

CABINET

9 March 2020 at 5.00 pm

Present: Councillors Dr Walsh (Chairman), Oppler (Vice-Chairman), Mrs Gregory, Lury, Stanley and Mrs Yeates

Councillors Bicknell, B Blanchard-Cooper, Bower, Charles, Clayden, Mrs Cooper, Cooper, Coster, Gunner, Mrs Hamilton, Mrs Haywood and Huntley were also in attendance at the meeting.

489. WELCOME

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

490. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Purchase, the Cabinet Member for Neighbourhood Services.

491. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

492. QUESTION TIME

The Chairman confirmed that one Public Question had been submitted in line with the Council's Constitution and that this was for him as Leader of the Council to respond to.

The questioner asked if an update on discussions with the Environment Agency (EA) on sea defences at Climping and beyond could be provided following the urgent update that had been provided by the Leader of the Council at the Special Meeting of the Council held on 19 February 2020. This was because since that time, there had been further significant deterioration of the sea wall.

The Leader of the Council, Councillor Dr Walsh, responded confirming that two Officers of the Council had met with representatives of the Environment Agency (EA) and had discussed recent events with other key partners. The Council would provide a full statement of its position once it was understood what the EA proposed to do, or not do. It was the Council's understanding that the EA had said that it would be undertaking an assessment of short-medium term interim measures that could be delivered to protect properties and infrastructure from a breach of the sea defences whilst working to identify options and funding for a long-term investment in flood defences in the Climping and Ropewalk area. Councillor Dr Walsh stated that the Council would endeavour to respond once this work had been completed but not before.

Cabinet - 9.03.20

The questioner asked a supplementary question. He stated that he appreciated the work that Climping Parish Council had done in hosting meetings and publishing minutes but who would be dealing with issues surrounding householders and the wider picture being Ropewalk. It was the questioner's view that a mechanism needed to be established between Arun and the EA and stakeholders in Ropewalk to ensure ongoing dialogue.

Councillor Dr Walsh responded reminding the questioner that it was the EA who was responsible as the lead agency. He invited the Director of Place to provide input and he outlined that this matter had been raised on Friday, 6 March 2020 where Officers of the Council had attended a meeting with the EA and other groups where it was clear that further dialogue was needed with the residents group for Ropewalk. Work had commenced on looking at emergency procedures should they need to be actioned making sure that communications were clear between all relevant parties.

493. URGENT BUSINESS - A27 ARUNDEL BY-PASS CONSULTATION FEBRUARY 2020 AND LITTLEHAMPTON HARBOUR BOARD

The Chairman confirmed that there were two urgent items that needed to be considered by Cabinet.

As both of these were key urgent items, with special urgency, the approval of the Chairman of the Overview Select Committee, Councillor Coster, had been sought and received in accordance with Part 3 (Responsibility for Functions), Section 2.0 – Paragraph 2.3 of the Constitution. Both items had therefore been published with less notice than the 'five clear days' and would not be subject to the Call-In procedure as set out in the Scrutiny Procedure Rules at Part 6 of the Council's Constitution.

The first report was on the A27 Arundel By-Pass Consultation. The circumstances for presenting this report as urgent were to ensure that Members were aware of the response made by the Leader of the Council and the Chief Executive to the most recent consultation on the A27 Arundel By-Pass.

The second urgent item related to the Littlehampton Harbour Board which was proposing to change its governance through a Harbour Revision Order. The proposed changes would significantly reduce this Council's and West Sussex County Council's representation on the Board, reducing the Council's influence over the Board and its precept. The circumstances for presenting this report as urgent were because it would be helpful, if the Councils wished to proceed with any alternative options, for these to be discussed now, prior to the validation of the Board's application. As the Harbour Board was keen to avoid the HRO being unnecessarily delayed, a short time period had been provided for the Councils to consider their options at this stage. This report was being considered under Exempt business and so would be deferred to the end of the meeting.

The Chairman then introduced the first urgent item on the A27 Arundel Bypass Consultation February 2020. He announced that Highways England (HE) had confirmed a further four-week consultation period to end on 1 March 2020 in February 2020 as several errors had been identified in the underlying technical documents supplied. Having had discussions with the Chief Executive it was concluded that most corrections were technical and did not materially impact the previous decision made by the Council on its preferred route to support Magenta, as confirmed at a Special Meeting of the Council on 10 October 2019. Councillor Dr Walsh confirmed that he and the Chief Executive had taken part in a joint conference call with HE and its Contractors, WSP, on 2 March 2020 and had worked through the questions that the Council had relating to the Council's preferred route and whether it would alter any aspects of the Council's decision made on 10 October 2019. The conversation had concluded that there were no substantive changes as the matters raised were technical and mainly transcription errors caused by human error. Based on this, a formal response was sent to HE to confirm the Council's original Council decision made on 10 October 2019 and that this still stood. Links had been provided in the report setting out the response made in writing on 2 March 2020 to HE and to reconfirm the Council resolution made on 10 October 2019. Councillor Dr Walsh asked Cabinet to endorse the action taken by him and the Chief Executive on this matter.

The Chairman reconfirmed that in accordance with Part 3 (Responsibility for Functions) Section 2.0, Paragraph 2.3 of the Council's Constitution, the Cabinet was considering this item under Special Urgency as set out in Part 6 (Procedure Rules (Other) of the Constitution. In line with Constitutional requirements the agreement of the Chairman of the Overview Select Committee, Councillor Coster, had been sought and agreed in terms of the reason for its urgency which had been to comply with HE's latest consultation period. As this was being dealt with under special urgency rules, the report had been published with less notice than the 'five clear days' and would not be subject to the Call-In Procedure.

The Cabinet

RESOLVED

That the action taken by the Leader of the Council on 2 March 2020 be endorsed reconfirming the Council's decision on its preferred route for the proposed A27 Arundel By-Pass as agreed at the Special Meeting of the Council on 10 October 2019.

The Cabinet confirmed its decision as per Decision Notice C/039/090320, a copy of which is attached to the signed copy of the Minutes.

494. MINUTES

The Minutes of the Cabinet meeting held on 10 February 2020 were approved by the Cabinet as a correct record and signed by the Chairman.

Cabinet - 9.03.20

495. BUDGET VARIATION REPORTS

There were no matters discussed.

496. EXTENSION OF EXISTING ELECTRICAL SUPPLY CONTRACTS FOR CORPORATE HOUSING SITES

The Cabinet Member for Technical Services, Councillor Stanley, presented this report confirming that it was asking Cabinet to authorise extending the existing electrical supply contract by twelve months and to regularise authority for the previous agreement ending 31 March 2020. The proposed supply would from 1 April 2020 be generated exclusively from renewable sources.

The Cabinet

RESOLVED – That

- (1) The appointment of the Council's existing electricity supplier via a broker until 31 March 2020 be approved;
- (2) The renewal of the existing contract for an additional twelve months to 31 March 2021 be approved;
- (3) Retrospective delegated authority be given to the Group Head of Corporate Support to enter into the existing agreement; and
- (4) Delegated authority be given to the Group Head of Technical Services to enter into the renewal contract.

The Cabinet confirmed its decision as per Decision Notice C/040/090320, a copy of which is attached to the signed copy of the Minutes.

497. CORPORATE PLAN 2018-2022 - QUARTER TWO PERFORMANCE REPORT FOR THE PERIOD 1 JULY 2019 TO 30 SEPTEMBER 2019

The Deputy Leader of the Council and Cabinet Member for Corporate Support, Councillor Oppler, introduced this item confirming that the 2020 Vision programme was established to provide the strategic direction required to help the Council become a more effective and sustainable one and to enable it to meet future demands that were placed upon it. The three Council Priority themes and the 2020 Vision were outlined as:

1. Your services
2. Supporting you
3. Your future

Behind these priorities were a series of targets that were measurable and, ideally, in the control of the Council. These were the Corporate Plan indicators. Service targets (Service Delivery Plan indicators (SDP's)) sat beneath these corporate priorities to provide more detail about how the service was doing.

Performance of the indicators was reported to the Corporate Management Team every quarter and to the Overview Select Committee and Cabinet every six months and at year end.

The information within this report had been presented to the Overview Select Committee on 28 January 2020. The minutes from that meeting, and the recommendation needs to be considered by Cabinet at this meeting.

The Group Head of Policy then provided an overview of the report and confirmed that the indicator targets being reported were for 2019-20 not 2018-2022. There were 11 Corporate Plan Indicators and six of these were measured at Quarter four. A full commentary for each indicator had been provided in Appendix A to the report. It was explained that there was no data available for Indicator CP7 [Homelessness Applications where Homelessness is Prevented] because due to a change in how statistics were recorded as a result of the Homelessness Reduction Act, the percentage needed to be calculated on an annual basis rather than being measured quarterly. An indicator not achieving its target was CP11 [Household Waste Sent for Reuse, Recycling and Composting]. Whilst not achieving the 50% target figure for Q2, it was explained that this figure showed an increase of almost 1.26% on the rate at the corresponding period last year. This had mainly been attributed to a decrease in black bag waste taken to recycling centres whilst the tonnages for recycling and composting had remained similar to the previous year. It was noted that the target for this indicator had been increased from 40% to 50% for 2019/20 and it was expected that the target of 50% would be reached by the end of this year.

Indicator CP3 [Council Tax Collected] was over achieving its target at Q2. Customers now having the ability to pay their council tax over 12 months had helped. Targets CP6 [Time Taken to Process Housing Benefit/Council Tax Benefit New Claims], CP8 [Number of New Council Hoes Built or Purchased Per Annum] and CP10 [Total Rateable Business Value for the Arun District] were all over achieving their targets. The Group Head of Policy referred Cabinet to a recommendation from the Overview Select Committee at Minute 411 to amend the target figure for Indicator CP10 from £91m, to £99.138m with effect from Quarter 1 in 2020.

Finally, the Group Head of Policy confirmed that the Corporate Management Team (CMT) had provided their comments on the targets set out in the report and were happy that everything was working in the way that it should. It was therefore felt that no remedial action was required for all but one of the Corporate Plan Indicators at Q2 as most measured at this stage were either achieving or over achieving their target at this point in the year and the indicator that was not achieving was only just behind target with it being anticipated that it would be achieved by the end of the year.

Cabinet - 9.03.20

The Cabinet

RESOLVED – That

(1) The Council's Quarter Two performance against the targets for the Corporate Plan indicators as set out in this report and Appendix A attached to the report be noted; and

(2) The minutes from the meeting of the Overview Select Committee held on 28 January 2020, be noted.

The Cabinet

RECOMMEND TO FULL COUNCIL

That approval be given to amend the target figure for Indicator CP10 from £91m to £99m with effect from Quarter One in 2020.

The Cabinet confirmed its decision as per Decision Notice C/041/090320, a copy of which is attached to the signed copy of the Minutes.

498. SERVICE DELIVERY PLAN 2018-2022 - QUARTER TWO PERFORMANCE REPORT FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2019

The Deputy Leader of the Council and Cabinet Member for Corporate Support, Councillor Oppler, introduced this item and stated that as mentioned previously in the Corporate Plan report, the service targets were the Service Delivery Plan indicators which sat beneath the corporate priorities to provide more detail about how services were performing.

The Group Head of Policy confirmed that there were 23 Service Delivery Plan (SDP) Indicators and that 13 of these were measured at Q2. The full commentary for each indicator had been set out in Appendix A to the report showing that 9 had been categorised as overachieving their targets with one being categorised as achieving its target. There were two indicators that were behind target at Q2 and one which had not achieved its target being SPD 18 [Cost of Emergency Accommodation Per Annum (net)]. This indicator was being closely monitored by the Director of Services and it was outlined that the Council was aware of the situation due to the Supplementary Estimate that had been agreed by the Council on 15 January 2020.

The Group Head of Policy outlined that the Corporate Management Team (CMT) had provided their comments and believed that no remedial action was required at Q2 as most indicators were measured at Q2 were either overachieving or achieving their target at this point in the year. The two indicators that were behind target were only slightly behind and were largely out of the Council's control. An updated position would be provided at Q4.

In discussing the report, the Cabinet Member for Residential Services, Councillor Mrs Gregory, outlined that the additional staff for the housing service as approved by Council on 15 January 2020 would see numbers reduce quite quickly as this would allow staff to deal with families and individuals more quickly and so would hopefully shorten the term of those placed into emergency accommodation. This was not a situation common to just Arun, as every District in the country was experiencing the same homelessness issues.

The Cabinet Member for Technical Services, Councillor Stanley, outlined that he wished to highlight some points in relation to SPD Indicator 4 [Occupied Retail Units in Littlehampton] and SPD 5 [Occupied Retail Units in Bognor Regis]. In Bognor Regis he outlined that the work that had been undertaken had been stretched to include the wider Bognor Regis Business Improvement District (BID) area and that the place branding work had been very effective. A presentation had been made to the last meeting of the Bognor Regis Regeneration Sub-Committee to outline this and in acknowledging that the vacancy rates in Town Centres were at their highest ever. Councillor Stanley stated that it was important not to underestimate the impact of place branding and the messages going out. At Littlehampton it was important not to underestimate the impact of public realm and the positives that this would bring. Good quality public realm work showed that the Council had confidence in its High Streets, and this would attract investment into the area. The work that was taking place would support vacancy rates. This was endorsed by the Chairman who stated that he eagerly awaited the start of public realm work in Littlehampton and as this had been supported by a vast majority of the traders. He highlighted that the vacancy rates in both Bognor Regis and Littlehampton were a lot lower than most seaside towns in the South East which had upwards of around 30% vacancies.

The Cabinet

RESOLVED – That

- (1) the Council's Quarter Two Performance against the targets for the Service Delivery Plan (SDP) indicators as set out in this report and Appendix B be noted;
- (2) the minutes from the meeting of the Overview Select Committee held on 28 January 2020 be noted.

The Cabinet confirmed its decision as per Decision Notice C/042/090320, a copy of which is attached to the signed copy of the Minutes.

499. PUBLIC REALM PROJECTS IN BOGNOR REGIS - THE SUNKEN GARDENS AND PLACE ST MAUR

The Chairman presented this report and outlined that it was originally seeking approval for the design brief and procurement strategy for both the Sunken Gardens project and the public realm at Place St Maur in Bognor Regis. Further options for the

Cabinet - 9.03.20

Sunken Gardens were still being worked upon therefore the Place St Maur was the project which had been identified as a priority to be taken forward. The recommendations within the report would enable consultants to be procured to prepare enhancement proposals for the site. The Sunken Gardens project would be reported to a future Cabinet meeting due to the complexity of the site.

The Principal Landscape Officer was then invited to outline the key highlights of the report. She stated that the Place St Maur was an important public space in Bognor Regis and was situated in a key location lying adjacent to the seafront. At the moment the site was not fulfilling its potential and so it was planned to appoint a Consultant to enhance this area. Full details of the design brief had been set out in Appendix 1 of the report. This confirmed the strategic objectives which were to complete the enhanced public realm link between the seafront and the Town Centre; to create a high quality, welcoming space for visitors to spend time in; and to create a flexible venue for outdoor events. The proposed features were to enhance hard surfacing; provide areas of soft landscaping; water jets; seating; and flexible space to accommodate a variety of events. The Consultants appointed would be for the duration of the whole project including concept design; public consultation and overseeing the work on site. It was outlined that the construction procurement would be a separate exercise. The capital cost for delivering this project was anticipated to be in the region of £1.5m and there was no budget set aside for this work. It was proposed to vire £235k from the Sunken Gardens budget to enable the procurement of the consultants and survey work to be undertaken.

The Chairman commenced the debate on this item acknowledging that the site, as it stood now, was untidy and unkept and was an uninspiring open space. He also outlined that any work undertaken on the Place St Maur would not be allowed to impact discussions taking place on the remainder of the Regis Centre site.

The views put forward by Cabinet were that the Place St Maur was well overdue a makeover given its key location. The objective to provide a flexible venue for outdoor events was especially welcomed and all were in favour of the provision of water jets. It was agreed that the project would provide a welcome addition for tourists visiting Bognor Regis to enjoy and in the right location. It was acknowledged that with the Christmas Ice Rink, the redeveloped site had the potential to be a real draw for the community and would provide the key link between the seafront and the rest of the Town. This was vital from an economic perspective and was a hugely exciting project. A request was made to consider adding coloured lighting to the proposed features.

The Chairman confirmed that Councillor Gunner had requested to speak, and this was approved by Cabinet. Councillor Gunner stated that he was pleased that this project was progressing but referred to the section of the project brief outlining stakeholder needs stating that the Council needed to be more collaborative in terms of the way it made decisions. He felt that this item should have been reported first to the Bognor Regis Regeneration Sub-Committee and he asked how other Members of the Council would be able to contribute to such an important item. It was outlined by the

Director of Services that the brief did detail the expected programme for the project and showed that there would be a full public consultation exercise which everyone would be welcome to take part in ensuring that an open and inclusive consultation exercise would be undertaken. The Chairman agreed and stated that he was sure that as the project developed reports would be submitted to the Bognor Regis Regeneration Sub-Committee and the Bognor Regis BID, the project brief had also set out when the Consultant would be required to report and update Members on each stage of the project.

The Cabinet

RECOMMEND TO FULL COUNCIL – That

- (1) the design brief for public realm improvement at Place St Maur, Bognor Regis be approved which will form the basis of the tender process for the project;
- (2) delegated authority be given to the Director of Services to procure consultants to undertake RIBA Stages 0-7 to enable the delivery of the Place St Maur project;
- (3) subject to the approval of Recommendation (2) above, funding of up to £235k be vired from the Sunken Gardens project to this project for the associated project costs;
- (4) enhancement proposals for Place St Maur are prepared for public consultation; and
- (5) these new proposals rescind all previous decisions taken on the Hothampton site.

The Cabinet confirmed its decision as per Decision Notice C/043/090320, a copy of which is attached to the signed copy of the Minutes.

500. REVIEW OF PLANNING SERVICES

The Chief Executive introduced this report stating that the Planning Service was a high profile important statutory function of the Council and so it was important to ensure that the service was fit for the future to meet both statutory requirements and to support strategic priorities and objectives.

The Chief Executive highlighted that the Development Control Committee had recently had a hiatus of issues, partly around the lack of acceptance of the Local Plan Strategic Sites and with the Planning section struggling to secure sufficiently experienced planning officers. A comprehensive review of the Planning service was therefore planned to confirm whether the Council's planning procedures were fully

Cabinet - 9.03.20

effective; legitimate and up to date. The areas that the review would focus on and cover had been outlined in sections 1.5 and 1.6 of the report.

The Chief Executive outlined that the specification for the work had been agreed with the Leader and Deputy Leader of the Council; the Cabinet Member for Planning; and the Chairman of the Development Control Committee. The recruitment process for suitable consultants was explained. The Chief Executive and the Cabinet Member for Planning, Councillor Lury, had interviewed two consultants on 31 January 2020 and one had been selected as the preferred consultant to undertake this review. The Chief Executive had used his delegated authority to engage the selected consultant's services in line with the Constitution and retrospective approval by noting the action taken was now needed from Cabinet so that the review could proceed.

In debating the item, Councillor Lury confirmed that he fully supported this process in view of the great challenges lying ahead for the service.

The Chairman confirmed that there were several Councillors in the Public Gallery who had indicated that they wished to speak. Cabinet approved this.

The points made were why was this review happening when an LGA Peer Review of the Planning Service had been undertaken only in 2018. It was felt that another review was a hasty action to take, particularly as the Council would be moving to a Committee structure in 2021. The Chief Executive responded stating that the request for the review had been driven by Officers. It was also acknowledged that not all the recommendations from the Peer Review had been implemented. The review would also address issues that Members were fully aware of such as vacancy management; and the quality of decision making. Waiting until after the Committee system was in place would be too long to wait.

The Cabinet

RESOLVED

That the delegated authority by the Chief Executive for the procurement of external consultancy services for the sum of approximately £40,000 (plus expenses) be noted in order to conduct an independent review of the Planning Service.

The Cabinet confirmed its decision as per Decision Notice C/044/090320, a copy of which is attached to the signed copy of the Minutes.

501. POP UP RETAIL PROJECT - BOGNOR REGIS AND LITTLEHAMPTON

The Group Head of Economy presented this report which proposed to provide Pop-Up Retail space in Bognor Regis and Littlehampton. It was outlined that this report followed on from the Innovating High Streets item that Cabinet had approved in the latter part of 2019. As both Towns were struggling with vacant units there was a need to find a way to respond to this. The initiative of providing pop-up retail space was a way of assisting the crisis in the High Street. It was explained that this would operate on a short-term basis with the exact maximum term to be agreed, to allow businesses to market test their product, or where they already had this confidence, to give them a start with High street trading. The report before Members provided an outline to this new project and sought agreement to proceed with it.

The report identified a vacant unit in Bognor Regis and Littlehampton and sought agreement to enter negotiations to take up leases to allow the project to proceed. It was explained that in respect of the lease proposals for Littlehampton, further negotiations needed to take place and so the premises highlighted in the report could not be confirmed yet. In view of this, a slight amendment was proposed to Recommendation 4 to now read as follows:

“Agree to enter into negotiations to take a lease, at a competitive price, on an appropriate property in Littlehampton, with delegated authority being given to the Leader of the Council and Cabinet Member for Economy in conjunction with the Director of Place to approve this”.

The Chairman outlined that he fully supported this project and that it would help revitalise the District’s High Streets at a time of experiencing challenging economic conditions. The scheme would help new start-up retail businesses test their viability and have a foothold in a retail property. Councillor Dr Walsh stated that he believed this intervention would bring more economic activity to the District’s Town Centres and would support local entrepreneurs.

Cabinet fully supported this project and referred to some of the discussion that had taken place earlier in the meeting on shop premises vacancy rates in both Towns. The Chairman confirmed that there were Members in the Public Gallery that had indicated a wish to speak on this item. Cabinet approved this.

Those speaking welcomed this proposal but asked if Unit 10 in the Bognor Regis Arcade would be rented or used on a rent-free basis. It was explained that funding for this project had been allocated by Cabinet on 7 October 2019 but that the project was dependent upon income which was difficult to estimate. The set-up costs had been outlined in the report and it was stated that the Council needed to focus on the retention of businesses not just the start-up of them. Rent would be paid as part of the business plan for the Arcade. Questions were asked in terms of what the measures of success would be for this project? The Group Head of Economy outlined that as the project moved forward, the measures of success would be moving small start-up businesses into their own premises and then occupying these for a reasonable amount of time.

Cabinet - 9.03.20

The Cabinet

RESOLVED – That

- (1) the contents of the report be noted;
- (2) the funding set aside in the 2020/21 Budget for “New Start Up Business Town Centre Fund” be used for this project instead;
- (3) the use of Unit 10 Bognor Regis Arcade for the project be noted;
- (4) agreement be given to enter negotiations to take a lease, at a competitive price, on an appropriate property in Littlehampton, with delegated authority being given to the Leader of the Council and Cabinet Member for Economy in conjunction with the Director of Place to approve this; and
- (5) authority is delegated to the Leader of the Council and Cabinet Member for Economy and the Director of Place to determine the details of the scheme.

The Cabinet confirmed its decision as per Decision Notice C/045/090320, a copy of which is attached to the signed copy of the Minutes.

502. JOINT AREA COMMITTEES

The Cabinet received and noted the Minutes of the meetings of the Joint Area Committees as follows: -

- (1) Joint Eastern Arun Area Committee – 5 November 2019; and
- (2) Joint Western Arun Area Committee – 27 November 2019

503. OVERVIEW SELECT COMMITTEE - 28 JANUARY 2020

It was noted that Cabinet had already considered and approved the recommendation from the Overview Select Committee as part of the Agenda item on the Corporate Plan Quarter Two Performance Reports for the period 1 July to 30 September 2019 – this being Minute 411 - Corporate Plan 2018-2022 – Q2 Performance Outturn Report for the period 1 April 2019 to 30 September 2019

504. HOUSING & CUSTOMER SERVICES WORKING GROUP - 6 FEBRUARY 2020

The Chairman invited the relevant Cabinet Members to introduce the recommendations from the Minutes of the meeting of the Housing & Customer Services Working Group held on 6 February 2020 – these had been circulated to the meeting.

The first recommendation was at Minute 12 [Asbestos Policy and Management Plan] which would ensure that the Council was able to meet the regulations and requirements set out in the Control of Asbestos Regulations 2012.

The Cabinet

RESOLVED - That

- (1) The Asbestos Policy 2020 be adopted;
- (2) The Asbestos Management Plan be adopted;
- (3) Delegated authority be given to the Group Head of Residential Services in conjunction with the Cabinet Member for Residential Services to make minor changes to the Policy and Plan.

The next set of recommendations were at Minute 13 [Tenancy & Lettings Policy] where it had been explained that the Policy presented had been an amalgamation of the previous Tenancy Policy 2012 and Introductory Tenancy Policy 2016. The main driver of the introduction of flexible fixed term tenancies had been to improve better use of housing stock.

The Cabinet

RESOLVED – That

- (1) The Tenancy and Lettings Policy April 2020 be adopted;
- (2) All current flexible tenancies be converted to secure lifetime tenancies from April 2020;
- (3) Delegated authority be given to the Group Head of Residential Services to make minor changes to the Policy.

The next set of recommendations were at Minute 14 [Pets Policy] where approval was sought to adopt a Pets Policy in respect of the management of the Council's tenancies.

Cabinet - 9.03.20

The Cabinet

RESOLVED – That

- (1) The Pets Policy April 2020 be adopted; and
- (2) Delegated authority be given to the Group Head of Residential Services in conjunction with the Cabinet Member for Residential Services to make minor changes to the Policy.

The next recommendations were at Minute 15 [Empty Homes Update] which sought approval to adopt an updated Enforced Sale Procedure and use of existing funds. Councillor Stanley provided a brief update on the work that had been undertaken in bringing empty homes back into use as a result of the Empty Homes Strategy which had been adopted by Cabinet in 2018 and he applauded the work of the Council's Empty Homes Officer who had just secured the Empty Homes Practitioner of the Year Award.

The Cabinet

RESOLVED – That

- (1) The updated Enforced Sale Procedure be noted; and
- (2) Delegated authority be given to the Group Head of Technical Services to make changes to the end Enforced Sale Procedure, with a review to take place by the end of 2022; and
- (3) Approval of the use of existing revenue funds identified below for Empty Homes Assistance Programme with any unspent funds to be earmarked at the end of the financial year for:
 - (a) £66k currently earmarked for Empty Homes
 - (b) Unspent receipts from discretionary housing grants repayments (current balance £20k)
 - (c) Unspent receipts up to £44k from disability facilities grant repayments.

Finally, Cabinet was alerted to the last set of recommendations at Minute 16 [Energy Efficiency Strategy].

The Cabinet

RESOLVED

That the Energy Efficiency and Fuel Poverty Strategy 2020-2025 be adopted.

The Cabinet confirmed its decision as per Decision Notice C/047/090320, a copy of which is attached to the signed copy of the Minutes.

505. ENVIRONMENT & LEISURE WORKING GROUP - 27 FEBRUARY 2020

The Chairman alerted Members to the Minutes of the Environment & Leisure Working Group held on 27 February 2020, which were circulated to the meeting. These also contained recommendations for Cabinet to consider.

The first was at Minute 16 [Cemeteries Policy] which sought approval for the Council to adopt the proposed Cemeteries Regulations and Procedures from 1 April 2020.

The Cabinet

RESOLVED – That

- (1) From 1 April 2020 Arun District Council adopts the proposed Cemeteries Regulations and all procedures as outlined in the report; #
- (2) The new associated fees & charges as outlined in the report are approved for implementation from April 2020;
- (3) The service enhancements & projects identified within the report are endorsed and where appropriate, delivery will be considered as part of the Council's future annual budget setting;
- (4) Future changes and amendments to the regulations, procedures and fees & charges, can be made in consultation with the Cabinet Member with delegated responsibility for Cemeteries;
- (5) Within 12 months following the Council's adoption of these regulations, the Cemeteries Service shall submit to the ICCM a request for Arun, as a burial authority, to become a member of the Charter for the Bereaved, which further enhances the Council's reputation as a modern, compassionate, lawfully and legally complaint Cemeteries Service provider.

Cabinet - 9.03.20

The Cabinet was then alerted to final recommendations at Minute 17 [Enforcement Contract Update] where the Council was being asked to approve extending its existing agreement with East Hampshire District Council for a further two years from 15 May 2020 to 14 May 2021 which would allow for the continued enforcement and educational patrols to continue against dog fouling, breaches of dog controls and other littering offences.

The Cabinet

RESOLVED – That

- (1) The agency agreement with East Hampshire District Council is extended for a further two years from 15 May 2020 until 14 May 2022;
- (2) The charging model of the agreement is amended, as outlined in the report, in order to provide the Council with greater flexibility and options for additional targeted enforcement activities.

The Cabinet confirmed its decision as per Decision Notice C/048/090320, a copy of which is attached to the signed copy of the Minutes.

506. LITTLEHAMPTON HARBOUR BOARD [EXEMPT PARAGRAPHS 5 & 6 - INFORMATION RELATING TO LEGAL PROCEEDINGS AND ENACTMENT]

The Chairman introduced this report stating that the Littlehampton Harbour Board (LHB) was proposing changes to its governance through a Littlehampton Revision Order (LRO).

The proposed changes would significantly reduce this Council's and West Sussex County Council's representation on the LHB, which in turn would significantly decrease the two Council's influence over the LHB. It was outlined that both Councils would have the opportunity to make formal representations on the LHB's HRO during the statutory consultation period when this commenced in due course.

The report presented, considered the draft LHB HRO and options available to the Council. As highlighted earlier, the Chairman confirmed that this was an urgent report which was being taken in accordance with Part 3 (Responsibility for Functions), Section 2.0, Paragraph 2.3 of the Council's Constitution. The circumstances for presenting this report as a matter of special urgency were because it would be helpful if the Councils wished to proceed with any alternative options, for these to be discussed now, prior to the validation of the LHB's application. The LHB was keen to avoid its HRO application being unnecessarily delayed and so a short time period had been provided for the Councils to consider their options at this stage.

As this was a key decision, the agreement of the Chairman of the Overview Select Committee, Councillor Coster, had been sought and he had agreed to this report being presented along with the reasons for its urgency. It was outlined that as this was being dealt with as an item of special urgency, the report had been published with less notice than the 'five clear days' and the call-in arrangements therefore did not apply.

It was highlighted that the reasons for presenting this item were largely financial. The Littlehampton Harbour Board was a unique piece of legislation which stated that the Council and West Sussex County Council shared any yearly deficit on a 50/50 basis. The cost to this Council in recent years were outlined and it was confirmed that this Council's share of the 2020/21 budget would be approximately £142k. The LHB's plans to change the democratic arrangement by reducing the Local Authority representatives to 2 had been highlighted earlier in terms of the impacts this would have. Further background information surrounding the LHB's proposed changes to its governance and changes to funding were explained. The options available to the Council were also highlighted as well as the costs involved.

In view of the options available to the Council, which were fully supported by the Cabinet, it was agreed that a further report would be brought to Cabinet during the statutory consultation period on the LHB HRO so that Cabinet could provide the Council's formal consultation response. The representations to possibly consider were outlined and the Chief Executive explained that if needed he would use his delegated authority as the Responsible Officer. This would be in line with Paragraph 5.2 of Part 6 (Contract Standing Orders) of the Council's Constitution.

The Chief Executive outlined that there were no conflicts of interest in considering this report, the resignations of Councillor Dr Walsh [as a West Sussex County Council nominated representative] and the Director of Place [as a District Council nominated representative] of the LHB had been confirmed.

The Cabinet

RESOLVED – That

- (1) A further report be brought back to Cabinet to consider representations to be made in response to a statutory consultation on Littlehampton Harbour Board's Harbour Revision Order; and
- (2) The Council make a formal proposal to West Sussex County Council for the two Councils to explore jointly commissioning an options appraisal.

The Cabinet confirmed its decision as per Decision Notice C/049/090320, a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 6.38 pm)