



Public Document Pack

Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

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9 July 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 17 July 2024 at 6.00 pm** in the **Council Chamber, at the Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** to transact the business set out below:




Karl Roberts/Philippa Dart
Joint Interim Chief Executive

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, 10 July 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 - 8)

To approve as a correct record the Minutes of the Annual Meeting of the Council held on 15 May 2024, 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 9 - 16)

To seek approval for the allocation of seats to political groups and the appointments to Committee for the remainder of the municipal year.

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

10. STANDARDS COMMITTEE - 11 JULY 2024

The Chair of the Standards Committee, Councillor Huntley, will present any recommendation from the Standards Committee held on 11 July 2024.

The minutes from this meeting to include any recommendations to Council will be circulated separately to this agenda.

11. MOTIONS

To consider any Motions submitted in accordance with Council Procedure 15.

12. QUESTIONS FROM MEMBERS

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

13. COMMITTEE MEMBERSHIPS

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

14. 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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Public Document Pack Agenda Item 6

Subject to approval at the next Full Council meeting

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MINUTES OF THE ANNUAL MEETING OF THE ARUN DISTRICT COUNCIL HELD IN THE ARUN CIVIC CENTRE ON 15 MY 2024 AT 6.00 PM

Present: Councillors Mrs Cooper (Chair), Dr Walsh (Vice-Chair), Ayling, Batley, Bence, Bicknell, Birch, Blanchard-Cooper, Mrs Bower, Bower, Brooks, Butcher, Cooper, Edwards, Elkins, English, Goodheart, Gunner, Hamilton, Huntley, Kelly, Lawrence, Lloyd, Long, Lury, Madeley, May, McAuliffe, McDougall, Nash, Needs, Northeast, Oppler, Partridge, Pendleton, Penycate, Purser, Mrs Stainton, Stanley, Tandy, Turner, Wallsgrove, Warr, Wiltshire, Woodman, Worne, Worne and Yeates.
Honorary Alderman Mr Paul English was also in attendance at the meeting.

[Note: Councillor Pendleton was absent from the meeting during consideration of the following items of business – Minute 1 to Minute 10 (Part)].

1. WELCOME

The Chair extended a warm welcome to Councillors, members of the public, press and Officers to the Annual Meeting of the Council.

She especially welcomed Honorary Alderman Paul English as Past Chairs of the Council present.

Words of condolence were extended to Councillor Tom Harty who had whose wife had very sadly passed away that morning.

2. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Greenway, Harty, Haywood, O'Neill and Patel. An Apology for Absence had also been received from Honorary Alderman Norman Dingemans.

3. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

4. MINUTES

The minutes from the last meeting of Full Council held on 9 May 2024, which had been circulated separately to the agenda, were approved as a correct record and were signed by the Chair.

Full Council - 15.05.24

5. URGENT MATTERS

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

6. APPOINTMENT OF CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR 2024-2025

The Chair reminded Members that Councillor James Walsh had been nominated for the position of Chair of the Council for 2024-2025 at the Annual Meeting of the Council held on 31 May 2023.

Before moving to the vote on this proposal and inviting proposers and seconders, the Chair highlighted that Council Procedure Rule 20.9 explained that the vote to elect the position of Chair and Vice-Chair of the Council should be by ballot. Last year the meeting suspended the requirements to hold a ballot for both positions and it was the Chair's intention that this should be repeated for this meeting. The Chair therefore formally proposed to suspend Council Procedure Rule 20.9 under Council Procedure Rule 27.1 (Suspension of Procedure Rule) to allow the voting on the positions of Chair and Vice-Chair of the Council to be conducted by a show of hands or recorded vote if required.

This proposal was seconded by Councillor Walsh and on it being put to the vote it was declared CARRIED.

The Council therefore

RESOLVED

That Council Procedure Rule 20.9 [Voting on Appointing the Chair and Vice-Chair of the Council] be suspended to allow the voting on the positions of Chair and Vice-Chair of the Council to be conducted by a show of hands or recorded vote if required.

Councillor Lury was invited to propose the appointment of Councillor Walsh as Chair of the Council and in doing so confirmed that Councillor Walsh's hard work and dedication to the community meant that he would be an excellent Chair for Arun and having been an active and influential Member of the Council since 1976, with a term as Chair of the Council for 2003-2004 and Leader of the Council from 2019 to 2021.

Councillor Huntley seconded the proposal and echoed the sentiments of Councillor Lury.

The Council

RESOLVED

That Councillor James Walsh be elected as Chair of the Council for 2024-2025.

Councillor Walsh then made the Declaration of Acceptance of Office.

7. VOTE OF THANKS FOR THE RETIRING CHAIR

The new Chair extended his thanks to the past Chair, Councillor Alison Cooper, for her year as Chair of the Council.

Councillor Stanley, as Leader of the Council, particularly highlighted Councillor Cooper's contributions that had been made to the Council and he confirmed that he had been delighted to have been Leader of the Council working alongside Councillor Cooper as Chair. Councillor Stanley stated that he had supported the Chair with a number of meetings and visits across the district throughout the last year and he praised her in her role.

Councillor Gunner, as Leader of the Opposition and Leader of the Conservative Group and Councillor Northeast as Leader of the Labour Group also thanked Councillor Cooper for her year in office.

Councillor Cooper gave thanks to all who had supported her during her civic year, and she paid tribute to the many people and organisations that she had had the pleasure of connecting with. Finally, Councillor Cooper announced that she would be donating £1,250 to her charity, AJs Legacy and Antony Nolan Trust from funds raised throughout her year.

Councillor Cooper then received her Past Chair's badge.

8. APPOINTMENT OF VICE-CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR 2024-2025 AND CHAIR ELECT FOR 2025-2026

The Chair confirmed that in line with the Council's Constitution at Part 3, Responsibility for Functions, Rule 13, it was necessary to now appoint the Vice-Chair of the Council.

The Chair invited Councillor Northeast who proposed that Councillor Freddie Tandy be appointed as Vice-Chair of the Council for 2024-2025 and Chair Elect for 2025-2026.

Councillor Wallsgrove seconded this nomination.

Full Council - 15.05.24

The Council

RESOLVED

That Councillor Freddy Tandy be elected as Vice-Chair of the Council for 2024-2025 and Chair Elect for 2025-2026.

Councillor Tandy then made the Declaration of Acceptance of Office.

9. NEW CHAIR'S ANNOUNCEMENTS

The Chair thanked Councillors for giving him the honour of being Chair of the Council stating that he felt that it would be a real privilege to represent Arun over the next civic year. He extended his thanks again to the Past Chair for fulfilling the role over 2023 to 2024.

Turning to his chosen charity for the year, the Chair confirmed that he would be supporting Mind West Sussex with particular reference to their Littlehampton office and their outreach programme from that base and the Littlehampton Sea Cadets and would provide further detail on these charities as his Civic Reception to be held immediately after the meeting.

10. APPOINTMENT OF THE LEADER AND DEPUTY LEADER OF THE COUNCIL

Councillor Stanley formally proposed the appointment of Councillor Lury to be Leader of Arun District Council. The proposals was then seconded by Councillor Wallsgrove.

The Council

RESOLVED

That Councillor Lury be appointed Leader of Arun District Council.

Councillor Lury thanked Councillors for their support, and he paid tribute to his predecessor, Councillor Stanley, for being Leader of the Council for the past year. Councillor Lury confirmed that he also wished to recognise the contributions of both Karl Roberts and Philippa Dart who had excelled in their roles of as Joint Interim Chief Executives. Councillor Lury was delighted to formally confirm that Dawn Hudd had accepted the position of Chief Executive Officer and would be commencing her employment with Arun on 29 July 2024.

Councillor Lury stated that he wished to concentrate on two issues which he saw as being vitally important. These were tone and culture. He also highlighted that at a time when local government was underfunded and that as the Council and identified savings that needed to be made, he was hopeful that the Council would be able to explore ways to increase its income.

Councillor Lury then formally proposed that Councillor Nash be appointed as Deputy Leader of the Council, and this was seconded by Councillor Huntley.

The Council

RESOLVED

That Councillor Nash be appointed as Deputy Leader of Arun District Council.

11. REVIEW OF ENTITLEMENT OF POLITICAL GROUPS - COUNCILLORS SEATS ON COMMITTEES - APPOINTMENTS TO COMMITTEES

Before inviting the Leader of the Council to present this report, the Chair referred Councillors to the supplement pack that had been published earlier in the day and sent to all Councillors via email. A hard copy of this supplement pack had also been circulated to the meeting.

The Leader of the Council presented this report and formally proposed the allocation of seats to Committees for 2024/2025. The proposals were then seconded by Councillor Nash.

In debating the report, the following amendments were proposed:

- That Councillor Lury be replaced by Councillor Stanley as Vice-Chair on the CEO Remuneration Committee;
- By Councillor Gunner confirming that he wished to fill his vacant seats as set out below:
 - Councillor Bence would replace Councillor Lloyd on the Economy Committee
 - Councillor Alison Cooper would replace Councillor Bence on the Housing & Wellbeing Committee
 - For all remaining Committees, the Conservative memberships would remain as they were for 2023/24.

Full Council - 15.05.24

The Council

RESOLVED

That the appointments to Committees, Working Parties and Panels for 2024-2025, together with the confirmation of the Chair and Vice-Chair where relevant , as set out in Appendix 1, circulated separately and as amended at the meeting, be approved.

12. REPRESENTATION ON OUTSIDE BODIES 2024-2025

Before inviting the Leader of the Council to present this report, the Chair referred Councillors to the supplement pack that had been published earlier in the day and sent to all Councillors via email. A hard copy of this supplement pack had also been circulated to the meeting.

The Leader of the Council presented this report setting out the proposed nominations to representations to Outside Bodies for 2024/2025. The proposed nominations were then seconded by Councillor Nash.

The Council

RESOLVED

That the schedule of Appointments of Representatives to Outside Bodies for 2024/25, be approved.

13. APPOINTMENT OF COUNCILLOR DIRECTORS OF ANY COUNCIL OWNED PROPERTIES

The Chair confirmed that there were no appointments to confirm.

14. APPOINTMENT OF GROUP LEADERS

Before inviting the Leader of the Council to present this report, the Chair referred Councillors to the supplement pack that had been published earlier in the day and sent to all Councillors via email. A hard copy of the supplement pack had also been circulated to the meeting.

Subject to approval at the next Full Council meeting

7

Full Council - 15.05.24

In noting the appointment of the other Group Leaders, Councillor Gunner confirmed that he would be Leader of the Opposition and Leader of the Conservative Group and that Councillor Jacky Pendleton would be Deputy Leader of the Conservative Group.

(The meeting concluded at 6.46 pm)

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Arun District Council

REPORT TO:	Full Council – 17 July 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 seeks to address changes in proportionality and to agree revised committee allocations following the resignation of a Councillor from the Conservative Group and confirmation that they wish to be an Ungrouped Independent.	
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 seek approval for the allocation of seats to political groups and the appointments to Committee for the remainder of the municipal year.

2. RECOMMENDATIONS

Full Council is asked to:

- 2.1. Note the outcome of the review of entitlement of political groups to seats on committees, based upon proportionality rules, as set out in Appendix 1;
- 2.2. Approve the allocation of seats to political groups; and
- 2.3. Subject to 2.2 above, to approve the appointments to Committees for the remainder of the municipal year, as outlined in Paragraph 4.11 of this report, which will be reported at the meeting.

3. EXECUTIVE SUMMARY

- 3.1. The Monitoring Officer has received written confirmation from Councillor Bence that he has resigned from being a member of the Conservative Group and has become an Ungrouped Independent. As this is a resignation from a Political Group, it has been necessary to review the representation of political groups to seats on Committees, in accordance with statutory proportionality rules.

4. DETAIL

- 4.1. 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 consists of 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.
- 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 Councillor Bence’s resignation from the Conservative Group in June 2024 is as follows:

Conservatives	19
Liberal Democrats	14
Labour	8
Green	6
Independent Group	4
Arun Independent Group	2
Ungrouped Independent	1

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	Ungrouped Ind
19	14	8	6	4	2	1
35.19%	25.93%	14.81%	11.11%	7.41%	3.70%	1.85%
Number of Committee Seats (118) (First row – seats as % of Cllrs – second row – rounded seats)						
41.51	30.60	17.48	13.11	8.74	4.37	2.18
42	31	17	13	9	4	2

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.
- 4.11 The change highlighted in Paragraph 3.1 of the report requires the Conservative Group to give up one seat from one of the Committees set out in in the table at Paragraph 4.7. The Leader of the Opposition and Conservative Group, Councillor Gunner, has confirmed that he wishes this to be one of his Group's seats on the Standards Committee. Full Council will need to confirm that it supports this seat being gifted to Councillor Bence as an ungrouped independent. The change to the memberships of other Committees can then be confirmed under the agenda item Committee Memberships.
- 4.12 Group Leaders have been advised of this requirement and no objections have been received from Group Leaders to this proposal.

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. The question arises about the legality of decisions taken by full Council and Council committees following allocation of seats lawfully or unlawfully. Section 16(3) of the Act states that the proceedings of a body to which the duty to allocate seats applies shall not be invalidated by any defect by virtue of section 15 or 16 in the appointment of any person to that body

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	Independent Independent					
19	14	8	6	4	2	1					
35.19%	25.93%	14.81%	11.11%	7.41%	3.70%	1.85					
Number of Committee Seats (118) (First row – seats as percentage of Councillors; Second row – rounded seats)											
41.51	30.60	17.48	13.11	8.74	4.37	2.18					
42	31	17	13	9	4	2					

Table B - Percentage of seats on 11-, 9- and 5-seat committees

	11-seat committees		9-seat committee		5-seat committees	
	Seats (unrounded)	Seats (rounded)	Seats (unrounded)	Seats (rounded)	Seats (unrounded)	Seats (rounded)
Conservative	3.87	4	3.16	3 rounded to 4 as a deal in May 2023	1.75	2
Liberal Democrat	2.85	3	2.33	2	1.29	1
Labour	1.63	2	1.33	1	0.74	1
Green	1.22	1	0.99	1	0.56	1
Independent	0.82	1	0.67	1	0.37	0
AIG	0.40	0	0.33	0	0.18	0
Ungrouped	0.20	0	0.0	0	0.09	0
TOTAL		11		9		5

Table C – Committees and seat allocations

	Conservative	Liberal Democrat	Labour	Green	Independent Group	Arun Independent Group	Independent Independent
Policy & Finance (9 seats)	4	2	1	1	1	0	0
Corporate Support (11 seats)	4	3	2	1	1	0	0
Planning Policy (11 seats)	4	3	1	1	1	1	0
Housing & Wellbeing (11 seats)	4	3	2	1	1	0	0
Environment (11 seats)	4	3	2	1	1	0	0
Economy (11 seats)	4	3	2	2	0	0	0
Audit & Governance (11 seats)	3	3	2	1	1	1	0
Planning Committee (11 seats)	4	3	2	1	1	0	0
Licensing (11 seats)	4	3	1	1	1	1	0
Standards (11 seats)	4	3	1	1	1	1	0
CEO Remuneration Committee (5 seats)	2	1	1	1	0	0	0

Statutory Officers' Investigatory and Disciplinary Committee (5 seats)	2	1	1	1	0	0	0
TOTAL (118)	43 (should be 42)	31	18 (should be 17 – labour gifted a seat in May 2023 to allow Cons extra seat on P&F)	13	9	4	1 (one seat to be given from Conservatives)