a shared interest with the Council in ensuring a high quality private rented sector but strongly disagrees that the introduction of additional licensing is the most effective approach to achieve this aim both in the short term and long term.
- 4.19. Representation was received from Littlehampton Town Council:
- “This consultation was considered by the Town Council’s Planning and Transportation Committee at its meeting held on Monday 17 July 2023, particularly with reference to the proposed introduction of additional HMO licensing in the River Ward in Littlehampton and supported the Scheme. Members welcomed the move to capture accommodation which otherwise escaped the legislation and regulations for this type of housing that were currently in place. The majority of private landlords were considered responsible. However, it was clear from both the representation and reports that Members received from constituents, that the new regime and the proposed system of reporting, would provide a much needed mechanism for raising these issues and seeking redress.”*
- 4.20. The low response, in comparison to the number of properties within the three wards effected and the number of letters and emails circulated as part of the consultation, does make extrapolation of the results difficult. This has to be borne in mind when assessing any meaningful conclusion.
- 4.21. In summary there was agreement and support for the types of properties to be included within the scheme, the wards to be targeted and what the aims of the scheme will achieve. However, it must be noted that the highest number of respondents were from either tenants or owner occupiers, as opposed to landlords.

Resources

- 4.22. The BRE previously provided a stock modelling report in 2020 on the wider private sector housing stock. Research undertaken by the BRE uses stock modelling data, they therefore use a variety of sources for example, national annual house condition surveys, Energy Performance Certificate data, tenancy deposit data and Experian data. This enables them to make a predictive assessment of house conditions and the geographical distribution of properties of interest.
- 4.23. Using this report and data the Private Sector Housing and Public Health Team checked these figures in terms of mandatory licensed HMOs. This established that around a third of the properties identified within the report were actually HMOs that required a licence.
- 4.24. Using the recent research undertaken by the BRE it identified that there would be a potential 344 additional properties requiring a license in the 3 wards. Based on previous findings the figures for the 3 to 4 person HMOs in the three wards have been reduced by one third, to project a more accurate fee income.

- 4.25. There is no comparable data to determine the accuracy of the Section 257 numbers provided therefore those within the BRE report have been included but it is acknowledged they may not be 100% accurate.
- 4.26. In total therefore there is estimated to be an additional 267 HMOs that would fall within scope of the proposed scheme
- 4.27. From experience of administering the mandatory HMO scheme the fee process has been broken down into its respective tasks and the time taken for each grade of officer eg. Team Leader, HMO Officer and Technical Support Assistant.
- 4.28. The cost to the Council of the respective posts are:

Post	Grade	Cost (£)
Team Leader	Scale 11	57,224
HMO Officer	Scale 9	49,026
Technical Support Assistant	Scale 5	33,992

- 4.29. In view of this the proposed increase in resources to implement the proposed additional HMO licensing scheme is:

FTE	Post	Cost (£)
1.0	Team Leader	57,224
0.4	HMO Officer	19,610.40
0.3	Technical Support	10,197.60
	TOTAL	87,032
	Over 5 Years	435,160

- 4.30. The aim of the Team Leader post would be to undertake a case load and be operational as well as having management/supervisory responsibilities.
- 4.31. There will be additional costs in terms of IT for all staff and equipment for inspections for the Team Leader and HMO Officer, that will be required. The approximate cost for these are:

Laptop	£550
Mobile Phone	£374

Damp Meter	£200
Disto (Laser measuring Device)	£150
Lone Working Device	£200
Personal Protective Equipment	£500

4.32. With any licensing scheme fees can be charged to recover the cost of administering the scheme. An analysis of the current mandatory licensing regime has been undertaken to ensure the Council has used a clear evidence base to set fees in order to fully recover the allowable costs it incurs in regulating these properties.

4.33. This continues to be reviewed to ensure tasks are being undertaken by the appropriate member of staff, that the times allocated to each task are an accurate average and whether efficiencies can be made by use of IT systems.

4.34. The fees cover the administration of the HMO Licensing process:

- Receipt of application
- Checking the application, documentation provided and fee payments
- Inspection of the property,
- Producing a draft license for consultation,
- Dealing with any representations made as part of the consultation
- Producing the final license
- Follow up visits and correspondence to ensure works identified as part of the licence conditions are completed

The fees do not cover other work undertaken by the HMO Officers:

- Proactive checks to identify unlicensed HMOs
- Enforcement of unlicensed HMOs – undertaking investigations, gathering evidence, obtaining and executing warrants, inspections, PACE interviews, Enforcement Review Panel, prosecution or civil penalty notices etc
- Working with landlords to reduce the number of occupants so the property falls outside of the scope of licensing – issuing a Temporary Exemption Notices
- Range of service requests of non licensed HMOs
- Planning consultations

4.35. Proposed fees for the additional HMO Licensing Scheme

Part One: Initial Application Fee	Amount Payable
Three-person or four person house base fee	£1662.10
Part Two: Licence Issue Fee	Amount Payable
Licence Issues Fee	£355.30

Part One: Initial Application Fee	Amount Payable
Three person or four person flat/apartment base fee	£1497.10
Part Two: Licence Issue Fee	Amount Payable
Licence issue fee	£355.30

Part One: Initial Application Fee	Amount Payable
Section 257 HMO base fee per building up to two storeys – only external parts and common parts such as hallways and landings under the control of the freeholder	£1332.10
Section 257 HMO case fee per building more than two storeys – only external parts such as hallways and landings under the control of the freeholder	£1386
Part Two: Licence Issue Fee	Amount Payable
Licence Issue Fee	£355.3

4.36. Using the BRE research and the potential number of new properties requiring licensing and the proposed license fees the fee income over 5 years is estimated at £466,135.80.

4.37. Summary of finances:

Estimated Income Generation over 5 Years:

Fees	£466,135.80
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Resources Over 5 Years:

Salaries	£435,160
Equipment etc	£4,498
TOTAL	£439,658

- 4.38. The proposed resources are therefore within the estimated income generation.
- 4.39. Any Additional HMO licensing scheme that is designated by a Local Authority lasts for a 5 year period and the Council would be required to review the scheme to determine whether it should continue and/or be expanded. A further report would therefore be presented to the Environment Committee with the results of the review and recommendation as to whether the scheme should continue for a further 5 years and consider whether the scheme should be expanded to additional wards within the district.
- 4.40. In conclusion the research showed that based upon modelled data there is sufficient evidence to support the introduction of an additional HMO licensing scheme in Arun. The analysis indicates that conditions in many of these properties where sharing of cooking, washing or toilet facilities is happening or where a building has been converted without Building Control approval into self-contained flats, may be below acceptable standards.
- 4.41. Therefore introducing an additional HMO licensing scheme will provide greater confidence that there are adequate safeguards in place to help ensure that people in these types of properties are provided with appropriate, safe, good standard and affordable accommodation in private rented sector properties in the wards where the scheme is in place.
- 4.42. Whilst the consultation received a low response rate, there was a general support of the scheme, its aims, the type of properties and the wards included.
- 4.43. The resources required for the proposed scheme have been calculated and outlined in paragraph 4.29, these are expected to broadly be recovered from licensing fees.
- 4.44. It is therefore recommended to proceed with the process for designation of the three wards for a period of 5 years.
- 4.45. As required by the legislation a review of the outcomes and impact of the scheme will take place prior to the 5 year expiry of the designation of the scheme. A report will be presented to the Environment Committee on the findings of this review to make a decision as to whether the scheme should be extended and designated for a further 5 year period and whether additional areas within the district should be included.

5. CONSULTATION

- 5.1. A public statutory 10 week consultation took place between 12 June – 20 August 2023.
- 5.2. The Council's website was used to detail the proposals and provide information and a copy of the consultation document was available.
- 5.3. The consultation was advertised in local media and social media posts to advise that it was taking place and how to participate.
- 5.4. Paper copies of the consultation document and posters showing the details of the proposed scheme were available in the Arun Civic Centre and Bognor Regis Town Hall. Paper copies of the consultation document were also available at a number of local libraries within the district.
- 5.5. Students enrolled at the University of Chichester were able to view the consultation document at the University's accommodation office.
- 5.6. Feedback could be provided via an online survey form which was accessible from the Council's website.
- 5.7. Letters/leaflets advertising the consultation were sent to all residents and businesses within the wards of River, Hotham and Marine.
- 5.8. Two Landlords forum events took place:
 - In person Landlords Forum meeting held at Arun Civic Centre 26 July 2023
 - Remote meeting via Zoom, hosted and organised by National Residential Landlords Association (NRLA) 18 August 2023.
- 5.9. A wide portfolio of stakeholders and other people affected by the proposal, as well as internal stakeholders and department have been contacted regarding the consultation, including ward members, Councillors at both district and parish level, local MPs, landlord/property owners in the proposed ward areas and neighbouring ward areas tenants in the proposed ward areas, West Sussex Fire and Rescue Service, Sussex Police, letting and managing agents, the University of Chichester and Bognor Regis College, landlords on the Chichester and Arun Accreditation Scheme, landlord representatives such as the NRLA, local resident associations, Citizens Advice, West Sussex County Council, neighbouring local authorities and general public.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1. To agree not to pursue additional HMO licensing. Officers would therefore continue to investigate complaints reactively rather than being able to proactively tackle the standard of accommodation through inspection.

- 6.2. To employ additional staff to implement a proactive inspection regime without introducing additional HMO licensing of the private rented sector. This approach would assist with tackling poor housing conditions, but without the creation of a licensing scheme enforcement powers are more restricted. This option would also require additional funding from the Council's general fund to recruit staff and unlike with a licensing scheme costs cannot be recovered through fees.

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 7.1. The income projected to be received with the introduction of this scheme over the 5 year period is by no means guaranteed. The additional core increase in cost to the establishment, as detailed would be a permanent cost. There is a risk that could result in additional growth, should the income fail to materialise. Other options could be explored to mitigate any potential growth, with a more flexible approach to the staffing required.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1. The BRE report identified that the wards of River, Hotham and Marine had the largest number of HMOs which were in disrepair and poorly managed. Not introducing the proposed additional HMO licensing scheme would mean that a proactive inspection regime is not implemented to be able to ensure these properties are brought up to minimum health and safety standards.
- 8.2. Using the research undertaken by the BRE it identified that there would be a potential 344 additional properties requiring a license in the 3 wards. Having previously checked the accuracy of BRE stock modelling on mandatory licensed HMO figures it has been established that the figures provided were a third accurate. Based on this the figures for the 3 to 4 person HMOs in the three wards have been reduced by one third, to project a more accurate fee income.
- 8.3. Comparable data is not available to determine the accuracy of the properties classified as Section 257 numbers provided therefore those within the BRE report have been included but it is acknowledged they may not be 100% accurate. In total therefore there is estimated to be an additional 267 HMOs that would fall within scope of the proposed scheme.
- 8.4. The BRE data is based on modelling and therefore there is a risk that the figures provided could be over or under estimated, which will have an impact on the income generation.
- 8.5. The scheme, if designated, would be for a period of 5 years after which a review of its outcomes and impacts is undertaken. A further report would be presented to Environment Committee for a decision as to whether, based on the review findings, the scheme should continue for a further 5 years and also whether it should be expanded to other wards within the district. If the Environment Committee decide not to continue the scheme beyond the initial 5 years then there is the risk of potential redundancy costs for staff if redeployment is not possible within the Council.

- 8.6. From experience Private Sector Housing and Environmental Health have experienced difficulties in recruitment of qualified staff, therefore there is a risk that any proposed positions may be difficult to recruit to.

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

- 9.1. This report asks Committee to recommend to full Council to Designate the whole of the three wards of Marine, Hotham and River as subject to Additional Licensing under section 56(1)(a) of the Housing Act 2003.

- 9.2. This report further asks the committee to agree to the schedule of fees. Charges for HMO License fees are governed by Section 63(3),(4) and (7) of the Housing Act 2004 and the *Provision of Services Regulations 2009*(as amended). The Provision of Services Regulations have been considered by the Courts in *Gaskin v London Borough of Richmond*, and *Hemming v Westminster City Council*. These provisions and the court judgements establish that (1) Fees charged by the Council must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities. (Regulation 18(4) of the Regulations) and (2) that fees should not be used as an economic deterrent to certain activities or to raise funds.

10. HUMAN RESOURCES IMPACT

- 10.1. The recruitment of additional staff as identified within paragraph 4.29 of the report will be required, with support from the HR Team.
- 10.2. As detailed in paragraph 8.5 above, if the scheme does not continue beyond the initial 5 year period there will be potential implications of redundancy for those staff employed. It is not possible to predict what these costs will be as it is dependant upon who is employed and factors such as whether they have continuous service and their age which will impact upon the redundancy calculations.
- 10.3. Fixed term contracts are appropriate for employment up to a 2 year period, there after the member of staff would be protected and have additional rights in terms of redundancy for example. Contracts could be offered on a 5 year basis however, it would be made clear as part of the recruitment process, through the advert and at interview, and in any job offer correspondence that funding for the role is only for a fixed period and stating for how long. Any employee on a fixed term would not be treated any less favourably the only difference from the start of their employment is that they have a possible end date, and a clause addressing this could be included in any contract of employment.
- 10.4. Recruiting on this basis would not be practical for the 5 year term of the scheme and would not be a means of reducing costs.

11. HEALTH & SAFETY IMPACT

- 11.1 There are direct health and safety impacts from these proposals. Risk assessments are already in place in relation to inspections and other visits made to HMOs, and these are kept under review to ensure that all reasonably practicable measures are taken to ensure the safety of officers.

- 11.1. The proposed Additional HMO Licensing Scheme would ensure minimum health and safety standards within privately rented accommodation for some of the more vulnerable residents in the wards of River, Hotham and Marine.

12. PROPERTY & ESTATES IMPACT

- 12.1. There will be no direct impact on the management of the Council's property portfolio

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 13.1. An Equality Impact Assessment has been completed and is attached at Appendix 2. The provision of this does not affect disproportionately one or more of the nine characteristics outlined in the Equality Act 2010.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

- 14.1. The additional licensing scheme applies to the wards of River, Marine and Hotham these are the most deprived areas within the district therefore the scheme will have a positive impact on those tenants who are socio economically disadvantaged. Good quality housing is important for people to achieve their educational and professional potential.

- 14.2. The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards which can include excess cold and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. As well as the health benefit there will also be reductions of emissions associated with heating where homes are made to be more energy efficient, either through improvements to building envelopes or improvements to heating systems

15. CRIME AND DISORDER REDUCTION IMPACT

- 15.1. Property licensing is intended to raise the standards of condition and management by landlords of rented properties. With greater engagement with landlords it is anticipated this will help reduce anti social behaviour and crime.

16. HUMAN RIGHTS IMPACT

- 16.1. Consultation in relation to the proposed Additional HMO Licensing scheme was carried out as details in paragraph 5.0 of this report. The consultation whilst statutory also provided an opportunity for the public, businesses and stakeholders to provide feedback, ensuring that any human rights concerns could be highlighted and considered by the Environment Committee.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

- 17.1. Consultation feedback has been managed in accordance with GDPR provisions. Consultation responses are reported back to Committee within this report, and have been appropriately summarised and/or redacted to ensure compliance with GDPR.

CONTACT OFFICER:

Name: Louise Crane

Job Title: Principal Environmental Health Officer

Contact Number: 01903 737669

BACKGROUND DOCUMENTS:

[Additional HMO licensing consultation 2023 | Arun District Council](#)

[Environment Committee Report 14 July 2022](#)

Appendix 1 – Consultation results and feedback report

Appendix 2 – Equality Impact Assessment

Proposal to implement a Houses in Multiple Occupation (HMO) Additional Licensing Scheme in River, Hotham and Marine wards in Arun District.

Survey results and feedback to the 2023 public consultation – Summary Findings



Arun Additional HMO Licensing Consultation

Arun District Council (the “council”) ran a public consultation for 10 weeks between 12 June and 20 August 2023 on a proposal to introduce Additional HMO Licensing in River ward in Littlehampton and Hotham and Marine wards in Bognor Regis.

The council wanted to know the views about the proposals from tenants, landlords, residents, letting agents and businesses living or operating in the area and that could be affected by the proposals outlined in the consultation document. The consultation also wanted to know the views of those that operate outside of the proposed licensing area who might be indirectly affected.

An online survey was available for consultees to complete on the dedicated website page. Paper copies of this survey were also available if requested by those unable to complete the survey online.

The consultation was advertised through a variety of means including:

- A dedicated Additional HMO Licensing webpage on the council’s website.
- A QR code directing people to the website.
- Displays for the duration of the consultation at The Arun Civic Centre in Littlehampton and at Bognor Regis Town Hall.
- Paper copies of the full consultation document were available to view at The Arun Civic Centre in Littlehampton and at Bognor Regis Town Hall.
- Paper copies of the full consultation document were available to view at local libraries within the district for the duration of the consultation.
- Over 12,700 letters sent to every address within the three proposed wards (River, Marine and Hotham).
- E-mails sent to managing and letting agents within Arun district.
- Paper copies of the full consultation document were available to view at the University of Chichester Bognor Regis campus accommodation office for the duration of the consultation. The University accommodation office and Student’s Union also sent out e-mails advising of the consultation to their students.
- Advertising of the consultation in local media and on the council’s Twitter and Facebook accounts.
- E-mails and/or letters were also sent to adjacent local authorities, West Sussex Fire and Rescue Service, Citizen’s Advice, local Councillors, national landlord associations, Tenant’s Union, Parish Council’s in the proposed wards, Bognor and Littlehampton Town Councils, landlords currently registered on the Chichester and Arun Landlord Accreditation Scheme, and current mandatory licensed HMO licence holders.

- E-mail signatures containing details and website links (including a QR Code) of the consultation sent out with all e-mails from the Private Sector Housing and Public Health team.

Although the council advertised the proposals widely and tried to reach as many groups and different relevant persons and groups as it could, it is acknowledged that this isn't a guaranteed way to reach all those individuals or groups that might be affected by the proposals or who might have wished to have responded. For example, there will be some landlords who live outside of the district or those proposed wards who won't have heard about the consultation if their tenants didn't pass on the letter received; didn't look at local media; their agents didn't advise them; or they are not part of a national landlord association or scheme or aren't in regular contact or liaison with the council. At the current time there is no requirement to be registered as a landlord and the Private Sector Housing team do not hold a list or register of local landlords. Similarly, there will have been tenants who didn't receive the letter sent to their address as it may have been picked up by another tenant in the same building, for example. The majority of respondents to the online survey was expected to be from owner-occupiers of properties within the proposed wards and where the targeted letter-drop was undertaken, and that proved to be the case.

Survey results – Summary Findings

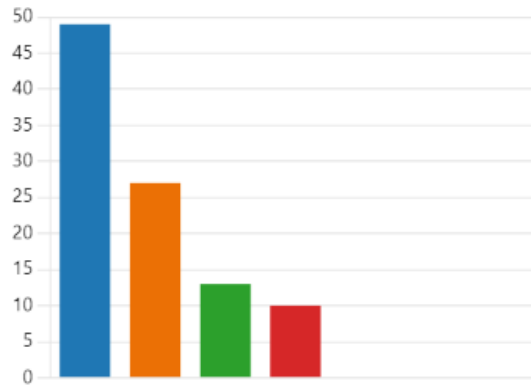
In total 99 responses to the online survey were received (fourteen from tenants, ten from landlords, 69 from owner-occupiers and six from "others"). This was below what was expected and was disappointing considering the number of letters and e-mails that were issued and the wide advertising of the proposals. It was expected that the majority of respondents would be owner-occupiers within the proposed wards, it was surprising however, that even those landlords and tenants who were fully aware of the proposals and have in the past commented on issues regarding licensing, maintenance and repair of properties, and have previously been quite vocal about mandatory licencing regimes, failed to submit any response or complete the online survey regarding the council's proposals.

The low figure does mean that extrapolation of the results is perhaps difficult, and this has to be borne in mind in assessing any meaningful conclusion. The low number of respondents may have a disproportionate effect on the overall results; however, even if the numbers responding was low, the percentage responding to each question would be consistent across the survey and so are comparable between each of the respondent categories.

(Note that some figures are rounded up/down where there is a percentage with a fraction of a total and so in some cases the totals may amount to just over or just under 100%.)

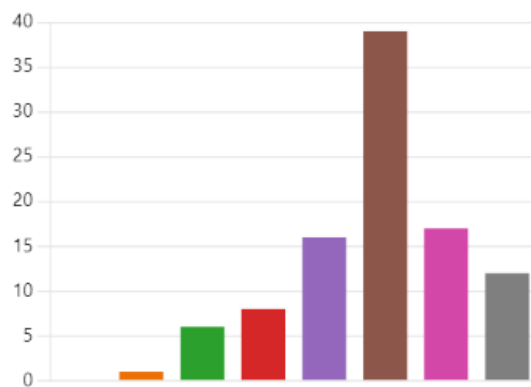
1. All respondents – Title

Mr	49
Mrs	27
Ms	13
Miss	10
Doctor	0
Councillor	0
Other	0



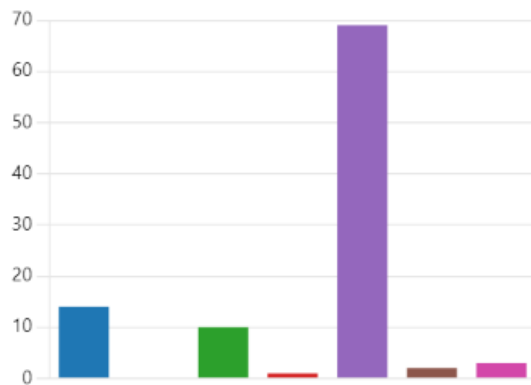
2. All respondents - What age band do you fall into?

Under 18	0
18-24	1
25-34	6
35-44	8
45-54	16
55-64	39
65-74	17
75 or over	12



3. All respondents - Which of the following apply to you in regard to a property you live in within Arun District?

Tenant in a privately rented pro...	14
Tenant in Social Housing	0
Landlord	10
Managing agent/agent	1
Owner-occupier	69
Other	2
None of the above	3

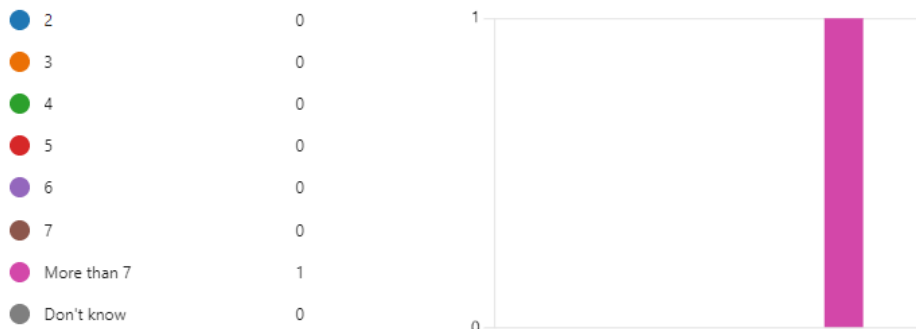


4. Privately renting tenants - What sort of property do you live in?

Entire house (only you or you a...	2
Shared house (you or you and y...	1
Self-contained flat (it has its ow...	11
Shared flat (you share bathroom...	0
Other	0

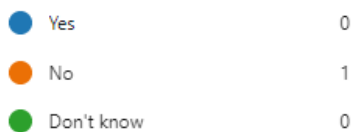


5. Privately renting tenants - If you ticked that you live in a shared house or shared flat, how many people live in the property?

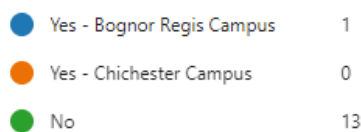


It can be deduced therefore that there was only one respondent who was a tenant in a shared property and all of the other tenants in private sector housing must be living in self-contained accommodation, such as a house or flat where they do not share any facilities, either living as a single occupant or as part of a single household.

6. Privately renting tenants - If you ticked that you live in a shared house or shared flat, does the property currently have a House in Multiple Occupation (HMO) licence?



7. Privately renting tenants - Are you a full-time student attending the University of Chichester?

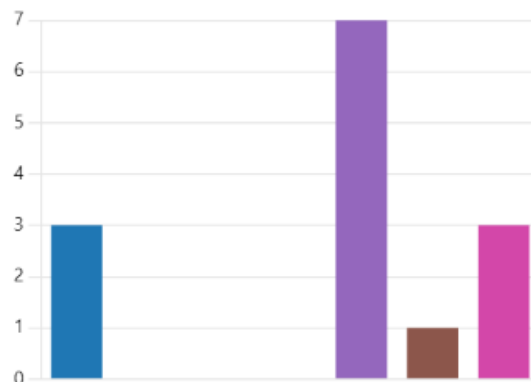


8. Privately renting tenants - Is the property you rent registered on the Arun and Chichester Landlord Accreditation Scheme?



9. Privately renting tenants - Do you live or work in one of the wards proposed for the additional HMO licensing designation?

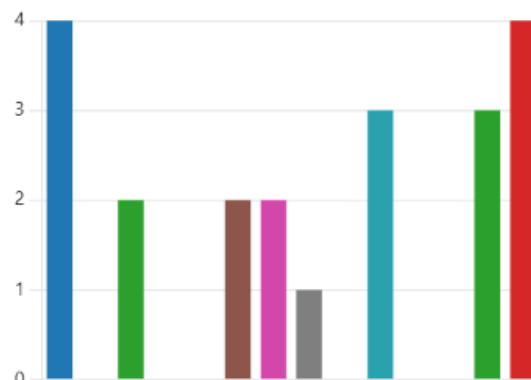
● Yes - I live in River ward	3
● Yes - I work in River ward	0
● Yes - I live in Hotham ward	0
● Yes - I work in Hotham ward	0
● Yes - I live in Marine ward	7
● Yes - I work in Marine ward	1
● No - I don't live or work in any ...	3



Privately renting tenants were asked the following questions relating to their accommodation:

10. As a tenant renting from a private landlord, have you had problems with any of the following issues? Respondents were able to choose as many as were applicable (and thus the total numbers/percentage may be higher than the 14 privately rented respondents that answered):

● Damp and disrepair	4
● Overcrowding	0
● Lack of heating	2
● Lack of basic amenities (bath/sh...	0
● Lack of safety measures	0
● Dirty and poorly maintained co...	2
● Rubbish and waste accumulations	2
● General lack of management an...	1
● Lack of tenancy paperwork	0
● Poor response to requests for re...	3
● Harassment and/or illegal evicti...	0
● Retaliatory eviction, for example...	0
● Other	3
● None	4



- Damp and disrepair – 4 (28.6%)
- Overcrowding – 0 (0%)
- Lack of heating – 2 (14.3%)
- Lack of basic amenities (bath/shower, kitchen facilities, etc.) – 0 (0%)
- Lack of safety measures – 0 (0%)
- Dirty and poorly maintained communal stairs and hallways – 2 (14.3%)
- Rubbish and waste accumulations – 2 (14.3%)
- General lack of management and supervision – 1 (7.1%)
- Lack of tenancy paperwork – 0 (0%)

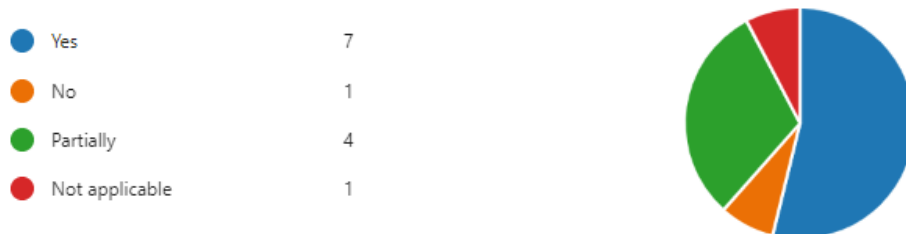
Poor response to requests for repairs – 3 (21.4%)
 Harassment and/or illegal eviction including pressure to leave without notice – 0 (0%)
 Retaliatory eviction, for example, evicted after complaining of disrepair – 0 (0%)
 Other – 3 (21.4%)
 None – 4 (28.6%)

Other = Fly-tipping/waste – 2 (14.2%)
 Unaffordable rent increases – 1 (7.1%)

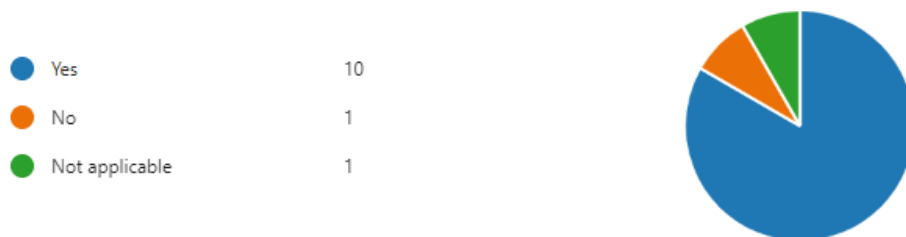
11. If a respondent said they had experienced issues they were asked about how they went about resolving the issue(s) and who they contacted.

Of the responses received to this question, two people replied that they contacted their landlord and two people stated that they contacted their managing agent.

12. They were then asked if this was successful in resolving the matter.



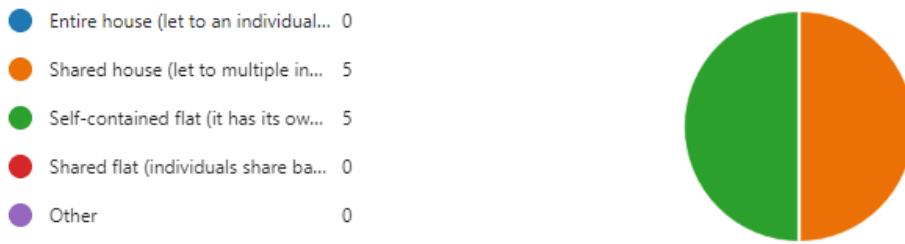
13. When tenants were asked if the issue(s) they had encountered were at the same property that they still lived in:



Tenants renting from a Social Housing Provider/Housing Association were asked a number of questions relating to their accommodation; however, no tenants who live in social housing completed the survey and therefore there is no data or feedback to provide.

Landlords were asked the following questions relating to their rented properties. (If landlords wished to answer the survey as an owner-occupier (or other title), they were required to complete a further survey).

14. Landlords were asked what sort of property they rent out in Arun District:



The responses indicate that half of the landlord respondents say they let out a shared house with four or more occupants and therefore could potentially fall into the proposed scheme definition if their rented properties are also within the proposed scheme wards.

15. Landlords who responded that they rented shared houses or flats were then asked how many people live in the property.

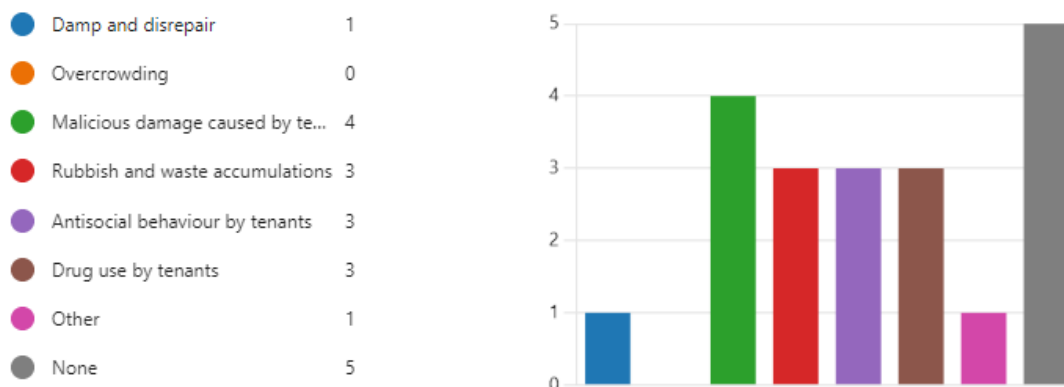


16. Landlords were asked whether the shared house or flat that they rent out currently had a House in Multiple Occupation (HMO) licence:



The single response of “no” is in relation to a HMO that has only four occupants, and thus is not required to be mandatorily licensed at this time; however, it would fall within the remit of the proposed additional licensing scheme..

17. As a landlord renting out a property, have you had problems with any of the following issues? Respondents were able to choose as many as were applicable (and thus the number may be higher than the total of 10 landlord respondents):



As five out of the ten respondents (50%) stated that they had no problems, if the remaining figures are divided between the other five respondents, the percentage totals are double to the figures shown, for example the 1 response for damp and disrepair actually becomes 20 percent of the total responses and malicious damage caused by tenants actually becomes 80 percent of the total responses (again allowing for the fact that respondents could tick as many issues as they liked).

18. Landlords were asked whether they were a member of a national landlord association?

● Yes	7
● No	3

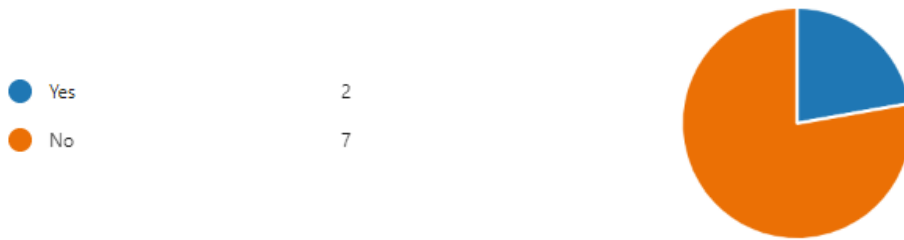


19. Landlords were asked whether they had heard of the Chichester and Arun Landlord Accreditation Scheme:

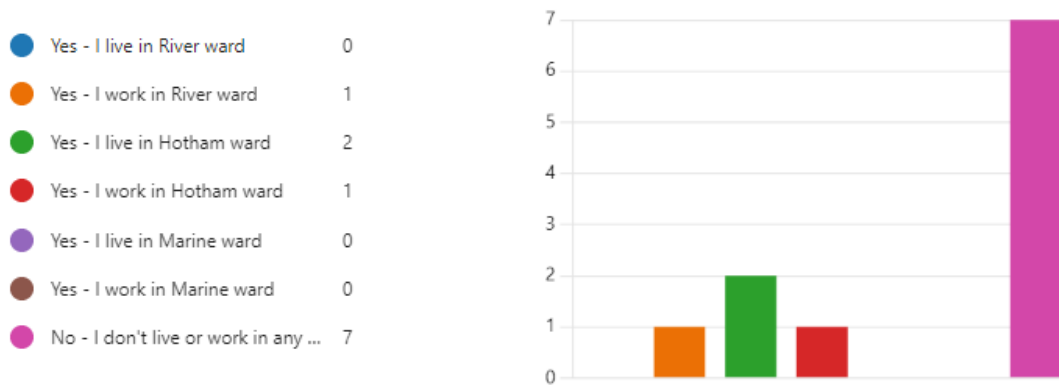
● Yes	8
● No	2



20. Landlords were asked whether they were registered on the Chichester and Arun Landlord Accreditation Scheme:



21. Landlords were asked whether they live or work in one of the wards proposed for the additional HMO licensing designation? (Total may be more than 10 as some landlords may work and live in a particular ward).



Managing agents/agents were asked the following questions relating to the rented properties the manage or let. (If managing agents wished to answer the survey as a resident, they were required to complete a separate survey).

Only one respondent identified themselves as a managing agent, and so each response where there is a total of more than 1 or there are multiple responses to the same question, means that all apply to that one individual agent, for example in question 31 below, each type of property has a single response and so it has to be deduced that the agent manages each type of these properties.

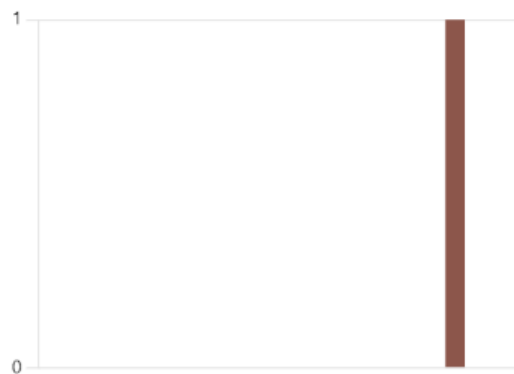
22. What sort of property do you manage in Arun District?



Although the figures represent 25% for each category, as it is based on one managing agent respondent, the figure for each sector could also be shown as 100% for each category as the answer to each is a positive one and is unlikely that each type of property is actually represented by an equal 25% share of the agent’s clients’ properties.

**23. As a managing agent, have you had problems with any of the following issues?
Respondents were able to choose as many as were applicable:**

- Damp and disrepair 0
- Overcrowding 0
- Lack of heating 0
- Lack of basic amenities (bath/sh... 0
- Lack of safety measures 0
- Dirty and poorly maintained co... 0
- Rubbish and waste accumulations 0
- General lack of management an... 0
- Lack of tenancy paperwork 0
- Poor response to requests for re... 0
- Harassment and/or illegal evicti... 0
- Retaliatory eviction, for example... 0
- Malicious damage by tenants 0
- Drug use by tenants 0
- Antisocial behaviour by tenants ... 0
- Antisocial behaviour in the distri... 1
- Other 0
- None 0



24. Managing agents were asked whether they live or work in one of the wards proposed for the additional HMO licensing designation?

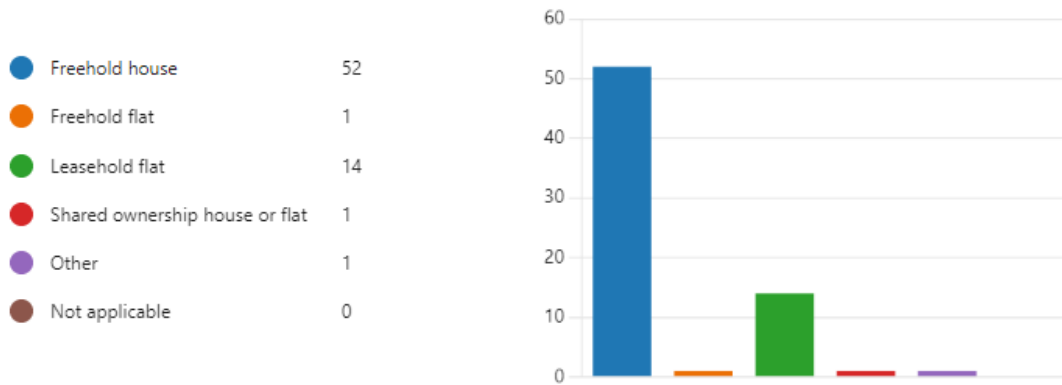
- Yes - I work in River ward 0
- Yes - I work in Hotham ward 1
- Yes - I work in Marine ward 1
- No - I don't work in any of theses... 0



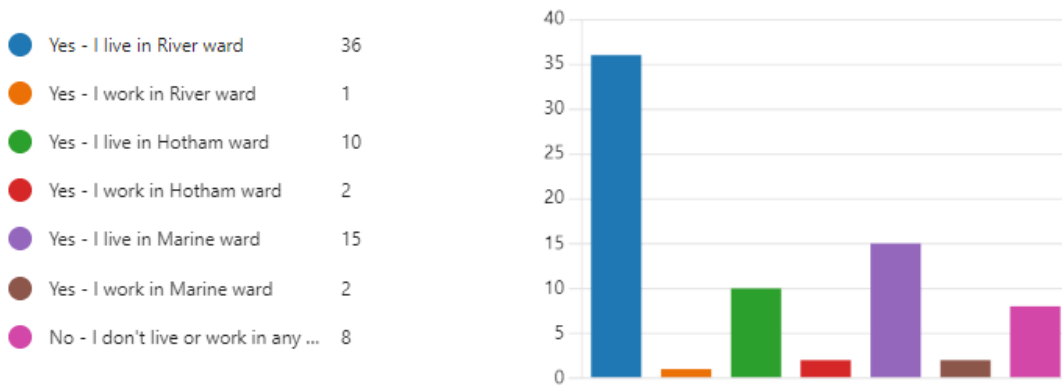
As only one managing agent identified themselves as such, it can be deduced that the overall figures above can be stated as being 100% work in Hotham and Marine wards and the fifty percent split is entirely due to the way the question is posed.

Residents owning and living in their own property (“owner-occupier”) were asked the following questions relating to their property.

25. Which of the following applies to you in regard to a property within Arun District that you live in?



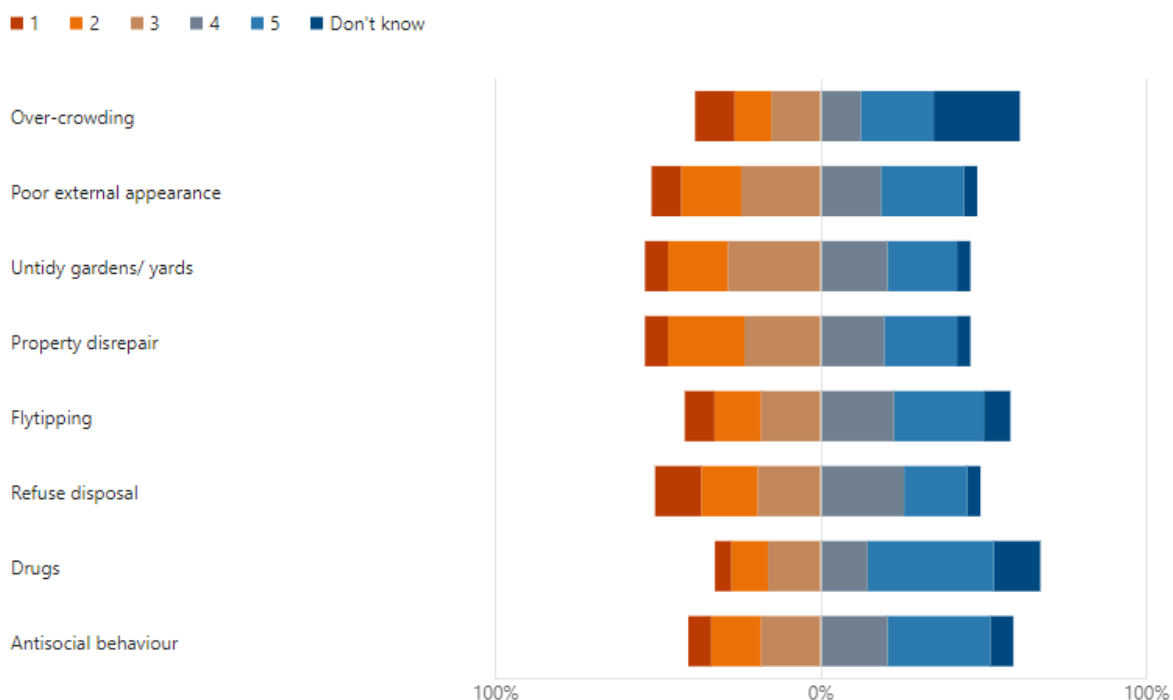
26. Owner-occupiers were asked whether they live or work in one of the wards proposed for the additional HMO licensing designation?



All respondents were asked a number of questions regarding the proposed additional HMO licensing scheme. All responses are out of 99 - the total number of respondents to the online survey.

27. Respondents were asked, thinking about the housing within Arun District as a whole, how much of a problem were each of the following on a scale of 1-5 with 5 being the highest and 1 being the lowest:

All respondents (99)



Overcrowding

1 - Less of an issue	12.2%
2	11.2%
3	15.3%
4	12.2%
5 - More of an issue	22.4%
Don't know	26.5%

27% of tenants were concerned about overcrowding being an issue, whereas 20% of landlords didn't feel this was a problem. 24% of owner-occupiers also considered this to be a high priority issue.

Poor external appearance

1 – Less of an issue	9.2%
2	18.4%
3	24.5%
4	18.4%
5 – More of an issue	25.5%
Don't know	4.1%

18% of tenants considered this as being a problem, whereas 20% of landlords considered the same and 30% of owner-occupiers considered this to be a problem.

Untidy gardens/yards

1 – Less of an issue	7.1%
2	18.4%
3	28.6%
4	20.4%
5 – More of an issue	21.4%
Don't know	4.1%

50% of landlords considered that this was only a “moderate” issue, whereas a quarter of owner-occupiers and a third of tenants considered that this was a problem.

Property disrepair

1 – Less of an issue	7.1%
2	23.5%
3	23.5%
4	19.4%
5 - More of an issue	22.4%
Don't know	4.1%

Interestingly more tenants considered this to be a lesser problem, along with landlords, whereas owner-occupiers considered it to be more important.

Flytipping

1 – Less of an issue	9.2%
2	14.3%
3	18.4%
4	22.4%
5 – More of an issue	27.6%
Don't know	8.2%

Landlords, owner-occupiers and “other respondents” were in general more concerned about flytipping than tenants and considered it to be a problem.

Refuse disposal

1 – Less of an issue	14.3%
2	17.3%
3	19.4%
4	25.5%
5 – More of an issue	19.4%
Don't know	4.1%

36% of tenants considered this to be a problem, whereas 30% of landlords considered it wasn't and a similar number (29%) of owner-occupiers also considered it to be a problem.

Drugs

1 – Less of an issue	5.1%
2	11.2%
3	16.3%
4	14.3%
5 – More of an issue	38.8%
Don't know	14.3%

18.2% of tenants both considered this to be a problem and not a problem, presumably reflecting issue faced by tenants in different properties and areas where they may have experienced such issues. 20% of landlords considered that this was a problem and 45% of owner-occupiers considered this to be a large problem.

Antisocial behaviour

1 – Less of an issue	7.1%
2	15.3%
3	18.4%
4	20.4%
5 – More of an issue	31.6%
Don't know	7.1%

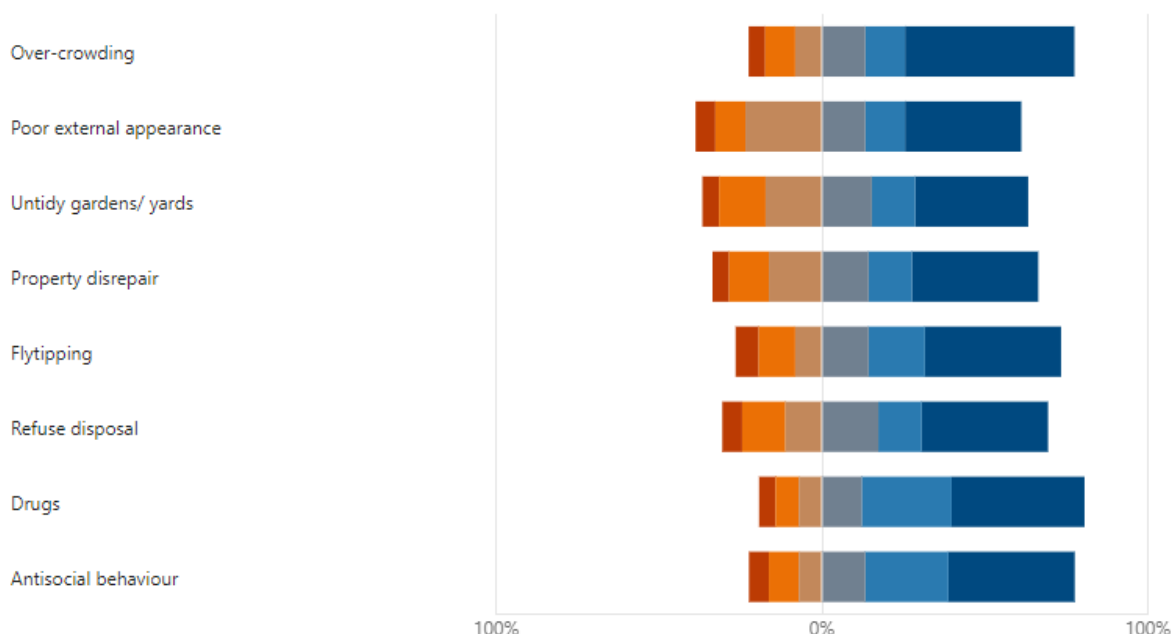
27.3% of tenants and 36% of owner-occupiers considered this to be a large problem and 40% of landlords considered it to be a problem.

28. Respondents were then asked, thinking about the housing within the proposed additional HMO licensing scheme wards, how much of a problem were each of the following on a scale of 1-5 with 5 being the highest and 1 being the lowest:

River ward, Littlehampton

All respondents (99)

1 2 3 4 5 Don't know



Overcrowding

1 – Less of an issue	5.1%
2	9.2%
3	8.2%
4	13.3%
5 – More of an issue	12.2%
Don't know	52%

14.2% of tenants considered this to be less of an issue, 16% of owner-occupiers considered it to be a problem and 10% of landlords responded in each of the 1-4 bands (i.e. from less of a problem through to more of a problem).

Poor external appearance

1 – Less of an issue	6.1%
2	9.2%
3	23.5%
4	13.3%
5 – More of an issue	12.2%
Don't know	35.7%

The majority of tenants (21.4%) did not consider this to be a problem, 40% of landlords considered it a moderate problem as did 18.8% of owner-occupiers, with a slightly smaller percentage (18.8%) considering it to be a problem.

Untidy gardens/yards

1 – Less of an issue	5.1%
2	14.3%
3	17.3%
4	15.3%
5 – More of an issue	13.3%
Don't know	34.7%

28.5% of tenants considered that this wasn't a major issue, whereas 20% of landlords considered it was a moderate issue or issue. 39% of owner-occupiers considered this to be an issue.

Property disrepair

1 – Less of an issue	5.1%
2	12.2%
3	16.3%
4	14.3%
5 – More of an issue	13.3%
Don't know	38.8%

14.2% of tenants considered this to be a problem, whereas only 10% of landlords did and over 30% of owner-occupiers considered this to be a problem.

Flytipping

1 – Less of an issue	7.1%
2	11.2%
3	8.2%
4	14.3%
5 – More of an issue	17.3%
Don't know	41.8%

Most tenants did not consider this to be an issue, 30% of landlords considered this a large problem and over 35% of owner-occupiers considered that this was a problem.

Refuse disposal

1 – Less of an issue	6.1%
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2	13.3%
3	11.2%
4	17.3%
5 – More of an issue	13.3%
Don't know	38.8%

Only 7% of tenants thought that this was a problem, 40% of landlords considered it is a problem and two-thirds of owner-occupiers considered that this is a problem.

Drugs

1 – Less of an issue	5.1%
2	7.2%
3	7.1%
4	12.2%
5 - More of an issue	27.6%
Don't know	40.8%

14.2% of tenants consider this to be a problem, 20% of landlords both considered it was a problem and not a problem and 31.8% of owner-occupiers considered this was a large problem.

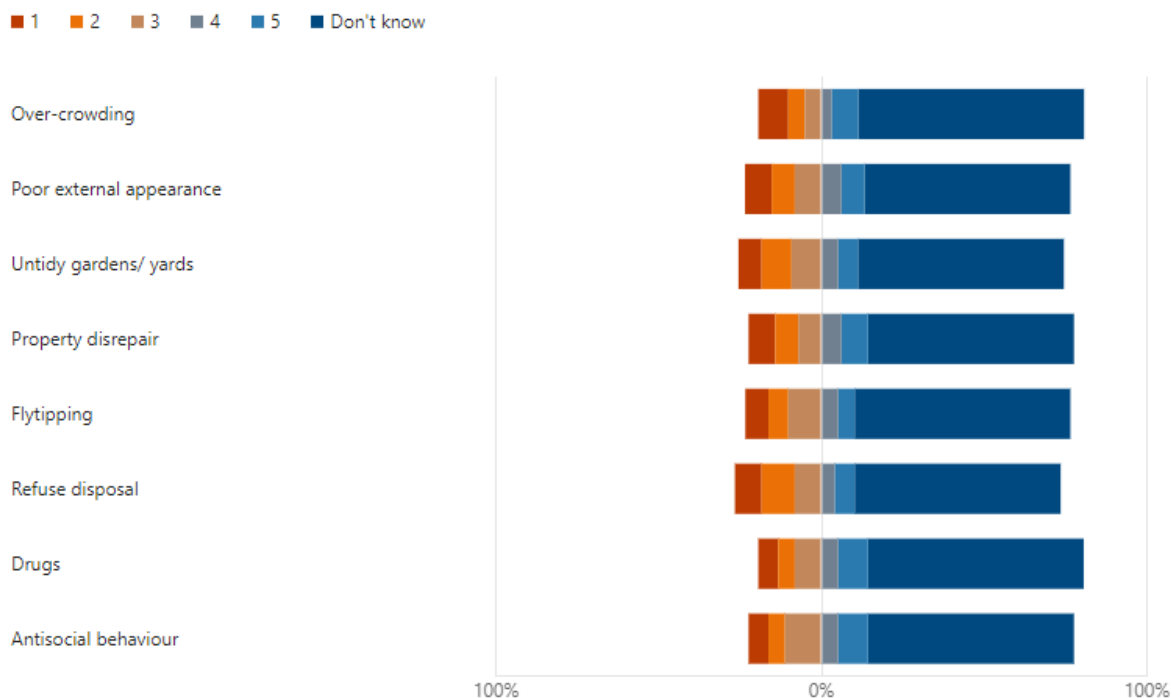
Antisocial behaviour

1 – Less of an issue	6.1%
2	9.2%
3	7.1%
4	13.3%
5 – More of an issue	25.5%
Don't know	38.8%

21.3% of considered that anti-social behaviour was a large problem whereas only 10% of landlords did. 30.4% of owner-occupiers considered that this was a large problem.

Hotham ward, Bognor Regis

All respondents (99)



Overcrowding

1 – Less of an issue	9.2%
2	5.1%
3	5.1%
4	3.1%
5 – More of an issue	8.2%
Don't know	69.4%

7% of tenants considered this was a problem as did 10% of landlords and owner-occupiers.

Poor external appearance

1 – Less of an issue	8.2%
2	7.1%
3	8.2%
4	6.1%
5 – More of an issue	7.1%
Don't know	63.3%

14.3% of tenants thought this was less of a problem as did 10% of landlord and 8.7% of owner-occupiers.

Untidy gardens/yards

1 – Less of an issue	7.1%
2	9.2%
3	9.2%
4	5.1%
5 – More of an issue	6.1%
Don't know	63.3%

Few tenants considered that this was an issue and the majority of landlords didn't think this was much of a problem. 14.4% of owner-occupiers considered this to be a problem.

Property disrepair

1 – Less of an issue	8.2%
2	7.1%
3	7.1%
4	6.1%
5 – More of an issue	8.2%
Don't know	63.3%

14.3% of tenants did not think there was much of a problem in this respect, most landlords agreed with that but 10.1% of owner-occupiers considered that this was a problem.

Flytipping

1 – Less of an issue	7.1%
2	6.1%
3	10.2%
4	5.1%
5 – More of an issue	5.1%
Don't know	66.3%

21% of tenants considered this was less of an issue and did 30% of landlords but 15% of owner-occupiers considered it was a problem.

Refuse disposal

1 – Less of an issue	8.2%
2	10.2%
3	8.2%
4	4.1%
5 – More of an issue	6.1%
Don't know	63.3%

Most tenants didn't feel this was an issue, 10% of landlords responded for each of the scoring bands 1-4, and 13% of owner-occupiers considered it was a problem.

Drugs

1 – Less of an issue	6.1%
2	5.1%
3	8.2%
4	5.1%
5 – More of an issue	9.2%
Don't know	66.3%

21% of tenants considered that this was a moderate or higher level problem, 10% of landlords responded for each of the scoring bands 1-4 and 13% of owner-occupiers considered this was a problem.

Antisocial behaviour

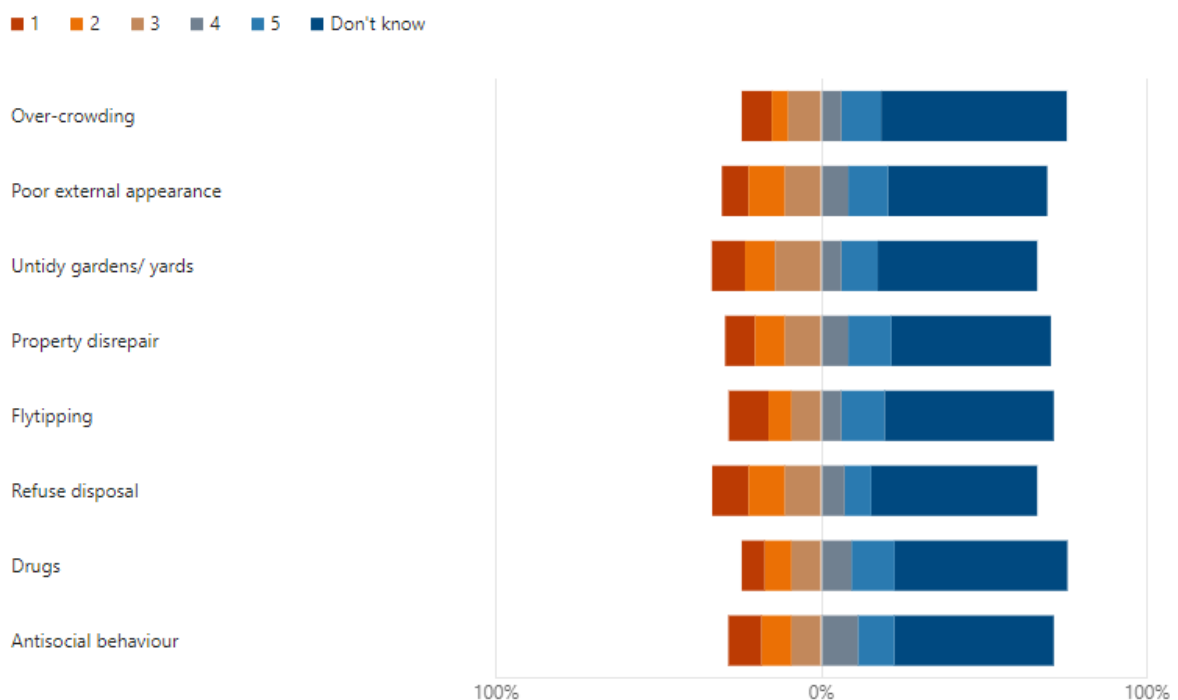
1 – Less of an issue	6.1%
2	5.1%

3	11.2%
4	5.1%
5 – More of an issue	9.2%
Don't know	63.3%

14.3% of tenants considered this was a problem as did 10% of landlords and 11.6% of owner-occupiers considered this was a higher level problem.

Marine ward, Bognor Regis

All respondents (99)



Overcrowding

1 – Less of an issue	9.2%
2	5.1%
3	10.2%
4	6.1%
5 – More of an issue	12.2%
Don't know	57.1%

14.3% of tenants agreed this was a problem, 10% of landlords agreed, and 15.9% of owner-occupiers considered that this was a problem.

Poor external appearance

1 – Less of an issue	8.2%
2	11.2%
3	11.2%
4	8.2%
5 – More of a problem	12.2%
Don't know	49%

14% of tenants considered that this was a problem and 10% of landlords considered this was a problem in the scoring bands 1-4; whilst 23% of owner-occupiers considered this was a higher level problem.

Untidy gardens/yards

1 – Less of an issue	10.2%
2	9.2%
3	14.3%
4	6.1%
5 – More of an issue	11.2%
Don't know	49%

28.6% of tenants didn't think this was much of a problem, 10% of considered the same, although 20% considered this as a moderate problem, but 14.5% of owner-occupiers considered this a large problem.

Property disrepair

1 – Less of an issue	9.2%
2	9.2%
3	11.2%
4	8.2%
5 – More of an issue	13.3%
Don't know	49%

14.3% of tenants considered this was a problem, whereas 10% of landlords felt it was less of a problem and 16% of considered this to a larger problem.

Flytipping

1 – Less of an issue	12.2%
2	7.1%
3	9.2%
4	6.1%
5 – More of an issue	13.3%
Don't know	52%

14.3% of tenants considered this was a large problem, landlords were split evenly over scoring bands 1-4 on the level of problems regarding flytipping and 16% of owner-occupiers considered this to be a larger problem.

Refuse disposal

1 – Less of an issue	11.2%
2	11.2%
3	11.2%
4	7.1%
5 – More of an issue	8.2%
Don't know	51%

21% of tenants considered this to be a problem, landlords were again split evenly over scoring bands 1-4 on the level of problems regarding refuse and 17.2% of owner-occupiers considered this was more of a problem.

Drugs

1 – Less of an issue	7.1%
2	8.2%
3	9.2%
4	9.2%
5 – More of an issue	13.3%
Don't know	53.1%

More than a third of tenants considered that there were problems regarding drugs as did 20% of landlords and more than 24% of owner-occupiers.

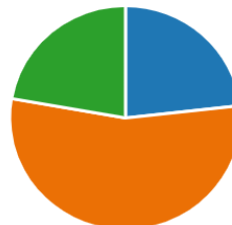
Antisocial behaviour

1 – Less of an issue	10.2%
2	9.2%
3	9.2%
4	11.2%
5 – More of an issue	11.2%
Don't know	49%

Almost a third of tenants considered antisocial behaviour as a problem, as did a similar number of landlords and almost a quarter of owner-occupiers.

29. Respondents were asked, based on their experience or opinion, whether they thought that private landlords within the district maintain their properties to a good standard?

● Yes	23
● No	54
● Don't Know	22



Yes: Overall 23.5%

(Tenants – 28.8%; Landlords – 80%; Owner-occupiers – 11.6%; Other – 50%)

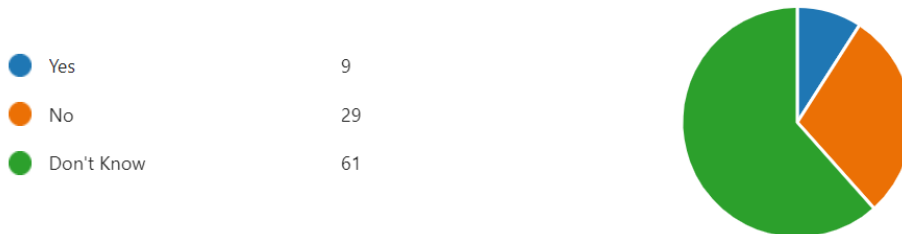
No: Overall 55%

(Tenants – 35.7%; Landlord – 10%; Owner-occupiers – 65.2%; Other – 50%)

Don't know: Overall 21.4%

(Tenants – 35.7%; Landlords – 10%; Owner-occupiers – 23.2%; Other – 0%)

30. Respondents were asked whether they thought that properties within River ward, Littlehampton and Hotham and Marine wards in Bognor Regis are better or more poorly maintained than those within the district as a whole?



Better maintained: Overall 9.2%

(Tenants - 7.1%; Landlords - 20%); Owner-occupiers – 5.8%; Other – 16.6%)

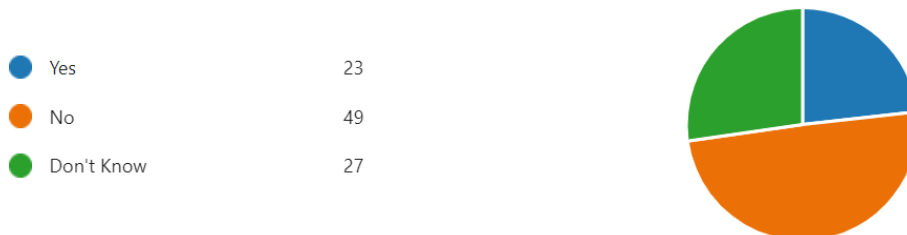
More poorly maintained: Overall 29.6%

(Tenants - 28.5%; Landlords – 0%; Owner-occupiers – 43.4%; Other – 50%)

Don't know: Overall 61.2%

(Tenants - 64.2% (9); Landlords - 80%; Owner-occupiers - 50.7%; Other – 33.3%)

31. Respondents were asked whether they thought that private landlords act responsibly in letting, managing and maintaining their properties within the district?



Yes: Overall 23.5%

(Tenants – 21.4%; Landlords – 80%; Owner-occupiers – 13%; Other – 50%)

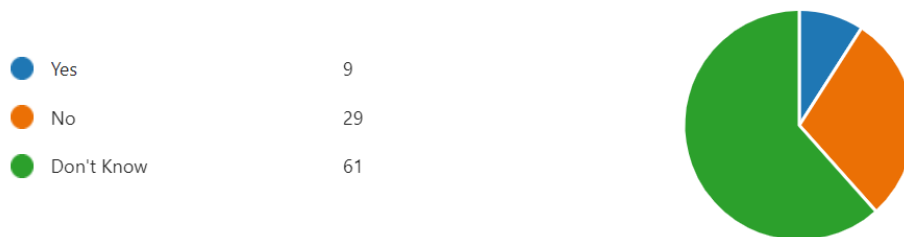
No: Overall 50%

(Tenants – 14.2%; Landlords - 10%; Owner-occupiers – 64%; Other – 33.3%)

Don't know: Overall 26.5%

(Tenants – 64%; Landlords - 10%; Owner-occupiers – 23%; Other – 16.6%)

32. Respondents were asked whether they thought that landlords of properties within River ward, Littlehampton and Hotham and Marine wards in Bognor Regis are better or worse at managing and maintaining their properties than those within the district as a whole?



%/number of all respondents (Total 99)

Better: Overall 9.2%

(Tenants – 7.1%; Landlords – 20%; Owner-occupiers – 5.8%; Others – 16.6%)

Worse: Overall 29.6%

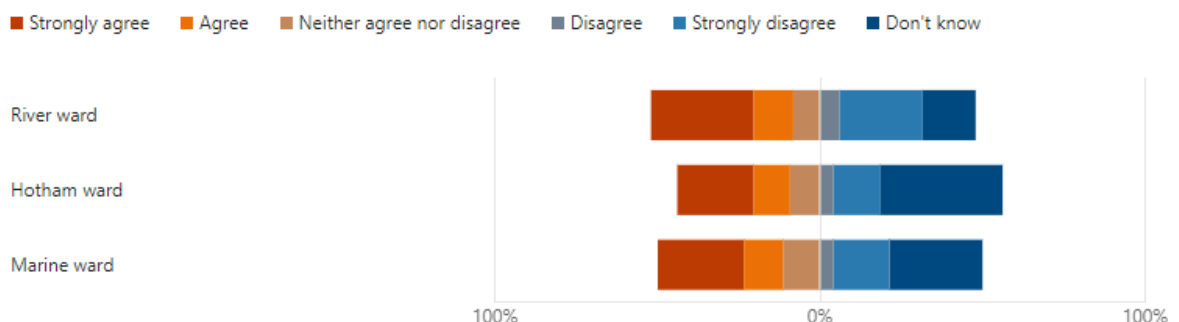
(Tenants – 28.5%; Landlords – 0%; Owner-occupiers – 43.4%; Others – 50%)

Don't know: Overall 61.2%

(Tenants – 64.2%; Landlords – 80%; Owner-occupiers – 50.7%; Others – 33.3%)

33. Respondents were asked to what extent they agreed that the proposed licence scheme locations are appropriate.

All respondents (99)



River ward

Strongly agree	31.6%
Agree	12.2%

Neither agree nor disagree	8.2%
Disagree	6.1%
Strongly disagree	25.5%
Don't know	16.3%

21.3% of tenants that responded strongly disagreed, as did 40% of landlords; however, 40% of owner-occupiers strongly agreed with the proposal for River ward. %0% of “others” strongly disagreed. Ignoring the “neither agree nor disagree” and “don’t know” responses, overall, 43.8% of respondents agreed and 31.6% disagreed that River ward was an appropriate location for additional licensing.

Hotham ward

Strongly agree	23.5%
Agree	11.2%
Neither agree nor disagree	9.2%
Disagree	4.1%
Strongly disagree	14.3%
Don't know	37.8%

14.2% of tenants that responded either strongly agreed or strongly disagreed, as did 20% of landlords for the same answers; however, 29% of owner-occupiers strongly agreed with the proposal for Hotham ward. 16.6% of “others” either disagreed or strongly disagreed. Ignoring the “neither agree nor disagree” and “don’t know” responses, overall, 34.7% of respondents agreed and only 18.4% disagreed that Hotham ward was an appropriate location for additional licensing.

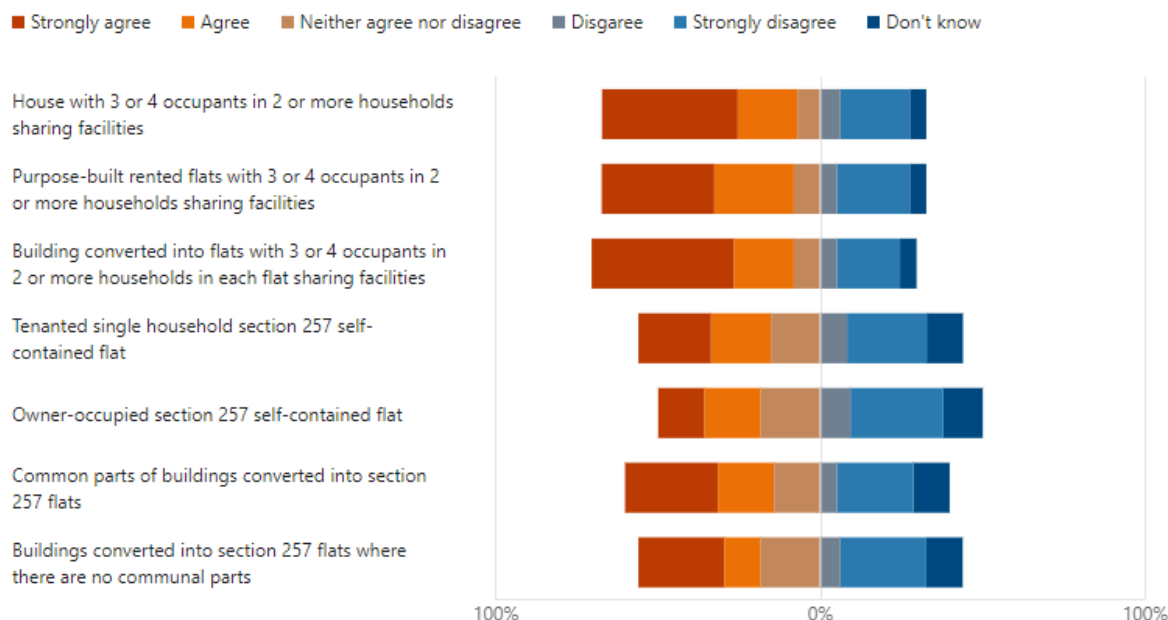
Marine ward

Strongly agree	26.5%
Agree	12.2%
Neither agree nor disagree	11.2%
Disagree	4.1%
Strongly disagree	17.3%
Don't know	28.6%

14.2% of tenants that responded agreed, and 20% of landlords strongly agreed. 33.3% of owner-occupiers strongly agreed with the proposal for Marine ward. 16.6% of “others” either disagreed or strongly disagreed. Ignoring the “neither agree nor disagree” and “don’t know” responses, overall, 38.7% of respondents agreed and only 21.4% disagreed that Marine ward was an appropriate location for additional licensing.

Properties that are proposed to be included in Arun’s additional HMO licensing scheme

34. Respondents were asked whether they thought that the properties/parts of properties proposed should be included in any additional HMO licensing scheme.



House with 3 or 4 occupants in 2 or more households sharing facilities

All respondents (99)

Strongly agree	41.8%
Agree	18.4%
Neither agree nor disagree	7.1%
Disagree	6.1%
Strongly disagree	21.4%
Don't know	5.1%

21% of tenants strongly agreed that this type of property should be included in any additional HMO licensing scheme, as did 40% of landlords and 49% of owner-occupiers. 50% of “other” respondents strongly disagreed.

Purpose-built rented flats with 3 or 4 occupants in 2 or more households sharing facilities

All respondents (99)

Strongly agree	34.7%
Agree	24.5%
Neither agree nor disagree	8.2%
Disagree	5.1%
Strongly disagree	22.4%
Don't know	5.1%

21% of tenants strongly agreed that this type of property should be included in any additional HMO licensing scheme, as did 70% of landlords who either agreed or strongly agreed, and 40% of owner-occupiers also strongly agreed. 66.6% of “other” respondents strongly disagreed.

Building converted into flats with 3 or 4 occupants in 2 or more households in each flat sharing facilities

All respondents (99)

Strongly agree	43.9%
Agree	18.4%
Neither agree nor disagree	8.2%
Disagree	5.1%
Strongly disagree	19.4%
Don't know	5.1%

28.5% of tenants strongly agreed that this type of property should be included in any additional HMO licensing scheme, as did 80% of landlords who either agreed or strongly agreed, and 51% of owner-occupiers also strongly agreed. 50% of “other” respondents strongly disagreed.

Tenanted single household section 257 self-contained flat

All respondents (99)

Strongly agree	22.4%
Agree	18.4%
Neither agree nor disagree	15.3%
Disagree	8.2%
Strongly disagree	24.5%
Don't know	11.2%

28.5% of tenants agreed that this type of property should be included in any additional HMO licensing scheme; however, 70% of landlords strongly disagreed and only 30% either strongly agreed or agreed, and 29% of owner-occupiers also strongly agreed, with 16% strongly disagreeing. 66.6% of “other” respondents strongly disagreed, although 33.3% agreed.

Owner-occupied section 257 self-contained flat

All respondents (99)

Strongly agree	14.3%
Agree	17.3%
Neither agree nor disagree	18.4%
Disagree	9.2%
Strongly disagree	28.6%
Don't know	12.2%

28.5% of tenants agreed that this type of property should be included in any additional HMO licensing scheme; however, 70% of landlords strongly disagreed and only 10% strongly agreed and 10% agreed. 35% of owner-occupiers strongly agreed

or agreed, with 20% disagreeing or strongly disagreeing. 66.6% of “other” respondents strongly disagreed, although 16.6% agreed.

Common parts of buildings converted into section 257 flats

All respondents (99)

Strongly agree	28.6%
Agree	17.3%
Neither agree nor disagree	14.3%
Disagree	5.1%
Strongly disagree	23.5%
Don't know	11.2%

36% of tenants strongly agreed or agreed that this type of property should be included in any additional HMO licensing scheme; however, 60% of landlords strongly disagreed and 10% strongly agreed and 20% agreed. 52% of owner-occupiers strongly agreed or agreed, with 21% disagreeing or strongly disagreeing. 66.6% of “other” respondents strongly disagreed, with only 16.6% agreeing.

Buildings converted into section 257 flats where there are no communal parts

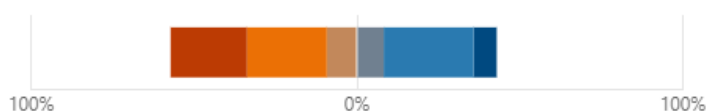
All respondents (99)

Strongly agree	26.5%
Agree	11.2%
Neither agree nor disagree	18.4%
Disagree	6.1%
Strongly disagree	26.5%
Don't know	11.2%

36% of tenants strongly agreed or agreed that this type of property should be included in any additional HMO licensing scheme; however, 60% of landlords strongly disagreed and 20% strongly agreed and 10% agreed. 40.5% of owner-occupiers strongly agreed or agreed, with 29% disagreeing or strongly disagreeing. 66.6% of “other” respondents strongly disagreed, with only 16.6% agreeing.

35. Respondents were asked to what extent overall did they agree that the property types in the proposed scheme are appropriate.

■ Strongly agree
 ■ Agree
 ■ Neither agree nor disagree
 ■ Disagree
 ■ Strongly disagree
 ■ Don't know



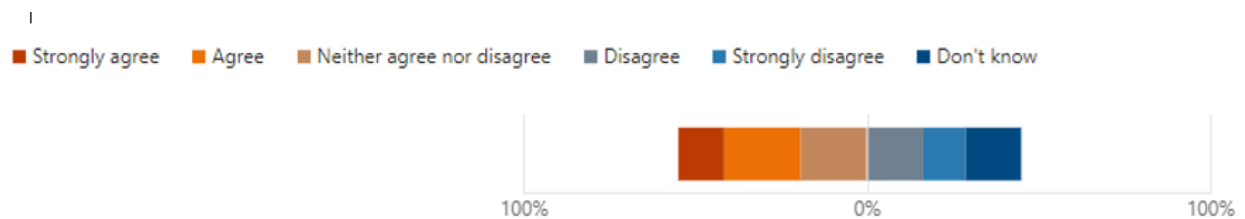
All respondents (99)

Strongly agree	23.5%
Agree	24.5%
Neither agree nor disagree	9.2%
Disagree	8.2%
Strongly disagree	27.6%

Don't know 7.1%

36% of tenants strongly agreed or agreed overall that the property types proposed should be included in any additional HMO licensing scheme; however, 60% of landlords strongly disagreed and 20% disagreed whereas only 10% strongly agreed and 10% agreed. 61% of owner-occupiers strongly agreed or agreed, with 23% disagreeing or strongly disagreeing. 66.6% of "other" respondents strongly disagreed, with 33.3% disagreeing.

36. Respondents were asked to what extent they agreed with the council's HMO Standards (note that these are largely already in place and already applicable to all current HMO properties).

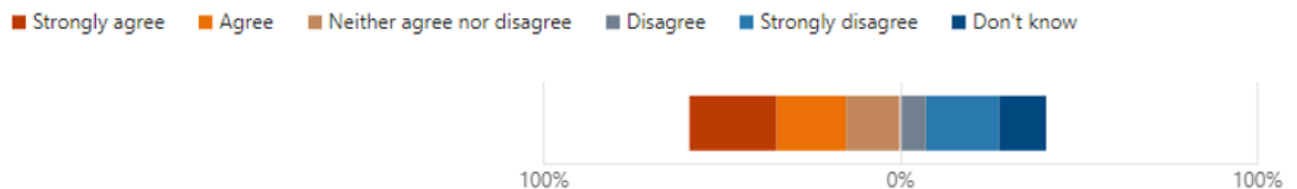


All respondents (99)

Strongly agree	13.3%
Agree	22.4%
Neither agree nor disagree	19.4%
Disagree	16.3%
Strongly disagree	12.2%
Don't know	17.3%

21% of tenants strongly agreed or agreed with the council's HMO Standards and 50% of landlords strongly agreed or agreed with 30% disagreeing or strongly disagreeing. 36% of owner-occupiers strongly agreed or agreed, with 30% disagreeing or strongly disagreeing. 33.3% of "other" respondents strongly agreed, but also with 33.3% strongly disagreeing.

37. Respondents were asked to what extent did they agree with the proposed scheme licence Conditions (note that these are already in place and applicable to current mandatory licensable HMO properties)?



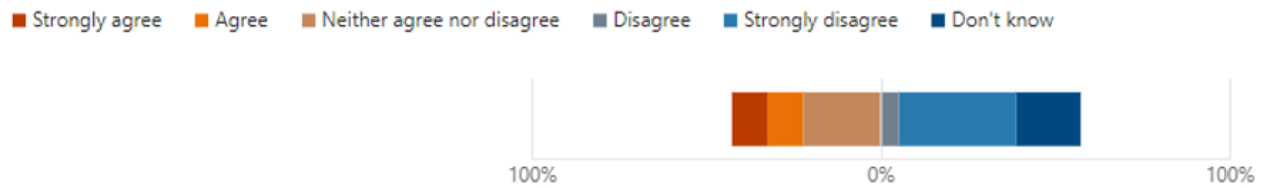
All respondents (99)

Strongly agree	24.5%
Agree	19.4%
Neither agree nor disagree	15.3%
Disagree	7.1%

Strongly disagree	20.4%
Don't know	13.3%

36% of tenants strongly agreed or agreed with the council's HMO licence Conditions with only 7% disagreeing or strongly disagreeing. 60% of landlords strongly agreed or agreed with 30% disagreeing or strongly disagreeing. 46% of owner-occupiers strongly agreed or agreed, with 26% disagreeing or strongly disagreeing. 66.6% of "other" respondents strongly disagreed, with 16.6% also disagreeing.

38. Respondents were asked to what extent did they agree with the proposed licence scheme fees?

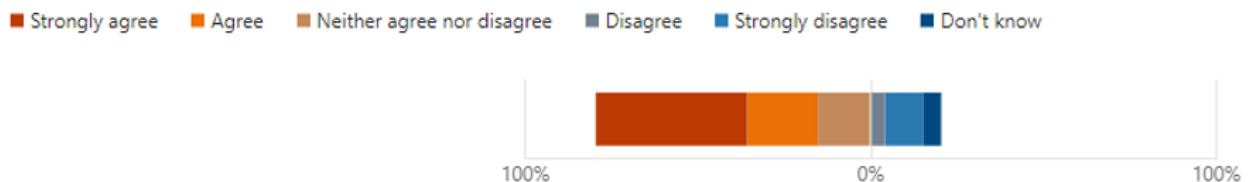


All respondents (99)

Strongly agree	10.2%
Agree	10.2%
Neither agree nor disagree	22.4%
Disagree	5.1%
Strongly disagree	33.7%
Don't know	18.4%

Just 7% of tenants strongly agreed or agreed with the council's proposed additional HMO licence fees with 36% disagreeing or strongly disagreeing. This was no doubt as a reflection that tenants believed that costs would be passed on to them in the form of rent increases. Unsurprisingly, 70% of landlords disagreed or strongly disagreed, although 30% neither agreed nor disagreed with the proposed fees. 27.5% of owner-occupiers strongly agreed or agreed, with 35% disagreeing or strongly disagreeing. 50% of "other" respondents strongly disagreed.

39. Respondents were asked whether they thought that applicants for a HMO licence, whether mandatory or as part of an additional licensing scheme, should be required to provide a Disclosure and Barring Service (DBS) check.



All respondents (99)

Strongly agree	43.9%
Agree	20.4%

Neither agree nor disagree	15.3%
Disagree	4.1%
Strongly disagree	11.2%
Don't know	5.1%

43% of tenants either strongly agreed or agreed that landlords should be required to provide a DBS check and only 40% of landlords strongly agreed or agreed, whereas 69.5% of owner-occupiers strongly agreed or agreed. 83% of “other” respondents strongly agreed or agreed. Only 7% of tenants, 13% of owner-occupiers and 16.6% of “other” stated that they disagreed or strongly disagreed. 40% of landlords, the same number that strongly agreed or agreed strongly disagreed with the need to provide a DBS check.

40. Respondents were asked whether they thought that any additional licensing scheme should include other areas within Arun District in addition to River, Hotham and Marine wards.



Yes	33.7%
No	23.5%
Don't know	42.7%

28.5% of tenants said that they thought additional HMO licensing should also be introduced in other wards within the district, but half that number said that they didn't think it should be introduced elsewhere. 20% of landlords stated that it should be introduced elsewhere, whereas 50% said it shouldn't. 38% of owner-occupiers said that they thought additional HMO licensing should also be introduced in other wards within the district but just 16% said that they didn't think it should be introduced elsewhere. One-third of “others” thought that it should be introduced in other wards as well, but two-thirds said that it shouldn't.

In general responses to which other areas should be included did not specify particular wards, but instead indicated that all parts of the district should be treated the same.

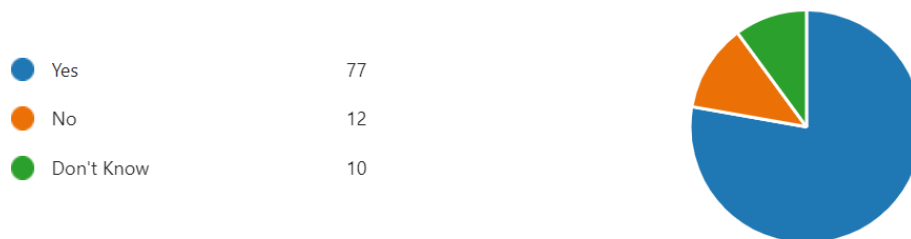
41. Respondents were asked whether they thought that all HMOs should be required to be managed by a professional manager or agent.



Yes	52%
No	32.7%
Don't know	15.3%

21.5% of tenants agreed that HMOs should be managed by a professional manager or agent with a similar number (20%) of landlords agreeing; however, 60% of owner-occupiers and 83% of “others” agreed. 28.5% of tenants, 70% of landlords, 11.5% of owner-occupiers and 17% of “others” said “no” to the question.

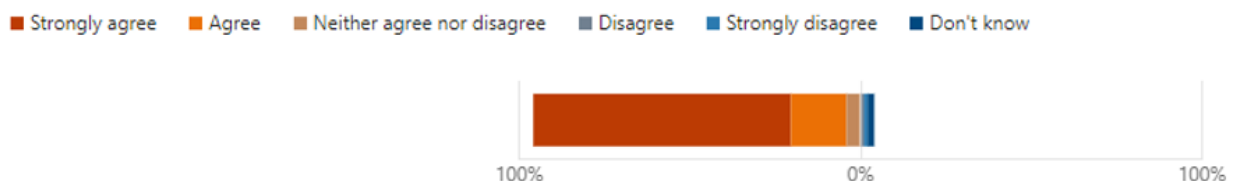
42. Respondents were asked whether they considered that shorter licences (i.e. less than the five year norm) should be issued for those properties that are found to be sub- standard or fail to meet minimum standards during the licensing process. (Action will then be required by the landlord to bring them up to standard.)



Yes	78.6%
No	12.2%
Don't know	9.2%

57% of tenants agreed with a similar number, 60%, of landlords agreeing. A very large proportion of owner-occupiers (83%) agreed on issuing shorter licences and 100% of “others” agreed.

43. Respondents were asked whether they agreed that landlords should effectively and adequately manage their rented properties.

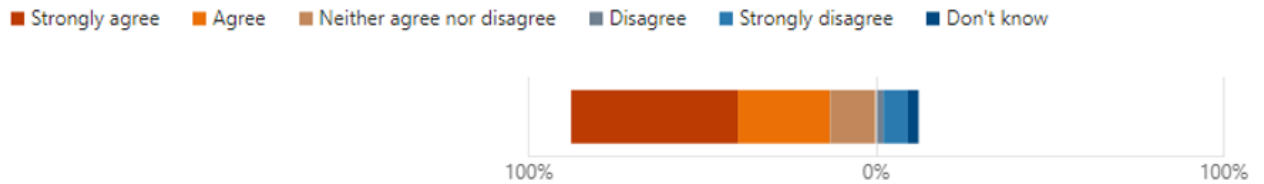


All respondents (99)

Strongly agree	75.5%
Agree	16.3%
Neither agree nor disagree	4.1%
Disagree	0%
Strongly disagree	1%
Don't know	2%

79% of tenants, 80% of landlords, 97% of owner-occupiers and 83% of “others” strongly agreed or agreed that they considered it was important that landlords effectively manage their rented properties. Pleasingly apart from one “other” respondent who surprisingly stated that they strongly disagreed!

44. Respondents were asked whether they agreed that landlords should receive training where they fail to meet required standards, let out sub-standard properties or fail to undertake proper management or maintenance (as well as being required to undertake any remedial actions).



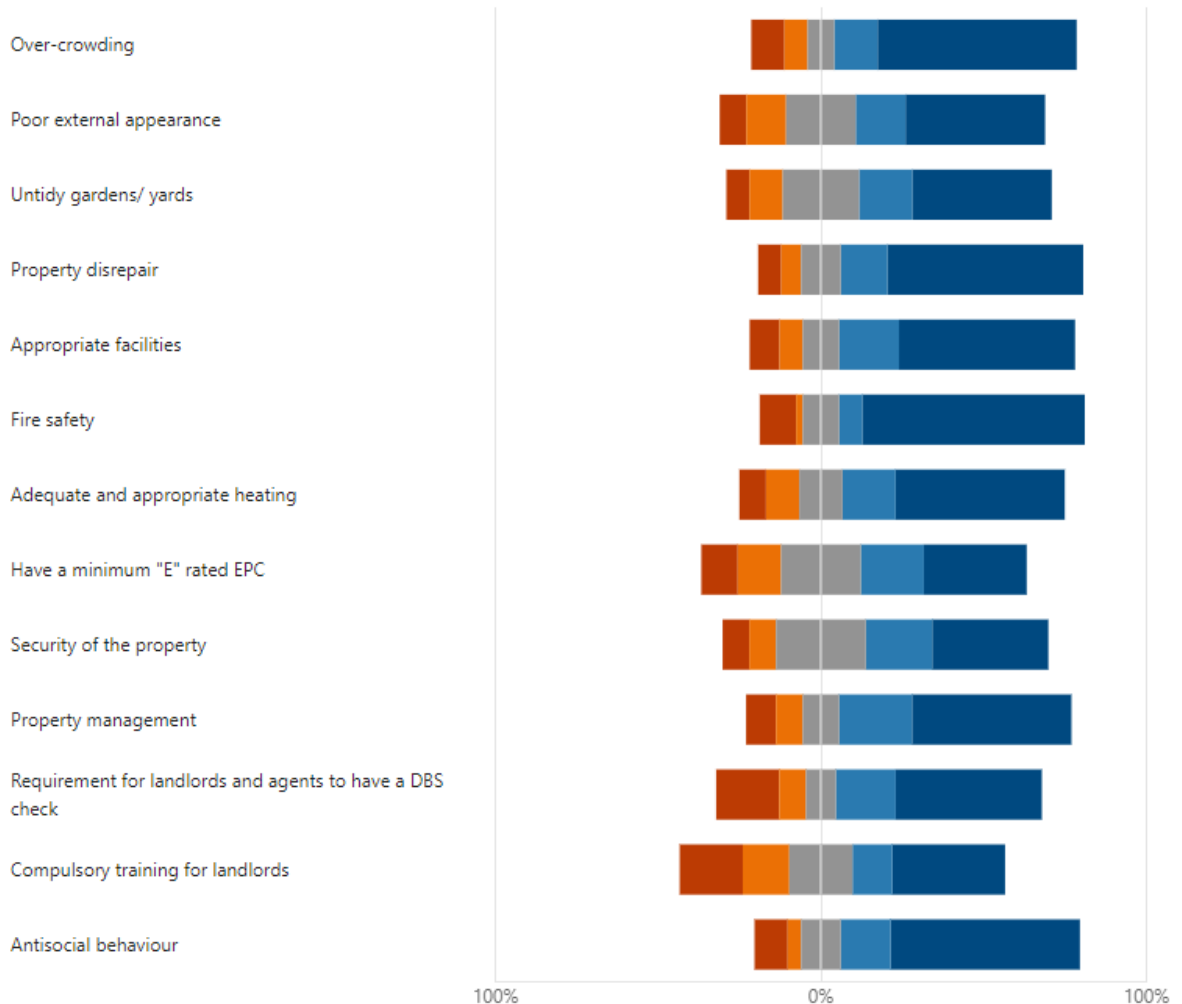
All respondents (99)

Strongly agree	48%
Agree	26.5%
Neither agree nor disagree	13.3%
Disagree	2%
Strongly disagree	7.1%
Don't know	3.1%

71% of tenants, 80% of landlords, 72% of owner-occupiers and 83% of “others” stated that they strongly agreed or agreed with training for those landlords that let substandard properties. Only 20% of landlords disagreed or strongly disagreed, 9% of owner-occupiers disagreed or strongly disagreed and 16% of “others” strongly disagreed. No tenants disagreed or strongly disagreed.

45. Respondents were asked which matters relating to HMOs (including self-contained section 257 flats) they considered as the most important matters for inclusion in any additional licensing scheme to help improve the housing, on a scale of 1-5 with 5 being the highest and 1 being the lowest.

1 2 3 4 5



All respondents (99)

1 = least important; 5 = most important

Over-crowding

- 1 – 10.2%
- 2 – 7.1%
- 3 – 8.2%
- 4 – 13.3%
- 5 – **61.2%**

1 = least important; 5 = most important

Poor external appearance

1 – 8.2%
2 – 12.2%
3 – 21.4%
4 – 15.3%
5 – **42.9%**

Untidy gardens/ yards

1 – 17.1%
2 – 10.2%
3 – 23.5%
4 – 16.3%
5 – **42.9%**

Property disrepair

1 – 7.1%
2 – 6.1%
3 – 12.2%
4 – 14.3%
5 – **60.2%**

Appropriate facilities

1 – 9.2%
2 – 7.1%
3 – 11.2%
4 – 18.4%
5 – **54.1%**

Fire safety

1 – 11.2%
2 – 2%
3 – 11.2%
4 – 7.1%
5 – **68.4%**

Adequate and appropriate heating

1 – 8.2%
2 – 10.2%
3 – 13.3%
4 – 16.3%
5 – **52%**

Have a minimum "E" rated EPC

1 – 11.2%
2 – 13.3%
3 – 24.5%
4 – 19.4%
5 – **31.6%**

1 = least important; 5 = most important

Security of the property

1 – 8.2%
2 – 8.2%
3 – 27.6%
4 – 20.4%
5 – **35.7%**

Property management

1 – 9.2%
2 – 8.2%
3 – 11.2%
4 – 22.4%
5 – **49%**

Requirement for landlords and agents to have a DBS check

1 – 19.4%
2 – 8.2%
3 – 9.2%
4 – 18.4%
5 – **44.9%**

Compulsory training for landlords

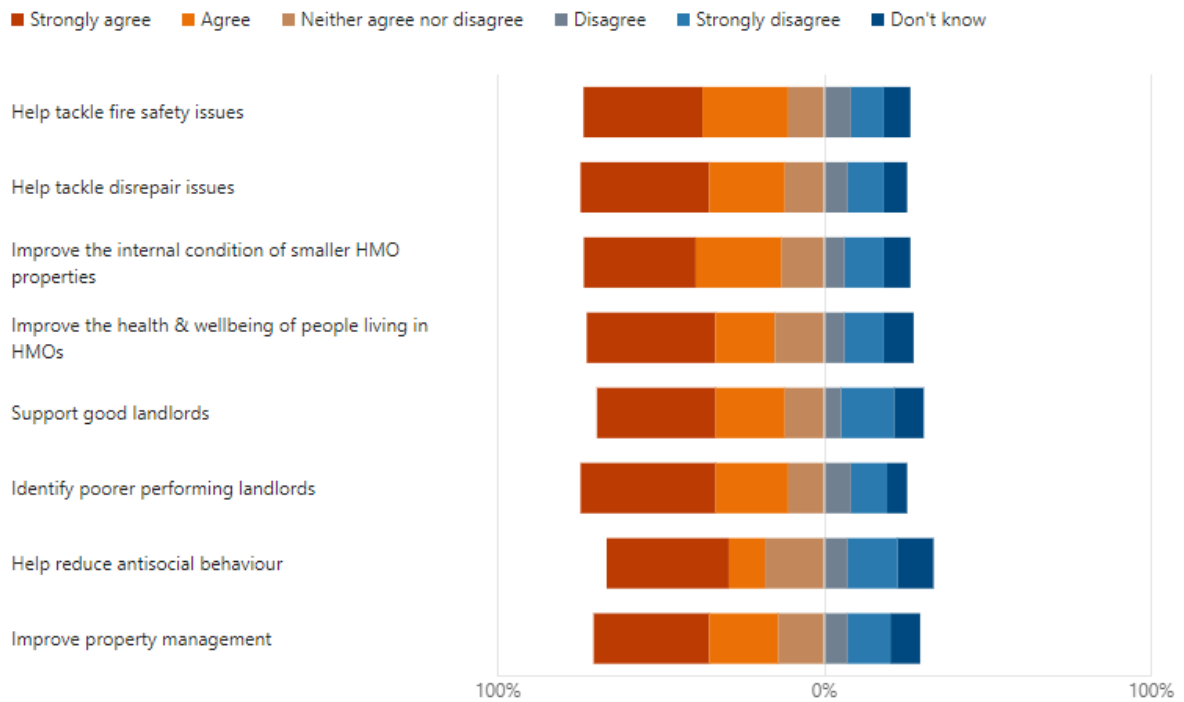
1 – 19.4%
2 – 14.3%
3 – 19.4%
4 – 12.2%
5 – **34.7%**

Antisocial behaviour

1 – 10.2%
2 – 4.1%
3 – 12.2%
4 – 15.3%
5 – **58.2%**

In all cases, tenants, landlords, owner-occupiers and “others” all considered that these were important matters with the highest proportion of answers for all questions being in the 3, 4 or 5 scoring and with the majority being in the 4 and 5 scoring band. The only deviation from this was with regards to requiring landlords to have a DBS check and compulsory training for landlords. For these two points all respondent categories scored them in the 3, 4 or 5 bands, apart from landlords 60% of whom disagreed with having to have a DBS check and 50% disagreed with compulsory training for landlords. This isn't perhaps completely unsurprising.

46. Respondents were asked to rate what they think about the following statements. Additional licensing will help to:



All respondents (99)

1 = strongly agree; 2 = agree; 3 = neither agree nor disagree; 4 – disagree; 4 = strongly agree

Help tackle fire safety issues

- 1 – 36.4%
- 2 – 26.3%
- 3 – 11.1%
- 4 – 8.1%
- 5 – 10.1%
- Don't know – 8.1%

Help tackle disrepair issues

- 1 – 39.4%
- 2 – 23.2%
- 3 – 12.1%
- 4 – 7.1%
- 5 – 11.1%
- Don't know – 7.1%

Improve the internal condition of smaller HMO properties

- 1 – 34.3%
- 2 – 26.3%
- 3 – 13.1%
- 4 – 6.1%
- 5 – 12.1%
- Don't know – 8.1%

1 = strongly agree; 2 = agree; 3 = neither agree nor disagree; 4 = disagree; 5 = strongly disagree

Improve the health and wellbeing of people living in HMOs

1 – **34.3%**
2 – 26.3%
3 – 13.1%
4 – 6.1%
5 – 12.1%
Don't know – 8.1%

Support good landlords

1 – **36.4%**
2 – 21.2%
3 – 12.1%
4 – 5.1%
5 – 16.2%
Don't know – 9.1%

Identify poorer performing landlords

1 – **41.4%**
2 – 22.2%
3 – 11.1%
4 – 8.1%
5 – 11.1%
Don't know – 6.1%

Help reduce antisocial behaviour

1 – **37.4%**
2 – 11.1%
3 – 18.2%
4 – 7.1%
5 – 15.2%
Don't know – 11.1%

Improve property management

1 – **35.4%**
2 – 21.2%
3 – 14.1%
4 – 7.1%
5 – 13.1%
Don't know – 9.1%

In all cases, the majority of tenants and owner-occupiers all agreed or strongly agreed with the statements and the individual respondent categories reflected the overall percentages for all 99 respondents. For landlords it was a slightly more mixed bag, with for example, 30% strongly agreeing that additional licensing would help tackle fire safety issues, but also 30% stating that they strongly disagreed with the statement. Similarly, 30% of landlords stated that they strongly disagreed that the scheme would tackle disrepair and 30% stated that they strongly agreed or agreed with the statement. 40% of landlords did state that it would help to tackle the internal conditions of smaller HMOs, as did 43% of tenants and 34.5% of owner-occupiers.

30% of landlords and 36% of tenants (and 74% of owner-occupiers) strongly agreed or agreed that the proposed scheme would help identify poorer performing landlords.

47. Respondents were asked whether they thought that there is already sufficient management of smaller HMO properties without an additional licensing scheme.

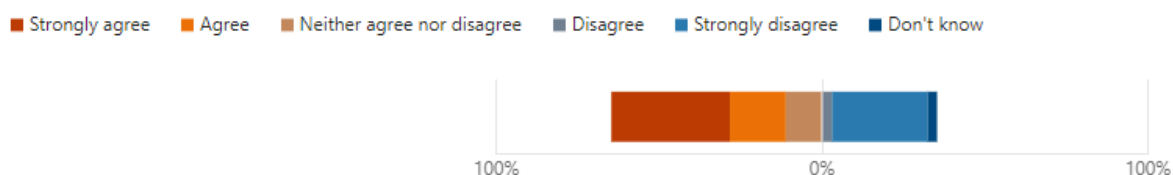


All respondents (99)

Strongly agree	13.1%
Agree	6.1%
Neither agree nor disagree	18.2%
Disagree	15.2%
Strongly disagree	31.3%
Don't know	16.2%

Just 14% of tenants but 60% of landlords stated that they agreed or strongly agreed that there was sufficient management of smaller HMOs already, along with just 13% of owner-occupiers. 33.3% of others also agreed or strongly agreed. 14% of tenants, 10% of landlords, 58% of owner-occupiers and 50% of “others” stated that they disagreed or strongly disagreed that there was already sufficient management of smaller HMOs.

48. Respondents were asked to what extent overall did they agree with the proposed additional HMO licensing scheme.



All respondents (99)

Strongly agree	36.4%
Agree	17.2%
Neither agree nor disagree	11.1%
Disagree	3%
Strongly disagree	29.3%
Don't know	3%

36% of tenants agreed or strongly agreed with the overall proposed scheme, as well as 30% of landlords, 64% of owner-occupiers and 16.6% of “others”; whereas 28.5% of tenants, 60% of landlords, 25% of owner-occupiers and 66.6% of “others” disagreed or strongly disagreed with the overall proposed scheme.

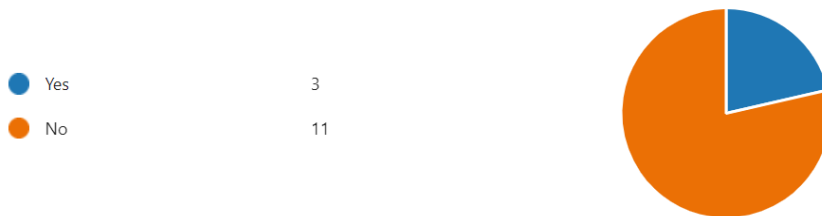
49. Respondents were asked if they had ever been a victim of antisocial behaviour within Arun District.



All respondents (99)

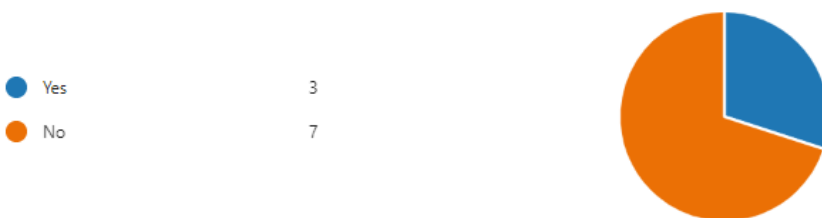
Yes	60.6%
No	39.3%

Privately renting tenant respondents (14):



Yes	23%
No	77%

Landlord respondents (10):



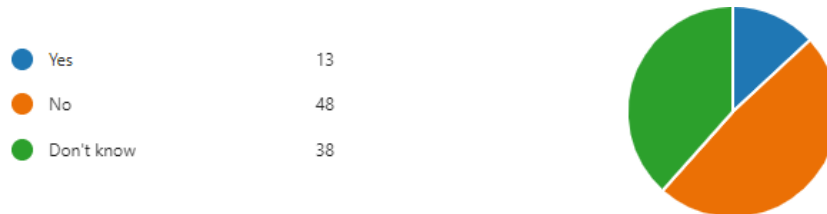
Yes	30%
No	70%

Owner-occupier respondents (69)



Yes	46.4%
No	53.6%

50. All respondents were asked whether they had any comments about the potential positive and/or negative impacts that the options outlined in this consultation may have on individuals with a protected characteristic under the Equality Act 2010?



All respondents (99)

Yes	13.1%
No	48.5%
Don't know	38.4%

Respondents were asked to provide any other comments that they wished to make about the proposed additional HMO licensing scheme.

It was clear that there was a mixed response to the proposed additional HMO licensing scheme from the answers provided throughout the survey, including this question regarding the overall comments about the scheme. It was also clear that some respondents believed that the scheme proposed to create more HMOs in these areas, whereas the reality is that these HMOs already exist and are HMOs in the eyes of the law but are not being checked or inspected on a regular basis. Some respondents did not appreciate that the improvement of these already-existing HMOs is the reason for the proposal. It was also apparent that many respondents had not read either the consultation document or the online information prior to submitting their response, and this was reflected in their responses as many raised points that were covered in both the report and online details. The newly instigated Planning Article 4 Direction in regard to the numbers of new HMOs in these wards appears to be more relevant to a lot of the comments received, and it is hoped that these respondents also took part in the Planning consultation when the Article 4 Direction was proposed in 2022.

“If it encourages good landlords and discourages those who see multiple occupancy as a good investment with little or no costs then it has to be a positive move.”

“There is a great shortage of accommodation for single people. Where I live is really good quality, with en-suites (which is necessary for my disability). Also I couldn't afford to live in a flat now, see below. I am concerned that some of the wording of the report appears to stereotype people who live in an HMO? I am sure some fit the description, but I have worked continuously in Arun for 26 years, for local government. I think some people reading the report will think that everyone who lives in an HMO is out of work, claiming benefits, and is guilty of anti-social behaviour. That is not true. It creates a prejudice on the part of the public to people - who for example, work in public service as I do, and earn half what you would need to buy even the smallest flat locally.”

“The accreditation scheme already in place would work if it was expanded.”

"I am pleased to know that my local council is showing some concern regarding increased use of properties as HMOs in my local area as increased occupancy of houses and increases in car parking issues which come with it are a big concern."

"As already stated it creates a second class society which I believe will back fire on the whole community it time."

"HMO Licensing schemes currently put the burden of managing anti-social behaviour on landlords, without understanding the legal framework that landlords are required to operate within. HMO officers need to engage with the Police and Social Services, rather than rely on landlords to deal with ASB. Landlords are not their tenant's parents, and are hugely restricted in their options for removing tenants who commit ASB without a conviction from the police."

"Why River Ward. We have enough HMOs here."

"its simple just stop all these HMO bedsits."

"I see this as a ruse to create more HMOs disguised as trying to manage them effectively."

"I dont care how you do this but I am sick of these places lowering the quality of life for residents whilst the landlords benefit. They must held to account and there have to be serious consequences for them if their tenants cause problems."

"It's the council properties that are the problem and where the council put tenants in private HMOs without proper referencing, degrading the area as a result, not adding more licensing to private smaller HMO's. The council with charities move bad tenants from area to area, causing untold issues to both areas."

"I hope the additional HMO licensing is approved."

"Perhaps ADC could lead by example and deal with the peeling front doors and constantly overflowing rubbish bins outside the blocks of flats it owns in London Road, Bognor Regis?! ;)"

"We live in River Ward and are disgusted by HMOs which are pulling our area down and allowing greedy landlords to take advantage of poor people."

"This scheme shouldn't apply to family homes."

"It is so important that a balanced selection of properties are in all areas. All should be monitored as much as possible so that Bognor remains a pleasant place to live and invest in."

"It would be good to have a release of an "accessible English version" of the consultation document as the affected wards do contain many residents who have "English as a second language" or may need documents in simple english due to learning difficulties.

It would of been nice if the consultation included case studies of other councils which have introduced an additional HMO licensing scheme and whether this has been successful. No "possible" negatives or concerns about the implimentation or effect of the HMO licensing scheme were published either, which may have given a fairer analysis.

There is also mention that HMO licenses may be given without inspection during high demand,

which would likely happen at the start of this licensing scheme period and on each 5 year mark renewal date. I worry that this might affect quality checks that the scheme hopes to introduce.”

“Is is stressed throught the consulation document that the HMO licensing scheme will address anti-social issues but these are not detailed in how or why the HMO scheme would help resolve this.”

“I am also concerned with the HMO licensing scheme digital setup as no plans have been published on whether an open-source/open-code solution will be used for license application and management website/form/software.”

“Landlord will pass the cost onto tenants. Owners will see their costs go up to. I'd expect this as madness in an already struggling and broken housing sector. I hope that whoever makes these decisions will think about people and how much financial pressure is already on them. I hope they don't all live in ivory towers. I'm alright Jack mentality.”

“As mentioned, HMOs have been the bain of our lives for far to long. I appreciate people fall on hard times and sometimes need help, however when the tenants of these properties have complete disregard for their immediate neighbours and how their actions affect the local community something has to be done.”

“No more should be built.”

“We don't need.”

“There is a UK-wide shortage of rental housing. Rents are already very high and renters have great difficulty finding and paying for any rental housing at all. See today's BBC article <https://www.bbc.co.uk/news/business-65903095>.”

“The proposed scheme will make the situation a lot worse, the proposed scheme discourages and punishes virtuous people who want to (a) help their fellow-men and fellow-women by sharing their homes (b) reduce loneliness. The proposed scheme is essentially anti-social.”

“Include single occupant renters/leaseholders living in properties built before 1980.”

“In the highlighted wards there needs to be a parallel focus (including investment) to improve the general appearance of the area to provide a 'better living environment. The streets in the the area are poorly maintained and grubby (weeds and filth everywhere). Better traffic management needs to be considered to reduce speeds and prevent parking on pavements denying clear pedestrian access. Where there are anti-social hot spots CCTV should be considered. Also services for HMO areas need to be considered (i.e. does the current rubbish collection service really work or should there be communal bins).”

“I don't think this document will reduce the levels of deprivation nor safeguard the tenants nor the local community. It's a small step in the right direction in the huge issue of homelessness & deprivation. Proposed tenants should prove that they are local residents with the same criteria as council tenants to be rehoused.”

“Every landlord needs to be accountable for their HMO Business.”

“Give a bonus! If a landlord is constantly supplying a "good service" and their tennants are more than happy either give a financial discount or inspect less regularly.”

"A large house near my home has been turned in to a HMO and is being run on air b&b. This means that the car parking is not large enough as some users come in mobile homes and this is leading to over crowded roads as some of the properties in the same road only have on street parking. This is on an approach road to schools nearby. Also puts pressure on water supply and drainage etc. Over crowding will only lead to slum like conditions which do no one any good. Where are the doctors, dentists, school places for these extra people?"

"I would like to think the additional HMO licensing would help to provide more appropriate accommodation for people in our area."

"HMO scheme is good and I support this. Student accommodation in general needs looking at. It is pretty dire by some landlords. More help needed for council checks."

"The stronger and tighter the legislation, the better! I also think that people living in the neighbourhoods of proposed HMOs should be mail-shotted and asked for their opinions before licences are granted and that those opinions are actually taken into account when decisions are made."

"I unfortunately don't think this proposal will change anything, very much hoping I'm wrong."

"Unnecessary and burdensome on good landlords and bad landlords will not respond will do the minimum and the housing will not change the anti social behaviour of anyone. Experience shows me that anti social people will rip the smoke detector of the wall, light up the joint and blow it in your direction and stick up the middle finger to anyone with the courage to ask them to desist. And this scheme will not stop anti social behaviour because the occupants are not being licensed."

"River ward doesn't have the facilities to support more residents, the roads are too small, local dentists, doctors and schools are full and parking is already a big issue."

"They should definitely NOT be in the High Street."

"Care should be taken so there are not too many in one area."

"Inspections should be annually. I don't know if this is included but if not it should be and notice should be taken of the tenants' comments and action taken to expedite necessary repairs and improvements."

"I would support an open minded pragmatic approach to dealing with your problems. I would welcome all sincere efforts for mutual benefit. Experience proves that ADC are politically bigotted / not sincere and act illegally in their approach to Landlords. Happy to prove with real life examples regarding your Section 21 policy advice etc. Act within the law and I'll engage with you."

"If licensing helps some people it is a good thing. Inevitably the cost will reflect to the rent, which is not a good thing."

"Please do not put this through just because not many people object. Most people probably think it is pointless to object as you will do it anyway. Please leave things as they are. If you must meddle make it the big commercial landlords, not the small people."

"My flat, or the block I live in, would suffer a significant loss of value....put yourself in my situation."

"I think it is essential that any scheme takes into account the impact a HMO will have on existing residents of nearby properties and the social makeup of the area. The properties should be monitored for anti-social behaviour and drugs use and an effort should be made to ensure that tenants with a history of drug use and or anti-social and criminal behaviour are not concentrated together to live in a building where they can have a negative influence on each other and act as a group."

Representations received

"This consultation was considered by the Town Council's Planning and Transportation Committee at its meeting held on Monday 17 July 2023, particularly with reference to the proposed introduction of additional HMO licensing in the River Ward in Littlehampton and supported the Scheme. Members welcomed the move to capture accommodation which otherwise escaped the legislation and regulations for this type of housing that were currently in place. The majority of private landlords were considered responsible. However, it was clear from both the representation and reports that Members received from constituents, that the new regime and the proposed system of reporting, would provide a much needed mechanism for raising these issues and seeking redress." - **Littlehampton Town Council**

"Morning,

I object strongly to your thoughts of licensing all/most hmo's of any size for reasons below

- 1 most private HMO's are managed satisfactory*
- 2 council HMO's are a disgrace, no management at all*
- 3 Private HMO's below license amounts currently, would give up, as if license comes in, would make it unviable to continue housing vulnerable people,*
- 4 Council cannot provide homes for people, so smaller HMO's are a valuable asset to the community and keeping people off the street*
- 5 Smaller HMO's being better managed keep the people in a safe environment, unlike council HMO's*
- 6 Council and Licensed HMO's that the council put tenants into are where the problems are, not the smaller ones, that are properly managed*
- 7 Smaller HMO's house thousands of vulnerable people, that can't live directly in the community, and the landlord/agent becomes an unpaid carer to a degree.*
- 8 smaller HMO's are more manageable, allowing more people to be housed adequately.*
- 9 Most of the smaller HMO's, being managed properly, unlike Council ones, are not even noticed in the community, as they are an asset, not a problem.*

As you can see, Being an agent, we see the good and bad types. we watch council HMO's daily, drug dealing and parties daily. Unmanaged, so the tenants have a free-for-all in them.

These bring down communities, and where the council put tenants into private HMO's, generally 6 rooms +, these become a dangerous place to be around.

I could list many of both types, but there is no comparison between large and small.

Not seen a small HMO in a desperate state for many years, only council unmanaged and currently licensed private ones, the council have control of putting tenants in. 6 rooms and above.

The staff you have don't actually know good from bad, they want to crucify private landlords, if they refuse council tenants, as experienced many, many times.

I'll have a receipt of delivery and what happens next. Regards" – Local property manager/agent & landlord

"Nothing personal but having been a landlord for 41 years with a few rental properties in the Arun District I have already decided to evict my tenants and sell my properties when the Renters Reform Bill becomes law in any case. If I can not sell at the price I want then after the appropriate time the properties will either go to airbnb or be relet at substantially increased rents. With the onerous new legislation I can not offer rentals at substantially below market price anymore. Sorry but I and many other landlords are not even prepared to co-operate or waste our time on meaningless discussions anymore as it is with those who have never been landlords who always know best. When this scheme comes into force, which it will as it is an excuse for an income stream then please let me know ?. Sorry but we are not going to hang around to be whipping boys anymore. There will be substantially less rental properties available in the future so it is your problem not the landlords so you will have to just deal with it. Many thanks" – Local landlord

"Dear Whoever is dealing with this.

*Public Consultation
Re HMO Licensing Arun District Council*

I am the owner and occupier of the above flat and have been for over 40 years since December 1982. As my flat is the basement/garden flat of No 5. I have my own entrance and rear door into my private garden with its own back gate. I am Independent of the rest of the building. I own a share of the Freehold along with the remaining other three self-contained flat owners

Therefore, I feel that I do not live in premise with HMO requirement. I do not need a Licence to Live in my Home!!!

It strikes me that Arun District Council are trying to force Owner/Occupiers out of their own homes in order to downgrade the area by declaring it an HMO area. It looks like you have a hidden Agenda. This area of Bognor Regis has already been downgraded by Arun District by permitting Hilary House Hotel a number of years ago to be changed from a quite seaside holiday hotel establishment to a rowdy HMO for residents from outside the area. Unfortunately, often the Police are in attendance which is not good for our Property Prices. Also, another HMO was permitted change of use from Care Home beside Tesco Express Aldwick Road. This road is one of the main throughfares to Pagham

Sadly, I have to admit the area has gone downhill over the last 10 to 15 years as the local village shops in the local Aldwick Road Conservation Area, consisting of Banks, Butchers, Ironmongers, Dry Cleaners, Hairdressers, Victoria Park Post Office with instore Chemist and Grocers, closed to be replaced predominantly by Estate Agents and offices. The community feel of the area has gone. Plus, parking has become a nightmare in the area. Because before there used to be shops with owners living above them, with one car per shop. Now the shops are offices with a number of staff with cars, plus the above premises have been converted into flats. The three closed banks are now offices or flats employees park in side streets making it very much hit and miss parking for residents. The double yellow lines outside properties 5 and 6 Park Road where not there when I moved in in 1982. But over the years whenever the yellow lines have been renewed, they have extended now to being short of being outside number 4. When WSCC Highways upgraded the Aldwick Road Traffic Lights to include pedestrian

crossing, they parked their very large shipping container of equipment outside my property for 12 weeks on the double yellow lines! When I spoke to the Highways person in charge, to find out when the container was being removed, as it made my flat very dark, I was told that there was no need for the double yellow lines to be outside our properties it was safe for it to end between houses 7 and 6. It seems that the only people who are benefitting from the yellow lines is Arun District Council with the money raised in fining the motorists who live in Park Road as every night cars have to park on the yellow lines on both sides of the road. The parking needs to be addressed, perhaps Park Road needs to be closed to through traffic to allow parking bays to be along one side only. All through traffic from Pagham to be directed at Gossamer Lane roundabout along Aldwick Road. Any other traffic can go along Silverstone Avenue It would help to make Marine Drive safer for the public and visitors to the area.

When I moved into the area the majority of the flats were Owner Occupied. Unfortunately, as they sold the buy to let market culture came in. Landlords and Estate Agents are only interested in MONEY. They do not Vet potential Tennent's, i.e., they let Garden Flats to people who do not know one end of a Hoe from the other. They do not even go out into the gardens from one year to the next, hence gardens become overgrown and impinge on the enjoyment of neighbouring properties. In other words, overgrown bushes which are now trees, also an eyesore. I use my garden all the time and regularly maintain it and pay for garden waste collection. At times I struggle to stay positive especially last summer when my garden had a rat problem and I was not able to sit and relax in it as I could not cope with seeing rats running along the fences and across my patio to hide amongst my flower borders, I spent a lot on rat boxes and bait. Both sides of me have overgrown gardens. I know the neighbours in flats above are fed up with having to look down on the gardens like I am living next door. We have been in touch with the letting agents who claim they will look into it and say it is the Tennent's responsibility. So, nothing is done to improve the situation. Unfortunately, I think the properties are let out to DHS as no one else is prepared to rent the properties. The trouble is the gardens are overgrown when the properties are viewed and people are foolish enough to take up the tenancy and improvements to garden and properties are never carried out. People should refuse to rent them, then both landlords and Estate Agents would have to pull their fingers out and get on with all improvements required.

I feel that the Estate Agents should be licensed before they are allowed to let out properties and they need to Vet the Landlords and their properties in the first place to ensure the tenant's go into the right property for their requirements. After 6 months the property should be checked by the licensing authority, if they are not looking after the property, they should be relocated to a more suitable home. Housing associations should be housing DHS clients and not the private sector. Bring back the old council housing. The Licensed Estate Agents Register should be kept and enforced by the Local Authority just like any other Public Register and any fees collected from this service would help to fund the administration costs of the Authority.

Meanwhile us homeowners struggle to maintain our homes having to juggle our purse strings. As absentee landlords along this road could not care less about the maintenance of their property and leave it to the remaining owners/occupiers to try and stretch the funds to maintain the property. They do not show their faces or contribute, even for the building insurance unfortunately, we have one in our house, we have never met him, and another owner lives half the time abroad and does not come near the building, all very unsatisfactory and a great worry. Decisions for works are made by the remaining owners/occupiers, who often pay extra, just to complete works. Scaffolding alone, before works commence is over £1000.

Unfortunately, my own flat/home needs a lot of work done to it, to make it more user friendly and my friends would say habitable, as being a basement and a property of over a hundred years it suffers from damp, I had works carried out in 2016 but not successful. My flat would benefit from double glazing etc. I am a Pensioner with health problems living on my own and to be honest I do not know where to start. Can I get grants, if so, how do I apply.

These are difficult times for everybody due to the Countries Financial Crisis, with rising costs everyday for energy, food etc. Covid and Brexit have been used as an excuse to inflate the costs. My fingers are crossed that my old central heating boiler will last another season. As I do not want to commit to replacing it at this time, despite the engineer recently trying to talk me into an upgrade.

At the moment we are slowly progressing in maintaining the exterior of the, building, having painted the front and now working on the Rear. We are trying to keep costs to a minimum. We are only able to do this due to the fact that one of the owners works on a building site and therefore is used to working on scaffolding. He has given up his free time to carry out the painting, hence it is a long process depending on his valuable time at Weekends only and the British Weather.

If the drains become blocked, which happens from time to time, as owner/occupier of the basement flat, I am the only one aware of the problem as my toilet starts to gurgle. I therefore use my drain rods, not a pleasant job, but it has to be done. Each time I save the fund over £100.00. No one is ever aware of the problem. Job is done.

We the Owner/Occupiers are trying to improve our homes and the local area for ourselves to enjoy and the enjoyment of visitors to the location. We really need the full support of yourselves, the local authority who we all pay large sums to each year in the form of Council Tax. I dread to think how much you collect just from Park Road. We could do with financial support (as these lovely Victorian Houses are money pits), as well as giving us encouragement and incentive to carry on upgrading the area for everyone's wellbeing. This is a conservation area. The West End of Bognor Regis, which we are so lucky to be living in this lovely prime location. West End of most towns usually mean the posh end, but you are helping to downgrade it to the poorest end of the town which was always was the East End.

The only recent thing I have seen the council spend our money on which took forever to complete, which increased the costs to the authority is the fountains beside The Regis Centre, which I considered to have been a total waste of government resources especially if it came out of the pot from central government to up lift rundown coastal resorts, like Bognor Regis. It is very strange how Littlehampton where your offices are, seem to be constantly upgraded over the years and Bognor Reis sinks further into becoming derelict. Which is a great shame as it is a fantastic resort and place to live. It is also a great shame Southern Water are allowed to pollute our beautiful beach and sea from Aldwick Avenue, which I am sure has affected this year's tourist trade to the whole of the area.

Therefore, I do not want to pay for an HMO Licence for my home which does not apply also, I do not benefit from any rents collected by the owners/Landlords in the rest of the building. I do not go upstairs as do not know the tenant's All the flats are self-contained not sharing bathrooms or cooking facilities

When a landlord registers with a licensed Estate Agent, if the property is substandard then the Estate Agents should reject the property until the individual landlord has complied, I agree they should take full responsibility for their property, but not at the expense of genuine owner occupiers who live in the buildings. If they want the income from these buildings, then they must be enforced to maintain their property and to contribute into the house funds for the insurance etc.

Thank you for taking time to read my views on this worrying matter.

Yours faithfully" – Local flat Owner-Occupier

"To whom it may concern...

I live at [REDACTED] and have done for nearly 9 years. I bought the flat because of it's original features, layout and location.

Over time I have spent a lot of money updating the tired and abused interior by installing a brand new bathroom, a new boiler and putting in a heating system, carpets, curtains, paint and I'm just waiting on having a new kitchen put in. After spending all this money I am concerned that if you chose Marine Ward as an HMO area this will have a serious affect on the value of my property.

Since we already have 2 HMOs very local to us I am surprised that you require more. You seem to have an agenda for lowering the standards at our end of Bognor, no money out of your 12 million funding will be spent in our direction. As it is we all see drug deals happening on a regular basis and the police and ambulance attend frequently.

You seem to think that by turning Park Road into a load of HMOs that it will improve it visually, well you are wrong! Many of the owner occupiers work hard on their block by having it painted on a regular basis, this in itself is a costly affair with scaffolding costly over £1000 and then paint etc. Myself and another neighbour are able to paint our own blocks saving thousands, both front and rear as we don't mind climbing the scaffolding. We spend a lot of money on our block as old properties need a lot of maintenance from cleaning the guttering, having the roof repaired, interior and exterior paintwork down to unblocking drains.

Sadly many of the flats along here are rented out, neither the agents nor the landlords are willing to spend out on improvements. This is the area that needs to be addressed. I know of one landlord who has never contributed to anything, not even building insurance for 18+ years, leaving others to pay the extra when they cannot afford to do so.

We have nowhere to park our cars, we put up with cars, vans, lorries and motorbikes roaring up and down our road. If you wanted to help us we would appreciate it very much if you could close our road and give us herringbone parking like they have in Brighton and Worthing.

As regards the costing of the license....do we not pay enough council tax to you. This is just a money spinning idea to generate more revenue for you – once again at our cost, no benefits. We have a close knit community here, oh I forgot to mention that we clean the grass/weeds out of our road/pavement...I have pictures to prove this too. We only want the best for Park Road and the beautiful flats we live in, it seems though that you don't.

Kind regards" – Local flat owner-occupier

16 June 2023

19 JUN 2023

Arun District Council
Civic Centre
Maltravers Road
LITTLEHAMPTON
West Sussex
BN17 5LF

Dear Sirs

HMO – Licensing Consultation

Thank you for your recent correspondence regarding the above.

I am **against** anymore properties being divided up into HMO's especially in the Town Centre. Our town centre is crying out for a more diverse "shopping experience" and not more HMO's. The town centre is not very attractive for visitors and, indeed, residents and this will kill the town off. My parents who have lived in Littlehampton all their lives do not even come into the town centre anymore preferring to go into Rustington where the shopping experience is more attractive to them. My mother, in particular, finds it quite off putting coming into the town on her own as she does not feel particularly safe when there are certain people openly drinking/taking drugs on the street. I myself am beginning to feel the same way.

I am **for** having those HMO's we have already got/will be getting having to have an additional license but as stated above I do not want to see my town and surrounding area being overrun with HMO's.

The town centre has undergone extensive repaving and planting of trees etc. which looks lovely but what is the point if we have no shops! I want to go into the town to see a selection of shops, not just barbers, nail bars, vape shops and charity shops. We have to bring in a more diverse selection and encourage people into the town where there is something different not just the same old, same old. The Friday "market" is not going to bring people into the town. The market needs a total overhaul and we need a proper "farmers market". Three or four shabby stalls does not make a market!

Also, we need more affordable housing for couples, young families not just single people sharing a kitchen/bathroom, i.e. bedsits.

As stated above, I urge the council not to grant planning permission for anymore HMO's in our town. The old Lloyds bank will be the next up for conversion and I hope that the council will deny this lovely old building the same fate as Barclays Bank.

Yours faithfully

Local Resident

“Dear Sir or Madam,

Additional Licensing Proposals

The NRLA is a newly formed association following the merger of the National Landlords Association and the Residential Landlords Association. Our membership represents over 95,000 landlords and agents, the largest organisation in the sector. Members own and manage around 10% of the PRS, equating to half a million properties.

Thank you for the opportunity to respond to the above consultation regarding the introduction of additional licensing in Arun. The NRLA objects to the relevance of Additional Licensing schemes by Local Authorities. Although we sympathise with the aims of Birmingham City Council, we believe that Licensing does not align with the successful completion of these objectives.

The NRLA seeks a fair legislative and regulatory environment for the private rented sector while ensuring landlords know their statutory rights and responsibilities.

Main Objections

Antisocial behaviour and low housing

Landlords are usually not experienced in managing antisocial behaviour and do not have the professional capacity to resolve tenants' mental health issues or drug and alcohol dependency. Suppose there are any allegations about a tenant causing problems, and a landlord ends the tenancy. In that case, the landlord will have fulfilled their obligations, even if the tenant has any of the above issues.

This moves the problems around Arun District Council but does not help the tenant, who could become lost in the system, or worst, move towards the criminal landlords. They will also blight another resident's life.

Furthermore, the overcrowding issue is complicated for a landlord to manage if the tenant has overfilled the property. A landlord will tell a tenant how many people are permitted to live on the property and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord managing this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor tenants' everyday activities or sleeping arrangements. Where overcrowding occurs, the people involved know what they are doing and that they are criminals, not landlords. The council already has the power to deal with this.

Regarding reducing antisocial behaviour, landlords must tackle such activity within their properties; it should be highlighted that landlords and agents can only enforce a contract; they cannot manage behaviour.

Arun District Council has many existing enforcing powers that can rectify the identified problems as part of the council's housing strategy. These include:

1. Criminal Behaviour Orders
1. Crime Prevention Injunctions
1. Interim Management Orders
1. Empty Dwelling Management Orders
1. Improvement Notices (for homes that do not meet the Decent Homes Standard)
1. Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)

1. Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)
1. Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
1. Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949)

Waste management

When tenants are nearing the end of their contract/tenancy and are moving out, they will dispose of excess household waste through various methods. These include but are not limited to putting waste out on the street for the council to collect. This is in the hope of getting their deposit back and is made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with many privately rented properties need to consider a strategy for collecting excess waste at the end of a tenancy in place of selective licensing.

Would the council consider a free/low-cost service for private landlords to remove numerous bunk items when tenants vacate the property and not dispose of such waste beforehand if such a mechanism is not already in place?

Licence fees and staff levels

With the licence fee being exceptionally high, it is understandable that landlords have raised concerns about how the council has calculated the figure to be charged should the scheme come into force. The council should have included a cost breakdown of how they calculated the licence fee structure for transparency. The council have also confirmed that inspections, after a licence is granted, will only be done on a case-by-case basis subject to a complaint by a tenant in the property. Therefore, the Part B licence fee of £323 is high as enforcement action is not guaranteed for each licenced property. Consequently, the council should consider reducing this Part B fee to take into consideration the high cost of the Part A fee, and the fact that enforcement is not confirmed for all properties during the lifetime of the scheme.

Conclusions and alternatives

The NRLA believes local authorities need a healthy private rented sector to complement the other housing in an area. This provides a variety of housing types that can meet the needs of residents and landlords in the area. The sector is regulated, and enforcement is essential for keeping criminals who exploit landlords and tenants. An active enforcement policy that supports good landlords is crucial as it will remove those who exploit others and create a level playing field. It is essential to understand how the sector operates as landlords can often be victims of criminal activity and antisocial behaviour with their properties being exploited.

The NRLA advocates using council tax records to identify tenures used by the private rented sector and those landlords in charge of those properties. Unlike discretionary licensing, landlords do not require self-identification, making it harder for criminal landlords to operate under the radar. With this approach, the council would not need to consult and implement changes immediately.

If the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate to tenants and landlords' behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.

The NRLA has a shared interest with Arun District Council in ensuring a high-quality private rented sector but strongly disagrees that the introduction of additional licensing is the most effective approach to achieve this aim both in the short term and long term.

Yours Faithfully” – **Policy Officer, National Residential Landlords Association**

“The National Residential Landlords Association (NRLA) exists to protect and promote the interests of private residential landlords.

The NRLA would like to thank the council for the opportunity to respond to the consultation. We are happy to discuss any comments that we have made and develop any of the issues with the local authority.

The NRLA seek a fair legislative and regulatory environment for the private rented sector, while aiming to ensure that landlords are aware of their statutory rights and responsibilities.

Summary

The NRLA believes that local authorities need a healthy private rented sector to compliment the other housing in an area. Arun has seen the development of an unhealthy situation due to policies of lack of house building which has resulted in high rents and where the those on lowest incomes have greater difficulty renting in the private rented sector. This has created more house sharing. The ability to provide a variety of housing types that can be flexible around meeting the needs of both the residents that live and those who want to live in the area is being met by landlords in the area. There are already significant challenges around shortage of housing in the Borough, and we have concerns that this will be exasperated by this policy.

The sector is regulated, and enforcement is an important part of maintaining the sector from criminals who exploit landlords and tenants. An active enforcement policy that supports good landlords is important as it will remove those that exploit others and create a level playing field. This has been lacking in Arun. We have concerns around the council’s approach to licensing, your proposal is not about inspecting properties that come under Additional Licensing. Currently the council is poor on inspections compared to comparable local authorities. Some schemes are delivering multiple inspections, up to 3 of every property during the scheme. This is not being proposed within your scheme, with your financial modelling proposed, inspections will not happen. Multiple inspections push criminals out of the sector and drives up the standards for landlords and tenants – you don’t appear to be doing this.

We understand that the council have a reactive enforcement policy, but it is important to understand how the sector operates. Landlords are often victims of criminal activity with their properties being exploited, both through subletting and criminals exploiting properties through county lines and other criminal activity.

We believe the council should adopt an approach similar to the Leeds Rental Standard, which supports the compliant landlords and allows the local authority to target the criminals. Having considered the evidence presented, as well knowing the area very well and having undertaken our own evaluation of the circumstances faced by landlords, tenants and residents of Arun, a number of questions are raised:

- In following Hemmings and the Gaskin court cases, and with the fee is split. Monies paid by a landlord clearly now coming under the service directive (which has been adopted into UK legislation). Can the council provide a breakdown of your costs in relation to part A and part B monies paid by a landlord and how you make sure that it is apportioned to the individual landlord and works done in connection to the license. Your part a fee is five times that of neighbouring councils, and part B is significant lower, highlighting a lack of inspections.

- The documentation provided fails to indicate what additional funding will be available to support the expansion of licensing. Licensing will have an effect on housing especially as many tenants have mental health, alcohol, or drug related illnesses. How do landlords' access these services to support their tenants? Equally it will have an impact on the council delivering support services, and accommodation in the borough.
- The council fails to say how it will prevent malicious claims of poor housing being made, which could result in tenants losing their tenancies. Can this be provided and how will it operate?
- The council fails to say how the proposal will tackle rent-to-rent, modern day slavery, indentured labour, subletting, criminal enterprise/county lines or even Airbnb. These are all increasing in the county.

We would like clarification on these points so that the private rented sector has confidence in any scheme that is delivered, and it will deliver against its set aims. Equally the current proposal for fees needs to be corrected in line with the law. What is the service that a landlord can expect in line with the service directive which has been incorporated into UK law. How can the council charge such a high fee for part A compared to every other council in England.

The NRLA will judge the scheme against the criteria that the council is proposing the scheme under. We are not opposed to licensing schemes, what we wish to see is them delivered against what they are proposed to do. What we wish to know is how is the local authority going to deliver against what it is proposing. As you will be aware, the NRLA publishes data against performance. This is also proposed in the Renters Reform Bill, where councils will be judged on inspections and outcomes.

We believe that any regulation of the private rented sector must be balanced. Additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock and driving out the criminals who act as landlords and blight the sector. These should be the shared objectives of all the parties involved, to facilitate the best possible outcomes for landlords and tenants alike. Good practice should be recognised and encouraged, in addition to the required focus on enforcement activity. How does the local authority plan to communicate best practice to the landlord and tenants of Arun? Will Arun commit to inspect each property at least once?

Additional licensing will also introduce new social economic group of tenants into licensing. The law is clear landlords do not manage their tenants; they manage a tenancy agreement. If a tenant is non cooperative, or causing a nuisance a landlord can end the tenancy, will the council make it clear in the report that they will support the landlord in the ending of the tenancy?

Consultation

Licensing is a powerful tool. If used correctly by Arun Council, it could resolve specific issues. We have historically supported/worked with many local authorities in the introduction of licensing schemes (additional and selective) that benefit landlords, tenants and the community. From what has been presented there is still work needed to be done to make a scheme work. You introduced the one of the most expensive licensing schemes in the country and detrimentally affected the poorest the most. The government review into selective licensing highlighted how costs were transferred through to the tenants. We are disappointed that the local authority has not engaged with the NRLA to deliver a successful scheme, as other local authorities have. Equally you have not looked at other more successful schemes which have delivered better outcomes and managed to inspect all the properties multiple times for the local authority, tenants and landlords.

Costs

While any additional costs levied on the private rented sector runs the risk of these being passed through to the tenants, as has previously been established (Selective Licensing review by Government <https://www.gov.uk/government/publications/selective-licensing-review>). The introduction of licensing with interest rates increasing will have an impact on cash flow for many landlords.

This will also the issue of insurance is often overlooked as a cost, as premiums increase for everyone (homeowners and landlords) when a local authority designates an area with licensing it is indicating problems in the area. This will add costs to those renting as well as to owner-occupiers. Already Arun is expensive to live, and this will continue affecting those on the lowest income.

A joined-up coordinated approach within the council will be required. Additional costs in relation to housing along with support services will be incurred if the council's goal is to be achieved. Yet there is no evidence from the council that this will be done – can this be provided? How will landlords feed into system if they suspect a tenant is at risk? What support will be put in place so a landlord can support a tenancy where a tenant has mental health, alcohol, drug issues or they have problems and need support. The NRLA works with many local authorities on this.

Criminal Activity

In addition, the proposal does not take into account rent-to-rent or those who exploit people (both tenants and landlords). Landlords who have legally rented out a property that has later been illegally sublet; the property still has a license. With the council not inspecting the ability of criminals to exploit will remain.

In many cases a landlord does not rent the property as an HMO but is illegally sublet. There is no license holder, and the landlord can end the tenancy (of the superior tenant, the sub tenants have no legal redress) but the landlord would need support the local authority in criminal prosecution. But what is the process for landlords, it would help if the council could document how this would work. Often, landlords are victims, just as much as tenants. What support will the council provide for landlords to whom this has happened? Will the council support an accelerated possession order?

The issue of overcrowding is difficult for a landlord to manage if it is the tenant that has overfilled the property. A landlord will tell a tenant how many people are permitted to live in the property, and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord to manage this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor the everyday activities or sleeping arrangements of tenants. Where overcrowding does take place, the people involved know what they are doing and that they are criminals, not landlords. The council already has the powers to deal with this.

Tenant behaviour

Landlords are usually not expected to manage the behaviour of tenants, and they do not expect to, with the introduction of the scheme this creates more challenges for landlords and tenants. The contractual arrangement is over the renting of a property, not a social contract. They do not and should not resolve tenants' mental health issues or drug and alcohol dependency or ASB. If there are allegations about a tenant causing problems (e.g. nuisance) and a landlord ends the tenancy, the landlord will have dispatched their obligations under the additional licensing scheme, even if the tenant has not committed these issues. This could end tenancies for those who are innocent. This will create further problems for the individual under the Renters Reform Bill.

Where there is a problem, it will be moved around the borough, but does not actually help the tenant, who could become lost in the system, or worst moved towards the criminal landlords. They will also blight another resident's life. There is no legal obligation within additional licensing for the landlord to resolve an allegation of behaviour. Rather, a landlord

has a tenancy agreement with a tenant, and this is the only thing that the landlord can legally enforce.

Tenancy Management

In many situations, the council should consider enforcement notices and management orders. The use of such orders would deliver immediate results.

We would also like to see the council develop a strategy that includes action against any tenants who are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect all professional landlords and tenants alike, while leaving criminals able to operate covertly. Many of the problems are caused by mental health or drink and drug issues. Landlords cannot resolve these issues and will require additional resources from the council.

Often when tenants are nearing the end of their contract/tenancy and are in the process of moving out, they will dispose of excess household waste by a variety of methods. These include putting waste out on the street for the council to collect. This is in hope of getting their deposit back, this is made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with a large number of private rented sector properties need to consider a strategy for the collection of excess waste at the end of tenancies. We would be willing to work with the council to help develop such a strategy. An example is the Leeds Rental Standard, which works with landlords and landlord associations to resolve issues while staying in the framework of a local authority.

Current law

A landlord currently must comply with over 130 pieces of legislation, and the laws with which the private rented sector must comply can be easily misunderstood. A landlord is expected to give the tenant a 'quiet enjoyment' of the property. Failure to do so could result in a harassment case being brought against the landlord by the tenant. The law within which landlords must operate is not always fully compatible with the aims of the council. For example, a landlord keeping a record of a tenant and how many people are entering the property could be interpreted as harassment. This will include monitoring sleeping arrangements.

Changes to section 21

We would like clarification on the council's policy in relation to helping a landlord when a section 21 notice (or future notice as currently being consulted upon under the Renters Reform Bill) is served. If the property is overcrowded or the tenant is causing antisocial behaviour, as per what the council says in the consultation. What steps will the council take to support the landlord? It would be useful if the council were to put in place a guidance document before the introduction of the scheme, to outline its position regarding helping landlords to remove tenants who are manifesting antisocial behaviour.

The change to how tenancies will end and a move to a more adversarial system under the Renters Reform Bill, will mean landlords will become more risk adverse to take tenants that do not have a perfect reference and history. This will place a greater burden on homelessness and affordable housing in the borough, where there is already a shortage.

We would be willing to work with the council and develop a dispute resolution service which we have with other local authorities. It also poses a question where does the council expect people to live who have been evicted due to a tenancy issue." - **National Residential Landlords Association**

EQUALITY IMPACT ASSESSMENT

Name of activity:	Additional HMO Licensing Scheme	Date Completed:	19 September 2023
Directorate / Division responsible for activity:	Growth/Technical Services	Lead Officer:	Nat Slade
Existing Activity	N	New / Proposed Activity	Y
		Changing / Updated Activity	N

What are the aims / main purposes of the activity?

To introduce an additional Houses in Multiple Occupation (HMO) licensing scheme in the three wards of River in Littlehampton and Marine and Hotham in Bognor Regis. This will apply to HMOs that contain three or four occupiers making up two or more households, irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under the Housing Act 2004.

What are the main actions and processes involved?

Implementation of additional HMO licensing, which would require licences to be obtained for HMOs that contain three or four occupiers making up two or more households, irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under the Housing Act 2004 and within the wards of River, Hotham and Marine. This would be managed and enforced by the Private Sector Housing and Public Health Team. A fee is required as part of the application and the fees are set on a cost recovery basis.

Who is intended to benefit & who are the main stakeholders?

The intended outcomes are to ensure all HMOs comply with minimum standards of safety, quality and management. This will benefit the tenants of the properties, the residents and the neighbourhood.

Key stakeholders

Internal: Private Sector Housing and Public Health Team, Environmental Health, Community Safety and Wellbeing, Housing, Revenue and Benefits, Planning, Building Control, Legal

External: Sussex Police, West Sussex Fire & Rescue Service, Landlords, Letting Agents, National Residential Landlords Association, University of Chichester, West Sussex County Council, Citizens Advice.

Have you already consulted on / researched the activity?

In 2022 the Building Research Establishment (BRE) were commissioned to provide data on key private rented sector housing variables for the Council in order to establish whether there was evidence to consider the introduction of additional HMO licensing scheme, Article 4 Directive or selective licensing for either the entire district or specific wards.

A public statutory 10 week consultation took place between 12 June and 20 August 2023, regarding a proposed additional HMO licensing scheme in the wards of River, Hotham and Marine.

The Council's website was used to detail the proposals and provide information and a copy of the consultation document was available.

The Consultation was advertised in local media and social media posts to advise that was taking place and how to participate.

Paper copies of the consultation document and posters showing the details of the proposed scheme were available in the Arun Civic centre and Bognor Regis Town Hall. Paper copies of the consultation document were also available at a number of local libraries within the district.

Students enrolled at the University of Chichester were able to view the consultation document at the University's accommodation office.

Feedback could be provided via an online survey form which was accessible from the Council's website.

Letters/leaflets advertising the consultation were sent to all residents and businesses within the wards of River, Hotham and Marine.

Two landlords forum events took place:

- In person Landlords Forum meeting held at Arun Civic Centre 26 July 2023
- Remote meeting via Zoom, hosted and organised by National Residential Landlords Association (NRLA) 18 August 2023.

A wide portfolio of stakeholders and other people affected by the proposal, as well as internal stakeholders and department have been contacted regarding the consultation, including ward members, Councillors at both district and parish level, local MPs, landlord/property owners in the proposed ward areas and neighbouring ward areas tenants in the proposed ward areas, West Sussex Fire and Rescue Service, Sussex Police, letting and managing agents, the University of Chichester and Bognor Regis College, landlords on the Chichester and Arun Accreditation Scheme, landlord representatives such as the NRLA, local resident associations, Citizens Advice, West Sussex County Council, neighbouring local authorities and general public.

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Impact on people with a protected characteristic (What is the potential impact of the activity? Are the impacts high, medium or low?)

Protected characteristics / groups	Is there an impact (Yes / No)	If Yes, what is it and identify whether it is positive or negative
Age (older / younger people, children)	No	Between the 2011 and 2021 census the average (median) age of Arun residents increased by two years from 47 to 49 years of age. This is a higher than the Southeast whole figure which is 41 and for England which is 40 years. The number of people aged 50 to 64 years rose by around 15.2%, whilst the number of residents between 35 and 49 years fell by 5.8%. The impact of licensing is neutral in terms of age. The licensing scheme provides advice and guidance as well as an enforcement element

		<p>this should be of value to landlords of all ages, especially those who may be concerned about complying with the requirements of the new scheme.</p> <p>Assistance is available by phone and email from Council Officers for those having difficulty using online application or payment systems.</p>
Disability (people with physical / sensory impairment or mental disability)	No	<p>Property licensing is intended to raise the standards of condition and management by landlords of rented properties. Therefore, tenants with a disability should benefit from the licensing regime as there are minimum standards set for amenities and licence conditions relating to the property which landlords must comply with.</p> <p>There is no known impact on landlords who have a disability, except in as much as assistance is available by phone and email from council officer for those having difficulty using on line application and payment systems.</p>
Gender reassignment (the process of transitioning from one gender to another.)	No	<p>There is no known impact on landlords or tenants who have gender re-assignment.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>
Marriage & civil partnership (Marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognized for same-sex couples)	No	<p>There is no known impact on landlords or tenants due to marriage or civil partnership.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>
Pregnancy & maternity (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)	No	<p>There is no known impact on landlords or tenants due to pregnancy or maternity.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>

Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)	No	<p>There is no known impact on tenants due to race. Landlords in providing a service are not allowed to discriminate against tenants or prospective tenants for any protected characteristic including race.</p> <p>There is no known impact on landlords due to race. The licensing scheme provides advice and guidance as well as an enforcement element, and the advice and guidance should be of value to all landlords irrespective of their race.</p>
Religion & belief (religious faith or other group with a recognised belief system)	No	<p>There is no known impact on landlords or tenants due to religion or belief.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p> <p>Certain buildings occupied by a religious community are exempt from additional licensing.</p>
Sex (male / female)	No	<p>There is no known impact on landlords or tenants due to sex.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>
Sexual orientation (lesbian, gay, bisexual, heterosexual)	No	<p>There is no known impact on landlords or tenants due to sexual orientation</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>
Whilst Socio economic disadvantage that people may face is not a protected characteristic; the potential impact	Yes	<p>The additional licensing scheme applies to the wards of River, Marine and Hotham these are the most deprived areas within the district therefore the scheme will have a positive impact on those tenants who are socio economically disadvantaged. Good quality housing is important for people to achieve their educational and professional potential.</p>

on this group should be also considered		<p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p> <p>Properties managed by a social landlord are exempt.</p>
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What evidence has been used to assess the likely impacts?
<p>Building Research Establishment report 14 January 2022 and Public Consultation 12 June – 20 August 2023.</p> <p>In addition experience of administering the mandatory licensing scheme which has been in place since 2006 and applies to the whole district and properties occupied by 5 or more, forming 2 or more households and sharing of facilities.</p>

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Decision following initial assessment			
Continue with existing or introduce new / planned activity	Y	Amend activity based on identified actions	N

Action Plan			
Impact identified	Action required	Lead Officer	Deadline

Monitoring & Review	
Date of last review or Impact Assessment:	

Date of next 12 month review:	
Date of next 3 year Impact Assessment (from the date of this EIA):	

Date EIA completed:	19 September 2023
Signed by Person Completing:	Louise Crane

Public Document Pack Agenda Item 15

Subject to approval at the next Audit and Governance Committee meeting

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AUDIT AND GOVERNANCE COMMITTEE

30 November 2023 at 6.00 pm

Present: Councillors Dr Walsh (Chair), O'Neill (Vice-Chair), Blanchard-Cooper (Substitute for Oppler), P. Bower, Haywood, Jones, May, Purser, and Wallsgrove

[Councillor Jones was absent from the Meeting for discussion of Items 437 - 443]

437. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Goodheart, Oppler, Turner. Cllr Jones had also sent apologies that he would be late to the meeting.

438. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

439. MINUTES

The Minutes of the meeting held on 28 September 2023 were approved by the Committee. These would be signed after the meeting.

440. ITEMS ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCE

There were no urgent matters for this meeting.

441. PUBLIC QUESTION TIME

No public questions had been submitted for this meeting.

442. 2021/22 EXTERNAL AUDIT PROGRESS UPDATE

The Chair welcomed James Stuttaford, Audit Manager for Ernst & Young LLP to the meeting. He gave a verbal update to the Committee explaining that they were very near to completing the audit, which they expected to be complete by the next meeting of the Audit & Governance Committee. Additional work had been required following the 2022 Pension Fund Evaluation, and it had been agreed that amendments would be made to the net pension fund asset on the balance sheet. Audit work remained ongoing

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in the area of Capital Grants Receipts in Advance, as there had been a difference of opinion with regards to the classification of items recorded. Ernst & Young LLP had concluded that the majority of those items should be recognised and reclassified to the Capital Grants Unapplied Reserve. Discussion with the finance team remained ongoing and the matter was due to be discussed again the following day, with the expectation that agreement could be reached. There was also small amounts of evidence required to support capital valuations, which was being worked on by the Estates Team. Once those areas were completed, Ernst & Young LLP would progress to the closing stages of the audit, including agreeing the amended version of the financial statements prior to signing.

There were no questions from Members.

The Group Head of Finance and Section 151 Officer reassured Members that the changes currently being discussed with Ernst & Young LLP, would not affect the reusable revenue reserves balances that had been reported to Policy & Finance as a matter of course throughout the financial year.

443. 2022/23 EXTERNAL AUDIT UPDATE

The Chair welcomed Kevin Suter, Associate Partner from Ernst & Young LLP to the meeting. He gave a verbal update to the Committee, explaining the situation nationally regarding a backlog of audits in the local government sector, which was not unique to Arun or to Ernst & Young LLP. He explained that the recently published (on 24 November 2023) Select Committee report provided a good summary of the background to all the issues. This was something the Government were looking to address, and guidance was awaited regarding a possible system reset, where a date may be given by which all non-complete audits would be stopped, then the auditors would move to report anyway, which would be some sort of modified opinion on the accounts. Whilst waiting for the guidance Ernst & Young LLP had been working to clear as many historic audits as possible. They had prioritised pension fund audits and value for money responsibilities, which they understood would continue as normal. Ernst & Young LLP were not currently able to give a statement on what would happen with the 2022/23 Arun District Council external audit, as depending on when and if a reset date was given, they may not be able to complete this audit at all. He explained that they were working with other stakeholders such as the National Audit Office and Chartered Institute of Public Finance and Accountancy's (CIPFA), who set the requirements of the accounting code, and were also looking at making changes to their various responsibilities so the whole system could come together and get back to meeting the targets. As soon as further information became available, Ernst & Young LLP would be liaising with Arun.

The Chair asked what the main reason for the build-up of audits was, and whether this was due to Covid-19, working from home or lack of resources either centrally or in local government. The Associate Partner explained the backlog of completed audits was due to a combination of factors, the problem was starting to build prior to covid mainly due to lack of resources, which was exacerbated during Covid-19

as staff were diverted from producing accounts to other activities such as distributing grants, and local authorities, and external auditors had not been able to catch up.

Members were then given the opportunity to ask questions. It was asked how this practically effected Arun's finance department, and whether it would create a backlog for them to complete. The Group Head of Finance and Section 151 Officer explained they had sympathy for Ernst & Young LLP, however clarified that although the accounts were put onto the website slightly late, their working papers were in good order and had been available for audit for several months, so the resourcing issue mentioned by Associate Partner from Ernst & Young LLP did not apply to Arun. He explained if Ernst & Young LLP had to complete a full 2022/23 audit, this would inevitably be a lot of work for the finance team as, their assistance would always be required by the auditors to complete the audit.

The Chair sought clarification that with such a national backlog, the aim of national government would be to simplify the process and not increase the complexity. The Associate Partner hoped no more complexity to the accounts would be added whilst they were trying to work through the backlogs, and also long-term, and he reiterated that CIPFA, who set the accounting code of practice, were currently looking at what measures could be put in place to simplify this in the short term.

The Section 151 Officer added that over the years, the complexity and size of local authority accounts had greatly increased and this would inevitably make it much more difficult to clear audit backlogs under the current circumstances.

One Member asked whether Artificial intelligence would speed up the process. The Associate Partner believed this would be the case in the future, however this concept was only in the very early stages at the moment.

The Committee noted the report.

444. INTERNAL AUDIT PROGRESS REPORT SEPTEMBER 2023

The Chair welcomed Iona Bond, Senior Audit and Counter Fraud Manager, from Southern Internal Audit Partnership (SIAP), who then presented the report to the Committee. This outlined the progress of the Council's Internal Audit service against the approved Internal Audit Plan for 2022/23 from 1 April 2023, up to the end of September. She highlighted key points from the Internal Audit Progress Report. Good progress had been made on the audit plan, and they were almost at the halfway point, which was pleasing. The summary of live audit reviews showed those reviews where management actions were yet to reach their implementation date, and those with management actions running overdue. In relative terms the number of outstanding actions across work being done at Arun was relatively small. Since the last progress report, the only further management actions that were overdue were on Accounts Receivable, Homelessness and Business Continuity. Regarding Homelessness, there were lots of actions to be done in a short space of time and hard work been done which resulted in only one running overdue. The outstanding actions under Accounts Receivable and

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Debt Management were due to process issues and the updates needed to be reviewed by relevant Committees, but the updates had been made. Annexe one showed further information regarding the high priority overdue actions. Business Continuity showed a number of overdue management actions, however very good progress had been made. On reflection she felt the target date for completing these management actions had been optimistic. The Senior Audit and Counter Fraud Manager did not have any concerns around the overdue management actions at this stage.

Section 7 which was the rolling work programme, showed the progress being made. The Senior Audit and Counter Fraud Manager updated Committee that the review of non-domestic rates (NNDR) showing in the finance section had now been finalised and a draft report on the medium term financial planning process audit, had been sent to Officers. In relation to all Quarter 3 audits, all had now been scoped. Overall, she felt Arun were in a very good position and would be meeting with the Corporate Management Team the following week, as she did at the start of each quarter, to see if any adjustments needed to be made to the plan. There had been very few adjustments made to the plan so far this year which was very pleasing.

The Chair summarised there was no cause for concern in the work carried out so far and invited questions from Members.

Debt Management on page 20 stated the Constitution would need to be changed, which was in progress, it was asked how far had this got? The Group Head of Finance and Section 151 Officer explained that in the Constitution there were some inconsistencies in the amounts to be written off, and the delegated authorities. The debt write off policy first needed to be approved by the Policy and Finance Committee. Once this had been done a report could be taken to the Constitution Working Party to iron out the inconsistencies. This would satisfy the recommendations of the audit.

It was asked why the IT Disaster Recovery Planning had been deferred to the early part of 2024/25, as shown in Section 8 of the appendix. The Senior Audit and Counter Fraud Manager from SIAP explained that SIAP had experienced long-term sickness within the technology team, which had therefore restricted their capacity to deliver some of the technology audits, so it had been agreed with Arun this review would be pushed back one quarter. The reason this was felt appropriate was that the Corporate Business Continuity Planning Audit finalised at the beginning of 2023/24, touched on elements of Information Technology Disaster Recovery Plan.

The Committee noted the report.

445. TREASURY MANAGEMENT – INTERIM REPORT 2023/24

Upon the invitation of the Chair, the Group Head of Finance and Section 151 Officer introduced the report. He explained he was presenting this on behalf of the Senior Accountant (Treasury). This mid-year report had been prepared in compliance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management and covered the activities to 30 September 2023. It enabled the Audit and Governance Committee to scrutinise the report prior to making comment to Full Council.

Investment income continued to perform well, with an expected investment income of £460k over budget. Interest rates remained high, however they were expected to reduce in due course. The Council were also due to repay unused energy support grants, which the Government gave to Councils in advance to provide households with financial support during the financial crisis. This money had been invested, thus increasing the Council's investment returns, but the next major repayment of money was due in 30 days' time.

Arun still had no external borrowing outside of the Housing Revenue Account. The Group Head of Finance and Section 151 Officer highlighted pages 38-40, which showed the prudential and treasury indicators. The Capital Finance Requirement (CFR) was the amount of capital expenditure that needed to be funded through borrowing. The CFR was set out on page 38, and the level of borrowing (table 4.4 on page 37) showed actual borrowing to be far less than the CFR figure. This meant Arun that had 'under borrowed' which was a good thing, because it meant that it was able to fund capital expenditure through balances such as energy payment grant money, capital tax precepts, business rates, which Arun could take advantage of whilst the money was in their bank account. Under borrowing negated the need to take out new borrowing, and was not unusual for local authorities to do. Arun had a very robust cash flow forecast model. Page 39, table 5.6 explained the borrowing limits. Arun had 2 borrowing limits which the Council were statutorily obliged to set. The limits were down to the Council to decide. These were the Operational borrowing limit, which was the maximum amount of borrowing that the Council would operate within and the Authorised borrowing limit, which gave the Council some headroom should it be required. Officers were not permitted to allow borrowing to exceed this limit. Arun was well below the Operating borrowing limit, which represented a good position for the Council. He then highlighted section 6 starting on page 40, which gave a general economic update.

Members were then given the opportunity to ask questions. Clarification was sought on the 14.8 million figure under Net borrowing in the table on page 39. The Group Head of Finance and Section 151 Officer explained this figure was the difference between total borrowing and investments, so our net position was that we had more investments than we were borrowing.

It was asked where the money from investments would go. The Group Head of Finance and Section 151 Officer explained this was funding the general fund revenue services.

As First Abu Dhabi Bank and Qatar National Bank were removed from the counterparty list earlier in the year, assurances were sought that similar investments to these would not be made in future. The Group Head of Finance and Section 151 Officer confirmed Officers were aware of the wishes of the Committee in relation to this. He explained they needed to ensure there were enough organisations on the counterparty list that were able to give a sufficient spread of investments and thus reduce risk whilst achieving investment security, liquidity and maximum yield. He was unable to definitively say that somewhere in the chain of Arun's investments were not held in areas the Committee may not wish to invest in, however he would look into this and report back. The Chair stated that the wishes of the Committee were clear, and money should not be invested in banks with obvious human rights issues. The Group Head of Finance and Section 151 Officer reiterated that it was important investments were spread in a way that minimized risk, and the Council were governed by CIPFA and DLUHC regulations, which required them to do this.

Discussion continued regarding whether or not Members were happy to recommend the addition of the Money Market Fund in recommendation 2.4 to Full Council, as there were no obvious human rights issues to consider, or whether they wanted the Group Head of Finance and Section 151 Officer to thoroughly investigate the organisation prior to doing so. There was a suggestion of deferring this recommendation until the February meeting, whilst the Group Head of Finance and Section 151 Officer undertook further investigation of the Council's investment portfolio, and the level of investments that may be in areas the Committee would otherwise not choose to invest in. Members agreed that they were happy to proceed with making the recommendation to Full Council, however they asked Officers to come back with this information to Members after the meeting. The Group Head of Finance and Section 151 Officer explained this was possible, however he wanted Members to be aware that there was a large list of investments to look at, and it may uncover some areas Members did not feel comfortable investing in. He explained that deferring the recommendation until February did slightly heighten risks regarding not having sufficient counterparties to mitigate investment risks. Members were confident Officers had picked State Street Global Advisors (SSGA) with consideration to the Committees previous instructions on the directions of how they wished to invest in the future. It was asked whether Officers were aware which particular funds we would be looking at investing in. The Group Head of Finance and Section 151 Officer explained this was not known yet. One Member also pointed out that the SSGA group had good ESG credentials, which was something that the Committee were keen to see.

The Chair again raised whether Committee felt they needed to defer this recommendation or whether they felt happy to proceed. Members were happy to proceed but again asked the Group Head of Finance and Section 151 Officer to provide information to Members after the meeting regarding the portfolio funds of SSGA. It was confirmed the outcome of this did not affect the recommendations being made to Full Council this evening.

The recommendations were proposed by Councillor Purser and seconded by Councillor Jones.

The Committee

RECOMMEND TO FULL COUNCIL that

1. the mid year treasury management report for 2023/24 be noted;
2. the treasury mid-year activity for the period ended 30 September 2023, which has generated interest receipts of £1,068,012 (4.65%). Budget £1,540,000 (3.20%), be noted;
3. the actual prudential and treasury indicators for 2023/24 contained in the report be noted; and
4. the addition of a further Money Market Fund (MMF) – State Street Global Advisors (details of which can be seen in 2.4 of appendix 1) be approved.

446. CORPORATE RISK REGISTER UPDATE

Upon the invitation of the Chair, the Group Head of Finance and Section 151 Officer introduced the report, explaining that he was presenting this report on behalf of the Finance & Risk Manager. He highlighted the major cyber-attack score had recently increased but was still deemed to be medium risk. An additional medium risk had been identified (CRR4) relating to supplier support for the Council's electronic document management system. The Corporate Management Team had approved the removal of risk CRR18 relating to the Housing Benefit Subsidy as an auditor had now been identified to undertake the audit. The Corporate Management Team had approved the removal of risk CRR14 relating to Housing repairs - compliance failings. It was deemed that this risk was now being managed to an acceptable level and could now be managed at a service area level. To improve the risk management of major projects (CRR11) this risk had been separated into three separate risks by project: CRR11a - Major Project- Alexandra Theatre; CRR11b - Major Project - Littlehampton Seafront; CRR11c - Major Project - Bognor Regis Arcade.

Members were then invited to ask questions. One Member expressed concern regarding the amount of red risks from CRR10 – CRR11c, and CRR1a - CRR18. It was noted that there was reference to staff needing more training to improve these areas, and it was asked whether there was any progress on this. The Group Head of Finance and Section 151 Officer thanked the Member for the excellent question. He explained that some risks such as the Financial Resilience Risk would remain red for quite some time, although there was a plan to manage that risk and a lot of work was going on to address this. This was the case for other risks too. He said there was assurance to be gained just by the nature of recognising the risks and being aware that the problems were being actively managed. The corporate risks were reviewed on a 6 monthly basis, but there was continuous work being undertaken. The Internal Audit Manager explained the gross risk level was the starting point and effectively the worst-case scenario, and

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the net risk was the risk level once actions were already in place and those that the Council had committed to were taken into account. Some of these net risks were amber. The red risks CRR1-CRR11c were mostly red for the net risk, which appeared the most alarming. Some of these risks were for the major projects, and the risk at the start of these projects was more severe and would reduce as the project progressed. The aim was to reduce the net risk by mitigating the risks.

There was still concern that some of the issues were due to staff training, and it was asked whether there were any plans to improve on that. The Group Head of Finance and Section 151 Officer was not able to give an answer for this where the risks did not come under his area, however he suggested that if Members had particular concerns around certain risks, they could ask the relevant Group Head to attend the Audit & Governance Committee to explain this in further detail.

The Chair thought the risk owners of CRR1-B (Balance of Housing Revenue Account), CRR2 (Organisational capacity to deliver) and CRR7 (Climate Change) should provide a short-written report for the next meeting of the Audit & Governance Committee. There was agreement for this from the Committee.

The report was noted.

447. WORK PROGRAMME

The Internal Audit Manager presented the Work Programme to Committee, highlighting that the February meeting date had changed to Monday 19 February 2024.

The Committee noted the Work Programme.

(The meeting concluded at 7.15 pm)

Arun District Council

REPORT TO:	Audit and Governance Committee – 30 November 2023
SUBJECT:	Treasury Management – Mid Year report 2023-24
LEAD OFFICER:	Sian Southerton, Senior Accountant (Treasury)
LEAD MEMBER:	Cllr Dr Walsh
WARDS:	All
CORPORATE PRIORITY/POLICY CONTEXT/CORPORATE VISION:	
The Treasury Management function is required by regulation and has an effect on all Directorates of the Council.	
DIRECTORATE POLICY CONTEXT:	
This report supports the Annual Treasury Management Strategy Statement (TMSS). It is the mid year (Qtr2) update and reviews the report considered by Audit and Governance Committee on 28 February 2023 and presented to Full Council on 15 March 2023. The report updates Members on the: <ul style="list-style-type: none">• Investment position• Borrowing position and• Prudential Indicators	
FINANCIAL SUMMARY:	
There are no direct financial implications arising from this report.	

1. PURPOSE OF REPORT

1.1. The purpose of this report is to present the Council's Treasury Management activities for the year to date as at 30 September 2023. Also, it enables the Audit and Governance Committee to scrutinise the report prior to making comment to Full Council.

2. RECOMMENDATIONS

The Audit and Governance Committee is asked to recommend the following to Full Council:

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- 2.1. note the mid year treasury management report for 2023/24;
- 2.2. note the treasury mid-year activity for the period ended 30 September 2023, which has generated interest receipts of £1,068,012 (4.65%). Budget £1,540,000 (3.20%);
- 2.3. approve the actual prudential and treasury indicators for 2023/24 contained in the report; and
- 2.4. approve the addition of a further Money Market Fund (MMF) – State Street Global Advisors (details of which can be seen in 2.4 of appendix 1).

3. EXECUTIVE SUMMARY

- 3.1. This mid-year report has been prepared in compliance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management and covers the activities to 30 September 2023. It enables the Audit and Governance Committee to scrutinise the report prior to making comment to Full Council.
- 3.2. During the period to 30 September 2023, the Council complied with its legislative and regulatory requirements, including confirmation that the authorised limit was not breached.

4. DETAIL

- 4.1. This can be found in appendix 1.

5. CONSULTATION

- 5.1. Consultation has been undertaken with the Council's Treasury Advisors – Link Group, Link Treasury Services Limited.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1. As the CIPFA Code of Practice for Treasury Management 2021 recommends that Members be updated on treasury management activities at least quarterly, the only option available is to request that Full Council note the recommendations.
- 6.2. The Treasury Management Strategy is a mandatory requirement under the Local Government act 2003.

7. COMMENTS BY THE GROUP HEAD OF FINANCE SUPPORT/SECTION 151 OFFICER

- 7.1. The financial implications arising from Treasury Management are outlined throughout the report.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1. The main risks in treasury management are financial ones. These are identified in the Council's Treasury Management Practices and the main risks in these activities are:

- liquidity;

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- markets or investment;
- inflation;
- credit and counterparty;
- legal and regulatory

8.2. The consequences of ignoring these are the implementing of poor practices, diminished interest returns, loss of capital invested and poor liquidity (funds available when required). The Council's strategies mitigate these risks.

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

9.1. Under Section 151 of the Local Government Act 1972, the Section 151 Officer has statutory duties in relation to the financial administration and stewardship of the authority including securing effective arrangements for treasury management. There are no specific legal implications arising from this report.

10. HUMAN RESOURCES IMPACT

10.1. None direct

11. HEALTH & SAFETY IMPACT

11.1. None direct

12. PROPERTY & ESTATES IMPACT

12.1. None direct

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1. None

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1. To support the Council's 2030 carbon neutral target there should be consideration to transitioning current (and future) investments into more sustainable investment options. Currently this makes up 2.32% of the Council's total emissions, resulting in roughly 628.96 tCO₂e being produced as per the carbon emissions audit 2021-2022.

14.2. Current Investments with CCLA (diversified fund and property fund and Standard Chartered (Sustainable deposits) have positive ESG factors.

14.3. Further options will be explored and considered in due course.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1. None

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16. HUMAN RIGHTS IMPACT

16.1. None

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1. None

CONTACT OFFICER:

Name: Sian Southerton

Job Title: Senior Accountant (Treasury)

Contact Number: 01903 737861

BACKGROUND DOCUMENTS:

- Strategy Statement and Annual Investment Strategy 2023/24

Arun District Council

Appendix 1

Arun District Council Treasury Management Mid-Year Report (Q2) 2023/24

1. Introduction

1.1. Treasury management is defined as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

1.2. This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy’s (CIPFA) Code of Practice on Treasury Management (revised 2021) and covers the first 6 months of the year to 30 September 2023.

1.3. The Council has also implemented the Department of Levelling Up, Housing and Communities (DLUHC) investment guidance in producing these regular reports.

1.4. The investment activity to date conforms to the approved strategy and the Council has had no liquidity difficulties. This report focuses on the 2023/24 financial period ending 30 September 2023 and is based on the data available at the time of writing.

2. Amendments to 2023/24 Treasury Management Strategy Statement

2.1. The Treasury Management Strategy Statement, (TMSS), for 2023/24 was approved by this Council on 15 March 2023. The Annual Investment strategy (part of the 2023-24 TMSS), defines the Investment policy, creditworthiness policy and Country and sector limits.

2.2. The Council’s investment policy has regard to the DLUHC Guidance on Local Government Investments (“the Guidance”) and the revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes (“the CIPFA TM Code”).

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2.3. The Council's TMSS has one further proposed change, and that is to introduce one new Money Market Fund (MMF) to the current lending list – State Street Global Advisors. This MMF is highly rated (AAA) and is achieving a return of around 5.20%. (This is recommendation 2.4 above).

2.4. The Fund seeks to promote the following environmental and social characteristics:

- investment of the Fund's net assets in sustainable investments using an ESG scoring system and a third party ESG rating and

- avoidance of investments in areas which are deemed to be in violation of UN Global Compact Principles or involved in controversial weapons, thermal coal, arctic drilling, oil, and tar sands, and other ESG controversies.

3. Strategy and Investment review

3.1. The Treasury Management Strategy Statement (TMSS) in accordance with the CIPFA Treasury Management Code of Practice, sets out the Council's investment priorities as being (SLY):

- Security of capital
- Liquidity
- Yield

3.2. The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity, aligned with the Council's risk appetite. In the current economic climate, over and above keeping investments short-term to cover cash flow needs, there is a benefit to seek out value available in periods up to 2 years with high credit rated financial institutions to achieve the best yield possible but with SLY at the forefront.

3.3. The table below shows the £50m investment portfolio and percentage in each sector.

INVESTMENT PORTFOLIO	31.3.23 Actual £000	31.3.23 Actual %	30.9.23 Actual £000	30.9.23 Actual %
Treasury investments				
Banks	32,740	75%	30,253	60%
Building Societies - rated	0	0%	0	0%
Building Societies - unrated	2,000	4%	1,000	2%
Local authorities	0	0%	0	0%

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Money Market Funds	2,190	5%	12,010	24%
Total managed in house	36,930	84%	43,263	86%
Property funds	5,000	11%	5,000	10%
Diversified funds	2,000	5%	2,000	4%
TOTAL TREASURY INVESTMENTS	43,930	100%	50,263	100%

3.4. A full list of investments held as at 30 September 2023 are shown in the table below:

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Reference no.	Counterparty	Issue Date	Maturity Date	Principal	Current Interest Rate
875	Goldman Sachs International	14/06/2023	16/10/2023	£1,000,000.00	4.500
869	Close Brothers Limited	04/05/2023	06/11/2023	£1,000,000.00	4.450
870	DBS Bank Ltd	15/05/2023	15/11/2023	£1,000,000.00	4.530
858	NatWest Bank	23/11/2022	23/11/2023	£1,000,000.00	4.645
860	Development Bank of Singapore (DBS)	15/12/2022	15/12/2023	£1,000,000.00	5.000
861	Development Bank of Singapore (DBS)	22/12/2022	22/12/2023	£1,000,000.00	5.020
863	Standard Chartered Bank - Sustainable Deposits	05/01/2023	05/01/2024	£1,000,000.00	4.650
867	Goldman Sachs International	27/04/2023	26/01/2024	£1,000,000.00	4.900
879	Development Bank of Singapore (DBS)	12/07/2023	05/02/2024	£1,000,000.00	6.010
880	Development Bank of Singapore (DBS)	07/08/2023	07/02/2024	£1,000,000.00	5.750
881	Close Brothers Limited	10/08/2023	12/02/2024	£1,000,000.00	5.800
883	National Westminster Bank PLC	07/09/2023	12/02/2024	£1,000,000.00	5.690
874	National Westminster Bank PLC (RFB)	14/06/2023	14/02/2024	£1,000,000.00	4.970
886	Goldman Sachs International	28/09/2023	28/02/2024	£1,000,000.00	5.560
887	Standard Chartered Bank - Sustainable Deposits	28/09/2023	28/02/2024	£2,000,000.00	5.440
882	Goldman Sachs International	01/09/2023	05/03/2024	£1,000,000.00	5.850
885	Standard Chartered Bank - Sustainable Deposits	27/09/2023	05/03/2024	£1,000,000.00	5.450
871	Goldman Sachs International	15/05/2023	05/03/2024	£2,000,000.00	5.030
877	Standard Chartered Bank - Sustainable Deposits	10/07/2023	06/03/2024	£1,000,000.00	6.150
873	Goldman Sachs International	07/06/2023	07/03/2024	£1,000,000.00	5.200
878	Standard Chartered Bank - Sustainable Deposits	10/07/2023	05/04/2024	£1,000,000.00	6.260
884	Goldman Sachs International	15/09/2023	05/04/2024	£1,000,000.00	5.780
866	Close Brothers Limited	14/04/2023	17/04/2024	£4,000,000.00	5.300
872	Close Brothers Limited	19/05/2023	17/05/2024	£1,000,000.00	5.540
876	Nationwide Building Society	15/06/2023	14/06/2024	£1,000,000.00	5.120
865	Goldman Sachs International	05/01/2023	06/01/2025	£1,000,000.00	5.310
44447	Lloyds Bank			£253,000.00	5.140
100500	CCLA (Churches, Charities and LA's)			£10,000.00	5.1842
110000	Federated Investors LLP			£4,000,000.00	5.3450
99999	Fidelity Fund Management Ltd			£4,000,000.00	5.2609
120000	Aberdeen Standard			£4,000,000.00	5.2821
140000	CCLA (Churches, Charities and LA's)			£5,000,000.00	*4.66
140500	CCLA (Churches, Charities and LA's)			£2,000,000.00	*3.39
				£50,263,000.00	

* rates at 30-9-23

Arun District Council

- 3.5. Investment rates have improved dramatically during the first half of 2023/24 providing the Council with enhanced returns, but no further increases are expected for the second half of the year. Rates are then expected to reduce over the next few years.
- 3.6. Creditworthiness - There have been few changes to credit ratings over the quarter under review. However, officers continue to closely monitor these, and other measures of creditworthiness to ensure that only appropriate counterparties are considered for investment purposes.
- 3.7. Investment counterparty criteria - The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function but as in 2.3 and 2.4 above, a further MMF is recommended to be added for diversification and further ESG considerations.
- 3.8. Investment balances - The average level of funds available for investment purposes during the first half of the financial year was £46m. The level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the capital programme.

3.9. Investment performance for quarter ended 30 September 2023

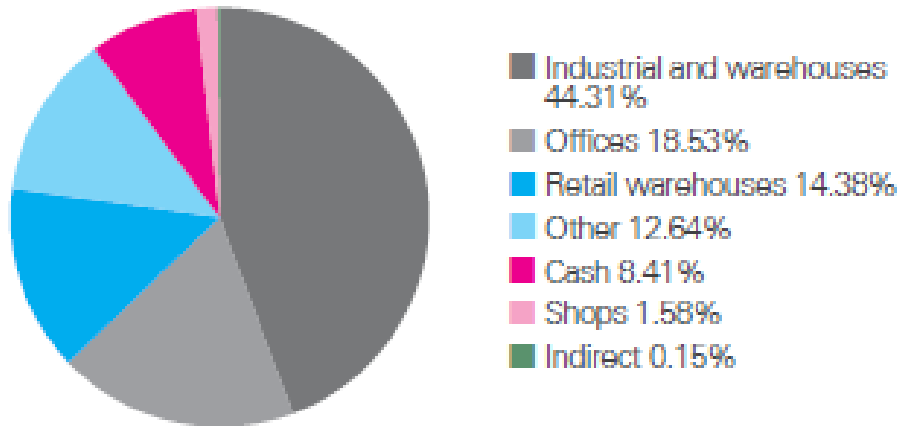
Benchmark	Benchmark Return	Budgeted Return	Council Performance	Investment Interest Earned
Average O/N Sonia	4.73%	3.20%	4.65%	£1,068,000

- 3.10. As illustrated, the authority is outperforming the budgeted interest return and is close to the benchmark rate. The Council's budgeted investment return for 2023/24 is £1,540,000 and performance for the year to date is above budget based on a straight line profile.
- 3.11. The estimated outturn for 2023/2024 is over £2m (4.8%) showing an over achievement of over £460k. This enhanced return is largely due to the improved rates applied to investments.
- 3.12. Currently £5M is invested in the CCLA (Churches, Charities and Local Authorities) property fund achieving an average rate of return of approx. 4.43% (rate at September was 4.66%), and £2m is invested in the CCLA diversified fund with an average rate of return of approx. 3.58% (rate at September was 3.39%).
- 3.13. The property fund continues to increase the returns the Council is achieving on its investments, however the Capital value is down 5.9% (at 30 September 2023). This is a long term investment and values will rise and fall over the years. See also paragraph 3.16 & 3.17.

Arun District Council

3.14. Asset allocation chart

Asset allocation at 30 September 23



3.15. Within the CCLA property fund portfolio (above), it is expected to maintain the existing bias towards Industrial Assets. The Funds remains well positioned and has had no exposure to shopping centres for many years and very little exposure to traditional retail. The fund has returned good performance against a challenging economic backdrop.

3.16. The Council had the following valuations at 30 September 2023:

- CCLA property fund - £4,704,947 (£5m invested)
- CCLA diversified fund - £1,863,538 (£2m invested)

This would have had an adverse impact of £431.5k on the Council's revenue budget if IFRS 9 was not in place.

3.17. IFRS 9 - following the consultation undertaken by the Department of Levelling Up, Housing and Communities [DLUHC], the Government has extended the mandatory statutory override for local authorities to reverse out all unrealised fair value movements resulting from pooled investment funds to 31st March 2025. Local authorities are required to disclose the net impact of the unrealised fair value movements in a separate unusable reserve throughout the duration of the override in order for the Government to keep the override under review and to maintain a form of transparency.

3.18. Approved lending limits - Officers can confirm that the approved limits within the Annual Investment Strategy were not breached during the quarter ended 30 September 2023.

Arun District Council

4. Borrowing

- 4.1. No new borrowing was undertaken during the first half of the year to 30 September 2023.
- 4.2. The CFR (Capital Financing Requirement) denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions.
- 4.3. The Council has no immediate plans to borrow externally for capital expenditure in the current financial year, although funding will need to be arranged for schemes recently approved, and we will look to borrowing internally for these in the first instance.
- 4.4. Currently Arun's only external borrowing relates to the HRA Self-Financing settlement (£35.46m), also summarised in the table below:

<u>Lender</u>	<u>Principal</u>	<u>Type</u>	<u>Interest Rate</u>	<u>Maturity</u>
PWLB	£8.870m		3.21%	28/3/2030
PWLB	£8.870m	Maturity	3.40%	28/3/2035
PWLB	£8.860m	Maturity	3.53%	28/3/2050
PWLB	£8.860m	Maturity	3.48%	28/3/2062
	£35.46m			

- 4.5. Officers will continue to keep borrowing policy under review and use internal balances where possible to minimise borrowing costs.

5. Treasury and Prudential Indicators

- 5.1. As required by the 2021 CIPFA Treasury Management Code, the Council monitors and measures the following Treasury Management Prudential Indicators.
- 5.2. The borrowing activity is controlled by prudential indicators for net borrowing, the Capital Financing Requirement (CFR), and by the authorised limit which is summarised in the table below and in 5.6.

Arun District Council

Prudential Indicators	31 March 2023 Actual £000	2023/24 Original Estimate £000	September 2023 Position £000
Capital Expenditure:			
Non - HRA	7,411	5,944	13,870
HRA	6,436	8,998	13,880
TOTAL	13,847	14,941	27,751
Capital Financing Requirement (CFR):			
Total opening CFR	48,089	49,810	52,858
Closing CFR			
Non - HRA	(19)	(314)	605
HRA	52,876	55,666	59,941
TOTAL	52,858	55,352	60,545
Annual change in CFR:			
Non – HRA	4,423	3,457	7,064
HRA	345	2,085	624
TOTAL	4,768	5,543	7,688
Ratio of financing costs to net revenue stream:			
Non - HRA	(5.45)%	(6.51)%	(8.88)%
HRA	16.60%	18.19%	19.06%
Unfinanced capital expenditure	2,088	7,083	10,780

5.3. The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need: or
- If insufficient financing is available, or a decision is taken not to apply internal resources, the capital expenditure will give rise to a borrowing need

Arun District Council

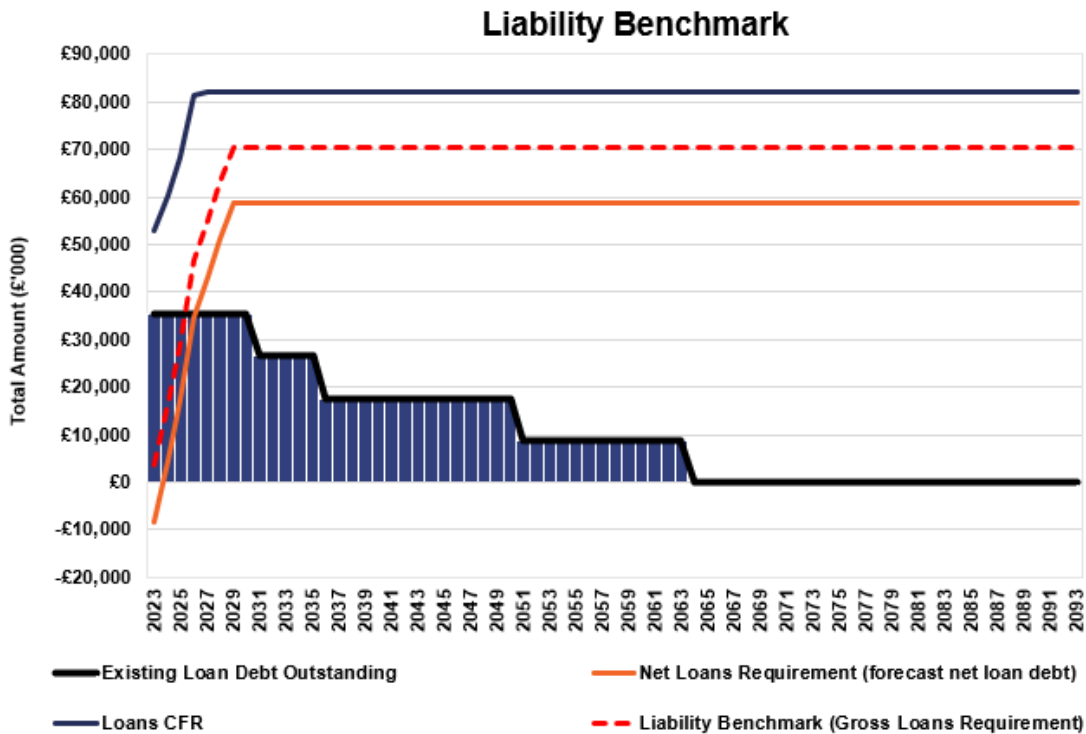
- 5.4. In the table in 5.2, all “unfinanced capital expenditure” results in a financing or borrowing need which will come from either internal or external borrowing.
- 5.5. The ratio of Net Financing Costs (NFC) to the Net Revenue Stream measures the amount of the Council’s income that is needed to fund non-HRA financing costs. The Council currently has no General Fund loan debt but it does receive a healthy investment income return as outlined in paragraphs 3.9 to 3.12 above. Therefore, this ratio is estimated to be -8.88% by the end of the financial year which is a change of -2.37% as a result of the increase in interest rates.
- 5.6. The treasury Indicators are shown in the tables below:

Treasury indicators	31 March 2023 Actual £000	2023/24 Original £000	September 2023 Position £000
Authorised Limit for External Debt:			
Borrowing	53,000	59,000	56,000
Other long term liabilities	5,000	4,000	7,000
TOTAL	58,000	63,000	63,000
Operational Boundary for External Debt:			
Borrowing	49,000	55,000	52,000
Other long term liabilities	1,000	4,000	7,000
TOTAL	50,000	59,000	59,000
Gross External Debt (Actual)			
Non – HRA	0	0	0
HRA	35,460	35,460	35,460
TOTAL	35,460	35,460	35,460
Remaining Authorised Limit for External debt:	22,540	27,540	27,540
Total Investments	43,930	44,000	50,263
Net borrowing (Net debt)	8,470	8,540	14,803

Maturity structure of fixed rate borrowing – upper & lower limits:	Actual at 30 September 23	lower limit	upper limit
Under 12 months	0%	0%	40%
12 months and within 24 months	0%	0%	40%
24 months and within 5 years	0%	0%	50%
5 years and within 10 years	25%	0%	60%
10 years and above	75%	0%	100%

Arun District Council

5.7. The Liability Benchmark compares the Council's actual existing borrowing against a Liability Benchmark that has been calculated to show the lowest risk level of borrowing. The Liability Benchmark is good because it's lower than the CFR line.



5.8. It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the quarter ended 30 September 2023, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2023/24. The Group Head of Finance reports that no difficulties are envisaged for the current or future years in complying with these indicators.

5.9. All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.

6. Economic update – Link Group

6.1. The first half of 2023/24 saw:

Arun District Council

- Interest rates rise by a further 100bps, taking Bank Rate from 4.25% to 5.25% and, possibly, the peak in the tightening cycle.
- Short, medium and long-dated gilts remain elevated as inflation continually surprised to the upside.
- A 0.5% m/m decline in real GDP in July, mainly due to more strikes.
- CPI inflation falling from 8.7% in April to 6.7% in August, its lowest rate since February 2022, but still the highest in the G7.
- Core CPI inflation declining to 6.2% in August from 7.1% in April and May, a then 31 years high.
- A cooling in labour market conditions, but no evidence yet that it has led to an easing in wage growth (as the 3myy growth of average earnings rose to 7.8% in August, excluding bonuses).

6.2. Link Group’s latest forecast, produced on 25th September (below), sets out a view that short, medium, and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy.

6.3. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View 25.09.23													
	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26
BANK RATE	5.25	5.25	5.25	5.00	4.50	4.00	3.50	3.00	2.75	2.75	2.75	2.75	2.75
3 month ave earnings	5.30	5.30	5.30	5.00	4.50	4.00	3.50	3.00	2.80	2.80	2.80	2.80	2.80
6 month ave earnings	5.60	5.50	5.40	5.10	4.60	4.10	3.60	3.10	2.90	2.90	2.90	2.90	2.90
12 month ave earnings	5.80	5.70	5.50	5.20	4.70	4.20	3.70	3.20	3.00	3.00	3.00	3.00	3.00
5 yr PWLB	5.10	5.00	4.90	4.70	4.40	4.20	4.00	3.90	3.70	3.70	3.60	3.60	3.50
10 yr PWLB	5.00	4.90	4.80	4.60	4.40	4.20	4.00	3.80	3.70	3.60	3.60	3.50	3.50
25 yr PWLB	5.40	5.20	5.10	4.90	4.70	4.40	4.30	4.10	4.00	3.90	3.80	3.80	3.80
50 yr PWLB	5.20	5.00	4.90	4.70	4.50	4.20	4.10	3.90	3.80	3.70	3.60	3.60	3.60

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Public Document Pack Agenda Item 16

Subject to approval at the next Policy and Finance Committee meeting

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POLICY AND FINANCE COMMITTEE

6 December 2023 at 6.00 pm

Present: Councillors Stanley (Chair), Nash (Vice-Chair), Birch, Brooks, Cooper, Greenway, Gunner, Pendleton and Walsh (Substituting for Councillor Oppler).

Councillor Bicknell was also in attendance at the meeting.

448. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Oppler.

449. DECLARATIONS OF INTEREST

The following Declarations of Personal Interests were made in relation to:

- Agenda Item 7 [The Regeneration of The Regis Centre] - Councillor Nash, as a Member of Bognor Regis Town Council and as a volunteer for Arun Arts; and
- Agenda Item 7 [The Regeneration of the Regis Centre] - Councillor Brooks as a volunteer member of Arun Arts and a Member of Bognor Regis Town Council.
- Agenda Item 6 [Littlehampton Seafront Project – Update] - Councillor Walsh as a Member of Littlehampton Town Council.

450. MINUTES

The minutes from the meeting of the Committee held on 26 October 2023 were approved as a correct record and were signed by the Chair at the conclusion of the meeting.

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

The Chair confirmed that there were no urgent items for the Committee to consider.

452. PUBLIC QUESTION TIME

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

453. LITTLEHAMPTON SEAFRONT PROJECT - UPDATE REPORT

The Principal Landscape and Project Officer presented a project update report to Members providing a couple of additional information points following the last update provided on 26 October 2023.

Firstly, the planning application was due to be determined by the Planning Committee on 14 December 2023. It was explained that during the period since application submission, the contractor had undertaken a detailed review of costs which had previously been reported to this Committee as being challenging. The Stage 3 cost plan had been checked by the Council's consultants for anomalies in quantities, rates or scope with this exercise now being concluded. This had revealed that there was a need to undertake a process of value engineering savings to find approximately £560k. The project team were looking collectively at all elements of the scheme to see how this could be achieved. It was not intended to make significant changes to the project but instead to consider alternative specification and design details. Any adjustments would be looked at very carefully to assess any impacts on planning and day to day operations as well as future maintenance. Once the amendments had been resolved, the team would be able to move forward with Stage 4 of the design and firm up the logistics and communications associated with the construction phase.

The Chair then invited questions from Members. Various questions were asked firstly regarding the placing of the solar panels in terms of which buildings would these be placed; would this be the new changing places toilets or on the existing concessionaire buildings? It was confirmed that the PV panels would be located on the foreshore building as the toilet roof was not appropriate.

The project was again applauded as being a great asset for Littlehampton as it would provide improved facilities making Littlehampton a great attraction for visitors and residents of Arun. Concern was expressed over the length of time the project was taking, although it was accepted that a project of this size would be working to a very prescribed timeline. Reassurance was sought that the remaining phases of the project would remain on schedule and that no additional capital funding would be required. The Principal Landscape and Project Officer provided reassurance that the project was moving forward at the expected pace and that there was no need to seek additional capital contributions. There was allowance within the budget to cover inflationary increases.

The final question asked related to the Stage by the Sea and whether this would have power or lighting. It was confirmed that pop-up power for events and within the market place would be provided.

The Committee then noted the contents of the report.

454. THE REGENERATION OF THE REGIS CENTRE

The Chair welcomed the Interim Regeneration Officer who was attending the meeting virtually so that an update on the regeneration of the Regis Centre, Bognor Regis could be provided to the Committee.

The Interim Regeneration Officer outlined some key points since his last update provided to the Committee on 26 October 2023. These have been summarised below:

- Arun Arts had vacated the premises allowing the intrusive surveys required inside and outside of the building to take place as part of the stage 4 design to be undertaken.
- The project was being retendered on a different procurement framework and four expressions of interest had been received. Tenders would be sent out on 11 December 2023 with submissions expected early in the New Year with an appointment planned for the end of January 2024.
- Design stage 4 was progressing using the existing design team.
- In terms of the Planning Application and the delegated authority provided to the Planning Officer, that Officer was still working through the drainage issues that need to be resolved before consent could be granted. Members were reassured that steady progress was being made.

The Chair thanked the Interim Regeneration Officer for his detailed update and invited questions from Members. Questions and points raised by the Committee focused on:

- When would construction work start? It was explained that given the timescale of the build and project, this would be well into 2025/26 before the scheme would be completed. The intrusive surveys were taking place now which could not commence until Arun Arts had vacated the premises, this had caused a delay. The demolition works had been delayed due to the need to retender for a new contractor and subject to getting the planning issues resolved.
- The relocation of Arun Arts. They were hoping to use the space they were occupying for money making studio activities, but this was not possible due to a lack of access to public conveniences. It was confirmed that there were toilet facilities at the Town Hall that could be used by Arun Arts customers but only when the Town Hall was open. Talks were taking place with the Town Hall to see if the toilet facilities could be made available at other times.
- It was unfortunate that the Brewers Fayre space was not being used for public use. The contractors moving into this space, how much space would they be using and would they be paying rent. It was explained that a written response had been provided to the Councillor asking this question.
- Concern was expressed over the intrusive survey work taking place on the Place St Maur, although necessary, it was hoped that the site would not be damaged and would be returned in a pre-survey condition.

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- Any project delay often resulted in increased costs. Were there any concerns that needed to be shared with the Committee? Could the email response provided to the Councillor please be shared with the Committee? It was confirmed that this would be circulated. There were no budget concerns as there were signed in contingencies to cover most issues.
- Had there been any further opportunity to look at the design and the choice of materials that would be used? It was explained that this was not a matter for this Committee as there were reserved matters covering materials which would be sorted out with the Planners.
- Were there any further updates to be given on solar panels? It was confirmed that solar panels would be used, and that the Council had received £50k of funding for this.

Following some further discussion, the Committee noted the verbal update provided.

455. BUDGET MONITORING REPORT TO 30 SEPTEMBER 2023

The Group Head of Finance and Section 151 Officer presented to Members the Budget Monitoring Report to 30 September 2023.

The report set out the General Fund Revenue Budget, Capital Programme and Housing Revenue Account (HRA) forecast outturn performance against budget as at the end of quarter 2. The Group Head of Finance and Section 151 Officer confirmed a revenue budget underspend of £136k and explained that this was an adverse change of approximately £500k from the previous quarter's forecast. The forecast reported a nil variance against the transformation budget. The forecast variance explanations had been set out within the report. Mention was made of the £452k overspend against budget for the Planning Policy Committee because of a downturn in planning fee income. The Government had recently confirmed that planning application fee increases would be applied from 6 December 2023, which could have a positive impact on fee income for the remainder of 2023/24, though it was too early to confirm what the full impact might be. Homelessness continued to be a national issue and the Quarter 2 forecast overspend had increased by £300k due to expenditure on providing temporary accommodation. Work was progressing with Housing in terms of whether the recent announcements made in the Autumn Statement would have any material impact on the Council's position regarding homelessness expenditure. There were smaller overspends across the revenue budget arising from staff vacancies and small amounts of income from beach hut income.

Looking at capital monitoring, this showed an underspend of £6.5m (23%) below the revised budget of £28.5m for the year. This was due to slippage on current schemes into the future financial year, the detail of which had been provided in Table 4 of the report. As reported to the Committee on 26 October 2023, the following schemes had been approved since Quarter 1 and added to the capital programme:

- Littlehampton Harbour west wall works - £0.75 million
- Warwick Nurseries and Boweries housing purchase scheme - £3.78 million
- Bognor Regis Arcade project - £7.991 million
- Waterloo Square scheme - £1 million

Turning to the Housing Revenue Account (HRA), the forecast showed a reserve balance of £902k by 31 March 2024, which was £281k below the budgeted position of £1.183m. Appendix B included the full report that had been taken to the meeting of the Housing & Wellbeing Committee held on 23 November 2023 setting out the reasons for this and the actions being taken to improve the position.

The Group Head of Finance and Section 151 Officer outlined that the £2m reserve figure, which had been set by the Council as its own target might need to be revisited and brought down to a more realistic figure. Of critical importance was to ensure that this account would not go overdrawn. Currently, it was a tough and challenging situation, and this had been very clearly outlined to Members at the meeting of the Housing & Wellbeing Committee. However, there was a plan, and this had been highlighted in Appendix B, outlining the measures that were being taken to ensure that the Council would remain within the financial parameters. The situation continued to be monitored very closely. A main contributing factor had been the additional cost of agency staff to cover vacancies, but this was now starting to reduce. There had also been issues with procurement which were being dealt with as part of the whole package of assessing and reacting to the repairs and maintenance issues within the HRA. An update on the HRA Budget for 2024/25 would be presented to Members in early 2024.

In finalising his presentation, the Group Head of Finance and Section 151 Officer confirmed that regarding the Revenue Budget, this was on broadly on target at the halfway point. When budget issues had been identified, Officers had reacted quickly to mitigate the problems. Turning to the Autumn Statement, it had not revealed any positive indications of additional funding to be announced as part of the Local Government Finance Settlement which was due later this month.

The Chair then invited questions from Members. The first question related to the Littlehampton Harbour west wall works and reference was made to correspondence that had been sent by the Joint Interim Chief Executive to the Chief Executive of the Littlehampton Harbour Board earlier on in the day but not provided to Council Members sitting on the Harbour Board. The letter set out the Council's concerns over financial matters. A request was made that the letter to the Harbour Board outlining the concerns be provided to Members. The Joint Interim Chief Executive and Director of Environment and Communities confirmed that an explanatory email had been sent to Arun Councillors in their capacity as nominated representatives of the Littlehampton Harbour Board but that this was not an appropriate item to raise at this meeting.

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Other questions asked related to Homelessness, and how this would be budgeted as costs continued to increase. Reassurance was provided that the issue was being addressed in detail as part of 2024/25 revenue budget setting process. Discussions were taking place with the new Group Head of Housing who had now commenced his employment.

Concern was expressed over the continuing problems being experienced in recruiting permanent staff and what was being done to tackle this long-term problem and to attract people and encourage them to work in local government. The Group Head of Finance and Section 151 Officer responded confirming that staffing costs and positions were being scrutinised very closely by the Corporate Management Team to discuss which posts the Council could recruit to. This was a national problem and many organisations now relied upon agency workers as many people now preferred to work as interims. The council was also undertaking a lot of apprenticeship work to broaden skills which was being successful in certain areas of the council such as Planning where there had been long term staff shortages. The transformation work and excellence programme was looking at how Arun could become the type of organisation that people would want to join undertaking work on culture and staff engagement. There were specific activities that were being promoted and recruitment was one of these.

A question was asked that looked back to the Special Council meeting held in March 2023, where it had been proposed to not increase council tax. The Group Head of Finance and Section 151 Officer was asked what position this would have put the Council in and what were Officers doing to prevent this suggestion coming forward again. The Group Head of Finance and Section 151 Officer repeated the advice he had provided at that time which was that he strongly advised against freezing council tax because there would almost certainly be no opportunity to replace that funding and the financial impact would increase year on year. He also stated that he would be giving the same advice again as part of the 2024/25 budget setting process.

The Committee then noted the content of the report.

(During the course of the discussion on this item, Councillor Walsh declared a Personal Interest as a Member of the Littlehampton Harbour Board).

456. COUNCIL VISION WORKING PARTY - 19 SEPTEMBER, 23 OCTOBER AND 13 NOVEMBER 2023]

The Chair confirmed that the Committee had received recommendations from the Council Vision Working Party following its meetings held on 19 September, 23 October and 13 November 2023.

The Chair invited the Chair of the Working Party, Councillor Tandy, to present the minutes and recommendations.

Councillor Tandy reminded Members that in 2022 the Council agreed its four year Vision 2022 to 2028 and a set of measures that would be used to judge progress against its aims and objectives.

In July 2023, the Policy & Finance Committee had been presented with the Annual report on the Vision measures for 2022-2023 alongside a proposal that a Vision Working Party be established to review these measures. Since its establishment, the Working Party had met on 19 September, 23 October and 13 November 2023. At its first meeting held on 19 September 2023, the Working Party reviewed the wording of the Vision Aims and Objectives and confirmed that it was happy with the four vision themes, and it discussed the aims and objectives attached to each theme.

At its second meeting held on 23 October 2023, the Working Party agreed revised wording for the aims and objectives set out in the original Vision document. At the meeting held on 13 November detailed discussion took place on the performance measures of progress and outcomes for the Vision that Members wishes to see in the final version for 2024/25. It was explained that some of the previous Vision measures were recommended by the Working Party to be removed from the Vision document as it was felt that they were detailed or very technical and so it was appropriate that they be reported to the relevant Service Committee on an annual basis. Where this had been recommended it had been clearly identified in the Vision document attached to the minutes using tracked changes.

As a result of the three meetings, all the proposed changes had been incorporated into a revised Vision document using tracked changes. Councillor Tandy confirmed that the Leader of the Council had suggested that the picture of most Councillors taken after the May Election be used in the final version of the Vision.

Councillor Tandy drew Members' attention to the recommendations that the Committee was required to consider. These are set out below:

From the meeting held on 23 October 2023:

That the revised Council Vision document, to include the changed outlined in the minutes, be approved and recommended onto Full Council for approval.

From the meeting held on 13 November 2023:

- (1) The revised Vision Outcomes as amended by the Working Party be agreed;
- (2) The performance measures as set out in the revised Vision Outcomes be used to measure progress against the Vision aims and objectives for 2024/2025 and 2025/2026; and
- (3) Should minor changes be needed to be made to these measures, then the Group Head of Organisational Excellence be given delegated authority in consultation with the Chair of the Policy & Finance Committee to make such changes.

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Councillor Tandy confirmed that he wished to slightly amend the recommendations (1) and (2) into a combined recommendation. He also confirmed that the third recommendation could be resolved by the Committee and did not need to be forwarded onto Full Council for approval. The revised recommendation is set out below:

The revised vision document, as attached, including the Vision themes, overall aims and objectives, and measures of outcomes and progress for 2024-2025 and 2025-2026 be agreed.

Finally, Councillor Tandy confirmed that this amendment meant that the recommendation from the Working Party meeting held on 23 October 2023 had been superseded as it had been included in the amendment.

Councillor Nash then proposed the recommendation which was seconded by Councillor Walsh.

The Chair then invited debate. Concern was expressed that given all the recent flooding and sewage issues being experienced throughout the district, that no measure to address this had been added to the Vision. EN12 had been added confirming that the Flood Forum approved by Full Council be established and that a report be brought back to Full Council with recommendations on future action, but action was needed urgently and was felt to be of such a significant problem that a separate measure to address this warranted being added to the Vision document with the measure being how the Council could pressure Southern Water and the Environment Agency to respond to the concerns by upgrading sewage systems in areas of large development.

Councillor Walsh confirmed that he was mindful to request that an amendment be made to the Vision document to include this concern as an Outcome under Supporting our Environment to Support us. The Outcome to be added was "To require Southern Water upgrade their sewage systems especially in areas with large new dwellings to enable the increase in sewage volume to be fully accommodated". This needed to be a strategic aim for this Council.

The Chair outlined that once the Flood Forum had met and as soon as there were recommendations approved by Council, those recommendations would be incorporated into the Vision document under EN12. There was concern that adding an additional outcome at this stage could impact or override some of the work that might happen as part of the Flood Forum.

Following detailed debate, concern was expressed by the Joint Interim Chief Executive and Director of Growth and the Group Head of Organisational Excellence over the use of the word 'require' in the amendment. Although the sentiment of the amendment was supported, the challenge was that the Council could only work within the legislative framework that existed. This meant that the Council could not ensure that Southern Water would upgrade their sewage systems but that it did have the ability to influence as the council was not Southern Water's regulatory body.

In response, Councillor Walsh confirmed that he wished to formally propose his amendment and that he would be happy to change the wording of his amendment from require to lobby. The amendment was “To lobby or require Southern Water to upgrade their sewerage systems especially in areas of large volume new dwellings to enable the increased sewage volume to be fully accommodated”. The important factor was that action was needed now and not in the months ahead that might be needed in setting up the Forum.

Councillor Brooks seconded the amendment.

There was some concern expressed over the amendment as sewage and surface water were now confirmed by Southern Water to be separate entities. Although the amendment was well intentioned, the question was asked as to why it was necessary as it was felt that the Council did not need to add a statement to its Vision about the need to lobby Southern Water, this could be actioned without the need for this amendment.

An update was then requested in terms of how the Flood Forum was progressing and what the timelines for its first meeting were. The Joint Interim Chief Executive and Director of Environment and Communities confirmed that the first meeting of the Forum was being planned for January 2024. Listening to the concerns of Councillors, the suggestion was made that at this first meeting, Southern Water be invited to attend to address the issues of concern with this being the first item on the agenda.

Following further debate, a recorded vote was requested.

Those voting for the amendment were Councillors Birch, Brooks, Cooper, Greenway, Gunner, Nash, Pendleton, Stanley and Walsh.

The Committee therefore unanimously agreed the amendment.

Debate on the remaining elements of the Vision document continued. Councillor Gunner wished to have it recorded that he had not agreed to his photograph being removed from the covering pages of the Vision document. Other questions asked related to:

- EN4 [% of Council homes that are SAP C rating and above] should this outcome sit under delivering the right homes to the right places rather than supporting our environment to support us? The Group Head of Organisational Excellence explained that as this was a measure covering sustainability, this was why it had been placed under environment as the emphasis was on environmental impact.
- On supporting our environment to support us – how will we achieve this (5) – there was disappointment expressed over the fact that the percentage targets for waste and recycling had been watered down. How would these be achieved? It was explained that this was the only statement that had identified a target. No targets were being watered down; it was about having consistent statements within the document.

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- EN11 [Number of new metres of new cycleway] why was this being removed as it was felt that this would provide the Council with the opportunity to work with West Sussex County Council to see if there was scope to produce more cycle ways. It was explained that the Working Party had wanted the Vision document to focus on issues that the Council had direct control over, and cycleways was a responsibility of WSCC.

The Committee then

RECOMMEND TO FULL COUNCIL

That the revised Vision document, as attached, including the Vision themes, overall aims and objectives, and measures of outcomes and progress for 2024-25 and 2025-2026 be agreed, with the addition of a new outcome under Supporting our Environment to support us as set out below:

To lobby or require Southern Water to upgrade their sewerage systems especially in areas of large volume new dwellings to enable the increased sewage volume to be fully accommodated". The important factor was that action was needed now and not in the months ahead that might be needed in setting up the Forum.

The Committee also

RESOLVED

That should there be minor changes be needed to be made to these measures, then the Group Head of Organisational Excellence be given delegated authority in consultation with the Chair of the Policy & Finance Committee to make such changes.

(During the course of the discussion on this item, Councillor Walsh declared a Personal Interest as a Member of the Littlehampton Harbour Board and Councillor Greenway declared a Personal Interest as a Member of West Sussex County Council).

457. ENVIRONMENT COMMITTEE - 21 NOVEMBER 2023

The Chair confirmed that the Committee had received a recommendation to consider following the meeting of the Environment Committee held on 21 November 2023. The minutes from the meeting of the Environment Committee held on 21 November 2023 along with the Officer's report had been emailed to Councillors on 5 December 2023 and uploaded to the Policy & Finance Committee's web pages as a supplement.

This recommendation was at minute 382 [Additional Houses in Multiple Occupation Licensing Scheme] and it recommended to the Policy & Finance Committee that the resources as set out in paragraph 4.29 of the report be agreed in order to implement the additional HMO licensing scheme within the three wards of River, Marine and Hotham.

The recommendation was then formally proposed by Councillor Walsh and seconded by Councillor Nash.

The Chair then invited debate where concern was expressed over staff resources required and how confident the Council was that it would be able to recruit into these posts. It was outlined that this had not been an area where the Council had experienced recruitment before and so it was not expected to be a challenge to recruit.

The Committee

RESOLVED

That the resources as set out in paragraph 4.29 of the report be agreed in order to implement the additional HMO licensing scheme within the three wards of River, Marine and Hotham.

458. OUTSIDE BODIES - FEEDBACK FROM MEETINGS

The Chair confirmed that there were no items for this meeting.

A query was raised by Councillor Gunner in relation to why feedback reports for the Greater Brighton Economic Board and the West Sussex Leaders' meeting were not being received and he asked if this could be investigated and confirmed which Service Committee they should report into.

459. WORK PROGRAMME

The Committee received and noted its work programme for the remainder of 2023/24, noting the following additions:

- The work programme has been updated to include the Special Meeting of the Committee taking place on 8 January 2024 which would consider the following items:
 - Savings Strategy – it was noted that this item would have recommendations going to Full Council on 10 January 2024; and
 - Medium Term Financial Prospects 2024/25 to 2028-29.

There was also an item to add to the 8 February 2024 meeting which was Arun Community Asset Fund – Consideration of Bids – Round 1

Subject to approval at the next Policy and Finance Committee meeting

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There was also an item to add to the 7 March 2024 meeting which was the Sundry Debts Write-Off Policy.

(The meeting concluded at 7.49 pm)

Our vision: A better future

2022 - 2026

A wide-angle landscape photograph showing a golden field in the foreground, rolling green hills in the middle ground, and a blue sky with scattered white clouds in the background.

ARUN

Introduction

Text to come...



Improving the wellbeing of Arun

Overall aims



Promote and support a multi-agency response to tackle the causes of health inequality in Arun's areas of greatest deprivation.



Champion leisure, culture and the Arts in Arun and encourage our community to embrace healthy and active lifestyles.



Work with partners to provide advice, support and activities that promote and deliver community wellbeing where it will have the greatest impact.

How will we achieve this?

- 1** Develop and implement a Wellbeing Strategy to plan services, resources, amenities, activities, and places to help our community thrive
- 2** Prepare an annual community engagement plan to promote healthy and active lifestyles and encourage participation in a wide ranged of wellbeing activities
- 3** Work with key partners to ensure that we deliver council wellbeing services that are complementary to their own, rather than duplicate effort
- 4** Support the NHS Clinical Commissioners to provide primary care medical and dental facilities, working through and with our partners to help meet the growing needs of our community.
- 5** Support the voluntary and community sector to provide services that help the most vulnerable in our community
- 6** Provide infrastructure that supports wellbeing, e.g. more opportunities for cycling and walking and easily accessible and safe greenspace
- 7** Support those who are homeless, street homeless or at risk of homelessness in emergency or temporary accommodation to improve health outcomes

Delivering the right homes in the right places

Overall aims



Provide a mixed housing economy within the district for all, regardless of age or circumstances, where different types of homes are available, and people can choose to rent or buy.



Maximise opportunities to improve the energy efficiency of homes in the District.



Support those in our community that need help, providing a safety net where necessary and working with people and organisations to meet different needs.

How will we achieve this?

- 1** Support households with complex needs to secure suitable accommodation
- 2** Maximise the delivery of affordable housing including utilising the council's own resources and commercial expertise to ensure that our social housing is energy efficient
- 3** Improve the energy efficiency of homes across all tenures
- 4** Use our expertise to influence the local housing market, working with the right partners from all sectors, to develop the housing and infrastructure that we need
- 5** Use the planning system to create great new places and improve our existing places, where new homes meet the needs of current and future generations
- 6** Ensure the existing housing stock in the district (private sector and council owned) is maintained to a high standard
- 7** Continue to bring empty homes back into use for the benefit of the community

Supporting our environment to support us

Overall aims



To reduce our adverse impact on the environment, climate change, sustainability and biodiversity in everything the Council is responsible for and encourage the community and local businesses to do the same



Protect and enhance our natural environment.



Regularly review progress toward Arun's Carbon Neutral Strategy (2022-30) as set out in the annual Climate Action and Biodiversity Work Plan.



Make low carbon transport including walking, cycling, travel by public transport and electric vehicle easy, convenient and pleasant and a fundamental part of our placemaking.

How will we achieve this?

- 1** Develop and implement the Carbon Neutral Strategy and Climate Change and Biodiversity Strategies for the council and for the wider district through Planning Policy
- 2** Review the council's estate and seek to maximise the use of renewable or alternative energy generation, including the installation of Electric Vehicle (EV) chargepoints
- 3** Engage and incentivise business to commit to working practices which minimise their impact on the environment
- 4** Support information campaigns that promote carbon reduction and funding opportunities
- 5** Working with our community to reduce waste and increase recycling
- 6** Ensure that climate change and sustainability is at the heart of all council services
- 7** Support the Sussex Bay Project to restore marine, coastal and intertidal habitats to improve the biodiversity and carbon footprints of the district

Fulfilling Arun's economic potential

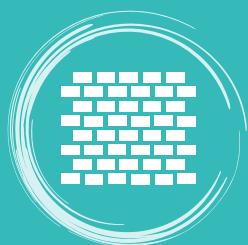
Overall aims



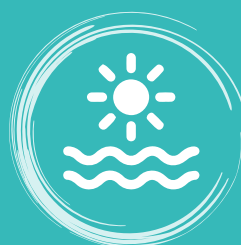
Increase opportunities for more high-quality, well-paid employment, encouraging more people to live, work, study and visit Arun.



Encourage the development of the district as a key tourist destination, supporting and enabling improvements and activities to increase visitor spend.



Use regeneration opportunities to attract new and relocating businesses to the district.



Make best use of our natural assets to help drive the economy.

How will we achieve this?

- 1** Create the conditions that will support high tech businesses, including the creative digital sector and green businesses, reducing the need for the workforce to commute out of the district and supporting changing ways of working
- 2** Use the planning system to set aside sites for larger business growth and support and create employment space for smaller start-ups, using Arun-owned land to stimulate the market
- 3** Encourage an economy that will promote both active leisure activities and cultural opportunities that meet the needs of local people and visitors
- 4** Work with partners to support a district-wide skills audit, to understand what businesses need and what skills we have in the community. Work with local colleges and the University of Chichester to assist them to run courses that will match local skill needs for those at all stages in their working life
- 5** Work closely with our towns and other organisations on strategies which support vibrant and attractive town centres
- 6** Positive and focused promotion of Arun's tourist destinations as more than a 'day trip'
- 7** Support the delivery of more accommodation for visitors to the district
- 8** Lobby Southern Water to upgrade their sewage systems especially in areas of large new dwellings to enable the increase in sewage volume to be fully accommodated

Find out more

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Council Vision 2022 - 2026

Improving the wellbeing of Arun		
Overall Aims		
A	Promote and support a multi-agency response to tackle the causes of health inequality in Arun's areas of greatest deprivation	
B	Champion leisure, culture and the Arts in Arun and encourage our community to embrace healthy and active lifestyles	
C	Work with partners to provide advice, support and activities that promote <u>and deliver</u> community wellbeing where it will have the greatest impact	
How will we achieve this		
1	Develop and Implement a Wellbeing Strategy to plan services, resources, amenities, activities, and places to help our community thrive.	
2	Prepare an annual community engagement plan to promote healthy and active lifestyles and encourage participation in a wide range of wellbeing activities	
3	Work with key partners to ensure that we deliver council wellbeing services that are complementary to their own, rather than duplicate effort	
4	Support the NHS Clinical Commissioners to provide primary care medical and dental facilities <u>working through and with our partners</u> to <u>help</u> meet the growing needs of our community	
5	Support the voluntary and community sector to provide services that help the most vulnerable in our community	
6	Provide infrastructure that supports wellbeing, e.g. more opportunities for cycling and walking and easily accessible and safe greenspace.	
7	Support those who are homeless, street homeless or at risk of homelessness in emergency or temporary accommodation to improve health outcomes	
Measures of outcomes and progress		
Outcome/progress	How to measure	
W1	Wellbeing clients satisfaction rating	REMOVE – only one indicator either 1 or 2
W2	Wellbeing clients reporting that one or more of their lifestyle goals has been achieved (3 months after the conclusion of the intervention)	See above – retain as focuses on outcomes
W3	Upgrade to BR Leisure Centre wetside	COMPLETED
W4	Upgrade to Alexandra theatre <u>Completion of Levelling Up Fund (LUF)</u> <u>Alexandra Theatre project</u>	<u>Key stages and completion reported to Committees</u>
W?	<u>Completion of Levelling up Fund (LUF)</u> <u>Littlehampton Seafront Project</u>	<u>Key stages and completion reported to Committees</u>
W5	Adopt public art strategy	Key 2025/26 milestones
W6	Develop and adopt a Wellbeing Strategy and Action Plan	Key 2024/25 milestones
W7	Agree a statement on the future provision of medical and dental services across the District	REMOVE – Action for Housing & Wellbeing Committee
W8	Specific initiatives with partners (Age UK, CAB, Safer Arun Partnership, Artswork, Freedom Leisure etc)	Key 2024/25 milestones
W9	Number of council housing fraud cases	REMOVE – to Housing & Wellbeing

DRAFT Council Vision Aims, Objectives and Measures list for P&F 08.12.23

	prevented or properties recovered	Committee only – they may wish to consider alongside new Housing indicators
W10	Average length of stay in temporary accommodation – 15 months/64 weeks	REMOVE - as above to Housing & Wellbeing only
W11	Average length of stay in emergency accommodation – 3 months/12 weeks	REMOVE - as above to Housing & Wellbeing only
W12	Complete Annual Community Engagement Plan and implement Work Plan to encourage participation completed	Annual Community Engagement Plan completed and Work Plan implemented
W13	Improve our green spaces	Number of green spaces improved
W14	Review the Potential to use community banking	Report to members

DRAFT Council Vision Aims, Objectives and Measures list for P&F 08.12.23

Delivering the right homes in the right places		
Overall Aims		
A	Provide a mixed housing economy within the district for all, regardless of age or circumstances, where different types of homes are available, and people can choose to rent or buy.	
B	Maximise opportunities to improve the energy efficiency of homes in the District.	
C	Support those in our community that need help, providing a safety net where necessary and working with people and organisations to meet different needs.	
How will we achieve this		
1	Support households with complex needs to secure suitable accommodation	
2	Maximise the delivery of affordable housing including utilising the council's own resources and commercial expertise	
3	Improve the energy efficiency of homes across all tenures	
4	Use our expertise to influence the local housing market, working with the right partners from all sectors, to develop the housing and infrastructure that we need	
5	Use the planning system to create great new places and improve our existing places, where new homes meet the needs of current and future generations	
6	Ensure the existing housing stock in the district (Private Sector and Council owned) is maintained to a high standard	
7	Continue to bring empty homes back into use for the benefit of the community	
Measures of outcomes and progress		
Outcome/progress	How to measure	
H1	Number of new affordable homes built or purchased per year (this will include the number of homes delivered through the Housing Revenue Account)	Number of new affordable homes built or purchased
H2	Number of new homes that are suitable for wheelchair users	Number of new homes that are suitable
H3	Commission reports on 5 year housing supply and Market Absorption and implement recommendations	COMPLETED
H4	Satisfaction survey of residents in completed developments (at least 12 months)	COMPLETED for 2023/34 – additional future surveys as developments completed
H5	Number of households supported with complex needs	Disabled Facilities Grant work completed
H6	Number of empty homes brought back into use	Number of empty homes bought back into use
H7	Number of Council homes that meet the current statutory minimum standard for housing	Number <u>and %</u> of Council homes that meet the required standard

DRAFT Council Vision Aims, Objectives and Measures list for P&F 08.12.23

Supporting our environment to support us		
Overall Aims		
A	To consider reduce our adverse impact on the environment , climate change, sustainability and biodiversity in everything the Council is responsible for and encourage its community and local businesses to do the same	
B	Protect and enhance our natural environment.	
C	Regularly review progress toward Arun’s Carbon Neutral Strategy (2022-30) as set out in the annual Climate Action and Biodiversity Work_Plan	
D	Make low carbon transport including walking, cycling, travel by public transport and electric vehicle easy, convenient and pleasant and a fundamental part of our placemaking	
How will we achieve this		
1	Develop and implement the Carbon Neutral Strategy and Climate Change and Biodiversity Strategies for the Council and for the wider district through Planning Policy	
2	Review the Council’s estate and seek to maximise the use of renewable or alternative energy generation, including the installation of Electric Vehicle (EV) chargepoints	
3	Engage and incentivise business to commit to working practices which minimise their impact on the environment	
4	Support information campaigns that promote carbon reduction and funding opportunities	
5	Working with our community to reduce improve waste reduction and increase recycling to meet future targets of 55% recycling by 2025 and 60% by 20230.	
6	Ensure that climate change and sustainability is at the heart of all Council services	
7	Support the Sussex Bay Project to restore marine, coastal and intertidal habitats to improve the biodiversity and carbon footprints of the district.	
Measures of outcomes and progress		
Outcome/progress	How to measure	
EN1	Annual reduction in CO2e	Year Annual Reduction CO2E (T) 2022-2023 1,961.9 2023-2024 1,765.7 2024-2025 2,383.7 TOTAL 7,143.8 Update to include scope 3 measures and 2025/26 estimate
EN2	Achieve Green Flag awards for Council parks and seaside awards for our seascides	Number achieved
EN3	3000 trees to be planted per year	Number planted
EN4	Inspection of all Arun District Council coastal defence assets	Completion of an inspection programme at frequency determined by risk
EN5	% of Council homes that are SAP C rating and above	For social housing aim is to achieve SAP C rating by 2030. We will measure progress year on year. Start with a baseline of the number of properties that are SAP C and above and every year over the course of the corporate plan report the revised number. Milestones will be incremental increase year on year until we meet 2030 target
EN6	Adopt biodiversity action plan	Including any key milestones for 2024/25
EN7	Recruit ecologist to support implementation	Successful recruitment, creation of workplan

DRAFT Council Vision Aims, Objectives and Measures list for P&F 08.12.23

	of Biodiversity Net Gain and create and implement workplan	
EN8	Other climate related strategies and milestones for 2024/25 including: <ul style="list-style-type: none"> • Engaging and incentivising businesses to commit to working practices which minimise their impact on the environment • Supporting information campaigns that promote carbon reduction and funding opportunities • Supporting the Sussex Bay Project to restore marine, coastal and intertidal habitats to improve the biodiversity and carbon footprints of the district. 	Number of strategies created and milestones achieved
EN9	Change committee report template to consider climate change and sustainability	COMPLETED
EN10	Number of Electric Vehicle Charging points installed	Number of sockets installed as part of county network within Arun
EN11	Number of metres of new cycleway	REMOVE – data only available at county level
EN12	Flood Forum to be established with report to Full Council for consideration and recommendations on future action.	Ongoing actions reported to Environment Committee
EN13	Implement recommendations of Environment Committee (27 February 2023) on Bognor Regis Beach Access	Reports on progress and implementation to Environment Committee

DRAFT Council Vision Aims, Objectives and Measures list for P&F 08.12.23

Fulfilling Arun's economic potential	
A	Increase opportunities for more high-quality, well-paid employment, encouraging more people to live, work, study and visit Arun
B	Encourage the development of the district as a key tourist destination, supporting and enabling improvements and activities to increase visitor spend
C	Use regeneration opportunities to attract new and relocating businesses to the district.
D	Make best use of our natural assets to help drive the economy.
How will we achieve this	
1	Create the conditions that will support high tech businesses, including the creative digital sector and green businesses, reducing the need for the workforce to commute out of the <u>district and supporting changing ways of working</u>
2	Use the planning system to set aside sites for larger business growth and support and create employment space for smaller start-ups, using Arun-owned land to stimulate the market
3	Encourage an <u>economy-digital-infrastructure</u> that will <u>promote and support both active leisure activities and cultural opportunities support businesses and changing ways of working, as well as the that meet the</u> needs of local people and visitors
4	Work with partners to support a district-wide skills audit, to understand what businesses need and what skills we have in the community. Work with local colleges and the University of Chichester to assist them to run courses that will match local skill needs for those at all stages in their working life
5	Work closely with our towns and other organisations on strategies which support vibrant and attractive town centres
6	Positive and focused promotion of Arun's tourist destinations as more than a 'day trip'
7	Support the delivery of more accommodation for visitors to the district
Measures of outcomes and progress	
Outcome/progress	How to measure
EC1 Number of jobs created	Number of jobs created – remove as general economic health indicator rather than measure of Arun's performance and make annual report to Economy Cttee
EC2 Increase to average wages and household income	Improvement on previous year remove as general economic health indicator rather than measure of Arun's performance and make annual report to Economy Cttee
EC3 Increase in number of economically active population	Improvement on previous year remove as general economic health indicator rather than measure of Arun's performance and make annual report to Economy Cttee
EC4	Commission and carry out tourism marketing campaign 2024/25 <u>and 2025/26</u> Report to Economy Committee This is the Digital Destination Awareness Campaign to be reported to Economy Cttee in November 23 with second year of activity proposed.
EC5 Increase in number of visitors, length of stay and visitor spend	Improvement on previous year remove as general economic health indicator rather than measure of Arun's performance and make annual report to Economy Cttee

DRAFT Council Vision Aims, Objectives and Measures list for P&F 08.12.23

EC6	Number of new hotel and new holiday accommodation beds provided	Improvement on previous year
EC7	Develop business support programme to move to digital and modern ways of working	Workplan achieved
EC8	Review cinema provision in Littlehampton town centre and redevelop Windmill area	Agree scope and business case - present to Economy Committee
EC9	Update Bognor Regis Masterplan	Review and update 2012 Bognor Regis Masterplan and present to Economy committee
	<u>To implement the Arun Visitor Strategy 2023 - 2028</u>	<u>Deliver priorities and actions as set out in the Strategy, and present annual reports to Economy Committee</u>
	<u>Delivery of new beach huts at Littlehampton Seafront</u>	<u>Completion according to schedule</u>
	<u>Design feasibility work for the conversion of the former Brewers Fayre Public House</u>	<u>Complete design feasibility work with options reported to Economy Committee</u>
	<u>Design feasibility work for redevelopment of the Regis Car Park, Bognor Regis</u>	<u>Complete a design feasibility study with options reported to Economy Committee</u>

DRAFT Council Vision Aims, Objectives and Measures list for P&F 08.12.23

Organisational Measures of outcomes and progress		
Outcome/progress		How to measure
OE1	Review future needs for Council accommodation to provide supportive and cost effective service delivery which minimises environmental impact	Report to members on use of Council buildings General organisational issues – more work needed to identify precise projects
OE2	Explore opportunities for shared service provision	Report to members General organisational issues – more work needed to identify precise projects
OE3	Undertake an electoral review of parish boundaries across the Arun District	Move to Corporate Support Committee – report in January 2024