



Public Document Pack

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

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

e-mail: committees@arun.gov.uk

Committee Manager Jane Fulton (Ext 37611)

21 May 2019

CABINET

A meeting of the Cabinet will be held in the Committee Room 1 [Pink Room], at the Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex BN17 5LF on the Monday 3 June 2019 at **5.00 pm** and you are requested to attend.

Members: Councillors Dr Walsh (Chairman), Oppler (Vice-Chair), Gregory, Lury, Purchase, Stanley and Yeates

Note: This membership is subject to approval at the Annual Meeting of the Council to be held on 22 May 2019.

A G E N D A

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 the 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. QUESTION TIME

- a) Questions from the public (for a period of up to 15 minutes)
- b) Questions from Members with prejudicial interests (for a period of up to 15 minutes)

4. URGENT BUSINESS

The Cabinet may consider items of an urgent nature on functions falling within their responsibilities where special circumstances apply. Where the item relates to a key decision, the agreement of the Chairman of the Overview Select Committee must have been sought on both the subject of the decision and the reasons for the urgency. Such decisions shall not be subject to the call-in procedure as set out in the Scrutiny Procedure Rules at Part 6 of the Council's Constitution.

5. MINUTES

(Pages 1 - 6)

To approve as a correct record the Minutes of the Special Cabinet meeting held on 11 April 2019 (as attached).

6. START TIMES

Cabinet is asked to consider its start times for meetings during 2019/20.

7. BUDGET VARIATION REPORTS

To consider any reports from the Head of Corporate Support.

8. ASSETS OF COMMUNITY VALUE - POLICY AND PROCEDURES

(Pages 7 - 24)

Cabinet is asked to recommend to Full Council that the Assets of Community Value Policy and Guidance Notes for Nominating Bodies and Owners be adopted, and to make associated changes to the Constitution. The Policy provides a framework for the Council to consider and determine Assets of Community Value nominations and any subsequent requests for review, compensation claims and any subsequent requests for review of compensation decisions.

9. MANAGING THE COAST IN A CHANGING CLIMATE

(Pages 25 - 34)

This report will present the content, conclusions and recommendations of the recently published report by the Committee on Climate Change. It is put forward for consideration in respect of its implications for the Arun District. It is anticipated that separate further reports will be necessary in respect of individual Council Services.

10. TIVOLI GROUP LTD - ADMISSIONS AGREEMENT TO LOCAL GOVERNMENT PENSION SCHEME (Pages 35 - 38)

The novation of the Council's Greenspace Management Contract from ISS Facility Services Landscaping (FSL) to Tivoli Group Ltd was approved by Cabinet on 14 January 2019.

Because of the change in service provider, Cabinet approval is sought once more to authorise entering into the required Guarantee in respect of pension liabilities in the event that these are not met by Tivoli Group Ltd as the admitted body, and to approve entering into the Admissions Agreement itself.

11. CLINICAL WASTE COLLECTION CONTRACT (Pages 39 - 42)

The Council's clinical waste collection service has been delivered under a county-wide framework agreement since 2016. Cabinet authority is sought to enable the Council to continue this method of service delivery by entering into the clinical waste collection call-off contract under the recently re-procured WSCC framework agreement.

12. PLANNING APPEAL AT LAND NORTH OF HOOK LANE, PAGHAM (Pages 43 - 46)

An appeal has been submitted against the decision of the Council to refuse planning permission for 300 dwellings, care home of up to 80 beds, D1uses (e.g. community facility) of up to 4000sqm including a 2 form entry Primary School, formation of new means of access onto Hook Lane & Pagham Road, new pedestrian & cycle links, the laying out of open space, new strategic landscaping, habitat creation, drainage features & associated ground works & infrastructure on a site to the north of Hook Lane, Pagham. (Planning Application Ref P/6/17/OUT).

The application was refused by Council's Development Control Committee on the 23 January 2019 for one reason, overturning the officers' recommendation of approval. The appeal will be heard in October 2019 and is to be heard by way of a Public Inquiry lasting four days.

This report seeks approval to a supplementary estimate of up to £25,000 to cover the costs of defending this appeal.

13. ARUN WELLBEING HEALTH PARTNERSHIP - 20 FEBRUARY 2019 (Pages 47 - 50)

To receive and note the Minutes of the meeting of the Arun Wellbeing Health Partnership held on 20 February 2019 (as attached).

ITEMS PUT FORWARD BY THE OVERVIEW SELECT COMMITTEE AND WORKING GROUPS

14. There are no items to report to this meeting.

Note : *Indicates report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager or accessed via the website at www.arun.gov.uk).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director.

409

SPECIAL CABINET

11 April 2019 at 5.00 pm

Present : Councillors Mrs Brown (Chairman), Bence, Charles, Clayden, Haymes and Wotherspoon.

Councillors Edwards, Mrs Madeley, Mrs Oakley, Mrs Pendleton, Dr Walsh and Wheal were also in attendance at the meeting.

500. WELCOME

The Chairman welcomed Councillors, Officers and members of the press and public to the meeting.

501. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Wensley [Deputy Leader of the Council and Cabinet Member for Corporate Governance].

502. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

503. PUBLIC QUESTION TIME

The Chairman confirmed that no public questions had been received.

504. URGENT ITEM – AMENDMENT TO PREVIOUSLY AGREED APPROACH TO LEASING THE LOOK & SEA CENTRE BUILDING, LITTLEHAMPTON

The Chairman confirmed that there was an urgent item to consider and she invited the Cabinet Member for Technical Services, Councillor Haymes, to present this report. He stated that prior to closure, the Look & Sea Centre had been an important and popular destination in its own right. Following decisions made by Cabinet at its meeting held on 15 October 2018, a lease had been advertised for A3 (café/restaurant/bar) use for the whole of the building.

Councillor Haymes confirmed that the Council had received offers that included A3 use of the ground floor but these indicated that there was not a market for A3 use of the upper floors at the present time. It was therefore proposed that Cabinet be asked to agree to amend the delegations to Officers to negotiate heads of terms and enter into a lease on the revised basis that the ground floor remained in A3 use providing a Lessee flexibility to find

appropriate commercial uses of the upper floors, subject to planning and other approvals.

Councillor Haymes announced that this report was being presented as a matter of urgency as it was only a decision by Cabinet today that would allow flexibility relating to the upper floors that would enable any realistic chance of securing a Lessee that would operate the café/restaurant at the Look & Sea during the 2019 summer season. Councillor Haymes stated that this was something that he would like to see happen.

As this item was being dealt with as an urgent matter, the usual arrangements requiring it to be published with five clear days' notice and the call-in arrangements did not apply as set out in the Council's Constitution at Part 3 – Responsibility for Functions, Rule 2.3 and Part 5 – Cabinet Meeting Procedure Rules, Rule 3.2. The Chairman of the Overview Select Committee, Councillor Dingemans, had been consulted on the proposals and had given his agreement.

The Group Head of Technical Services was then invited to provide his input to the report. He confirmed that it was good news in that the site had been marketed by the Council's appointed Agents since February 2019 and that offers had been submitted for A3 use of the ground floor, with one of the offers including access for customers to the viewing platforms. The delegations approved by Cabinet back in October 2018, envisaged an A3 use of the whole building. The bids received fell outside of this requirement. It was therefore necessary to seek Cabinet's approval that the lease arrangements for the Look & Sea could be revised on the basis that the ground floor remained in A3 use allowing a Lessee flexibility to find appropriate commercial uses for the upper floors, subject to planning and other approvals. Without Cabinet's approval to adjust its decision made in October 2018, there would be no realistic chance of securing a Lessee that could operate the café/restaurant for the 2019 summer season. Obtaining Cabinet approval would allow negotiations to commence to obtain the best consideration for the Council.

In considering the report, the Chairman asked the Group Head of Technical Services if he could provide a potential date when the Look & Sea Centre might re-open? It was confirmed that it was hoped that the café/restaurant would be operational by early summer.

Other comments made were that it was clear from the market testing undertaken that there was no interest in leasing the whole of the building. Looking at the options available, further marketing could take place but with the real threat that the building would remain empty for a long period of time. By agreeing this small adjustment to the previous decision to the building, it would hopefully mean that the café/restaurant could be occupied for the summer, re-establishing a much needed tourist attraction for Littlehampton.

Questions were asked as to whether any Lessee would be allowed to lease the remaining floors of the building. It was important for the Council to still obtain income in this respect. The Group Head of Technical Services responded stating that it was proposed that the lease would be for the whole building with the Lessee to then find uses for the upper floors.

The Cabinet

RESOLVED – That

(1) It be agreed that the Look & Sea Centre building can be leased on the revised basis that the ground floor remains in A3 use but providing the Lessee flexibility to find appropriate commercial uses of the upper floors, subject to planning and other approvals; and

(2) Other than the above, the original decisions, including Officer delegations within Cabinet Decision C/020/151018 made on 15 October 2018 to remain operative.

The Cabinet then confirmed its decision as per Decision Notice C/052/110419), a copy of which is attached to the signed copy of the Minutes.

505. MINUTES

The Minutes of the meeting held on 4 March 2019 were approved by the Cabinet as a correct record and signed by the Chairman.

506. BUDGET VARIATION REPORT

There was no item for this meeting.

507. AUTHORITY TO ACT ON BEHALF OF WEST SUSSEX COUNTY COUNCIL – SECTION 42, LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

The Cabinet Member for Community Wellbeing, Councillor Clayden, introduced this item stating this report was seeking the Cabinet's approval to formalise delegation of powers from West Sussex County Council allowing Arun Officers to respond to matters relating to rough sleeping in Bognor Regis Town Centre.

The Chairman then invited the Group Head of Community Wellbeing to provide further input. He confirmed that this authority provided Arun Officers with the tools that were missing to deal with such matters as they related to highway matters and would be used to deal with those individuals who refused to engage with Officers in various locations surrounding the centre of Bognor Regis.

The Cabinet Member for Residential Services, Councillor Bence, supported the recommendations stating that the authority granted from WSCC would massively assist the anti-social behaviour problems that were increasing in certain parts of Bognor Regis relating to rough sleeping and homelessness. He thanked the Council's anti-social behaviour team for their hard work and engagement with numerous groups and charities in dealing with rough sleepers camping down on pavements and on roads. Thanks were also extended to WSCC's Legal Department for acting so quickly to get these terms of agreement in place to deal with the matter and for street cleansing to then be able to take place.

The Cabinet Member for Planning, Councillor Charles, asked if there were plans to roll this agreement out to other areas in the District as there were also rough sleeping hot spots elsewhere in Arun.

The Cabinet then

RESOLVED - That

(1) The authority to act on behalf of West Sussex County Council, as defined in the Order dated 19 March 2019, to serve notices under Section 41 of the Local Government (Miscellaneous Provisions) Act 1982 until 31 March 2020 or until revoked earlier by the County Council in relation to land designated as highway land and located in the Town Centre of Bognor Regis be accepted; and

(2) The Group Head of Community Wellbeing, the Community Manager and the Senior Anti-Social Behaviour Caseworker be given authority to exercise the powers granted by West Sussex County Council by Order made on 19 March 2019 to serve notices under Section 41 of the Local Government (Miscellaneous Provisions) ACT 1982 in relation to land designated as highways land and located in the town centre of Bognor Regis and shall be limited to those areas of highway land in Bognor Regis Town Centre in London road precinct, Bedford Street, London Road and the High Street as confirmed within the Order until 31 March 2020 or until revoked earlier by the County Council.

The Cabinet then confirmed its decision as per Decision Notice C/053/110419), a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 5.14 pm)

This page is intentionally left blank

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 03 JUNE 2019

PART A : REPORT

SUBJECT: Assets of Community Value – Policy & Guidance Notes for Nominating Bodies & Owners
--

REPORT AUTHOR:	Nat Slade, Group Head of Technical Services
DATE:	22 January 2019
EXTN:	37683
PORTFOLIO AREA:	Technical Services

EXECUTIVE SUMMARY:

Cabinet is asked to recommend to Full Council that the Assets of Community Value Policy and Guidance Notes for Nominating Bodies & Owners be adopted, and to make associated changes to the constitution. The policy provides a framework for the Council to consider and determine Asset of Community Value nominations and any subsequent requests for review, compensation claims and any subsequent requests for review of compensation decisions.

RECOMMENDATIONS:

Cabinet is asked to recommend to Full Council that:

1. the Assets of Community Value Policy and Guidance Notes for Nominating Bodies & Owners be adopted;
2. the Group Head of Technical Services be delegated authority to make any future necessary changes to the Policy as a consequence of new legislation or alternative practices;
3. the following deletions which refer to Assets of Community Value be made to the Council's Constitution at:
 - a. Point 9 in Part 3 (Responsibility for Functions), Section 3 covering the Cabinet Member for Community Wellbeing
 - b. Point 2 in Part 3 (Responsibility for Functions), Section 3 covering the Cabinet Member for Technical Services
 - c. Paragraphs 4.14 and 4.15 in Part 4 (Officer Scheme of Delegation) as they refer to the Director of Place

4. the following additions be made to the Council's Constitution at Part 4 (Officer Scheme of Delegation):
 - a. *Authority be delegated to the Director of Place and Group Head of Technical Services, or their nominated representative, to validate, consider and determine nominations for property/land to be listed as an asset of community value under the Assets of Community Value Policy*
 - b. *Authority be delegated to the Director of Place and Group Head of Technical Services to appoint an officer of the Council to consider and determine any request for review of a decision to list an asset of community value in accordance with the Assets of Community Value Policy*
 - c. *Authority be delegated to the Group Head of Technical Services or their nominated representative to consider and determine claims for compensation made under the Assets of Community Value Policy*
 - d. *Authority be delegated to the Director of Place or their nominated representative to consider and determine any request for review of a decision made about a claim for compensation in accordance with the Assets of Community Value Policy*
5. The Group Head of Council Advice & Monitoring Officer be authorised to make any further consequential changes required to the Constitution.

1. BACKGROUND:

- 1.1 In response to concern around the loss of assets which are valued by the community, the Government introduced The Community Right to Bid through the Localism Act 2011. This was implemented by The Assets of Community Value (England) Regulations 2012. The Act allows voluntary or community bodies to nominate a building or piece of land to be listed as an 'Asset of Community Value'. In the event that the owner of a listed asset wishes to sell it, a prescribed procedure must be followed which provides a moratorium period of up to six months for a community interest group to prepare an offer to purchase the asset from the owner. The owner is however under no obligation to sell the asset to the community interest group in such circumstances.
- 1.2 It is more than six years since the Council received its first nominations. Since then the Council has received 87 valid nominations to consider whether to list. The majority of these were listed as an Asset of Community Value. Nominations last for five years. There are at time of writing, 70 Assets of Community Value listed by Arun. The list is published on the website, see Background Papers.
- 1.3 The legislation provides a series of safeguards for owners of assets which are listed. The owner of an asset can request an officer undertakes a review of a decision to list. The owner can appeal the outcome of the review decision to the First Tier Tribunal.

- 1.4 If such an appeal is upheld, the owner can submit a claim to be recompensed for legal expenses incurred, for which the Council has an obligation to pay. The legislation also places an obligation on the Council to pay compensation for losses incurred by the owner of a listed asset as a consequence of a delay in entering into a binding agreement to sell which is wholly caused by the moratorium period.
- 1.5 A further safeguard for owners is that they may request an officer undertakes a review of a compensation decision. The owner may also appeal the compensation review decision to the First Tier Tribunal.
- 1.6 Of the 87 valid nominations received by the Council, at least three decisions were reviewed by officers following receipt of request to do so by the owner. Two review decisions were appealed by owners at the First Tier Tribunal. The first of these appeals was upheld, the most recent appeal was dismissed. There has been one claim for compensation received, associated with the upheld appeal, and as the claim met the criteria, the Council was obliged to pay.
- 1.7 The legislation provides criteria to define what bodies are able to submit nominations. Since the legislation was introduced there has been a lot case law established which the Council must have regard to when determining nominations. In particular these relate to what the features are of a valid nominating body, and what constitutes sufficient evidence of community value.
- 1.8 Consequently more information is needed from a nominating body now to secure a successful listing of an asset than was the case when the Council first began to receive nominations in 2012. As many of the assets which were listed five years ago come due for re-nomination, it is considered helpful for all parties, especially nominating bodies, to set out in a policy (see Appendix 1) clearly what the information they will need to submit, and how the associated processes are carried out.
- 1.9 The regulations, which states who should be consulted on a nomination, are silent on consulting with Ward Members. It is considered valuable to be able to have regard to Ward Members who often have useful knowledge of their areas. By including this provision within the policy Ward Members representations can be taken into account by officers in determining whether land should be listed.
- 1.10 In contrast, the existing arrangements for the Council to determine claims for compensation are that this is to be undertaken by a Compensation Panel of Members, led by the Cabinet Member for Technical Services. No further details of the Panel are contained within the constitution. Thus far the Council has received a single claim for compensation which was the only time the panel has been convened. There is little discretion over whether compensation claims should be paid, and so the proposal which has been made is to delegate these compensation claim decisions to officers.
- 1.11 The Constitution also contains an erroneous reference to an Assets of Community Value Appeals Panel, for which the lead Member would be the Cabinet Member for Communities and Wellbeing. The regulations state that on the owner's request, reviews of compensation decisions and of listing decisions must be undertaken by an officer of "appropriate seniority". Appeals are dealt with by the First Tier Tribunal. Accordingly, the proposal is to remove this reference in the Constitution.

1.12 The appended policy and associated proposed changes to the Constitution and delegations address all these issues.

2. PROPOSAL(S):

Cabinet is asked to recommend to Full Council that:

1. the Assets of Community Value Policy and Guidance Notes for Nominating Bodies & Owners be adopted;
2. the Group Head of Technical Services be delegated authority to make any future necessary changes to the Policy as a consequence of new legislation or alternative practices;
3. the following deletions which refer to Assets of Community Value be made to the Council's Constitution at:
 - a. Point 9 in Part 3 (Responsibility for Functions), Section 3 covering the Cabinet Member for Community Wellbeing
 - b. Point 2 in Part 3 (Responsibility for Functions), Section 3 covering the Cabinet Member for Technical Services
 - c. Paragraphs 4.14 and 4.15 in Part 4 (Officer Scheme of Delegation) as they refer to the Director of Place
4. the following additions be made to the Council's Constitution at Part 4 (Officer Scheme of Delegation):
 - a. *Authority be delegated to the Director of Place and Group Head of Technical Services, or their nominated representative, to validate, consider and determine nominations for property/land to be listed as an asset of community value under the Assets of Community Value Policy*
 - b. *Authority be delegated to the Director of Place and Group Head of Technical Services to appoint an officer of the Council to consider and determine any request for review of a decision to list an asset of community value in accordance with the Assets of Community Value Policy*
 - c. *Authority be delegated to the Group Head of Technical Services or their nominated representative to consider and determine claims for compensation made under the Assets of Community Value Policy*
 - d. *Authority be delegated to the Director of Place or their nominated representative to consider and determine any request for review of a decision made about a claim for compensation in accordance with the Assets of Community Value Policy*
5. The Group Head of Council Advice & Monitoring Officer be authorised to make any further consequential changes required to the Constitution.

3. OPTIONS: (a) Not to recommend to Full Council to adopt the Assets of Community Value Policy and Guidance Notes for Nominating Bodies & Owners, nor make the associated delegations and changes to the Constitution. (b) To amend the Assets of Community Value Policy and Guidance Notes for Nominating Bodies & Owners, prior to recommending in accordance with the proposal.		
4. CONSULTATION: Legal Services		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify): Legal Services Monitoring Officer	X	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land	X	
Technology		X
Other (please explain)		
6. IMPLICATIONS: <u>Financial:</u> 6.1 The Council is obliged to pay compensation to owners of assets of community value if they incur legal expenses in successfully appealing a listing/compensation decision, or if they incur loss as a consequence of a delay in entering into a binding agreement to sell which is wholly caused by the interim or full moratorium period. When the Assets of Community Value regime was introduced, the government committed to reimbursing local authorities for compensation it became liable for. The Council contacted the Ministry of Housing Communities and Local Government seeking reimbursement for the one compensation claim it has received and paid, and was advised that the government no longer reimburses local authorities. No		

specific budgetary provision has been allocated for this purpose.

Legal:

- 6.2 The Council's Legal Services are able to provide advice. Appeals made to the First Tier Tribunal may necessitate legal representation.

Asset Management/Property/Land:

- 6.3 Some of the Council's own estate has been listed, and more may be nominated in the future which would oblige it to follow the prescribed procedure in the event the Council proposed to dispose of it.

7. REASON FOR THE DECISION:

To provide a clear framework in which to deliver the Assets of Community Value processes.

8. EFFECTIVE DATE OF THE DECISION: 12 June 2019

9. BACKGROUND PAPERS:

Appendix 1 Assets of Community Value Policy & Guidance Notes for Nominating Bodies & Owners

Arun's List of Un/Successful Assets of Community Value:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n13347.pdf&ver=13494>



ARUN DISTRICT COUNCIL

ASSETS OF COMMUNITY VALUE

**POLICY AND GUIDANCE NOTES
FOR NOMINATING BODIES & OWNERS**

Date Adopted: TBC
Adopted by: Full Council

Contents

	Page
1.0 Introduction	3
2.0 Who can submit a Community Nomination	3
3.0 How to Submit an Application	4
4.0 Information Required for a Valid Nomination	4
5.0 Validation	6
6.0 Consideration of Community Value and Determination of a Nomination	6
7.0 Disposing of a Listed Asset of Community Value	7
8.0 Request for Review of Decision to List Land as an Asset of Community Value	8
9.0 Appeal of a Listing Review Decision	9
10.0 Compensation	10
11.0 Request for Review of Compensation Decision	10
12.0 Appeal of a Compensation Review Decision	11

1.0 Introduction

The “Assets of Community Value” concept was introduced under the Localism Act 2011 (Part 5, Chapter 3) and detailed in the Assets of Community Value (England) Regulations 2012 (the Regulations).

This introduced the Community Right to Bid, which gives eligible organisations such as Town and Parish Councils, and defined local community groups the opportunity to nominate (an) asset(s) (building or land) they believe to be important to their community social well-being, or social interests, and is likely to do so in the future, to be listed by the Local Authority as an Asset of Community Value.

When a listed asset comes up for sale, the Regulations provide for a delay in the sale process (moratorium). The moratorium allows local community groups to prepare and make a bid for the asset on the open market.

This aims to ensure that there is an opportunity for assets of community value to be kept in public use and remain an integral part of community life where possible, and thus reduce the trend in recent years of communities losing local amenities and buildings of importance to them.

The Regulations do not give the community group any other rights, other than to delay the sale so they can prepare a bid.

The purpose of this document is to set out the Council’s policy position with regards to the Assets of Community Value processes. In particular: To provide clarity so that officers and Members are able to effectively support the management of the process; and to provide transparency for community nominators and asset owners so that they are easily able to navigate the Council’s process.

2.0 Who can submit a Community Nomination

A nomination can only be made by an eligible body:

- a) A Town or Parish Council (provided the land is within its area), or
- b) A voluntary or community body with a local connection*. This can include:
 - An unincorporated body of at least 21 local individuals[#] which applies at least part of any surplus it makes for the benefit of the Districts of Arun, Chichester, Horsham or the Borough of Worthing, and does not distribute any surplus it makes to its members,
 - A charity
 - A company limited by guarantee which applies at least part of any surplus it makes for the benefit of the Districts of Arun, Chichester, Horsham or the Borough of Worthing, and does not distribute any surplus it makes to its members

- An industrial or provident society which applies at least part of any surplus it makes for the benefit of the Districts of Arun, Chichester, Horsham or the Borough of Worthing, and does not distribute any surplus it makes to its members
 - A community interest company
 - A body designated as a neighbourhood forum pursuant to the Town and Country Planning Act 1990 Section 61F
- * A local connection is where the body's activities are at least partly concerned with any of the Districts of Arun, Chichester, Horsham or the Borough of Worthing
- # A local individual means a person who is registered at an address in the Districts of Arun, Horsham, Chichester or the Borough of Worthing on the register of local government electors.

Arun District Council cannot list land on its own initiative.

3.0 How to Submit an Application

By completing an online form www.arun.gov.uk/assets-of-community-value or by email to landcharges@arun.gov.uk or in writing to Local Land Charges Service, Civic Centre, Littlehampton, West Sussex BN17 5LF.

4.0 Information Required for a Valid Nomination

- i. The name of nominating body.
- ii. Relevant contact details of the nominating body.
- iii. The category of nominating body (with reference to the **"Who can submit a community nomination"** section of this document).
- iv. Evidence of the nominating body's local connection.
- v. Evidence of the eligibility of the body to make a nomination. Refer to the description of categories of eligible nominating bodies in the **"Who can submit a community nomination"** section of this document. Evidence could include the Constitution, Terms of Reference, Standing Orders, Trust Deed, Articles of Association, Interest Statement for Community Interest Company; and accounts showing whether any surplus is made, and geographically where it is applied, on what and whether any of the surplus is given to members.
- vi. Location of nominated property/land together with a plan to scale showing boundaries edged red, such as by providing Land Registry Title Register and Title Plan (up-to-date office copies) or plan showing OS co-ordinates, road names, and land marks. The boundaries do not have to be the same as ownership boundaries, nor does the land have to be in the same ownership.

- vii. Names and addresses of owners of freehold and leasehold interests and occupiers.
- viii. Actual current use of the property/land.
- ix. Reasons to believe that the current use, or another community use, can be carried out on the land for the foreseeable future i.e. within the next 5 years.
- x. The reasons for nominating the property/land, including evidence of community value. This can be in the form of testimonials, advertisements, lists of clubs/groups using facilities and the frequency of use, photographs, copies of web pages showing history of the property/land or its use/events. Such evidence must relate to the primary use of the building or land and further the social wellbeing or social interests of the local community. Note: this list is not exhaustive.

The following examples, which are not exhaustive, give an indication of what might be considered as being of 'community value'

- Sport and leisure facilities
- Parks and open spaces
- Libraries
- Museums
- Theatres
- Village Halls/Community Centres
- Public Toilets
- Village shops
- Pubs

The following **would not** be considered as having 'Community Value'

- Land and property where community use is ancillary to the main use/purpose
- Land and buildings which are primarily residential in purpose (the Regulations set out certain exceptions for a building that is only partly used as a residence, such as pubs and shops)
- licensed (and some unlicensed) Caravan Sites
- Land owned by statutory undertakers as defined in section 263 of the Town and Country Planning Act 1990. This would include organisations such as the Post Office, transport providers and utility companies.
- Hotels

Nominations can be made at any time, including after a potential asset has been put onto the market. However, no restrictions on sale arise from nomination – it is only listing which brings the statutory provisions into play.

5.0 Validation

For a nomination to be valid (for consideration and determination) it must provide sufficient evidence to demonstrate that it has been made by an eligible nominating body, and is for defined land within Arun. I.e. include information to the satisfaction of the Council as set out in criteria (i)-(vii) and provide information addressing the use, reasons for considering the use can continue, and reasons for considering the use is of community value criteria (viii)-(x).

If the nominating body has not demonstrated to the Council's satisfaction that it is an eligible nominating body, the nominating body will be written to providing reasons and the Council will not consider it to have been a valid community nomination until and unless it is provided with evidence to its satisfaction.

6.0 Consideration of Community Value and Determination of a Nomination

A decision will be made on a valid nomination within a period of **8 weeks from receipt of a valid nomination.**

On being satisfied that a nomination is valid, the Council will write to the freeholders, leaseholders and occupiers, Ward Members and the relevant Town or Parish Council (unless they are the nominating body) to advise that the nomination has been received and affording the opportunity to make representations.

After having established the validity of the nomination, the consideration is about whether the land use is (viii) current, or has been carried out in the recent past, (ix) whether it is reasonable to think it could continue to be used for this purpose within the next five years, and (x) whether the non-ancillary land use has community value.

Officers will examine the evidence submitted with the nomination together with any comments that have been received from the freeholders, leaseholders and occupiers, Ward Members and the relevant Town or Parish Council in order to make a decision as to whether the land should be listed as an Asset of Community Value.

The Council will notify the nominating body, owners/occupiers, Ward Members and relevant Town/Parish Council of the decision in respect of the nomination. It will include in the notification of land which is to be added to the list of Assets of Community Value, the consequences for the land and the owner's right to request a

review of the decision. The decision will also be recorded on the List of Successful/Unsuccessful nominations recorded. Un/Successful nominations will remain on the list for a period of 5 years. <https://www.arun.gov.uk/assets-of-community-value>. On occasions when a valid nomination is unsuccessful, the nominating body will be provided with reasons for the decision, and this will be recorded on the list of unsuccessful community nominations.

The Council will register a charge in respect of a successful listing against the property with the Land Registry and will also register an entry in Part 4 of the Local Land Charges Register – such charges will remain in force for a period of 5 years. Should a property not be registered with the Land Registry within the period of Listing, the owner must ensure that at the time of first registration the restriction is registered.

7.0 Disposing of a Listed Asset of Community Value

If an owner proposes to dispose of the asset, and that disposal is a relevant disposal caught by the provisions of Section 96 Localism Act 2011 (and is not exempt under the Localism Act 2011) such as selling a listed asset, then they need to notify the Council in writing landcharges@arun.gov.uk who will update the List to show the owner's intention to dispose and give the interim and full moratorium end dates, and the end date of the protected period.

This notification triggers an **Interim Moratorium Period of 6 weeks** during which time the Council must publish the owner's intention to dispose of the asset. This will be done by posting a notice on the land, on the Council's website, and by advising the nominating group (if contactable), relevant Town/Parish Council and Ward Members. Any relevant community interest group can then consider whether they want to submit an offer to the owner of the asset.

If any relevant Community Interest Group notifies the Council in writing during the interim moratorium period that it wishes to place an offer, the **Full Moratorium Period of 6 months** from the notification by the owner of proposed sale is activated. This provides the community interest group, known within the Regulations as the potential bidders, time to develop their offer. The Council must let the owner know as soon as practicable.

Following the end of the Interim Moratorium Period, or if it is activated, only after the Full Moratorium Period, the owner is free to dispose of the property without further delay for the remaining part of eighteen months after the initial notification by the owner to the Council of proposed disposal. The disposal does not have to be to a community interest group. This is referred to as the 'Protected Period'.

The owner of the land may enter into a relevant disposal of any of that land at any time within eighteen months of having notified the Council of its proposal to dispose of the asset (only) if it is sold to a community interest group.

8.0 Request for Review of Decision to List Land as an Asset of Community Value

Once the owner has been notified of the decision to list an asset he/she has a period of **eight weeks** from the day on which written notice of the decision to list was given, or such longer period as agreed, in writing by the Council, in which to request a review.

If an appeal is requested, the Director of Place or Group Head of Technical Services will nominate an officer to undertake the review and make the review decision.

Officers that have been involved in the making of the original decision cannot conduct the review. The officer who will conduct the review will be of greater seniority to the officer that made the original decision. The owner will be advised of the name of the Officer who will undertake the review.

The property will remain listed while the review is carried out.

Schedule 2 to the Regulations set out the basic procedural rules for the review.

The owner may appoint a representative and the local authority will be required to provide all relevant documents to the owner or their representative.

The owner and/or their representative may make representations to the reviewer orally and/or in writing. The authority must complete their review within **eight weeks**, unless a longer period has been agreed in writing.

The authority decides and communicates with the owner as to the procedure for the review, however if the owner requests an oral hearing, then an oral hearing must be held. If the owner does not request in writing an oral hearing, the reviewing officer will decide whether to or not to hold one. The nominees will be invited to attend any oral hearing that takes place. Any personal information contained within copy documents should be redacted. Procedural fairness principles should apply, i.e. where information is freely available in the public domain there is no need for redaction. However, where applicable, personal data should be redacted to comply with data protection principles. A general postal area or post code may be permissible in respect of the people signing up to an unincorporated body.

The approach for an oral hearing will be broadly as follows, although the Reviewing Officer may change the running order if appropriate.

- a. Introduction
- b. Local Land Charges to set out what the application was for and the decision
- c. Invite owner/representative to set out why they disagree with the decision and call any witnesses agreed in advance with the Reviewing Officer
- d. Local Land Charges officer may ask questions of the owner/representative
- e. Nominator invited to ask questions of the owner/representative
- f. Questions from Reviewing Officer to owner/representative

- g. Nominator representations
- h. Local Land Charge Officer questions of nominator
- i. Owner/representative questions of nominator
- j. Reviewing Officer questions of nominator
- k. Summing up by Local Land Charges Officer
- l. Summing up by nominator
- m. Summing up by owner/representative
- n. Reviewing Officer will then confirm if the decision will be issued the same day and reconvene the hearing, or if further time is required to review all materials, then decision will follow in writing.

A written decision will be issued within 10 working days of the conclusion of the hearing (or earlier if the 8 weeks to complete the review applies, unless that period has been extended by agreement in writing).

The parties will bear their own costs of the review.

If the owner is not satisfied with the outcome of the officer review they have the right to appeal to the First Tier Tribunal against the local authority's review decision. The written response following the review should inform the owner of their right to an independent appeal.

The owner making the appeal can be either the same owner who requested the review, or – if the property has been sold in the meantime – the new owner.

9.0 Appeal of a Listing Review Decision

The property will continue to remain listed during the appeal process.

An owner's appeal against a local authority listing review decision must be made to the General Regulatory Chamber of the First Tier Tribunal. The deadline for appealing is specified in the procedural rules of that Chamber as 28 days from the date on which notice of the decision appealed against was sent to the owner. Appeals may be both on points of law and on findings of fact.

First-Tier Tribunal address:

Tribunal Clerk Community Right to Bid Appeals
 HM Courts & Tribunals
 First-Tier Tribunal (General Regulatory Chamber)
 P O Box 9300
 Leicester, LE1 8DJ

or

e.mail: GRC.CommunityRights@hmcts.gsi.gov.uk

10.0 Compensation

Private owners (claimants) may claim compensation for loss and expense incurred through the asset being listed or previously listed. The Regulations specifically state that this will include a claim arising from a period of delay in entering into a binding agreement to sell which is wholly caused by the interim or full moratorium period (see section headed 'Disposing of a listed asset' for time periods); or for legal expenses incurred in a successful appeal to the First-Tier Tribunal to list the land, to refuse to pay compensation or with regard to the amount of compensation offered or paid.

The time limit for making a compensation claim is specified in Regulation 14 as within 13 weeks after the loss or expense was incurred or finished being incurred.

There is no statutory timescale in which the local authority should make a decision on the compensation claim, however DCLG Community Right to Bid: Non-statutory advice note for local authorities provides that the decision should be made as soon as reasonably practicable when all the facts are available. The decision maker shall strive to comply with this guidance, and in any event, shall make a decision no later than 8 weeks from receipt of all of the relevant information from the claimant.

Claims must be in writing, state the amount of compensation sought and provide supporting evidence. The burden of proving the claim falls on the claimant.

The Group Head of Technical Services or their nominated representative may consult with Legal Services, Financial Services and any other expert as may be required in order to consider the claim. Written reasons for the decision will be provided.

The Group Head of Technical Services or their nominated representative will assess whether the claim has been submitted in accordance with the relevant time limits, whether the claimant is a valid claimant, whether the costs are reasonable requiring information as to what they are for, and what hourly rates apply if applicable. They will also assess whether the costs are relevant e.g. are they for costs incurred following a successful First Tier Tribunal.

The Compensation scheme does not extend to public authorities and bodies.

11.0 Request for Review of Compensation Decision

If the owner is not satisfied with the local authority's response to the compensation claim they may, as permitted by the Regulations, request a review by the local authority of its decision. Schedule 2 of the Regulations states that this must be made in writing to the Council within a period of 8 weeks, (unless previously agreed

in writing), beginning on the date that the local authority advised the owner with written notification of the decision.

A review of the decision must be undertaken by a senior officer, this may be the Director of Place or other nominated Director or Group Head not involved in the original compensation decision. The owner should be notified of the result of such review within 8 weeks of receiving the requests, giving reasons for the review decision. Schedule 2 to the Regulations indicate that the procedure for review is the same as for a listing review.

12.0 Appeal of a Compensation Review Decision

The owner can appeal the compensation review decision to the General Regulatory Chamber of the First-tier Tribunal. As with listing appeals, the deadline for the appeal is in the Tribunal Rules – 28 days from receiving the local authority's decision on the compensation review. Only the owner or former owner – who requested the review may appeal against the review decision – a new owner who brought the land following a request for a review may not appeal against the compensation review decision.

This page is intentionally left blank

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 3 JUNE 2019

PART A : REPORT

SUBJECT:	Managing the Coast in a Changing Climate
-----------------	--

REPORT AUTHOR:	Roger Spencer – Engineering Services Manager
DATE:	April 2019
EXTN:	37812
PORTFOLIO AREA:	Technical Services

EXECUTIVE SUMMARY:

The Report will present the content, conclusions and recommendations of the recently published report by the Committee on Climate Change. It is put forward for consideration in respect of its implications for the Arun District. It is anticipated that separate further reports will be necessary in respect of individual Council Services.

RECOMMENDATIONS:

To note the report – especially the content and spirit of Paragraph 1.6

1. BACKGROUND

1.1. The Climate Change Act of 2008, set a target to significantly reduce UK greenhouse gas emissions by 2050 and a path to get there. The Act also established the Committee on Climate Change (CCC) to ensure that emissions targets are evidence-based and independently assessed.

1.2. The Committee has over the past few months published a number of reports; three of the reports are as:

- Managing the coast in a changing climate - Oct. 2018
- Land use: Reducing emissions and preparing for climate change - Nov. 2018
- UK housing: Fit for the future? - Feb 2019

This report deals primarily with the former but reference will be made to the latter two reports and their potential implications for this Council.

1.3. The CCC's Adaptation Sub-Committee is chaired by The Baroness Brown of Cambridge DBE and is made up of experts in the fields of climate change impacts, science, environmental economics, conservation, public health and business. It provides independent, expert advice on preparing for and adapting to climate change to UK and devolved governments and parliaments and has a statutory role in monitoring progress in preparing for climate change

1.4. The report accepts that risks of flooding and coastal erosion have always existed on an ever-changing coastline— ever since people starting developing settlements on the coast there have been many villages that were lost or abandoned to the sea and there are many stories of damaging floods from the past. However, the report uncovers how coastal risks will increase in the future - and we are not prepared.

“Climate change is causing sea waters to expand and is melting glaciers. Melting of ice caps on a much larger scale is possible unless more urgent action is taken to limit greenhouse gas emissions. We will almost certainly see 1m of sea level rise at some point in the future, possibly within the lifetimes of children alive today, and we must account for this change in long-term land use and coastal defence plans.

Meanwhile, the number and value of assets at risk on the coast has steadily been increasing. Houses, businesses, roads, railways, train stations, power stations, landfill sites and farmland will all be affected by increased coastal flooding or erosion in the future. Many of these assets are protected by coastal defences that date back to the last century, so are deteriorating in the face of rising sea levels and eroding coastlines. The strategies we”

1.5. The report has the following Key messages:

- It is almost certain that England will have to adapt to at least 1m of sea level rise at some point in the future;
- In England, 520,000 properties (including 370,000 homes) are located in areas with a 0.5% or greater annual risk from coastal flooding and 8,900 properties are located in areas at risk from coastal erosion, not taking into account coastal defences;
- By the 2080s, up to 1.5 million properties (including 1.2 million homes) may be in areas with a 0.5% or greater annual level of flood risk and over 100,000 properties may be at risk from coastal erosion;
- The public do not have clear and accurate information about the coastal erosion risk to which they are exposed, nor how it will change in future;
- Today, coastal management is covered by a complex patchwork of legislation and is carried out by a variety of organisations with different responsibilities;
- The current policy decisions on the long-term future of England's coastline cannot be relied upon as they are non-statutory plans containing unfunded proposals;

- We calculate that implementing the current Shoreline Management Plans to protect the coast would cost £18 - 30 billion, depending on the rate of climate change, and that for 149 - 185 km of England's coastline it will not be cost beneficial to protect or adapt as currently planned by England's coastal authorities;
- To minimise these risks, global emissions of greenhouse gases need to fall dramatically, which would slow sea level rise in the long term. In parallel, the UK needs to strengthen its policies to manage the risks of coastal flooding and erosion.

1.6. It concludes with five Recommendations

- **1: The scale and implications of future coastal change should be acknowledged by those with responsibility for the coast and communicated to people who live on the coast.**
- **2: Local government and the Environment Agency need to be enabled by national government to deliver a long-term and appropriately resourced approach to engaging affected communities and stakeholders.**
- **3: Defra and MHCLG policy on the management of coastal flooding and erosion risk should specify long-term, evidence-based, quantified outcomes that have the buy-in of the affected communities and stakeholders.**
- **4: Government should make available long-term funding/investment to deliver a wider set of adaptation actions.**
- **5: Plans to manage and adapt specific shorelines over the coming century should be realistic and sustainable in economic, social and environmental terms.**

1.7. General observations

- 1.7.1. The report highlights that there are eleven items of Primary legislation that relate to flood and coastal erosion risk management (FCERM) and sets out the actors and stakeholders (see fig. 1)
- 1.7.2. The Coast Protection Act 1949 is the main vehicle which provides this Council (together with other District, Borough and Unitary authorities) with permissive powers to manage the coast. However, policy in relation to FCERM is provided by Defra and the Environment Agency has a coastal overview alongside its own powers in relation to flood defence (sea defences).
- 1.7.3. Shoreline Management Plans (SMP) provide a large-scale assessment of the risks associated with coastal evolution and presents a policy framework to address these risks in a sustainable manner with respect to people and to the developed, historic and natural environment.
- 1.7.4. They are not statutory and do not bring with them financial commitment to implement the actions outlined in the policies. Also, they do not align with other with the (shorter) timescales of other plans
- 1.7.5. The SMP for any given stretch of coast is a high-level document that forms an important part of the Department for Environment, Food and Rural Affairs (Defra) strategy for flood and coastal defence (Defra, 2001). Arun was the lead authority for both the initial SMP and the Beachy Head to Selsey Bill 1st review

(SMP2)

- 1.7.6. A refresh of SMP2 has recently been awarded to a partnership of independent consultants to bring the 10-year-old SMP2 up to date; this may lead to SMP3 – which the Report alludes to be necessary
- 1.7.7. Below the SMP sits a series of Coastal Defence Strategies (CDS) which take the SMP policy as a starting point and look at smaller sections of coast in greater detail and from that the preferred management of the coast is indicated; both in terms of capital interventions and day to day management
- 1.7.8. The Report seem to take the policies set out in the various SMPs around the country but does not seem to recognise the work done in the CDSs, although this could be an error in interpretation

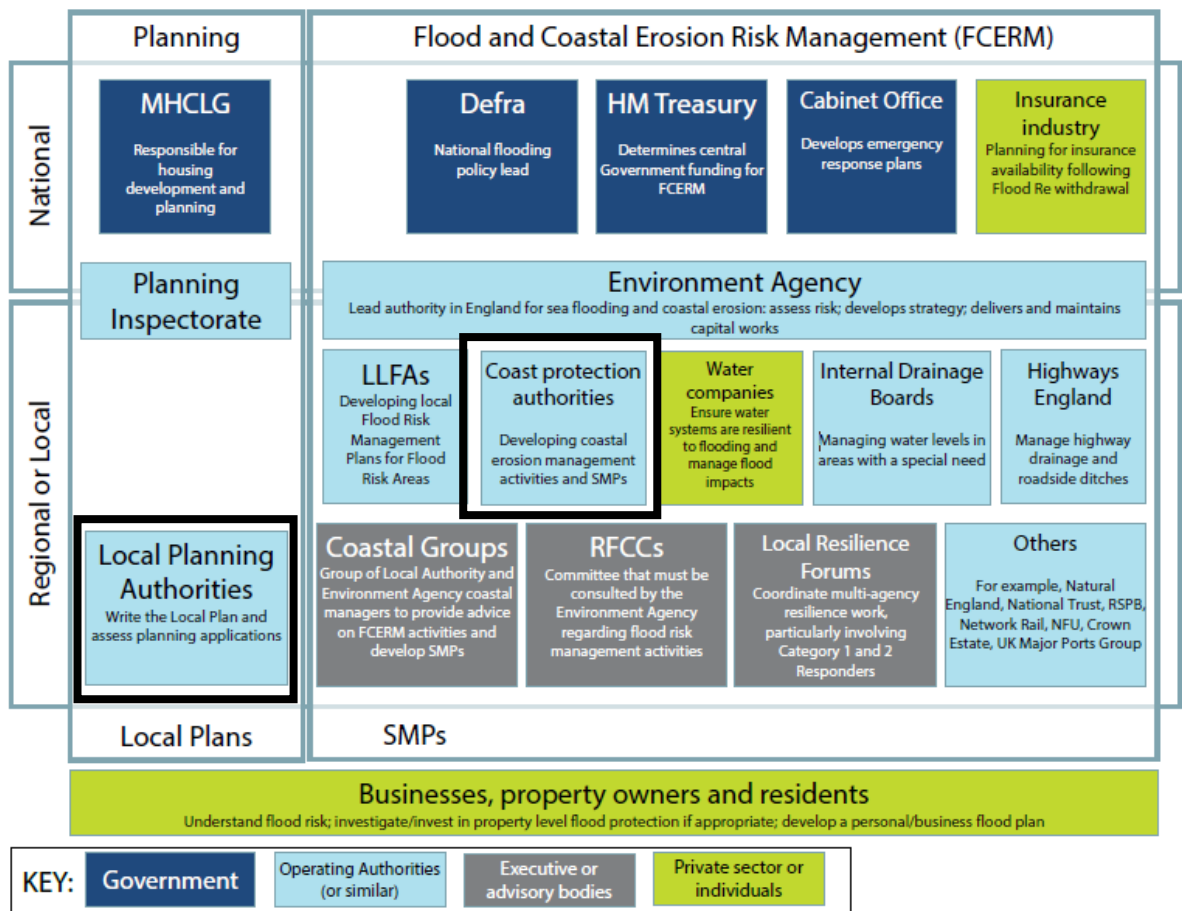


Figure 1 – FCERM Actors (Arun DC elements emboldened)

- 1.7.9. Since 1901 there has been an average sea level rise (adjusted for geological differences) of 1.4mm/yr. There are various model predictions for the future amount and rate of sea level rise due to climate change, with the potential for 0.8m rise in today's children's lifetimes.
- 1.7.10. UK climate projections predict only modest changes to storm surge intensity but there is considerable uncertainty in the North Atlantic storm track location, so extreme may be possible in the future
- 1.7.11. As a general stance, coastal structures need to take account of sea level rise.
- 1.7.12. There are currently 370,000 homes at risk of coastal flooding (0.5% annual risk) with 8,900 at risk of coastal erosion. Homes are the government's current

main driver for promoting defences but there are 7,500km of road, 520km of railway, 205,000ha of good (or better) quality farmland and 3,400ha of potentially toxic landfill at risk, with some power plants, ports, gas terminals, etc. also at risk.

- 1.7.13. By 2080 these figures could increase dramatically with homes at coastal erosion risk increasing to 100,000.
- 1.7.14. The report says that the public do not have a clear or accurate understanding of risks involved or how things will change in the future.
- 1.7.15. The report suggests that the long-term policy for the coastline (through the SMP) cannot be relied upon and that there is a need for those plans to be statutory and also that Planning Policy needs to be linked to those statutory Plans.
- 1.7.16. The problem is not one just for this country; global emissions need to fall thus slowing the long-term effects but in parallel, the UK needs to strengthen its policies to manage coastal flood and erosion risk
- 1.7.17. One tool in achieving that aim should be 'adaptation'; this involves potentially relocation of existing properties, limiting the approval of new properties, managed realignment, etc. It will involve the viewing of long time horizons for people with assets at risk. Unfortunately, long term aspirations often conflict with short term interests of those who would be at risk.
- 1.7.18. National Planning Policy aims to steer development away from risk areas but if local authorities are to fully assess those risks Planners need to be aware and from an analysis nationally, some authorities are not taking adequate account of the risks.
- 1.7.19. This situation may worsen through the removal of the requirement of SMPs to underpin development strategies from the 2018 NPPF – (moved to Planning Practice Guidance).
- 1.8. Coastal Change Management Areas (CCMA) are another tool that can be used.
- 1.9. The capital funding process, with its technical and financial tests, may not be conducive to long term sustainable plans that address environmental and housing needs.
- 1.10. Partnership Funding is a process that enables beneficiaries to part fund schemes.
- 1.11. On the other side of this, there is no mechanism for compensation for property lost to coastal erosion
- 1.12. Housing and Land Use Reports
 - 1.12.1. In summary, for Housing, the report finds:
 - Greenhouse gas emission reductions from UK housing have stalled and efforts to adapt housing for climate change are falling behind;
 - In the long run, consumers pay a heavy price for poor-quality build and retrofit;
 - UK Government policy has inhibited skills development in housing design, construction and 'new measures';

- The uptake of energy efficiency measures such as loft and wall insulation must be increased;
- There are plans for 1.5 million new homes by 2010; these must be low-carbon, energy and climate efficient and climate resistant;
- From 2015 at the latest, no new homes should be connected to the gas grid*;
- There are urgent funding needs and these must be addressed by HM Treasury, not least with resources local authorities, in particular Building Control;
- Householders can make a big difference with small changes;
- Building Regulation standards should be strengthened;
- Water leakage needs to be reduced and householder behaviour can reduce consumption.

* This measure was mentioned in the Chancellor's 2019 Spring Statement

1.12.2. Again in summary, for Land Use, the report finds:

- The current approach to land use is not sustainable;
- There exists an opportunity to define a better land strategy;
- There are potential multiple benefits across climate change mitigation, adaptation and the Government's wider goals including:
 - New technologies and farming methods
 - Shifting diets towards nutritional guidelines to improve health
 - Diversifying afforestation peatland restoration and catchment management have positive impacts on habitats.

1.13. Implications for Arun District Council - General

1.13.1. It would appear that the report is aimed at Government in the first instance. There is little that can be done without further guidance and funding from Government. Clearly, public awareness and understanding of the seriousness of the situation and its implications would go a long way towards a good start. This is true in terms of short-term actions to address climate change and also the longer term, therefore, all of our 'green' initiatives should not be allowed to lapse.

1.14. Implications for Arun District Council - Coastal

1.14.1. Arun needs to be fully engaged in the SMP Refresh and if it is forthcoming SMP3 mand its use in coastal defence policy and operational activities.

1.14.2. The report is a little generalised in its outcomes and how it reaches them, using the SMP as a quasi-universal indicator. This is not surprising, as there are many different types of beach around the country (from high rock cliffs to soft eroding intermediate ground to low shingle beaches). There is also clearly a range of 'forcing factors', leading to how beaches respond to prevailing natural conditions and then there are numerous ways in which human intervention has shaped, and is shaping, our current coastline.

- 1.14.3. In general terms, Arun district has two types of beach, those area that are susceptible to erosion – managed by Arun or private entities and this which are slightly lower and more prone to flood risk and typically managed by the Environment Agency.
- 1.14.4. As we experience sea level rise, there could be a transfer of land currently at erosion risk, moving to a greater risk of flooding. There have been no discussions on this point with the EA, as we currently have well defined lines between the areas. As time moves forward this will become a national discussion point, rather than a local one as sea level rise will effect all coasts.
- 1.14.5. In terms of Arun DC managed (erosion) frontages, they can be sub-divided into two types. Those with natural shingle beaches which will tend to roll back and increase in height naturally as they respond to increasing wave action and the other, where there has been a more noticeable human intervention for example with the construction of seawalls.
- 1.14.6. Firstly, addressing the more natural ‘roll-back’ situation, this is dependent upon a sufficient supply of shingle. Timber groynes, and a natural response, provide the best likely outcomes, provided there is a sufficient back-shore to enable unrestricted roll-back. We should be able to adapt and manage into the future However, if sea level rise occurs rapidly or there is a change to littoral drift processes, there could be a shift in the natural beach response. This was highlighted in the work done for SMP2 and is something that cannot be predicted with any degree of confidence at this stage.
- 1.14.7. Where there has been human intervention e.g. construction of seawalls. This tends to fix the defence line and could lead to ever increasing management requirements; again, this was covered in our SMP2. As set out in the report, there may come a time when difficult decisions need to be made and this should be kept on the agenda, at least until there is further guidance and/or funding that enable us to deal with those decisions properly.
- 1.14.8. If it is forthcoming, SMP3 and the policies identified need to be fully translated into Planning decisions. This is not an issue for Arun, as the Planning Teams are fully aware of the SMP and its policies.
- 1.14.9. Residents should be made aware of the risks, as far as they can be identified, as early as possible. We can help develop adaption plans to address change as it unfolds.
- 1.15. Implications for Arun District Council - Housing & Land Use
 - 1.15.1. There is little in the either the Housing or Land Use reports that suggests or requires direct action from local government at this stage.
 - 1.15.2. In general terms however, we must not be complacent and should do all that we can in terms of ‘green’ initiatives and day to day actions, to promote awareness of, and help offset or delay, the potential implications of climate change. This means applying our current policies in full and where possible negotiate additional mitigation beyond the current policy requirements.
 - 1.15.3. Also in terms of our forthcoming review of the Local Plan the Council should model significant sea level increases; understand all the likely potential

<p>impacts of climate change (including significant changes in rainfall and temperature) and develop a coherent strategy to accommodate and mitigate these changes.</p> <p>1.15.4. It should be recognised that as part of this process the Council will need to consider very carefully along with its partners and the community whether in parts of the district a process of managed retreat should now be adopted.</p>		
<p>2. PROPOSAL(S):</p> <p>To note the report – especially the content and spirit of Paragraph 1.6</p>		
<p>3. OPTIONS:</p> <p>To ignore the contents</p>		
<p>4. CONSULTATION:</p>		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability	The report addresses assets and sustainability but does not suggest changes	
Asset Management/Property/Land		
Technology		✓
Other (please explain)		
<p>6. IMPLICATIONS:</p> <p>If the contents of the report are ignored the Council may not be as prepared, as might be possible, to address climate change in terms of the subject areas mentioned.</p>		
<p>7. REASON FOR THE DECISION:</p> <p>Recognition of the potential impacts and timescales (long and short) of climate change.</p>		
<p>8. EFFECTIVE DATE OF THE DECISION: 12 June 2019</p>		

9. BACKGROUND PAPERS:

Committee on Climate Change <https://www.theccc.org.uk/>
and its various publications <https://www.theccc.org.uk/publications/>

This page is intentionally left blank

AGENDA ITEM NO.

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 3rd JUNE 2019

PART A : REPORT

SUBJECT: Tivoli Group Ltd – Admissions Agreement to Local Government Pension Scheme
--

REPORT AUTHOR: Oliver Handson, Environmental Services & Strategy Manager

DATE: 3 June 2019

EXTN: 37955

PORTFOLIO AREA: Neighbourhood Services

EXECUTIVE SUMMARY:

The novation of the Council's Greenspace Management Contract from ISS Facility Services Landscaping (FSL) to Tivoli Group Ltd was approved by Cabinet on 14 January 2019.

Because of the change in service provider, Cabinet approval is sought once more to authorise entering into the required Guarantee in respect of pension liabilities in the event that these are not met by Tivoli Group Ltd as the admitted body, and to approve entering into the Admissions Agreement itself.

RECOMMENDATIONS:

That Cabinet recommends to Full Council;

- a) That the Council acts as a guarantor in respect of any and all pension liabilities which may arise throughout the term of the contract and gives delegated authority to Legal Services to enter into the Admissions Agreement and Guarantee

1. BACKGROUND:

1.1 Three Inspire Leisure staff who were existing members of the Local Government Pension Scheme transferred under TUPE to ISS FSL in April 2016 when ISS FSL took contractual responsibility for delivery of Outdoor Recreation Services, services which had previously been delivered by Inspire Leisure.

ISS FSL were required to become an admitted body for the Local Government Pension Scheme (LGPS) because of these transferring staff.

For ISS to become admitted to the LGPS, West Sussex County Council required the Council to enter into a Guarantee in respect of pension liabilities in the event that these were not met by the admitted body. This is standard practice.

Full Council approved this decision in respect of ISS FSL on 08/03/17 following Cabinet decision C/047/160171.

The novation of the Council's Greenspace Management Contract from ISS Facility Services Landscaping (FSL) to Tivoli Group Ltd was approved by Cabinet on 14 January 2019.

Because of this change in service provider, Tivoli Group Ltd are now required to become an admitted body for the purposes of the LGPS. A Cabinet recommendation to Full Council is once again sought to authorise entering into the required Guarantee in respect of pension liabilities, in the event that these are not met by Tivoli Group Ltd and to approve entering into the Admission Agreement itself.

2. PROPOSAL(S):

- a) That Cabinet agree the recommendations as set out in this report.

3. OPTIONS:

- a) That Cabinet recommends to Full Council that the Council acts as a guarantor in respect of any and all pension liabilities which may arise throughout the term of the contract and gives delegated authority to Legal Services to enter into the Admission Agreement and Guarantee.
- b) That Cabinet does not recommend to Full Council that the Council acts as a guarantor in respect of any and all pension liabilities which may arise throughout the term of the contract and does not give delegated authority to Legal Services to enter into the Admission Agreement and Guarantee.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons ADC Legal Services/Accountancy	✓	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓

Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓

6. IMPLICATIONS:

Financial – To act as a guarantor for pension liabilities in the event these are not met by the admitted body.

Legal – To authorise Legal Services to enter into the Admissions Agreement and Guarantee.

7. REASON FOR THE DECISION:

To allow the Council's Legal Services to enter into the required LGPS Admissions Agreement and Guarantee with West Sussex County Council and Tivoli Group Ltd.

To ensure that pension liabilities associated with the agreement are guaranteed throughout the duration of the Greenspace Management Contract in the event these are not met by the admitted body.

8. EFFECTIVE DATE OF THE DECISION: 12 June 2019

9. BACKGROUND PAPERS:

None

This page is intentionally left blank

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 3 JUNE 2019

PART A : REPORT

SUBJECT: Clinical Waste Collection Contract
--

REPORT AUTHOR: Oliver Handson, Environmental Services & Strategy Manager

DATE: 3 June 2019

EXTN: 37955

PORTFOLIO AREA: Neighbourhood Services

EXECUTIVE SUMMARY:

The Council's clinical waste collection service has been delivered under a county-wide framework agreement since 2016. Cabinet authority is sought to enable the Council to continue this method of service delivery by entering into the clinical waste collection call-off contract under the recently re-procured WSCC framework agreement.

RECOMMENDATIONS:

It is recommended that Cabinet

- a) Provide authority for the Council to enter into the call-off contract under the recently procured WSCC framework agreement for clinical waste collections for an initial three year term; and
- b) To authorise the Group Head for Neighbourhood Services to extend this call off contract, following the initial 3 year term for up to an additional three years, as allowed for under the framework.

1. BACKGROUND:

- 1.1 On the 14 November 2016, as part of the award of the Council's Combined Cleansing Services Contract (CCSC) Cabinet agreed that the contractual delivery of Clinical Waste collection services would be provided through a County wide framework agreement (Decision ref:C/031/141116).
- 1.2 Under section 45 of the Environmental Protection Act, 1990 District and Boroughs have a duty to collect household waste (including clinical waste), produced by residents at a domestic property. Under section 51 of the Environmental Protection Act, 1990 it is the responsibility of West Sussex County Council as a Waste Disposal Authority to dispose of waste collected in its area by waste collection authorities.

- 1.3 Services have been provided by Medisort, a specialist clinical waste company based in Littlehampton. Approximately 3300 Arun residents are registered for and receive a clinical waste collection service which completes an average of 1000 collections per week. This a high performing, fully compliant and professional service, with only 159 missed collections in 2018/19.
- 1.4 The West Sussex County Council Cabinet Member for Environment approved the commencement of a procurement process, detailed within the report ENV10 18.19, to recommission these services to become effective from 01/04/2019. A Contract Notice was issued in the Official Journal of the European Union (OJEU) on 03/12/2018 (Ref. 2018/S 235-537384).
- 1.5 The West Sussex Waste Collection Authorities were consulted throughout the process, with comments being incorporated into the procurement process. A collaborative working group was established to include representatives of all District and Borough Council participating in the new Framework Agreement. The Councils party to this collaboration were as follows:
- Crawley Borough Council
 - Horsham District Council
 - Chichester District Council
 - Arun District Council
- This joint working group allowed a specification and evaluation methodology to be drawn up together and agreed by all parties.
- 1.6. Procurement was undertaken in accordance with the Public Contract Regulations 2015 and WSCC Standing Orders for Contracts and Procurement. The contract was evaluated on a 60% price, 40% quality basis and Medisort were the successful tenderer.
- 1.7 Whilst there is a small increase in the annual charge for this service, the retendered cost of the contract falls within Arun's existing budget for this service.
- 1.8 Arun's contract standing orders also require a waiver of the competition requirements in circumstances where we are using a framework agreement, thereby allowing use of the framework rather than undertaking our own EU tender process. This waiver will be signed off by the Chief Executive.
- 1.9 There were delays in the procurement process resulting in the award of the framework agreement not being approved until February. West Sussex County Council is required to enter into the framework agreement before the Council can call off under it. As of the 27 March, the framework agreement had not been entered into by the County Council. Continuity of service delivery for residents must be the primary consideration and far outweighs the risk of operating on the basis of an implied contract with a trusted supplier, until such time as the call off contract is entered into. The call off term commenced on 1st April 2019 irrespective of the date upon which the contract is completed.

2. PROPOSAL(S): That Cabinet agree the recommendations for the reasons set out in the report.		
3. OPTIONS: a) To provide authority for the Council to enter into the call-off contract under the recently procured WSCC framework agreement for clinical waste for an initial three year term. Also to authorise the Group Head for Neighbourhood Services to extend this call off contract, following the initial 3 year term for up to an additional three years, as allowed for under the framework b) Not to provide authority for the Council to enter into the call off contract.		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) ADC Procurement Officer ADC Contracts Lawyer	✓	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓
6. IMPLICATIONS: Financial – the annual cost of this contract is within existing budgets for provision of the service.		
7. REASON FOR THE DECISION: To allow the continued effective and successful delivery of clinical waste collections for Arun residents.		
8. EFFECTIVE DATE OF THE DECISION: 12 June 2019		

9. BACKGROUND PAPERS:

None

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 3 June 2019

PART A : REPORT

SUBJECT: Planning Appeal at Land north of Hook Lane, Pagham.

REPORT AUTHOR: Claire Potts – Strategic Development Team Leader

DATE: 07/05/19

EXTN: 37698

PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY: An appeal has been submitted against the decision of the Council to refuse planning permission for 300 dwellings, care home of up to 80 beds, D1uses (e.g. community facility) of up to 4000sqm including a 2 form entry Primary School, formation of new means of access onto Hook Lane & Pagham Road, new pedestrian & cycle links, the laying out of open space, new strategic landscaping, habitat creation, drainage features & associated ground works & infrastructure on a site to the north of Hook Lane, Pagham. (Planning Application Ref P/6/17/OUT).

The application was refused by Council's Development Control Committee on the 23 January 2019 for one reason, overturning the officers' recommendation of approval. The appeal will be heard in October 2019 and is to be heard by way of a Public Inquiry lasting four days.

This report seeks approval to a supplementary estimate of up to £25,000 to cover the costs of defending this appeal.

RECOMMENDATIONS:

That Cabinet recommend to Full Council the approval of a supplementary estimate of £25,000 for costs associated with defending the appeal in respect of application P/6/17/OUT. These include Counsel costs and costs of appointment of a Planning Consultant to assist Members with defending an appeal in respect of Planning Application P/6/17/OUT.

The supplementary estimate equates to a Band D Council Tax of £0.41.

1. BACKGROUND:

1.1 Hallam Land Management Ltd submitted to the Council an outline planning application seeking permission for 300 dwellings, care home of up to 80 beds, D1uses (e.g. community facilities) of up to 4000sqm including a 2 form entry Primary School, formation of new means of access onto Hook Lane & Pagham Road, new pedestrian & cycle links, the laying out of open space, new strategic landscaping, habitat creation,

drainage features & associated ground works & infrastructure on a site to the north of Hook Lane, Pagham. All detailed matters were reserved other than the means of access into the site. The development site covers 17.5 hectares.

1.2 The application was presented to Development Control Committee with a recommendation of approval on 23 January 2019. The application was refused by Development Control Committee. In exercise of its statutory rights under Section 78 of the Town and Country Planning Act 1990, Hallam Land Management Ltd, has appealed the decision to refuse the application. The Planning Inspectorate has decided that the appeal should be heard under the public local inquiry procedure.

1.3 The reasons for refusal related to the perceived increased vehicle movements generated by the application exacerbating existing capacity issues on the local highway network and that the mitigation measures proposed being insufficient to overcome the safety concerns resulting from the additional vehicle movements. No indication was provided about what further mitigation measures were required and the decision ran contrary to the advice of officers, the Highway Authority and an independent highways consultant instructed by the Council.

1.4 Officer advice on the robustness of this decision is contained on page 288 of the minutes of Development Control Committee on 23 January 2019.

1.5 An appeal will be heard into the proposal which is scheduled for 22 – 25 October 2019. It is likely that the appeal will last 4 days; there is a great deal of work involved in preparing the Council's case for the appeal.

1.6 As the appeal is to be heard by way of a public inquiry, the Council will be required to be legally represented by Counsel and fee estimate for this is £7,950 for representation and for the work involved in the preparation and attendance at the appeal.

1.7 The Council will also need to appoint planning consultants to provide assistance and guidance to Members defending the Council's case and to manage the appeal process. Officers have sought fee proposals from 7 planning firms, and received 1 fee proposal from DMH Stallard. The quote received is for a fixed fee of £15,000 plus VAT and disbursements based on preparatory work and a 4/5 day inquiry.

1.8 Therefore, in order for the Council to defend the decision of Development Control Committee, costs of up to £25,000 will be incurred (allowing £2,050 for additional unforeseen costs).

1.9 The appellant have indicated that they will be putting in a claim for award of costs against the Council. The Inspector will ultimately be the judge of whether the Council's actions were unreasonable. If that is his conclusion then the Council will have to potentially pay some or all of the appellant's costs at a later date. Pagham Parish Council are also formally participating in the appeal and will be putting their case to the Inspector.

10.10 The Department's miscellaneous budget is normally used to defend appeals following the refusal of planning permission. However, this budget is very limited and the appeal costs could not be accommodated through this budget in this financial year.		
2. PROPOSAL(S): To agree a supplementary estimate of £25,000 for counsel and consultants associated with defending the appeal. This does not cover the eventuality that the Council lose the appeal and the appellants cost claim against the Council is successful.		
3. OPTIONS: Not providing a case in defence of the decision. This would mean that the Council would almost certainly be liable for appeal costs of the other parties at the appeal.		
4. CONSULTATION: Consultation with Ward Councillors and the Portfolio Holder will take place prior to Cabinet.		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify)		x
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	x	
Legal	x	
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology		x
Safeguarding		x
Other (please explain)		x
6. IMPLICATIONS: There are financial implications for instructing legal and planning consultants for the appeal. There are also potentially significant costs to the Council if it is found to have acted unreasonably.		
7. REASON FOR THE DECISION: For an appeal by public inquiry, legal representation is required. Planning consultant support is required to assist Members in their defence of the appeal.		

DATE DECISION BECOMES EFFECTIVE: 12 June 2019

9. BACKGROUND PAPERS:

Development Control Committee agenda 23 January 2019

<https://www.arun.gov.uk/development-control-committee>

[Statements of Case and appeal documentation under application reference P/6/17/OUT](#)

ARUN WELLBEING AND HEALTH PARTNERSHIP (AWHP) MINUTES

Date: Wednesday 20 February 2019
Time: 2 – 4 pm
Venue: Committee Room 1, Arun Civic Centre
Chair: Hilary Spencer, Chief Executive, VAAC

Present:

Hilary Spencer (Chair of the AWHP and Chief Executive, Voluntary Action Arun and Chichester), **Claire Dower** (Arun Wellbeing, Information Officer) **Joy Bradbury-Ball** (Senior Wellbeing Officer, Arun Wellbeing) **Holly Yandall** (Public Health Lead, West Sussex County Council), **(Maxine Thomas** (Service Manager, Coastal West Sussex Mind), **Russell Tooley** (Wellbeing Services Manager, ADC), **Kirsty Ware** (Team Manager, Peabody), **Jayne Haywood** (Co-ordinator, Peabody), **Lydia Schilbach** (Locality Team Lead – WSCC), **Hilda Sherwood** (Development Manager, VAAC), **Kathy Burke** (Carers Service Manager, Carers Support West Sussex), **Jacqueline Clay** (Research Unit Manager, Public Health WSCC), **Susan Brigstock-Parker** (Age UK West Sussex) **Carrie Reynolds** (Community Development Manager, Freedom Leisure), **Sam Johnson** (Fitness & Wellbeing Manager, Freedom Leisure), **Sarah Parker-Hatchard** (Fitness & Wellbeing Manager, Freedom Leisure) **Sharon Russell** (Service Lead Nurse – PAT) **Gary Hardley** (Age UK West Sussex) **Ian Cheesman** (Sussex Police Arun & Chichester)

Apologies:

- **Michaela Hawkes** (Regis LCN Development Manager, NHS Coastal West Sussex Clinical Commissioning Group) **Jim Bartlett** (WSCC) **Robin Wickham** (Group Head Community Wellbeing – ADC)

Minuted by: **Claire Dower**

1. WELCOME, INTRODUCTIONS & APOLOGIES FOR ABSENCE

Hilary Spencer welcomed everyone to the meeting, gave the received apologies and members introduced themselves. **Hilary Spencer** introduced Hilda Sherwood who will take on her role of Chief Executive of Voluntary Action Arun and Chichester.

Holly Yandall thanked Hilary on behalf of the partnership for her many years of chairing the AWHP. Holly will be taking on the role of chair at future meetings.

2. REPORT BACK FROM PREVIOUS MEETING/MATTERS ARISING

No Matters Arising.

3. REGIS SOCIAL PRESCRIBERS

Susan Brigstock-Parker gave a presentation on the Regis Social Prescribers (**Attached to these minutes**)

Hilary Spencer commented that it was interesting to see the different organisations that the social prescribers referred clients to and asked Susan to let the partnership know if there are any gaps in the range of services. She raised concerns about the capacity of the sector and the lack of resources provided.

Susan Brigstock-Parker mentioned that they have had a few inappropriate referrals of clients with mental health; they are unable to support these clients.

Hilary Spencer asked if any feedback has been collected from those that have used the service.

Susan Brigstock –Parker replied that they are using the 5 Ways to Wellbeing chart at the first session and then 6 weeks later.

Carrie Reynolds asked how the service has received so many referrals from GPs.

Susan Brigstock- Parker said the reason referrals are so high is because the service is funded by them and they work in partnership together, the social prescribers are mainly based in GPs surgeries.

Russell Tooley commented that the Arun Wellbeing focus is shifting over the next few years to concentrate on working to help people from deprived wards and he wanted to know how they can develop links to Social Prescribers and GPs.

Hilary Spencer suggested that a one off meeting with the Social Prescribers should be arranged to help with this.

Susan Brigstock-Parker agreed to arrange setting this meeting up

Hilary Spencer said that she will contact Luca at the Citizens Advice Bureau as they are leading on getting Social Prescribing set up for REAL (Rustington, East Preston, Angmering and Littlehampton) she will send an update to the partnership once she has received some information.

Hilary Spencer mentioned that Social Prescribing is identified in the long term NHS plan and will be rolled out nationally in the future with at least one social prescriber based at every GP surgery.

Susan Brigstock-Parker The Regis social prescribers have had funding for a one year pilot but funding has already been secured for the year after.

Jacqueline Clay asked if they collect information about long term conditions, **Susan Brigstock-Parker** said they do not currently record this but would be interested to collect this information in the future.

Joy Bradbury Ball asked what the main issues are for clients; **Susan Brigstock-Parker** said the main issues are currently debts, social isolation and housing issues.

ACTION: HILARY SPENCER

ACTION: SUSAN BRIGSTOCK-PARKER

4. FEEDBACK FROM NEW PRIORITY SUB-GROUPS

Promoting Physical Activity:

Carrie Reynolds said the group has recently met up and the main focus is ensuring people know what physical activity is available. The group has been trying to understand participation levels and what the barriers are to activity and if there are any gaps in services offered and how they can find solutions to this. They have been gathering data from various organisations such as Sport England and Active Sussex. People with mental health have a big barrier to activity and they have discussed looking at creating simple pathways to provide better communication between GPs and social prescribers. At the next AWHP meeting the group will gather the information found to update the partnership. **Hilary Spencer** suggested championing these papers to LCN groups. **Carrie Reynolds** noted that Michaela Hawkes has been a great communication link from LCNs especially at GP surgeries.

Social Isolation:

Holly Yandall said there has been no meet since the last meeting. They have established that there are already a lot of services out there already and the focus has been to see how people access these services and how the group can add value rather than duplicate them. The group is currently waiting for county wide data on social isolation. Work is developing on the Public Health Board in April, so they are also waiting on this information.

5. WEST SUSSEX PATHFINDER ALLIANCE – UPDATE

Maxine Thomas introduced herself as the new manager for Coastal west Sussex MIND and gave a brief update of the West Sussex Pathfinder Alliance. There will be a launch of this service in April (please find attached to these minutes)

6. PUBLIC HEALTH, HEALTH & WELLBEING BOARD & JSNA (JOINT STRATEGIC NEEDS ASSESMENT - UPDATE

Jacqueline Clay gave a presentation on the Health & Wellbeing Board (**please find attached to these minutes**)

Hilary Spencer commented that now the consultation has ended it will be interesting to see what emerges from the final strategy.

Jacqueline Clay gave a presentation updating the partnership on the JSNA (**please find attached to these minutes**)

Hilary Spencer said it was disappointing to see that the gap between the deprived and non-deprived is increasing.

Russell Tooley re-emphasized his earlier comment about Arun Wellbeing's focus for the future on deprived wards and how the service is planning on doing more outreach work to reach these communities. He also mentioned how Arun District Council is in the early stages of looking to develop a project at Chilgrove House in the Wick area in the Highfields Estate. Wilmont Dixon who are building the new leisure Centre in Littlehampton (The Wave) want to leave the town with a legacy so will be putting in a new kitchen at the Chilgrove house to modernise it. They hope to raise the standards for those residents and develop a mini hub delivering different services to the residents, such as housing advice and health and wellbeing support. He welcomed and encouraged other organisations to get involved.

Hilary Spencer said it was important to offer these residents consistency and find out there aspirations and help them raise them. She also said it was vital that whatever gets set up at Chilgrove is sustainable and gets investment from other agencies.

7. UPDATE ON WSCC BUDGET DECISIONS

Lydia Schilbach gave a presentation on the WSCC budget decisions. (**Please find attached with these minutes**)

Hilary Spencer raised her concerns that the budget cuts will have a big and negative on the homeless.

Jayne Haywood mentioned how she was surprised to see how the impact of universal credit was not in the budget.

Lydia Schilbach said for the latest information to look at the West Sussex County Council website.

8. ITEMS FOR FUTURE MEETINGS

8.1. Physical activity and tackling social isolation – task group updates

8.2 JSNA – areas of focus for future

Hilary Spencer said any future items related to the AWHP priorities would be welcomed

9. ANY OTHER BUSINESS

9.1 **Carrie Reynolds** encouraged the partnership to speak to Sam or Sarah regarding information on exercise referral schemes, subsidised programs and long term health referrals that Freedom Leisure offer. (**Information attached to these minutes**)

9.2 **Holly Yandall** mentioned the Tobacco Strategy launch on 13 March (**Agenda attached to these minutes**)

9.3 **Susan Brigstock- Parker** reminded the partnership about the Regis BIG Event (Leaflet attached in these minutes)

9.4 **Gary Hardley** announced that the Carers Short Breaks tender had been successful. They will be working in partnership to offer this free day break service with Freedom and Coastal West Sussex Mind. This comes in to effect on 1 April 2019. (**Please see poster attached to these minutes**)

9.5 **Claire Dower** commented that now Holly Yandall is taking over from Hilary as Chair of the AWHP, a Vice Chair is now needed. Joy Bradbury-Ball encouraged someone from the voluntary sector to take on this role. Nominations for this role should be sent to Claire Dower before the next meeting.

ACTION: ALL

10. DATE OF NEXT MEETINGS

- Wednesday 26 June, 2-4pm - Committee Room 1 (Pink Room), Arun District Council
- Wednesday 16 October 2-4pm - Committee Room 1 (Pink Room), Arun District Council