

**MINUTES  
OF A  
MEETING OF THE ARUN DISTRICT COUNCIL  
HELD IN THE ARUN CIVIC CENTRE  
ON 20 MAY 2020 AT 6.00 PM**

Present: Councillors Mrs Warr (Chairman), Mrs Worne (Vice-Chair), Mrs Baker, Batley, Bennett, Bicknell, B Blanchard-Cooper, Bower, Brooks, Buckland, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Coster, Mrs Daniells, Dendle, Dixon, Edwards, Elkins, English, Mrs Erskine, Goodheart, Mrs Gregory, Gunner, Mrs Hamilton, Mrs Haywood, Hughes, Huntley, Jones, Kelly, Lury, Northeast, Oliver-Redgate, Oppler, Mrs Pendleton, Purchase, Miss Rhodes, Roberts, Miss Seex, Smith, Mrs Stainton, Mrs Staniforth, Stanley, Tilbrook, Ms Thurston, Dr Walsh and Mrs Yeates.

Honorary Alderman Dingemans was also in attendance for all or part of the meeting.

[Note: The following Councillors were either absent from taking part in the named vote contained in the following Minutes or were absent from the meeting for that item:- Councillors Mrs Hamilton and Purchase – Minute 1 to 2 [Part]; Councillor Mrs Stainton [Minute 8 to Minute 21]; Councillors Mrs Baker, Jones and Purchase – Minute 13 [Recommendation 1]; Councillors Mrs Baker, Jones, Purchase and Miss Seex – Minute 13 [Recommendations 2, 3 and 4]; Councillors Mrs Baker, Jones, Purchase, Miss Seex and Mrs Staniforth – Minute 14; Councillors Mrs Baker, Hughes, Jones, Purchase, Miss Rhodes and Mrs Staniforth – [Minute 17]; Councillors Mrs Baker, Batley, Mrs Gregory, Hughes, Jones, Oppler, Mrs Pendleton, Purchase, Miss Rhodes and Miss Seex [Minute 21]].

1. WELCOME

The Chairman welcomed Councillors, Honorary Alderman Mr Dingemans, Officers, members of the public and press to what was the first virtual meeting of Full Council.

2. TRIBUTES IN MEMORY OF COUNCILLOR CHRIS BLANCHARD-COOPER AND HONORARY ALDERMAN TONY SQUIRES

The Chairman announced that the Council had experienced a very few sad weeks and that it was with great regret that she had to commence this year's Annual Council Meeting in paying tribute to some very special people.

Full Council - 20.05.20

Firstly, she shared the news that Council Officer, Dave Thompson, had lost his battle in fighting Covid-19 on 12 May 2020. Dave had worked for the Council for 23 years and had been a greatly respected and loved colleague to so many. The Chairman passed on the Council's thoughts and prayers to Dave's wife and son and their loved ones at this time.

Secondly, Councillor Chris Blanchard-Cooper, a serving Councillor and friend to both Councillors and Officers had sadly passed away at home on 30 April 2020. Chris had truly been part of the Council family having worked for the Council from December 2007 to April 2017 when he had been elected Ward Member for the Brookfield Ward. The Chairman passed on the Council's sincerest condolences to Chris' husband, Billy and to their family and friends.

Thirdly, Honorary Alderman Tony Squires had passed away on 5 April 2020. He had been an active and committed Councillor between May 1979 and May 2015 and then more recently Honorary Alderman. His contribution to this area and the community groups within it had been outstanding and it was pleasing to accept that Tony's memory would live on through that work.

The Chairman then reported that former Councillor Mrs Rosemary Orpin, who had been a District Councillor from May 1983 to May 1991 representing Littlehampton Wick, had peacefully passed away on 30 March 2020.

Having received many tributes from all Political Groups, the Chairman asked Members to join her in sending the Council's thoughts to the friends and families that had passed during this exceptionally difficult time.

The Council then took part in a minute's silence to their memory.

### 3. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Mrs Caffyn, Mrs Catterson, Mrs Madeley and Miss Needs and from the Council's Honorary Aldermen Mrs Goad, MBE, Mrs Morrish and Mrs Stinchcombe.

### 4. RETIRING CHAIRMAN'S ANNOUNCEMENTS

The retiring Chairman, Councillor Mrs Warr, outlined that it had been a great honour to have been Chairman of the Council for the past year and that she had enjoyed her year in office enormously.

She thanked Councillors and Officers for their support and reflected that the first part of her year had been very busy indeed. It had been unfortunate that she had been poorly for the latter part of her year and that one of her big fundraising events which had been planned for 1 May 2020 had had to be cancelled due to the Coronavirus. It was hoped that this event would still take place at a later date in 2021 raising funds for the Snowdrop Trust, her chosen charity for the year. To date £3,439 had been raised and

the Chairman thanked her Personal Assistant, Claire Pritchard, and the Chief Executive and his team for their support and help during the year and for the fun times that had been had.

Finally, the Chairman thanked her Vice-Chairman, Councillors Mrs Worne, for her help and assistance and wished her a happy year ahead as Chairman of the Council.

5. APPOINTMENT OF CHAIRMAN OF THE COUNCIL

Having been proposed by Councillor Dr Walsh and seconded by Councillor Oppler, the Council

RESOLVED

That Councillor Amanda Worne be appointed Chairman of the Council for 2020/2021.

Councillor Mrs Worne then made the Declaration of Acceptance of Office.

6. VOTE OF THANKS TO RETIRING CHAIRMAN

Councillor Dr Walsh, as Leader of the Council, formally thanked Councillor Mrs Warr for her tireless work as Chairman over the last year. He outlined that Councillor Mrs Warr had embraced the role with gusto and enthusiasm and had been an excellent public ambassador for the District.

These words of thanks were echoed by Councillor Chapman, on behalf of the Conservative Group; Councillor Dixon on behalf of the Independent Group and by Councillor Ms Thurston on behalf of the Green Group.

7. APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL AND CHAIRMAN ELECT

In accordance with Article 4.2(c) of the Constitution, the Council was asked to consider nominations put forward by each of the Political Groups for the position of Vice-Chairman of the Council for 2020/21 and Chairman Elect for 2021/2022.

One candidate, Councillor Jim Brooks, had been nominated for the role. Following statements made from Councillor Dixon in proposing the appointment, and a statement made from Councillor Dr Walsh, as Leader of the Council, in seconding this proposal, a named vote was undertaken by the Committee Manager in line with Virtual Meeting Procedure Rules.

The Council

RESOLVED

Full Council - 20.05.20

That Councillor Jim Brooks be appointed Vice-Chairman of the Council for 2020/21 and Chairman Elect for 2021/22.

Councillor Brooks then made the Declaration of Acceptance of Office.

8. MINUTES

The Minutes of the Special Council Meeting held on 19 February 2020 were approved by the Council as a correct record, subject to the amendment of Minute 451, page 341, final line to replace the reference to "Councillor Mrs Worne" with "Councillor Mrs Warr" as this had been listed incorrectly.

9. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

10. CHAIRMAN'S ANNOUNCEMENTS

Councillor Mrs Warne warmly welcomed everyone to the meeting and she stated that she was looking forward to the year ahead which she saw as a real privilege and honour. Firstly, she thanked Members for their support and co-operation. She then provided an overview of her plans for the year.

Councillor Mrs Worne announced her charity for her year which was the Parent and Carers Support Organisation (PACO) a small local charity based in Bognor Regis that assisted families that had family members with disabilities by providing respite care.

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

Councillor Oppler formally proposed the appointment of Councillor Dr Walsh to be Leader of Arun District Council. The proposal was then seconded by Councillor Mrs Yeates.

The Council

RESOLVED

That Councillor Dr Walsh be appointed Leader of Arun District Council.

Councillor Dr Walsh then confirmed that he was delighted to be able to propose that Councillor Francis Oppler be appointed Deputy Leader of the Council and this was seconded by Councillor Lury.

The Council

RESOLVED

That Councillor Francis Oppler be appointed as Deputy Leader of the Council.

## 12. APPOINTMENT OF CABINET MEMBERS

The Leader of the Council, Councillor Dr Walsh, presented his report which asked the Council to note who he had appointed as Cabinet Members and the allocation of Portfolios to each Cabinet Member in accordance with Article 7 (5) of the Constitution. An updated version of this report had been uploaded to the Council's website earlier that day.

Councillor Dr Walsh confirmed that the updated report amended the executive functions allocated to the new Commercial and Business Development Cabinet Portfolio as set out below [deletions are shown using ~~striketrough~~ and additions are shown using **bold**:

- Assessing ~~the Council's~~ **new commercial** assets
- Developing a commercial strategy
- Generating income ideas
- Planning the financial recovery from the Covid 19 pandemic
- **Overseeing the implementation of the governance change excluding the review of the Constitution that will be undertaken by the Constitution Working Party as agreed by Full Council on 15 January 2020.**

Councillor Dr Walsh confirmed that he had appointed Councillor Hugh Coster as the Cabinet Member for this portfolio.

Councillor Dr Walsh then paid tribute to Councillor Dan Purchase, Cabinet Member for Neighbourhood Services, who had stepped down from this role and he welcomed Councillor Mrs Samantha Staniforth who had been appointed to this Portfolio.

As part of the debate on this item, various Points of Order were put forward and a range of questions asked. These related to the need for Cabinet Members and other Councillors discussing their appointment to declare an interest; the Cabinet Member attendance statistics; the lack of open and transparent decision-making during the Covid-19 pandemic; the remit of the functions allocated to the new Cabinet Member role; and why an eighth Cabinet member position had been created when the Council would be moving to a new Committee structure from May 2021 and during the Pandemic period.

Following a lengthy debate and Points of Orders raised, Councillor Gunner proposed a Motion without Notice to proceed to the next business which was duly seconded by Councillor Dendle.

Full Council - 20.05.20

Having heard from the Chief Executive and the Leader of the Council and on this being put to the vote it was declared CARRIED.

During this item, the Chairman called a short adjournment for a comfort break.

### 13. APPOINTMENTS TO COMMITTEES

Councillor Dr Walsh proposed that the Appointments to Committees be approved. These had been set out in the supplement bundle uploaded to the Council's web site on 18 May 2020.

Councillor Dr Walsh confirmed that the recommendations set out on Page 1 of the supplement pack were subject to the following changes:-

- (a) That Councillor Brooks would fill the gifted seat from the Liberal Democrat Group on the Audit & Governance Committee, not Councillor Dixon as listed in Appendix 3; and
- (b) That the vacancy for the Council to appoint to on the Audit & Governance Committee, as listed in Appendix 3, be filled by Councillor Ms Thurston.

Councillor Oppler then formally seconded these proposals.

The Chairman then invited debate on this item. Further amendments to Recommendation (3) and Appendix 3 were put forward by Councillor Gunner. These were to confirm that Councillor English was a Member of the Standards Committee as Councillor Edwards' membership had been duplicated and that Councillor Gunner would replace Councillor Chapman on the Chief Executive's Appraisal Panel.

Concerns were then expressed over the interpretation of the provisions of the legislation used to undertake the annual review of political groups entitlement to seats on Committees in line with the proportionality rules set out in the Local Government & Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. In response, Members were referred to the report which set out what the proportionality rules meant for the Council and how Officers had interpreted their application.

In view of this a request was made to undertake the vote on Recommendation (2) first and then if this was approved, to undertake a separate vote on Recommendation (1) and then a combined vote on Recommendations (3) and (4).

Having taken named votes on this basis, the Council

RESOLVED – That

- (1) The entitlement of political groups and non-aligned Councillors to seats on Committees, Sub-Committees and Working Parties/Panels based on proportionality rules, as set out in Appendix 1, be noted;

(2) The negotiated allocation of seats to Committees; Sub-Committees and Working Parties/Panels as set out in Appendix 2, as recommended by the Leader of the Council, be approved;

(3) The appointments to Committees, Sub-Committees, Working Groups, Working Parties and Panels for 2020/21 be approved, together with the confirmation of the Chairman and Vice-Chairman where relevant, as set out in Appendix 3, as amended, to be attached to the Minutes; and

(4) It be agreed that in accordance with Council Procedure Rule 26.3, a Liberal Democrat seat on the Licensing Committee will remain unfilled until an election has been held for the vacancy in the Brookfield Ward and any consequential changes to the allocation of seats have been agreed.

#### 14. APPOINTMENTS TO OUTSIDE BODIES

Councillor Dr Walsh proposed the Appointments to Outside Bodies for 2020/2021 which had been set out in the supplement bundle uploaded to the Council's web site on 18 May 2020.

Councillor Dr Walsh alerted Members to an amendment to the appendix attached to the report in respect of Outside Body 17 (Age UK West Sussex) which needed to be removed from the list.

Councillor Oppler then formally seconded this proposal.

The Council

#### RESOLVED

That the schedule of Appointments of Representatives to Outside Bodies for 2020/21, as updated at the meeting, be approved, a copy of which is *attached* to the signed copy of the Minutes.

#### 15. APPOINTMENT OF COUNCILLOR DIRECTORS OF ANY COUNCIL OWNED COMPANIES

The Chairman confirmed that there were no appointments to confirm.

#### 16. APPOINTMENT OF OTHER GROUP LEADERS

The Chairman, in asking Councillors to note the appointment of other Group Leaders, confirmed that an amendment needed to be made in respect of the Leader of the Conservative Group. This was because Councillor Chapman had since stepped down from this role and had been replaced by Councillor Shaun Gunner. An amended version of this report would be made and *attached* to the signed copy of the minutes.

Full Council - 20.05.20

Councillor Dr Walsh thanked Councillor Chapman for his work as Leader of the Conservative Group over the last year and thanked him for taking part in constructive and supportive discussions. These statements were echoed by Councillor Dixon, as Leader of the Independent Group and by Councillor Ms Thurston as Leader of the Green Group.

Councillor Gunner, as the new Leader of the Conservative Group, also paid tribute to Councillor Chapman for leading his Group over the past year and stated that he looked forward to working with the other Group Leaders on the many important issues that residents had concern over during this difficult time.

17. CHANGE TO THE MEMBERS' ALLOWANCES SCHEME

*(Prior to the commencement of this item, Councillor Mrs Staniforth, declared a Pecuniary Interest and confirmed that she would leave the meeting for this item).*

The Leader of the Council, Councillor Dr Walsh, then made a Statement in accordance with Council Procedure Rule 13.2 confirming that guidance issued from the Department for Communities and Local Government dated 2013 on disclosable pecuniary interests made it clear that in this instance, under this legal Government guidance, there was not the need for any of the Cabinet Members to declare a pecuniary interest and need to leave the meeting for this item.

In response, several Points of Order were then made seeking clarification from the Council's Monitoring Officer on the statement made. There were Councillors who were unclear whether Cabinet Members should vote for their own financial gain or loss and could not see how this was acceptable without having had a dispensation granted to them.

Advice was given that under the Code of Conduct the onus on what to declare was for that individual Councillor or Councillors to decide upon. This was in line with the Localism Act 2011 and the supplementary guidance referred to by the Leader of the Council.

The Chairman welcomed Mr John Thompson, the Chairman of the Council's Independent Remuneration Panel, to the meeting and invited him to present the Independent Remuneration Panel's report on Cabinet Member Special Responsibility Allowances. This had formed part of the supplement pack uploaded to the Council's web site on 18 May 2020.

Mr Thompson explained that the Panel had submitted a report as the Leader of the Council had increased the number of Cabinet Members from seven to eight. He outlined that it was not for the Panel to comment on the need or otherwise of the additional post, however, the Panel had responsibility according to the Local Authorities (Members' Allowances) (England) Regulations 2003 to review the impact this additional appointment could have on the Council's Members' Allowances Scheme.

Mr Thompson outlined that the Panel had had to conduct this review in a very limited timeframe and in line with the Council's wishes to avoid increasing the overall budget for Members' Allowances. There had been a couple of options to consider and the recommendation proposed was deemed to be the fairest option in the Panel's view. This proposed that all seven Cabinet Members contribute an equal share from their existing Cabinet Member Special Responsibility Allowance to make up the eighth Cabinet Member Allowance. Mr Thompson confirmed that he needed to make a slight amendment to the recommendation in the report in respect of what had been quoted in terms of the make-up for the Leader of the Council's allowance quoted as £5,176 which should read £5,876. Mr Thompson emphasised that the Panel's recommendations did not increase the overall budget for Cabinet Members' Allowances in any way and that this had been the main remit of the review.

Councillor Dr Walsh then formally proposed the recommendations set out in the Independent Remuneration Panel's report and he thanked the Panel for undertaking this review within the very short timeframe that had been set. Councillor Dr Walsh outlined that the Panel's recommendations produced the fairest and most equitable solution without the need for a budgetary increase or any increase to the Council Tax payer. The recommendations were then seconded by Councillor Oppler.

Debate on this item saw concern being raised by some Councillors over the fact that other Cabinet Members had not declared an interest and that they had remained in the meeting for this item. Having received further advice,

The Council

RESOLVED

That the Special Responsibility Allowances (SRAs) paid to all seven Members of the Cabinet be reduced to £7,280 to fund the additional Cabinet post. The annual SRAs paid to Cabinet Members (including the Leader and Deputy Leader) be as follows:

Leader - £13,156 (£5,876 + £7,280)  
Deputy Leader - £9,360 (£2,080 + £7,280)  
Cabinet Members - £7,280

These changes to come into effect on 20 May 2020 with all other Allowances remaining unchanged.

18. CHANGES TO THE CONSTITUTION - VIRTUAL MEETINGS

The Chairman asked Councillors to note the decision taken by the Monitoring Officer outlining the changes that had been made to the Constitution at Part 5, Section 5 (Virtual Meeting Procedure Rules) and the further record of decision that had been taken and circulated to all Councillors earlier in the day.

Full Council - 20.05.20

The Monitoring Officer was invited to outline what the further decision had covered and she explained that two further changes had been made to the virtual meeting procedure rules having consulted with the four Group Leaders and the Chairman and Vice-Chairman of the Constitution Working Party. The first change related to the attendance by other Members at Cabinet and Committees by removing the need to give the 24 hour pre notice for questions. The second change related to voting arrangements where a ballot was required for the appointment of either the Vice-Chairman or Chairman of the Council. It had not been possible to introduce a way to undertake a secret ballot for these appointments and so it had been agreed to use a named vote for this purpose. The Council's Constitution had also been updated to reflect the changes made.

The changes made to the virtual meeting procedure rules were welcomed and a request was made for further review to be undertaken examining further the rules in place covering public involvement and if voting methods could be improved. It was confirmed that a further review on public participation and voting methods would be undertaken soon.

The Council then noted the two officer decisions that had been undertaken under the Officer Scheme of Delegation.

19. EXTENDED ABSENCE FROM MEETINGS - COUNCILLOR MRS FAYE CATTERSON

The Council received and noted a report from the Chief Executive that confirmed that in accordance with Part 4, Officer Scheme of Delegation, Section 1, Paragraph 2.2, Councillor Mrs Catterson had been given an extended period of absence from meetings for up to six months until 22 October 2020. This decision had been taken in consultation with the Group Leaders and the Chairman of the Council.

20. EXTENDED ABSENCE FROM MEETINGS - COUNCILLOR MRS TRACEY BAKER

The Council received and noted a report from the Chief Executive that confirmed that in accordance with Part 4, Officer Scheme of Delegation, Section 1, Paragraph 2.2, Councillor Mrs Baker had been given an extended period of absence from meetings until 20 May 2020. This decision had been taken in consultation with the Group Leaders and the Chairman of the Council.

In discussing the decision made, Members of the Conservative Group expressed their concerns over the legality of the decision made and asked for additional advice.

Having received this advice, further Councillors spoke from the Conservative Group and confirmed that they would be reserving their position in terms of approaching the Local Government Ombudsman.

Following further debate and having had Points of Orders raised, Councillor Bower confirmed that he proposed that a named vote be undertaken to not endorse the decision that had been taken by the Chief Executive.

Councillors were reminded that the decision had already been taken by the Chief Executive and so it was not possible to undertake a vote to not accept the decision made. A named vote could be undertaken on whether the Council could confirm if it endorsed the action taken and if not, then Members could indicate this by either voting against or abstaining from voting.

Councillor English then seconded the proposal made by Councillor Bower.

Further debate then took place resulting in Councillor Bower withdrawing his request for a named vote to be undertaken. He confirmed his view in that the point of his Group had been made and that they would pursue the matter with the Local Government Ombudsman.

21. EXTENDED ABSENCE FROM MEETINGS - COUNCILLOR MRS JUNE CAFFYN

The Leader of the Council, Councillor Dr Walsh, presented a report which sought to approve extending a period of absence from meetings for Councillor Mrs June Caffyn for up to six months until 20 November 2020 in line with the provisions of Section 85 of the Local Government Act 1972.

Councillor Dr Walsh formally proposed the recommendations which were then seconded by Councillor Bennett.

The Council

RESOLVED

That in line with the provisions of Section 85 of the Local Government Act 1972, an extended period of absence of up to six months until 20 November 2020 be approved for Councillor Mrs June Caffyn.

(The meeting concluded at 11.46 pm)