



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

Members are reminded to bring their Agendas from the Cabinet Meetings held on xx and xx with them to the meeting

7 March 2019

Full Council Meeting

To all Members of the Full Council

You are summoned to attend a meeting of the ARUN DISTRICT COUNCIL to be held on Wednesday, 13th March, 2019 **at 6.00 pm** in the Council Chamber & Blue Room - Council Chamber & Blue Room to transact the business set out below:

A handwritten signature in black ink, appearing to read "N. V. Lynn".

Nigel Lynn
Chief Executive

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**

Members and Officers are invited to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda, and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and Officers should make their declaration by stating:

- a) the item they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial interest
- c) the nature of the interest
- d) if it is a pecuniary or prejudicial interest, whether they will be exercising their right to speak under Question Time

3. **Public Question Time**

To receive questions from the public (for a period of up to 15 minutes)

4. **Questions from Members with Pecuniary/Prejudicial Interests**

To receive questions from Members with pecuniary/prejudicial interests (for a period of up to 15 minutes)

5. **Petitions**

To consider any petitions received from the public.

6. **Minutes**

To approve as a correct record the Minutes of the Special Meeting of the Council held on 20 February 2019, which are attached.

7. **Chairman's Announcements**

To receive such announcements as the Chairman may desire to lay before the Council.

8. **Statute Matters** (Pages 1 - 2)

(i) **Appointment of Vice-Chairman of the Council for the Municipal Year 2019/2020**

In accordance with Article 4.2(b) of the Constitution Procedure Rule 18.9, the Council will consider nominations put forward by each of the Political Groups for the position of Vice-Chairman of the Council for 2019/20 and Chairman Elect for 2020/21. A ballot will then be undertaken to determine the appointment.

9. **Urgent Matters**

To deal with business not otherwise specified in the Council summons which, in the opinion of the Chairman of the Council (in consultation with the Chief Executive), is business of such urgency as to require immediate attention by the Council.

REPORT BACK FROM CABINET, OVERVIEW SELECT COMMITTEE, REGULATORY COMMITTEES, SUB-COMMITTEES AND WORKING GROUPS

10. **CABINET - 14 JANUARY 2019** (Pages 3 - 14)

The Chairman, Councillor Mrs Brown, will present the Minutes from the Cabinet meeting held on 14 January 2019. There are no recommendations.

11. **Development Control Committee - 16 January 2019** (Pages 15 - 18)

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Development Control Committee held on 16 January 2019. There are recommendations at:

- Minute 363 [Development Control Committee/Group Head of Planning Scheme of Delegation] – to view the Officer's report and Appendix, please click on this link – [Report](#)

12. **Environment & Leisure Working Group - 22 January 2019** (Pages 19 - 24)

The Chairman, Councillor Hitchins, will present the Minutes from the meeting of the Environment & Leisure Working Group held on 22 January 2019. There are no recommendations.

13. **Special Development Control Committee - 23 January 2019** (Pages 25 - 36)

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Special Development Control Committee held on 23 January 2019. There are no recommendations.

14. **Bognor Regis Regeneration Sub-Committee - 28 January 2019** (Pages 37 - 40)

The Chairman, Councillor Hitchins, will present the Minutes from the meeting of the Bognor Regis Regeneration Sub-Committee held on 28 January 2019. There are no recommendations.

15. **Overview Select Committee - 29 January 2019** (Pages 41 - 50)

The Chairman, Councillor Dingemans, will present the Minutes from the meeting of the Overview Select Committee held on 29 January 2019. There are no recommendations.

16. **Standards Committee - 31 January 2019** (Pages 51 - 58)

The Chairman, Councillor English, will present the Minutes from the meeting of the Standards Committee held on 31 January 2019. There are recommendations at:

- Minute 387 [Review of the Local Assessment Procedure] – to view the Officer's report and Appendix, please click on this link – [Report](#) and [Appendix – the Procedure as amended at the meeting](#)

17. **Housing & Customer Services Working Group - 7 February 2019** (Pages 59 - 66)

The Chairman, Councillor Hughes, will present the Minutes from the meeting of the Housing & Customer Services Working Group held on 7 February 2019. There are no recommendations.

18. **Cabinet - 11 February 2019** (Pages 67 - 80)

The Chairman, Councillor Mrs Brown, will present the Minutes from the meeting of Cabinet held on 11 February 2019 with the exception of Minute 397 [Council Budget 2019/20] which was dealt with at the Special Meeting of the Council held

on 20 February 2019. There is a recommendation at:

- Minute 398 [Judicial Review at Land South of New Road [A259] and East of Brook Lane, Angmering [Planning Application Reference A/23/15/OUT] - to view the Officer's report, please click on this link – [Report](#)

19. **Electoral Review Sub-Committee - 12 February 2019** (Pages 81 - 86)

The Chairman, Councillor Dendle, will present the Minutes from the meeting of the Electoral Review Sub-Committee held on 12 February 2019. There are no recommendations.

20. **Development Control Committee - 13 February 2019** (Pages 87 - 90)

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Development Control Committee held on 13 February 2019. There are no recommendations.

21. **Audit & Governance Committee - 14 February 2019** (Pages 91 - 108)

The Chairman, Councillor Chapman, will present the Minutes from the meeting of the Audit & Governance Committee held on 14 February 2019. There are recommendations at;

- Minute 403 [Capital Strategy] – to view the Officer's report and the Appendix, please click on this link – [Report](#) and [Appendix](#)
- Minute 404 [Treasury Management Strategy and Annual Investment Strategy] – to view the Officer's report and all of the Appendices, please click on this link - [Report and Appendices](#)

22. **Planning Policy Sub-Committee - 27 February 2019**

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Planning Policy Sub-Committee held on 27 February 2019.

The Minutes will be circulated separately and any recommendations will be reported at the meeting.

23. **Cabinet - 4 March 2019**

The Chairman, Councillor Mrs Brown, will present the Minutes from the meeting of Cabinet held on 4 March 2019.

The Minutes will be circulated separately and any recommendations will be reported at the meeting.

24. **Development Control Committee - 6 March 2019**

The Chairman, Councillor Bower, will present the Minutes from the meeting of the Development Control Committee held on 6 March 2019.

The Minutes will be circulated separately and any recommendations will be reported at the meeting.

25. Motions

To consider any Motions submitted in accordance with Council Procedure Rule 14.

26. Questions from Members

To consider general questions from Members in accordance with Council Procedure Rule 13.3.

OFFICER REPORTS

27. Pay Policy Statement 2019 (Pages 109 - 120)

The Localism Act 2011, section 38(1) requires that local authorities prepare an annual Pay Policy Statement. This paper introduces the draft Pay Policy Statement for 2019/2020 (attached) and asks Members to approve it.

28. New National Pay Scale (Pages 121 - 124)

The National Joint Council (NJC) pay agreement for 2018-20 included the introduction of a new pay scale which will come into effect on 1 April 2019. The new pay scale will replace the current one and it is for Councils to decide locally, in consultation with their recognised union/s, how the organisational grading structure should fit against the new pay scale.

This paper explains the proposed new grading structure for Arun District Council and how staff will assimilate across from their existing pay point to the new pay scale.

29. Local Government Pension Scheme - Pension Discretions for Arun District Council (Pages 125 - 130)

Arun District Council provides a staff pension scheme which is part of the Local Government Pension Scheme (LGPS). It is a requirement under the LGPS Regulations for each scheme employer to formulate, publish and keep under review how it will deal with a number of discretionary areas within the LGPS rules. This paper sets out where we propose to make minor changes to our local discretions with an explanation for those changes and describes the consultation process. Full Council is required to agree any changes to the Pension Scheme.

30. Adoption of Arun District Council Health and Safety Policy (Pages 131 - 134)

The Council's Policy on how it achieves compliance with its legal obligations under health and safety legislation has recently been reviewed. The Policy relates to the Council's own work activities and premises and has been updated to reflect best practice and changes to the structure of the Council. Councillors are requested to adopt the Policy to ensure that a robust but sensible approach is

taken to protecting staff in the conduct of their duties and others who enter Council owned premises from harm.

31. **Committee Memberships**

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

32. **Representation on Outside Bodies**

The Council is asked to approve any changes to its representation on Outside Bodies.

- Members are reminded that if they have detailed questions, would they please inform the relevant Cabinet Member/Chairman and/or Director in advance of the meeting in accordance with the Council Procedure Rules
- Copies of the reports on the recommendations from the Cabinet Meetings have been previously circulated to Members and Members are asked to bring their copies with them to the meeting. Further copies are available from the Committee Manager
- Copies of the reports on the recommendations from the other Committees are attached, where appropriate

ARUN DISTRICT COUNCIL

REPORT TO FULL COUNCIL – 13 MARCH 2019

SUBJECT: Appointment of Vice-Chairman of the Council for the Municipal Year 2019/20

REPORT AUTHOR: Nigel Lynn, Chief Executive

DATE: 22 January 2019

EXTN: 37601

EXECUTIVE SUMMARY:

At Full Council on 7 March 2018, following nominations from Political Groups, a vote by ballot was held, in accordance with Article 4.2 (b) of the Constitution Procedure Rule 18.9 to determine the Vice-Chairman of the Council for 2018/19 and Chairman elect for 2019/20. This appointment was subsequently reconfirmed at the Annual Council Meeting on 16 May 2018.

The successful candidate was Councillor Pat Dillon and at the Annual Council meeting on 22 May 2019 he will be re-elected as Chairman for the Municipal Year 2019.20.

The Council is now being asked at this meeting to consider nominations for the Vice-Chairman of the Council for 2019/20 and Chairman-elect for 2020/21.

RECOMMENDATIONS

It is recommended that:

1. The Vice-Chairman of the Council for 2019/20 and Chairman elect for 2020/21 be appointed from the nominations put forward by each Political Group.

1. BACKGROUND:

1.1 Paragraph 2 (b) of Article 4 in Part 2 of the Constitution states:

(b) appointing for the Municipal Year or remainder of a Municipal Year the Chairman and Vice-Chairman of the Council on receipt of not more than one nomination from each political group.

1.2 The decision on which candidate should be appointed will be taken by holding a ballot at the Council meeting.

2. PROPOSAL(S):

2.1 The Council will consider the nominations put forward by each of the Political Groups for the position of Vice-Chairman of the Council and Chairman elect and the Chief Executive will confirm who has been appointed following a vote by ballot.

3. OPTIONS:

- 1) To support the report of the Chief Executive and agree who will be appointed as Vice Chairman of the Council for 2019/20 and Chairman elect for 2020/21.
- 2) To defer the decision to the Annual Council Meeting on 22 May 2019.

4. IMPLICATIONS:

Agreeing the appointment at this stage will allow the Chairman elect to work with a prospective Vice-Chairman to make plans for their civic year of office.

5. REASON FOR THE DECISION:

To reduce the business required at the Annual Council meeting on 22 May 2019, as it is normal procedure to make the decision in the March/April of the previous administration. In 2018, the decision took place on 7 March 2018.

8. BACKGROUND PAPERS:

Arun's Constitution – Article 4

Section 85 of the Local Government Act 1972

275

CABINET

14 January 2019 at 5.00 pm

Present : Councillors Mrs Brown (Chairman), Wensley (Vice-Chairman), Bence, Clayden and Haymes.

Councillors Ambler, Edwards, Gammon, Mrs Oakley, Mrs Porter and Wheal were also in attendance at the meeting.

348. WELCOME

The Chairman welcomed Councillors and Officers to the meeting.

349. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillor Charles and Wotherspoon.

350. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

351. PUBLIC QUESTION TIME

The Chairman confirmed that no public questions had been received.

352. MINUTES

The Minutes of the meeting held on 10 December 2018 were approved by the Cabinet as a correct record and signed by the Chairman.

353. BUDGET VARIATION REPORT

There was no item for this meeting.

Cabinet – 14.01.19

354. CORPORATE PLAN 2018-2022 – QUARTER 2 PERFORMANCE REPORT FOR THE PERIOD 1 APRIL TO 30 SEPTEMBER 2018

Councillor Mrs Brown presented the Corporate Plan 2018-2022 – Quarter 2 – Performance Report for the period 1 April to 30 September 2018.

Councillor Mrs Brown outlined that there were eleven Corporate Plan indicators with six being measured at Quarter 2. Out of these, five had been categorised as overachieving their targets and one had been categorised as achieving its target.

Based on this, it was believed that no remedial action was required at the Quarter 2 stage as all indicators measured at Quarter 2 were either over achieving or on target to achieve their target.

The Cabinet

RESOLVED

That the Council's Quarter 2 Performance against the targets for the Corporate Plan indicators, as set out in the report and as set out in Appendix A attached to the report be noted.

The Cabinet then confirmed its decision as per Decision Notice C/035/140119), a copy of which is attached to the signed copy of the Minutes.

355. SERVICE DELIVERY PLAN 2018-2022 – QUARTER 2 PERFORMANCE REPORT FOR THE PERIOD 1 APRIL TO 30 SEPTEMBER 2018

The Group Head of Policy presented the Service Delivery Plan 2018-2022, Quarter 2 Performance report for the period 1 April to 30 September 2018.

It was explained that there were 22 Service Delivery Plan (SDP) indicators and that thirteen indicators had been measured at Quarter 2. Seven had been categorised as overachieving their targets; five as not achieving and one had no data available at Quarter 2.

It was reported that for two of the indicators which were not achieving their target, action was required. The first indicator was SDP22 – the number of Council properties with a valid gas safety certificate and it was explained that 2,350 properties needed a valid certificate. Out of all of these Officers had been unable to gain access to one property, however, since the data had been recorded, on 1 October 2018, access had now been gained into the property and the necessary gas safety check had been undertaken.

The other SDP indicator requiring action was SDP18 – Cost of emergency accommodation per annum (net). The Group Head of Policy explained that this year had seen an unprecedented demand for temporary accommodation. This had been due to a combination of factors including the implementation of the Homelessness Reduction Act and the increase in homelessness generally. More robust management control processes had recently been adopted with the objective to ensure that households only occupied temporary accommodation for the shortest period of time. To assist in this work, Full Council had resolved, at its meeting held on 9 January 2019, that a supplementary estimate of up to £650k be approved.

The Cabinet

RESOLVED

That the Council's Quarter 2 Performance against the targets for the Service Delivery Plan Indicators as set out in the report and Appendix A attached to the report be noted, along with the remedial actions to be taken against two of the indicators which were not achieving at Quarter 2.

The Cabinet then confirmed its decision as per Decision Notice C/036/101218, a copy of which is attached to the signed copy of the Minutes.

356. STREET NAMING AND PROPERTY NUMBERING POLICY

The Cabinet Member for Technical Services, Councillor Haymes, presented this report which set out an updated Policy for the Council to adopt in respect of its street naming and property numbering. The Policy had last been updated in 2016, with this current version removing any ambiguity which may have been found with some properties in the previous Policy.

The Chairman then announced that she had received notification from one Councillor that he wished to speak on this item and so she stated that she would invite him to make his statement first before inviting debate on this item.

Councillor Gammon enquired how the Council could enforce the displaying of property numbers for those addresses that only used names.

The Group Head of Technical Services was invited to respond. He explained that the Council did have powers to require addresses to display numbers but only if this was causing a particular problem with for example the Royal Mail, or emergency services navigating the area. Councillor Gammon was advised to provide further information to the Group Head of Technical Services so that any particular areas of concern could be investigated.

Cabinet – 14.01.19

The Group Head of Technical Services then presented the report and stated that the reasons for reviewing the street naming and property numbering policy had already been explained by the Cabinet Member for Technical Services. The Policy had been last updated back in 2016, however, following a recent official complaint, the wording within the Policy had been found to be ambiguous and in need of updating in respect of the how the Council handled requests for property names to be added or changed. The fees contained within Appendix E of the Policy had also been increased to take account of inflation in the years since the Policy had last been updated.

The Cabinet

RESOLVED – That

- (1) The updated Street Naming and Property Numbering Policy be adopted providing a framework for the Council to administer and provide the street naming and property numbering for the District; and
- (2) Authority be delegated to the Group Head of Technical Services to make minor amendments to the Street Naming and Property Numbering Policy, including the fees.

The Cabinet then confirmed its decision as per Decision Notice C/037/140119, a copy of which is attached to the signed copy of the Minutes.

357. NOVATION OF GREENSPACE MANAGEMENT CONTRACT

The Group Head of Neighbourhood Services presented a report which was asking the Council to approve the novation of the Council's Greenspace Management Contract from ISS Facility Services Landscaping (ISS FSL) to Tivoli Group Ltd.

It was explained that on 31 May 2018, ISS FSL sold the trade and assets of its UK Landscaping division to Tivoli Group Limited (TGL). TGL had been incorporated in December 2017 as a subsidiary of its ultimate holding company, Amistha Holdings Limited, with the vision of being the UK's leading Grounds Maintenance provider.

On receiving notification of the proposed sale, the Council undertook due diligence to mitigate any risks to it associated with the proposal. This involved specialist legal and procurement advice concerning the contractual implications to the Council and the legal implications of compliance with the UK Public Contracts Regulations 2015.

Following the receipt of thorough legal and procurement advice, the Director of Services was satisfied that the Council had mitigated the potential risks as far as possible of novating the Contract. A novation agreement along with a Parent Company Guarantee (PCG) had been agreed and drafted, which would be finalised pending Council approval.

The Cabinet

RESOLVED - That

- (1) The novation of the Greenspace Management Contract from ISS Facility Services Landscaping to Tivoli Group Ltd, for the reasons outlined in the report be approved; and
- (2) A Parent Company Guarantee be approved from Amishta Holdings, the parent company of Tivoli Group Ltd.

The Cabinet then confirmed its decision as per Decision Notice C/038/140119, a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 5.10 pm)

This page is intentionally left blank

ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE CABINET MEETING HELD ON
14 JANUARY 2019

REF NO.	DECISION
C/035/140119	Corporate Plan 2018-2022 – Quarter 2 Performance Report for the Period 1 April to 30 September 2018
C/036/140119	Service Delivery Plan 2018-2022 – Quarter 2 Performance Report for the Period 1 April to 30 September 2018
C/037/140119	Street Naming and Property Numbering Policy
C/038/140119	Novation of Greenspace Management Contract

PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00 A.M. ON WEDNESDAY 23 JANUARY 2019 UNLESS THE CALL-IN PROCESS IS APPLIED

If a Councillor wishes to request a call-in of any of the decisions taken above, they will need to take the following steps in line with the Scrutiny Procedure Rules at Part 6 of the Constitution – Scrutiny Procedure Rules (Other)

They will need to:

- Submit their request in writing for a Call-In to the Group Head of Policy & Scrutiny and identify who will act as the lead Member of the Call-In
- Specify which decision is to be the subject of the Call-In
- Explain which of the criteria for the Call-In apply

REFERENCE NO: C/035/140119

FULL CABINET DECISION	NO
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Corporate Plan 2018-2022 – Quarter 2 Performance Report for the Period 1 April to 30 September 2018	
OFFICER CONTACT: Gemma Stubbs – Executive Assistant to the Chief Executive Extn: 01903 37707 e.mail: gemma.stubbs@arun.gov.uk	
EXECUTIVE SUMMARY: This report sets out the Quarter 2 performance outturn for the Corporate Plan performance indicators for the period 1 April to 30 September 2018.	
DECISION: The Cabinet RESOLVED That the Council's Quarter 2 performance against the targets for the Corporate Plan indicators as set out in the report and Appendix A attached to the report be noted.	
REASON FOR THE DECISION: In order for the Cabinet to be updated with the Quarter 2 Performance Outturn for the Corporate Plan for the period 1 April to 30 September 2018.	
OPTIONS CONSIDERED BUT REJECTED: To request further information and/or remedial actions to be undertaken.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/036/140119

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Service Delivery Plan 2018-2022 – Quarter 2 Performance Report for the Period 1 April to 30 September 2018	
OFFICER CONTACT: Gemma Stubbs- Executive Assistant to the Chief Executive Extn: 01903 737707 e.mail: gemma.stubbd@arun.gov.uk	
EXECUTIVE SUMMARY: This report sets out the quarter 2 performance for the Service Delivery Plan (SDP) performance indicators for the period 1 April to 30 September 2018.	
DECISION: The Cabinet RESOLVED That the Council's Quarter 2 performance against the targets for the Service Delivery Plan indicators as set out in the report and Appendix A attached to the report be noted and to that the remedial actions to be taken against two of the indicators which were not achieving at Quarter 2 also be noted.	
REASON FOR THE DECISION: In order for Cabinet to be updated with the Quarter 2 Performance Outturn for the Service Delivery Plan indicators for the period 1 April to 30 September 2018.	
OPTIONS CONSIDERED BUT REJECTED: To request further information before any remedial actions are undertaken.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/037/140119

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Street Naming and Property Numbering Policy	
OFFICER CONTACT: Nat Slade – Group Head of Technical Services Extn: 01903 737683 e.mail: Nat.Slade@arun.gov.uk	
EXECUTIVE SUMMARY: Clear street naming and numbering allows for easy navigation, facilities reliable and efficient delivery and postal services, and ensures that emergency services are able to find addresses without delay. This Policy sets out the Council's approach to delivering this function and has been updated to avoid ambiguity and to update fees.	
DECISION: The Cabinet RESOLVED - That (1) The updated Policy is adopted providing a framework for the Council to administer and provide the street naming and property numbering for the District; and (2) Authority is delegated to the Group Head of Technical Services to make minor amendments to the Street Naming and Property Numbering Policy, including the fees.	
REASON FOR THE DECISION: To provide the Council with a framework to administer and provide a sound street naming and property numbering service for the District.	
OPTIONS CONSIDERED BUT REJECTED: To not adopt the updated Street Naming and Property Numbering Policy and not approve the requested delegation of authority.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/038/140119

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Greenspace Management Contract Novation	
OFFICER CONTACT: Oliver Handson – Environmental Services & Strategy Manager Extn: 01903 737955 e.mail: oliver.handson@arun.gov.uk	
EXECUTIVE SUMMARY: the report seeks approval for the novation of the Council's Greenspace Management Contract from ISS Facility Services Landscaping (ISS FSL) to Tivoli Group Ltd.	
DECISION: The Cabinet RESOLVED - That (1) The novation of the Greenspace Management Contract from ISS Facility Services Landscaping to Tivoli Group Ltd for the reasons outlined in the report be approved; and (2) A Parent Company Guarantee from Amistha Holdings, the parent company of Tivoli Group Ltd be approved.	
REASON FOR THE DECISION: To mitigate as far as possible any legal and procurement risks to the Council and ensure the Council's Greenspace Management Contract will continue to be delivered successfully.	
OPTIONS CONSIDERED BUT REJECTED: Not to agree the proposals as outlined above, resulting in a requirement for the Council to re-procure the Greenspace Management Contract.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

281

DEVELOPMENT CONTROL COMMITTEE

16 January 2019 at 2.30 p.m.

Present: Councillors Bower (Chairman), Mrs Bence (Vice-Chairman), Ambler (substituting for Councillor Dillon), Mrs Bower, Brooks, Cates, Mrs Hall, Haymes, Mrs Oakley, Oliver-Redgate, Mrs Rapnik and Miss Rhodes.

Councillor Bence was in attendance at the meeting.

358. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Dillon, Mrs Pendleton and Mrs Stainton.

359. DECLARATIONS OF INTEREST

Declarations of interest were made as follows:-

Planning Applications BR/142/18/OUT and BR/283/18/PL – Councillor Brooks declared a personal interest as a member of Bognor Regis Town Council.

Planning Application BR/283/18/PL – Councillor Haymes declared a personal interest as this was a Council application and he was the Cabinet Member for Technical Services, which covered Arun assets.

Planning Application BE/68/18/PL – Councillor Mrs Rapnik declared a personal interest as she had attended a meeting where the matter had been discussed but she had taken no part in the decision taken.

360. MINUTES

The Minutes of the meeting held on 12 December 2019 were approved by the Committee and signed by the Chairman as a correct record.

361. PLANNING APPLICATIONS

AW/288/18/HH – Single storey front extension, 8 Osborne Way, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

282

Development Control
Committee – 16.01.19.

A/9/18/PL – Change of use of land to a Gypsy & Traveller Caravan Site consisting of 1 No. mobile home, 1 No. touring caravan, 1 No. amenity building & acoustic & close boarded fencing. This application is a Departure from the Development Plan Having received a report on the matter, together with the officer's written report update detailing a request from County Highways for a Stopping Up Order informative to be included in any approval, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

(Prior to consideration of the following application, Councillor Mrs Rapnik had declared a personal interest and remained in the meeting and took part in the debate and vote.)

BE/68/18/PL – Change of use of conservatory to dog grooming business, 16 Elbridge Avenue, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Brooks had declared a personal interest and remained in the meeting and took part in the debate and vote.)

BR/142/18/OUT – Outline application with all matters reserved for the demolition & conversion of existing public house (with residential accommodation to 1st floor) to form up to 10 No. residential flats over a maximum of 3.5 storeys, Richmond Arms, 224 London Road, Bognor Regis Having received a report on the matter, the Committee was reminded by the Planning Team Leader that this application was outline only and that all other matters would be considered at the reserved matters stage.

In the course of discussion, a concern was expressed for the potential for the proposed building to be 3.5 storeys high, which would adversely impact on the character of the area and particularly affect the signal box opposite. It was suggested and agreed that when the reserved matters application was submitted, it should come back to Committee for consideration, irrespective of whether it met the criteria to be dealt with under the Scheme of Delegation.

283

Development Control
Committee – 16.01.18.

The Committee

RESOLVED

That the application be approved as detailed in the report and that the reserved matters application be presented to Committee for determination.

(Prior to consideration of the following application, Councillors Brooks and Haymes had declared a personal interest and remained in the meeting and took part in the debate and vote.)

BR/283/18/PL – Enlarge dormer to the bay roof on north elevation. Ground floor windows & doors & railings to west elevation. This application affects the character & appearance of The Steyne, Bognor Regis Conservation Area, Central House, 18 Waterloo Square, Bognor Regis Having received a report on the matter and following a brief discussion, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/201/18/PL – Continuation of use of property as a house in multi occupancy as 8 No. bed sits, 137 Bayford Road, Littlehampton Having received a report on the matter, a Member comment was made in respect of inadequate drainage and sewage facilities which was responded to by the Planning Team Leader and the Committee then

RESOLVED

That the application be approved as detailed in the report.

WA/58/18/PL – Erection of 2 No. detached dwellings, adaptation to existing crossover & new driveway, 1 Orchard Way, Fontwell The Chairman advised that this application had been withdrawn from the agenda and would not be considered at the meeting.

362. PLANNING APPEALS

The Committee noted the planning appeals that had been received.

Development Control
Committee – 16.01.19.

363. DEVELOPMENT CONTROL COMMITTEE/GROUP HEAD OF PLANNING SCHEME OF DELEGATION

In the absence of the Group Head of Planning, the Director of Place presented this report which, he advised, sought approval to Recommend to Full Council a number of relatively minor changes to the Scheme of Delegation. The proposed amendments and clear reasons for the amendments were outlined in the report and reiterated by the Director of Place.

A number of points were raised by Members in the course of discussion and these were addressed by the Director of Place at the meeting.

The Committee

RECOMMEND TO FULL COUNCIL

That Part 4 of the Constitution be amended as follows:-

3.1.2 Where the following exceptions apply, the application or matter will be determined by the Development Control Committee:

- i. Any Major or Minor application for planning permission which prior to its determination is subject to a written representation from a the Parish Council, Town Council or formal Parish Meeting that the application site is within or one that immediately adjoins the application site, which has been received within the consultation period and which is in conflict with the recommendation of officers
- ii Any planning application for Full or Outline planning permission by or on behalf of the Council
- iii. Any Major or Minor application as defined by the Ministry of Housing, Communities & Local Government Department of Communities and Local Government which would be recommended for approval and create a new access or egress via the A27, A29, A284, A259 and A280
- iv. Any household application recommended for approval where the ward member has submitted a written request to the Chairman and/or Vice- Chairman of the Development Control Committee before the end of the statutory consultation period shall be referred to the Development Control Committee where it is on sound planning grounds.

(The meeting concluded at 3.50 p.m.)

ENVIRONMENT & LEISURE WORKING GROUP

22 January 2019 at 6.00 p.m.

Present: - Councillors Hitchins (Chairman), Warren (Vice-Chairman), Ambler, Brooks, Bicknell, Cates, Mrs Daniells, Dingemans, Mrs Neno, Oliver-Redgate and Dr Walsh.

Councillor Clayden, Cabinet Member for Community Wellbeing was also in attendance at the meeting.

28. APOLOGIES

Apologies for absence had been received from Councillor Mrs Bence, Reynolds and Stanley.

29. DECLARATIONS OF INTEREST

The following declarations of interest were made:-

Agenda Item 8, Wellbeing Annual Report

Councillor Mrs Neno - personal interest in relation to Wellbeing as a family member is using the service

30. MINUTES

The Minutes of the meeting held on 27 November 2018 were approved and signed by the Chairman as a correct record.

31. URGENT ITEM – UPDATE ON PUBLIC CONVENIENCES ON THE PROMENADE AT BOGNOR REGIS

The Chairman announced that he considered it to be important for the Working Group to be appraised of the latest situation with regard to the new public conveniences situated on the promenade in Bognor Regis.

This was because the Council had instructed an inspection of the premises due to ongoing roofing and other concerns.

The Chairman advised members that the Council had instructed the supplier to remove the toilets before the end of February 2019 and would await their response.

This update was noted by the Working Group.

32. STRATEGIC DIRECTION FOR CAR PARKS

(During the course of discussion on this item, Councillor Dr Walsh declared a personal interest as a member of West Sussex County Council and Littlehampton Town Council.)

The Working Group received a report from the Customer and Parking Service Manager which provided an overview of the Councils public off street car parks and future proposed developments in relation to those car parks.

The key points highlighted;

- The Council derived a substantial income from the Pay & Display Car Parks.
- There was currently a surplus at the time of writing the report of £90,000.00. This surplus would only be used to reinvest in the Car Parks.
- The Ring Go trial had been successful seeing over 74,000 transactions. As this payment option had proved popular it was intended to make this a permanent option after the trial has been completed.
- The Parking team were currently working with Cobalt Telephone Technologies Ltd to produce and implement a virtual permit for members of the public and a corporate virtual permit for staff and Members with the advantages of this system being outlined in the report.
- Refurbishments of car parks - a plan outlining the work required for each car park, inclusive of when this work would take place. Specifically extensive work would be undertaken/ carried out at Fitzfleet Multi Storey and Hothampton car parks and reconfigured in line with the objectives for the Bognor Regis Regeneration programme. The Regis Centre car park would be in a decked form on a smaller footprint and the London Road car park would also be reconfigured.
- An application for the Parkmark award had been submitted for 2019.

The following comments were made:-

- Some concerns were raised about the lack of signage for the Fitzfleet Multi Storey car park. It was confirmed that there would be new signage and sign boards installed over the coming months. With enhancements to the CCTV to combat anti-social behaviour.
- The technological advancements made to Contactless and Virtual Permits were very much welcomed by the Working Group. It was confirmed that the seasonal car parks would also be consider for the upgrade. Having received a query about 'Pay by Foot' options, it was advised all payment options can be reviewed.

- Numerous concerns were raised about the enforcement of on street and off street areas and the use of Blue Badge parking. In relation to on street parking members, were reassured that Blue Badge bays were enforced if they were covered by a Traffic Regulation Order. Unfortunately some of these bays are not covered by these Orders and therefore cannot be enforced. The West Sussex County Council is responsible for creating the Traffic Regulation Orders.
- Having been asked about Complaints relating to Ringo Pay. The Customer & Parking Services Manager stated, no complaints had been received via Arun District Council. However should there be any complaints these would go directly to Ringo Pay where they would be dealt with.
- A question regarding number plate recognition technology suitability was raised, in view of the problems experienced at Worthing Car Parks, relating to number plates not being recognised. Members were informed that there is no reason currently for the Council to look into this method.
- Some discussion around anti-social behaviour in and around Hothamton car park. The Customer & Parking Services Manager advised he was unaware of issues and has had no complaints received.

The Chairman thanked the Customer & Parking Services Manager for his update and the Working Group noted the report.

33. LITTLEHAMPTON LEISURE CENTRE

The Working Group received a report and a presentation from the Principle Landscape and Group Head of Community Wellbeing. This set out the continued progress of work to the Littlehampton Wave Leisure Centre outlining work completed and upcoming planned work.

A summary of the updates are set out below;

- Willmott Dixon Construction are working towards an extensive finishing programme to enable the snagging process to be undertaken - this would take some time to complete.
- Reception and Café area – the flooring and the main desk has been installed, with work to this area coming along well.
- Turnstile equipment was now being installed.
- It was exciting to report that the large pool was now filled – a major milestone to have achieved. The moveable floor had also been complete and the filling of small pool was imminent.
- Ground Floor and First Floor changing rooms were nearing completion.
- The Sports Hall is also near completion stage.

- The Gym - equipment had been delivered and started to be installed, WI-FI connectivity was imminent.
- In the Studio, the moveable wall had been installed with final touches currently being completed
- Outside work - the ramp at the entrance of the new building was near to completion. Top soil was being graded in around the building
- Works to resurface to the bottom car park would commence in the next couple of weeks and the southern car park would be completed after the demolition of the old building

The following questions/comments by the Working Group were made:-

- Questions were raised about an the opening date and it was confirmed that confirmation could not be given now but reassurance was made, should there be any cross over of the closure between the old building and new building, this would be kept as short as possible to allow essential equipment to be transferred and it is planned to be measured in terms of hours rather than days.
- A question regarding the demolition of the old building and how much of the material would be recycled was asked. It was confirmed that a lot of the Sports Dome material was re-used. It was explained that much of the material from the old building would be sent away as controlled waste. The Council had measures in place that it would re-use as much of the material as it could.
- Concerns were raised regarding the removal of the glass window panes with the potential for the glass to be broken on the grass outside. Reassurance was given that at the time of removal, the demolition company would manage this, in a controlled way with each area being completed safely.
- It was highlighted that the existing facilities had received a number of complaints that maintenance had fallen off schedule re lighting, faulty door hinges and toilets not cleaned/having a strong unpleasant odour. Considering users are still being charged full price for these facilities the request was to have these issues rectified quickly. The Group Head of Community Wellbeing advised that Freedom Leisure was aware of these issues and was carrying out the work to correct these faults. Confirmation that the lighting would be replaced and the smell from the toilets was found to be a result of descaling work that was completed was confirmed.
- Further reassurance regarding the use of blinds in the Gym was given. Confirming that these roller blinds would only be used when required and that this would form part of the operating procedures for Freedom Leisure.

The Chairman thanked the Principal Landscape Officer and the Group Head of Community Wellbeing for the update which was then noted by the Working Group.

34 . REPORT BACK FROM CABINET/FULL COUNCIL

No queries or questions on recommendations that had been forwarded from the Working Group to Cabinet on 10 December 2018 were raised.

35. WELLBEING ANNUAL REPORT

(During the course of discussion on this item, Councillor Dr Walsh declared a personal interest as a member of West Sussex County Councils Health and Adult Social Care Committee in his capacity as Vice Chairman of this Committee.

Councillor Bicknell declared his personal interest in this item as he had attend once of the course run by the Wellbeing team.)

The Working Group heard from The Wellbeing Services Manager, who provided a detailed update on the activities and outcomes of the Arun Wellbeing Programme during 2017/18, which was year 2 of the 3 year contract alongside the Group Head of Community Wellbeing.

Since the Arun Wellbeing programme was first commissioned in April 2009, the programme had developed and matured to suit the needs of the local community. The quality of the service remained high and effective, due to a well-motivated and highly skilled team along who worked closely with partner organisations.

The following comments were made:-

- It was suggested that the Wellbeing team should have an anti-sugar campaign built into future work plans. The Wellbeing Manager confirmed that the Wellbeing team aligned itself with the Health and Wellbeing Board. Providing 1-2-1 interventions as well as courses that focus on dietary requirements.
- Concerns were raised regarding the potential loss staff on fixed contracts. The Wellbeing Manager confirmed that as soon as funding has been confirmed by WSCC for the next 3 year period then the statutory notice will be rescinded. The Group Head of Community Wellbeing advised that both himself and the wellbeing Services Manager are working closely with our team and supporting them through this process.
- Questions were raised in relation to the Wellbeing service reaching the younger generation in particular Primary School aged children. The Community Wellbeing Manager confirmed that the Councils services were designed for 18+ (adults), however best practices would ensure the filtering of information down to children as result of their learning.

- A suggestion was made to the Community Wellbeing Manager that in the Marine Ward at the Health Centre, there was a large space upstairs, could he investigate the potential usage of this area to run Wellbeing Services from in the future. It was confirmed that this would be looked into.

The Chairman thanked the Wellbeing Manager and the Group Head of Community Wellbeing for the update which the Working Group noted.

(The meeting concluded at 7.29 pm)

285

SPECIAL DEVELOPMENT CONTROL COMMITTEE

23 January 2019 at 2.30 p.m.

Present: Councillors Bower (Chairman), Haymes (Acting Vice-Chairman), Ambler (substituting for Councillor Mrs Bence), Mrs Bower, Brooks, Cates, Charles (substituting for Councillor Mrs Pendleton), Dillon, Mrs Hall, Haymes, Mrs Oakley, Oliver-Redgate, Mrs Rapnik, Miss Rhodes and Mrs Stainton.

[Note: Councillor Dillon was absent from the meeting during consideration of the matters referred to in Minutes 370 (from Planning Application Y/91/17/OUT) and 371.]

Councillors Mrs Brown and Hitchins were also in attendance for part of the meeting.

364. APPOINTMENT OF VICE-CHAIRMAN

In the absence of the Vice-Chairman of the Committee, the Committee agreed that Councillor Haymes should take the role for the meeting.

365. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Bence and Mrs Pendleton.

367. DECLARATIONS OF INTEREST

Declarations of interest were made as follows:-

Planning Applications Y/91/17/OUT and Y/92/17/OUT – Councillor Haymes declared a personal interest as Chairman of Yapton Parish Council and stated that he had taken no part in the debate or voiced an opinion on the applications. He also advised that he had a further personal interest as Chairman of the Yapton, Ford and Climping Advisory Group where the applications had been discussed with Arun Planning Officers, the applicants, and representatives from the parishes, together with other stakeholders, with regard to obtaining S106 contributions needed to mitigate the impact on the existing infrastructure and services. Again he had not voiced an opinion. He had also been party to meetings with the NHS Clinical Commissioning Group regarding Primary Healthcare within the 3 parishes.

Special Development Control
Committee – 23.01.19.

Planning Applications Y/91/17/OUT and Y/92/17/OUT – Councillor Ambler declared a personal interest as a member of Yapton Parish Council's Planning Committee and stated that he had expressed no opinion on the applications.

Planning Applications P/6/17/OUT and P/25/17/OUT - Councillor Mrs Hall declared a personal interest as a member of Pagham Parish Council where the applications had been discussed and stated that she had not expressed any opinion. Additionally, she had attended meetings of the Pagham Action Group but had not spoken publicly or expressed an opinion one way or another.

Planning Applications P/6/17/OUT and P/25/17/OUT – Councillor Dillon declared a personal interest as he lived in Pagham.

368. PLANNING APPLICATIONS A/40/18/OUT AND AGENDA ITEM 7, PLANNING APPLICATION A/99/17/OUT

The Chairman advised that Planning Application A/40/18/OUT had been withdrawn from the agenda and Planning Application A/99/17/OUT had been deferred.

369. PLANNING APPLICATION P/6/17/OUT – OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR CONSTRUCTION OF UP TO 300 NO. NEW HOMES, CARE HOME OF UP TO 80 NO. BEDS, D1 USES OF UP TO 4000SQM , INCLUDING A 2 FORM ENTRY PRIMARY SCHOOL, ETC, LAND NORTH OF HOOK LANE, PAGHAM

The Principal Planning Officer reminded the Committee that this application had been deferred from the meeting held on 13 November 2018 to enable an independent assessment of the submitted road safety audit (RSA) to be undertaken. The conclusions of the resultant review were detailed in the report update included in the agenda which, in summary, stated that the subsequent RSA team and the checks undertaken by the Local Highways Authority (LHA) had not identified any outstanding significant road safety risk which could not be resolved as part of the detailed design. Further checks on road safety issues should be considered as part of a Stage 2 RSA on the detailed design and the consultants recommended that a formal brief for this next stage be submitted to the LHA prior to it being undertaken.

The Principal Planning Officer advised that, based on the findings of the RSA Audit Review, it was not considered that there were any outstanding safety issues associated with the proposed accesses that would not be satisfactorily addressed through the proposed conditions and at the detailed design stage through the Stage 2 RSA. However, it was highlighted that the following condition recommended to be included by the LHA had been omitted from the original report and was required to be added to the conditions:-

No part of the development shall be first occupied until plans and details of the proposed pedestrian and cyclist access points have been submitted to and approved in writing by the Local Planning Authority. The approved access points shall thereafter be constructed in accordance with a phasing plan or timetable as may be agreed with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy T SP1 of the Arun Local Plan.

In presenting the detail of the application, Members were directed to the written officer update, circulated at the meeting, which provided a response to matters raised by Pagham Parish Council and a minor amendment to the recommendation to replace “association” with “consultation”.

The Principal Planning Officer also verbally advised the Committee of the following:-

- The omitted condition detailed above be amended to address the concerns of Pagham Parish Council to read:-

No part of the development shall be first occupied until details of the proposed pedestrian and cyclist access points, as identified on drawing No. JNY8840-09, have been submitted to and approved in writing by the Local Planning Authority. The access points shall thereafter be constructed in accordance with a phasing plan or timetable as may be agreed with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy T SP1 of the Arun Local Plan.

- A letter had been received from Pagham Parish Council on 21 January 2019 which made specific reference to the conclusions of the Planning Inspector in the determination of Planning Application P/14/99, specifically, in relation to the built-up area boundary. As Members would recall, that was raised prior to and during the reconvened meeting on 24 October 2018. The refusal reasons for this historic application had been considered and dealt with through the Local Plan Examination (Built up area boundary, landscape, sustainability and housing land supply).

Objections had also been raised in relation to the Road Safety Audit submitted in support of this application.

- An objection had been received from the Sussex Wildlife Trust, with specific reference to cumulative impacts of development upon Green Infrastructure

Special Development Control
Committee – 23.01.19.

and that the impact of these allocations had not been better assessed during preparation of the Local Plan.

Following the officer's presentation, legal advice was given by the Council's Locum Barrister with regard to a query that had been raised in respect of the Committee's power to delegate decision making. He confirmed that the Council's Constitution, together with legislation, gave the Committee power to delegate as it saw appropriate – the Committee could therefore make its decision and delegate that decision to be made following receipt of any consultation responses.

Members then participated in a full debate relating to a variety of issues that had been aired at the meeting on 24 October 2018, including

- Serious concerns with regard to highway issues and the findings of the review of the RSA did not lessen those concerns
- Education
- Sewerage and foul water drainage, particularly into Pagham Harbour

Whilst the Principal Planner did address the matters raised at this point in the meeting, the Group Head of Planning reminded Members that the Committee should not be raising matters already debated at the meeting in October as it had not asked for changes to the application at that time, only that an independent assessment of the RSA be undertaken and that was now on the table for consideration.

A Member view was expressed that the application site was of strategic importance in the approved Local Plan and, whilst acknowledging the concerns raised, it should be approved with the proviso that the reserved matters application should come before the Committee for determination.

Member comment was also made that the highways issues raised in the debate in fact related to existing problems with the local highway network and, as such, could not be related to this application. That view was challenged as it was felt that the impact of such large scale development in the area would be so detrimental as to cause major issues which would not be addressed by the mitigation measures proposed and that improvements to the road network must come first. However, advice was given by officers at the meeting that each planning application had to be considered on its own merits and infrastructure improvements could not be required of the applicant to resolve existing problems, which was also supported by existing legislation.

An amendment was formally proposed and seconded that the reserved matters application should be determined by the Committee rather than under delegated powers. The Group Head of Planning agreed that this could happen as an agreement to be an exception to the Scheme of Delegation.

Following the officer's advice, the amendment was not voted on and did not go forward.

The Committee then voted on the substantive recommendation and did not support the officer recommendation to approve. The Group Head of Planning advised that he had not picked up from Members during the course of debate any valid planning reasons for refusal that could be defended at appeal and he asked Members to now give that consideration. Highways matters was put forward as a reason and it was suggested and agreed that a short adjournment be called to enable officers to formulate suitable wording for a reason on those grounds that would be defensible at appeal.

On recommencement of the meeting, the Group Head of Planning stated that a planning reason for refusal had been formulated but as part of his role, he was duty bound to advise Members that firstly, the highways impact had not been the reason for deferral at the last meeting and so the correct process was not being followed in bringing that issue up at this meeting as a reason to refuse the application. Secondly, officers from the County Council would not be presenting evidence to defend the reason at any subsequent appeal as they had considered the highways evidence and were satisfied that the impacts could be mitigated and were not severe. Further, the Council had instructed an independent consultant to assess these same details and their view was also that the application was acceptable, subject to mitigation measures. The Group Head of Planning considered that the grounds for refusal were exceptionally weak and was extremely concerned with the potential for the applicant going to appeal and significant costs being awarded against the Council.

However, the Committee

RESOLVED

That the application refused for the following reason:-

“The increased vehicle movements generated by the application will exacerbate the capacity issues on the local highway network and the mitigation measures proposed are insufficient to overcome the safety concerns resulting from the additional vehicle movements contrary to policy TSP1 of the Arun Local Plan.”

Special Development Control
Committee – 23.01.19.

370. PLANNING APPLICATIONS

A/40/18/OUT – Outline application with some matters reserved for the development of up to 525 residential dwellings (Class C3), 3 ha (gross) of employment land (Class B1), public open space, play areas, access, associated infrastructure and landscaping, Land North of Water Lane, Angmering Having received a report on the matter, the Committee was advised that this matter had been deferred

P/25/17/OUT – Outline application with all matters reserved for erection of up to 65 No. dwellings, access roads, landscaping, open space & associated works, Church Barton House, Homs Lane, Pagham Having received a report on the matter, the Committee was advised by the Principle Planning Officer of the detail of the officer's written report update which addressed the following:-

- Responses to matters raised by Pagham Parish Council in its submissions following publication of the officer report.
- An additional representation received regarding over 1,000 Brent Geese feeding in the field east and southeast of Church Barton House
- A correction to the recommendation to amend the word “association” with “consultation”

The Principal Planning Officer also verbally informed the Committee that a query had been raised following removal of the access from the description of development, as to whether the application accorded with Article 5(3) of the Town & Country Planning Development Management Procedure Order 2015. This stated that where access was a reserved matter, the application for outline planning permission must state the area where access points to the development proposed would be situated. The proposed layout plan illustrated that the site would be accessed from the adjacent site, which met the requirements.

The Council's Locum Barrister reiterated the advice given in the previous application that the Committee had the power to make a decision today and delegate authority as detailed in the report and the written report update.

In participating in discussion on the matter, views were expressed that did not support the officer recommendation to approve relating to access; proximity to the nature reserve; and biodiversity and ecology concerns. It was also felt that the matter should be deferred until such time as the outcome was known regarding the Judicial Review that had been applied for on the adjoining site.

The Council's Locum Barrister offered advice that the Local Planning Authority had received a planning application that it had a duty to determine. If a S106 Agreement with regard to access was required, that could be achieved through the planning process. In respect of wildlife, the necessary consultation had

been undertaken and evidence was detailed in the report and it would therefore be difficult for the officers to know what additional information was required. In turning to the potential for a Judicial Review, he stated that it was not certain that it would actually take place as a decision had not yet been made on the application for a Review and, in any event, there would be a substantial period of time before it would be dealt with, if approved.

However, it was formally proposed and seconded that the application be deferred but, on being put to the vote, was declared LOST.

The Committee then considered the officer recommendation to approve and

RESOLVED - That

(1) delegated authority be granted to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman to grant planning permission with conditions and informatives as detailed in the report and officer report update after the expiration of the 21 days Parish notification period and subject to the completion of the S106 Agreement; and

(2) authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman to make amendments to the S106 agreement which are substantially in accordance with the Heads of Terms.

As the vote was tied, the Chairman used his casting vote to approve the application.

(Prior to consideration of the following application, Councillors Ambler and Haymes redeclared their personal interest and remained in the meeting and took part in the debate and vote.)

Y/91/17/OUT – Outline application for the development of up to 250 residential dwellings (Class C3), vehicular access, public open space, ancillary works and associated infrastructure. Departure from the Development Plan, Land at Bilsham Road, Yapton Having received a report on the matter, together with the officer's written report update detailing:-

- Correction that the application was not a Departure from the Development Plan as stated in the description of the proposal.
- Correction that the provisional TPO (Tree Preservation Order) should read TPO/Y/4/18 and not TPO/Y/3/18 as detailed in the report.
- Inclusion of the consultation response from the Council's Arboricultural Officer, which had been omitted from the report in error.

Special Development Control
Committee – 23.01.19.

- Advice that an Agricultural Land Classification report (CEN4168) had been submitted in support of the application and which confirmed that the application site was grade 2 and subgrade 3a.
- Clarification with regard to SUDs features and open space provision on site.
- Confirmation from Southern Water that the request for local connection at manhole 8501 was acceptable.
- Amended recommendation to delete that relating to refusal in the event of non-completion of the S106 Agreement.
- Amended conditions, as set out in the update, relating to conditions 3, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17, 20, 22, 23, 24, 26, 28 and 29, plus an additional informative in relation to the need for formal consent from the Lead Local Flood Authority (WSSC) or its agent (ADC) being required.
- 3 additional letters of objection received.
- Correction to recommendation to replace “association” with “consultation”
- Officers comments to the foregoing points.

The Principal Planning Officer provided a verbal update relating to:-

1. Education – the LPA (Local Planning Authority) had yet to receive a revised consultation response from WSSC in relation to primary education. The applicant had advised the LPA of the financial contribution towards primary education as agreed with the County Council and it was on that basis that the Heads of Terms had been prepared.

A written statement had been provide by WSSC on 18 January 2019 which confirmed a financial contribution of £6,038 per dwelling, as identified in the report and the Heads of Terms. WSSC had advised that there was no existing capacity within the Arun District and, as such, the education requirements of the strategic allocations exceeded those originally identified within IDP 2017.

From the original consultation undertaken with WSSC, the financial contributions secured from these sites would be directed towards the provision of the new secondary school or the expansion of St Phillip Howard High School, However, it was now evident that the education requirements within the District generated by the strategic allocations would not be met through just expansion and it had therefore been identified within the Heads of Terms that the financial contribution from this development must be directed towards the new 10FE school with no alternative or fall-back secured within the S106 Agreement.

As notification from WSSC had been received late, a period of consideration of the County Council’s position was required by the developers. Should the developers not agree to the financial contributions towards secondary

education, then this would impact upon the proposed development's compliance with relevant policies.

2. Library Contributions – It had been identified that previous planning approvals had secured financial contributions of approximately £99,980 and, as such, the funding to deliver a Tier 7 facility had already been secured. Therefore, the financial contribution identified within the Heads of Terms would not be CIL compliant and had been removed from the Heads of Terms.
3. Additional Informative in support of Condition 10 “Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council) or its agent (Arun District Council – land.drainage@arun.gov.uk) prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

Following a presentation on the detail of the application, Member comment was made that, whilst having concerns about large scale developments overtaking the village, these applications were within the Arun Local Plan as strategic sites and it must be recognised that development was therefore inevitable.

The positive aspects of the proposal were highlighted, such as the expansion of the primary school; and the provision of a safe cycleway to Barnham. The contribution in the process of a variety of stakeholders through the Yapton, Ford and Climping Advisory Group was acknowledged and commended and it was recognised that all service providers and stakeholders had responded positively, not only with suggestions to mitigate impacts on the existing infrastructure, but with requests for financial contributions which would be used to reduce the additional impact on their services.

Reservations were expressed with regard to highway improvements taking place at the Oyster Catcher junction rather than the Comet Corner junction, especially as the proposed development would exit on to Bilsham Road, which led directly to Comet Corner. The Comet Corner junction was considered to be highly dangerous when turning right to go towards Middleton and Felpham.

Further Member comment was made that meetings had been held with the NHS Clinical Commissioning Group regarding future primary healthcare within the 3 villages of Yapton, Ford and Climping. Unfortunately, the issues were not straightforward and there were many restrictions on what could and could not be done. However, it was felt that new healthcare provision as part of the strategic allocation at Ford would be the best way forward, rather than making contributions

Special Development Control
Committee – 23.01.19.

towards the Eastergate surgery, which could, in due course, expect funds from the anticipated developments at Barnham, Eastergate and Westergate.

The Committee

RESOLVED – That

(1) planning permission be granted as detailed in the report and the officer report update, subject to completion of the S106 Agreement; and

(2) authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman to make amendments to the S106 Agreement which are substantially in accordance with the Heads of Terms.

(Prior to consideration of the following application, Councillors Ambler and Haymes redeclared their personal interest and remained in the meeting and took part in the debate and vote.)

Y/92/17/OUT – Outline application with all matters reserved save access, for up to 300 dwellings, link road, surface drainage, open space and landscaping. Departure from the Development Plan and access route is within the Yapton (Main Road) Conservation Area, Land east of Drove Lane, Yapton Having received a report on the matter, together with the officer's written report update detailing:-

- Correction that the application was not a Departure from the Development Plan as stated in the report.
- Correction that the provisional TPO (Tree Preservation Order) should read TPO/Y/4/18 and not TPO/Y/3/18 as detailed in the report.
- Amended conditions, as set out in the update, relating to conditions 6, 7, 8, 10, 11, 12, 13, 14, 16, 17, 20, 23, 24, 26, 28, 29, 30 and 32 plus an additional informative in relation to the need for formal consent from the Lead Local Flood Authority (WSCC) or its agent (ADC) being required.
- 1 additional letter of objection received.
- Amended recommendation to delete that relating to refusal in the event of non-completion of the S106 Agreement.
- The applicant had provided additional documentation relating to contamination and the Council's Environmental Health Team were satisfied that conditions ENV3 and 6 could be removed. (The Principal Planning Officer subsequently verbally advised at the meeting that this point should be deleted).
- Correction to recommendation to replace "association" with "consultation"
- Officers comments to the foregoing points.

The Principal Planning Officer advised that the matters raised in the previous application (P/Y/91/OUT) applied to this proposal.

In considering the matter, Member comment was also made that the points raised in the previous application were applicable to this proposal.

The Committee then

RESOLVED – That

(1) planning permission be granted with conditions as detailed in the report and officer report update, subject to completion of the S106 agreement; and

(2) authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman to make amendments to the S106 agreement which are substantially in accordance with the Heads of Terms.

371. PLANNING APPLICATION A/99/17/OUT, LAND SOUTH OF WATER LANE, ANGMERING

The Committee had been advised that this matter had been deferred and would not be considered.

(The meeting concluded at 5.03 p.m.)

This page is intentionally left blank

BOGNOR REGIS REGENERATION SUBCOMMITTEE

28 January 2019 at 6.00 pm

Present: - Councillors Hitchins (Chairman), Mrs Madeley (Vice-Chairman), Bence, Bower, Mrs Brown, Charles, Dillon, and Stanley.

Councillor Brooks was also in attendance at the meeting.

12. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Reynolds.

13 DECLARATIONS OF INTEREST

No declarations of interest were made.

14. MINUTES

The Minutes of the meeting held on 24 September 2018 were approved by the Subcommittee as a correct record and signed by the Chairman.

15. PAVILION PARK PRESENTATION

The Chairman was pleased to welcome to the meeting Mr Alex Massey and Mr Ed Manning of LUC (Land Use Consultants), the appointed design consultants for the new Pavilion Park in Bognor Regis, who were in attendance to give a presentation providing examples of their work and outlining the process of stakeholder engagement as part of the next phases of the implementation of the new park.

The Chairman advised the meeting that, although this project was part of the regeneration proposals for Bognor Regis, because it was a park and was being delivered by Greenspace, the Director of Services and the Group Head of Neighbourhood Services were in attendance to answer any questions Members might have.

On commencing their presentation, the consultants advised that the concept for Pavilion Park was a really exciting project which they felt privileged to be involved with. They provided illustrations of the projects the company had been engaged with from the design stage to completion and

informed Members of the 50 year history of the company and the wide ranging experience of its staff.

A broad programme of work and indicative project timeline was outlined to include options testing; progressing designs; and stakeholder involvement, which it was anticipated would lead to a planning application being submitted and approved by the end of the year.

The Chairman thanked Mr Massey and Mr Manning for their presentation and stated that he had been impressed with their portfolio, emphasising that the park must become an asset for Bognor Regis.

In the course of discussion by Members, the following points were highlighted:-

- There must be adequate parking provision and electric charging points included in the scheme.
- Designing crime out was seen as a fundamental requirement.
- A question was asked with regard to public input in the process and a response was given that ways of communicating with all parties was being investigated to ensure that everyone's views were listened to.

The Subcommittee would be kept fully informed of progress.

Following thanks from the Chairman for their attendance, Mr Massey and Mr Manning then left the meeting.

16. BUSINESS SUPPORT AND ENTERPRISE IN ARUN

The Business Development Manager presented this report to bring Members up to date with the services provided to local businesses by the Council. She stated the report was self-explanatory but took the opportunity to highlight the following:-

- The success of the networking meetings.
- Business of the Year Awards had been well attended.
- Monthly e-newsletter circulated to around 3,500 businesses at the beginning of each month.
- Journey to Work – due to changes it was not so easy now to get people into jobs. However, had 100 clients and targets were being outperformed.
- Grants were always well received and there was a good ratio of grant funding to match funding.
- Since its establishment, Business Networking Bognor Regis had generated over £1.1m worth of business amongst its 26 members and two new groups had now been set up following on from that success - The Littlehampton Business Circle and a group in Chichester, as detailed in the report.

Members welcomed the report and asked questions relating to work with schools; empty properties; improving shop fronts; and a requirement for a data base of business premises to assist expanding and new businesses in the District, all of which were responded to at the meeting by the Business Development Manager and the Group Head of Economy.

The Subcommittee noted the report.

16. BOGNOR REGIS REGENERATION POSITION STATEMENT

In receiving and noting the Position Statement, particular comment was made with regard to the following:-

Seafront Regeneration – unfortunately the new toilets installed on the Seafront in October 2018 had been closed due to build quality issues and actions were being taken to rectify that. Temporary toilets would be put in place if required prior to the start of the season. No payment had been made for the building and a legal process had been commenced.

Members were pleased to note that £50,000 had been received for improvements to the bandstand and the Senior Regeneration Officer advised on what was being proposed, i.e. the replacement of the low level railings. A second phase would complete the improvements, including the possibility of having removable seating to complement the new café just to the east.

Butlin's – new Splash Pool on target to open Easter 2019.

Old Town and Pier – a question was asked regarding the Old Town Working Group being reconstituted and an officer response given that it had not met for approximately 3-4 years and that the Council's role had been to facilitate in partnership with the Town Centre Manager and Town Council – BID staff would need to be actively involved as the Town Centre Manager had previously co-ordinated this initiative.

(The meeting concluded at 7.15 p.m.)

This page is intentionally left blank

297

OVERVIEW SELECT COMMITTEE

29 January 2019 at 6.00 p.m.

Present: - Councillors Dingemans (Chairman), English, Mrs Bence, Blampied, Hughes, Mrs Oakley, Oliver-Redgate, Mrs Rapnik, Warren and Wheal.

Councillors Bence, Clayden, Charles, Wensley and Wotherspoon were also in attendance for part of the meeting.

[Note: The following Councillors were absent from the meeting during the following items of business – Councillor English and Mrs Rapnik Minute 372 to Minute 378; and Councillor Wensley and Mrs Oakley (Part) Minute 383.]

372. WELCOME

The Chairman welcomed Members of the Committee, Councillors and Members of the public to the Meeting.

373. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Elkins and Stanley. The Leader of the Council Mrs Brown and the Cabinet Member for Technical Services, Councillor Haymes also provided their apologies.

374. DECLARATIONS OF INTEREST

Councillor Warren declared a Personal interest in Agenda Item 5, [Council Budget 2019/2020] in his capacity as a member of Littlehampton Town Council.

375. MINUTES

The Minutes of the special meeting of the Committee held on 3 December 2018 were approved by the Committee as a correct record and were signed by the Chairman.

Overview Select
Committee – 29.01.19

376. COUNCIL BUDGET – 2019/2020

The Chairman welcomed the Financial Services Manager from Corporate Support to the meeting who was invited to give a detailed overview of the Council's Budget for 2019/2020 highlighting what was felt were the significant areas that Members should be made aware of. It was explained that any comments that the Committee wished to make would be forwarded onto the next meeting of Cabinet taking place on 11 February 2019 before the Minutes from that meeting would be submitted to the Special Meeting of the Council on 20 February 2019.

The Financial Services Manager then presented the Council's Budget for 2019/2020 and explained the main strategic issues. These have been summarised below:-

- This would be last year of the current funding regime and the budget 2019/20 was as forecast in the Medium Term Financial Strategy in September. Funding from 2020/21 would become increasingly uncertain and highly likely to be detrimental to the Council. The Fair Funding Review and the re-set of the Retained Business Rates System would result in significantly less Government funding.
- This year's budget represents the final year of the 4 year settlement that the Council accepted in 2016/17. The Council is no longer in receipt of the Revenue Support Grant (RSG) and this was due to become negative £430k (payment to the Government), however this was cancelled by the Government, resulting in a one off windfall for the Council in 2019/20 as anticipated in the Medium Term Financial Strategy.
- West Sussex was successful in its bid to become a 75% Business Rates Pool. The Pilot will be led by WSCC with all Districts and the County as members. The Pilot will allow 75% of Business Rates to be retained locally with 20% retained by the Districts and 55% by the County. The additional funding generated will be invested in superfast broadband, which would be to the benefit of the whole of West Sussex.
- Business Rate Reset is currently out to consultation. The Council would be at risk of losing all of the significant growth that had been achieved since the scheme was introduced.
- New Homes Bonus (NHB) had been successful for the Council due to the increase in the number of properties, however more recently this has been declining due to changes in the scheme.

The future of NHB was looking increasingly uncertain.

- WSCC has terminated the current memorandum of understanding which has resulted in the reduction of recycling credits of £131k for 2019/20 with an additional £850k at risk for 2020/21; this would be significant to the Council's finances.
- The budget did not reflect the County Councils decision to cut HASC Housing related support to the voluntary sector like Stone Pillow. This would likely have a significant effect on the most vulnerable as well as the Councils finances.
- Another significant risk would be the rise in homelessness and a supplementary estimate up to £650k was approved by Full Council on 9 January 2019; this has not been reflected in the budget.
- The HRA balance shows a significant reduction, this reflects the results of the Stock Condition Survey which was received very late in the budget cycle. The increase allowed for flexibility to provide the programme but will require continuing liaison with regard to affordability.
- This was the first year that the Council has had to produce a Capital Strategy, which is being considered by the Audit & Governance Committee on 14 February with recommendations being forwarded to Full Council on 13 March 2019.

The Financial Services Manager summarised that the Budget for 2019/20 was balanced with an enhanced Capital investment programme and a contribution to the Business Rates reserve for added resilience before the Council face the enormous challenges of reduced Government funding from 2020/21.

The Chairman thanked the Financial Services Manager from Corporate Support for her detailed presentation and invited questions from the Committee. These have been summarised below:

- The Committee raised serious concerns in relation to WSCC cuts in funding to Housing and Homelessness Charities in view of the ongoing national Homelessness crisis. Due to the strong feeling presented by the Committee the Chairman reconfirmed that this will be highlighted to the Cabinet Members.
- The Committee requested that it be noted that the Finance team should be commended on their excellent work

The Committee gave its support and noting the contents of the Council Budget for 2019/2020 [which would be considered by Cabinet at its next meeting on 11 February and then at the Special meeting of the Council on 20 February 2019] then confirmed that it noted and approved the Budget for

Overview Select
Committee – 29.01.19

2019/20, with its discussion points being circulated to Cabinet on 11 February 2019.

377. GREENSPACE MANAGEMENT CONTRACT – UPDATE

The Cabinet Member for Neighbourhood Services, Councillor Wotherspoon gave an introduction to the Committee for this item and presented the Tivoli Management team, Chief Executive, Chris McInn and the Regional Manager, Nigel Payne and James Jones-McFarland the Parks and Cemeteries Manager.

The Environmental Service & Strategy Manager presented his report and provided the Members with an update of the Council's current Greenspace Management Contract. The Committee also received a presentation from the Chief Executive and Regional Manager from Tivoli.

The key points have been summarised below;

- The Council awarded its 10 year Greenspace Management Contract (GMC) to ISS Facility Services Landscaping (ISS FSL) following a competitive tender process. The Contract commenced on 1 January 2017.
- In the summer of 2018 a new provider – Tivoli Group Ltd (TGL) whose holding company Amistha Holdings Ltd purchased the trade and assets of ISS Facility Services Landscaping.
- The GMC covers a huge breadth of services and operations from Grounds maintenance of Arun's Parks and Open Spaces through to Operating Cafes in Norfolk Gardens and West Park. The full list of all services and operations that fall under this contract are detailed in the report.
- The contract was awarded for a period of 10 years, with an optional extension of up to 5 years. The annual value of the contract is approximately £1.25 million. The retender delivered a saving to the Council of approximately £250k on the previous contract.
- An overview of how the Council proactively manages the performance of the GMC was given to the Committee. With an emphasis on staff from both the client and contractor, stating that the group, that have been involved with the contract for a considerable period of time and therefore their experience of the district and understanding of each-others respective aims have developed. All most all of the thirty plus operatives on the

contract plus all of the local Tivoli management team reside in the district, which promotes pride of place in delivery of the contract.

- James Jones-McFarland spoke to the Committee regarding the contractor's performance. Targets set are detailed within the Greenspace Service's Service Delivery Plan. He advised that the monitoring of this performance was undertaken on a quarterly basis, consisting of Officers from the Council's Parks team 'mystery shopping' a selection of open spaces. Performance is assessed against a range of contractual operations applicable to each site e.g. grass cutting, litter collection and shrub maintenance. Each operation is scored on a scale of 1 to 5 (1 being very poor and 5 exceeding target). The contractual performance target is 61% as a minimum. Current performance to date for Year 1 overall was 73.08%, Year 2 sees Quarter 1 at 68.24% and Quarter 2 at 70.67%. The aim of the Council would be to see these scores continue to steadily improve throughout the duration of the contract.
- The Environmental Services & Strategy Manager drew the Committees attention to the achievements of the contract. Celebrating the Council's 4th Green Flag award for the Norfolk Gardens sports site in Littlehampton. This site joins Hotham Park, Mewsbrook Park and Marine Park Gardens in achieving this coveted award. Successful partnership with the GMC contractor and delivery of excellent standards of horticulture are seen as key to this achievement. Further success was seen in the delivery of investment and bid commitments. In early 2018 ISS FSL completed delivery of the new 'Wildforest Falls' Adventure Golf Facility at Hotham Park. Norfolk Gardens had a further £80,000 invested in the 'Buccaneer Bay' Adventure Golf Course which was opened during Easter 2017.
- On receiving notification of the proposed sale, the Council undertook due diligence in order to mitigate any risks to the Council associated with the proposal. This involved legal and procurement advice concerning the contractual implications to the Council and legal implications of compliance with the UL Public Contracts Regulations 2015. It is important to note that the existing contract remains unchanged under the novation agreement. A report went to Cabinet on 14 January and was approved.

A presentation was given to the Committee by the Chief Executive, Chris Mclain and Regional Manager, Nigel Payne from Tivoli. The presentation gave a detailed overview of the contract with Arun District Council inclusive of their structure, challenges and successes.

Overview Select
Committee – 29.01.19

Questions and comments from the Committee have been summarised below;

- There was some surprise from the Committee that the contractual performance target was set at 61%. The Environmental Services & Strategy Manager explained that this was a baseline figure that can and will be reviewed at the appropriate time.
- A question regarding the employment of qualified Health and Safety risk assessors was asked and it was confirmed that all those who carry out checks had been fully and appropriately trained.
- A suggestion to focus on a Wellbeing aspect in terms of marketing the use of our open spaces. It was agreed that these open spaces do provide an opportunity for improved Health and Wellbeing for all sectors of the community. The Chief Executive from Tivoli explained that there will be an increase in signage for these areas and those discussions were currently on going, in particular how this will be executed and the use of Social Media campaigns to reach a wider audience.
- Concerns were raised about the increase in cost of insurance for public play areas after it had been reported in the local press recently. It was confirmed that the Council has Public Liability insurance in place as well as a strategy which was adopted by the Council 18 months ago to ensure that the Council is continuously implementing improvements to the standard of these play areas to minimise potential risks.
- Tivoli's 'Positive Interventions' campaign has just been re-launched previously known as 'Near Misses', with a clear focus on stopping future accidents. The Environmental Services & Strategy Manager stressed to the Committee that Health & Safety is really key for the tasks that are being undertaken on the ground. The Council and Tivoli are really passionate about reducing the number of incidents and making sure it is managed well. There is always room for improvement, but from a Health & Safety perspective I am really happy with our current results and future plans for improvements.
- Cabinet Member for Residential Services, Councillor Bence, Congratulated Tivoli for their provisions of equipment and support to the gardeners at Hotham Park and Norfolk Gardens. He also enquired about the redevelopment of the Cafes in the parks and was Tivoli aware of this outstanding work. It was confirmed by the Regional Manager that they were aware and that they had been on a site visit to the area today (29 January) to take a look around. Discussions are taking place to ensure that the Council offers the best facilities it can to the public.

- A further question was raised regarding the Health and Safety checks of out Play Areas in respect of the Risk Assessment documentation for each item of equipment in each Play Area. It was confirmed that the Council manage over 80 Play Areas, Arun District Council, Engineers and Tivoli employees carry out checks and all who do this have been fully trained. The Council's insurance company also undertake extra inspection every 6 months. An external Company also complete a full risk assessment for the Council every 2 years.

The Chairman thanked the team and Tivoli for a great report and presentation as well as the great work completed by all the teams.

The Committee noted the report.

378. FEEDBACK FROM MEETINGS OF THE HEALTH AND ADULT SOCIAL CARE COMMITTEE HELD ON 12 DECEMBER 2018 AND 16 JANUARY 2019

The Committee received and noted the reports for the Health and Adult Social Care Committee that were held on 12 December 2018 and 16 January 2019.

The Key Points highlighted:

- As raised earlier in the meeting the Committee have strong feelings over WSCC decision to reduce funding for Housing and Homelessness Charities especially considering the national Homelessness crisis.

379. FEEDBACK FROM MEETINGS OF THE SUSSEX POLICE AND CRIME PANEL HELD ON 18 JANUARY 2019

The Cabinet Member for Wellbeing, Councillor Clayden updated the Committee that the meeting on 18 January did not take place. The next meeting of the panel will be on 1 February 2019.

At this meeting the Police and Crime Commissioner will update the Panel on the proposed precept and draft budget for 2019/20. The Panel will be asked to consider the proposed precept of £189.91 (on a Band D property), an increase of £24.00 equivalent to 14.5% and make recommendations.

304

Overview Select
Committee – 29.01.19

The Committee saw this as an opportunity to highlight their ongoing concerns regarding local Policing.

The Committee noted the updated

380. FEEDBACK FROM MEETINGS OF THE JOINT SCRUTINY STEERING GROUP HELD ON 26 NOVEMBER 2018

The Committee received and noted an update from the Chairman from the last meeting of the Joint Scrutiny Steering Group held on 26 November 2018.

The key point highlighted was that it was agreed to streamline the processes to reflect the current working arrangements. The main changes were;

- To only hold Group meetings when the need arises
- Scrutiny Officers will meet on a regular basis to discuss work programmes
- If a relevant project is identified for joint scrutiny, the group will be consulted for agreement. At this point the group will decide whether to meet in person to discuss the project proposal
- A Chairman will be appointed at each meeting. No standing Chairman.

There were no comments made by the Committee.

The Committee noted the update.

381. CABINET MEMBER QUESTIONS AND UPDATES

The Deputy Leader and Cabinet Member for Corporate Support, Councillor Wensley, was asked, considering the Local Government Act 1972 Parish Meetings (as opposed to Parish Council Meetings) according to the Act, Arun District Council should appoint a Proper Officer to be a Parish Trustee alongside the Parish Meeting Chairman. Have we ever done so?

The Deputy Leader and Cabinet Member for Corporate Support, Councillor Wensley, responded confirming that the Chief Executive is appointed as the proper officer as defined under Section 13(3) of the Local Government Act 1972, as amended. This is confirmed in the Council's Constitution at Part 4, Officer Scheme of Delegation, Section 2.

In practice, the Chief Executive has not been asked by any Parish Meeting to perform his role as a Trustee to date.

The Cabinet Member for Planning, Councillor Charles, was asked what plans Arun District Council has to use modular buildings to help achieve our affordable housing target and what can we do to encourage developers to do so even if it eats into their profit margins?

The Cabinet Member for Planning, Councillor Charles, responded by stating that the Council take new building methods very seriously. He explained that the Council had, had discussions with 3 companies that use the modular building process and are making progress with research on this. Modular builds are definitely the way forward and the Government are very keen to see more of this build method being used.

No questions were taken from any other Cabinet Member and the Committee asked no further questions.

382. WORK PROGRAMME

The Group Head of Policy asked the Committee for their suggestions for items to be considered for the Work Programme for 2019/20.

The following comments from the Committee were;

- Review the performance of Freedom Leisure
- Scrutinise WSCC decision to reduce Housing related grants
- More vigorous scrutiny of the Forward Plan

A discussion took place between the Committee and the Cabinet Members around the importance of Stone Pillow funding and the Homelessness Reduction Act. It was agreed that there is further work to do on these topics and the Committee was in agreement to consider further suggestions at the March meeting. The Group Head of Policy also agreed with the Committee to communicate with the new Committee after the Election period, to push forward action on the above items.

(The meeting concluded 7.22 pm)

This page is intentionally left blank

307

STANDARDS COMMITTEE

31 January 2019 at 6.00 p.m.

Present: - Councillors English (Chairman), Dillon (Vice-Chairman), Blampied, Mrs Bower, Edwards, Mrs Rapnik, Dr Walsh and Wensley.

Independent Persons – Mr B Green and Mr J Thompson.

[Note: The following Councillors were absent during consideration of the matters contained in the following Minutes – Councillor Mrs Rapnik- Minute 383 to Minute 386 [Part]; and Councillor Mrs Bower – Minute 390].

383. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Wheal.

384. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

385. MINUTES

The Minutes of the meeting held on 21 June 2018 were approved by the Committee as a correct record and signed by the Chairman.

386. ASSESSMENT PANEL DECISION – ALLEGATION AGAINST A BOGNOR REGIS TOWN COUNCILLOR

The Committee received a report from the Group Head of Council Advice & Monitoring Officer advising Members of the outcome of the Assessment Panel's investigation into allegations received against Councillor Damien Enticott, a Bognor Regis Town Councillor.

The Committee was reminded that in this case, three separate complaints had been received against the Councillor which had been investigated by the Assessment Panel on 17 October 2018. The findings of the Panel had been attached to the report as Appendices A, B and C. No review of the decision had been requested by either the Subject Member or the Complainant by the expiry date of the review period. The decision notices had been published on 26 November 2018.

In finding the Subject Member in breach of the Code of Conduct, the Panel determined that its decision notices should be published for the maximum period of 12 months. In line with Paragraph 6.8 of the Local Assessment Procedure, the Panel wished to ask the Committee to carry out a further review of its findings to determine whether the publication of the decisions reached should be for a longer timeframe in view of the nature of the complaints received and breaches found.

A discussion took place with some Members of the Committee stating that the maximum timeframe of 12 months publicising the Assessment Panel's decision was adequate. However, other Members felt that in view of the severity of the complaints, in this instance the publication period should be extended beyond the maximum 12 months. Although both arguments were felt to be justified, the Committee agreed that unless it had a rating system built into its Local Assessment Procedure, it would be impossible to determine a suitable publication length, beyond the maximum period of 12 months and so this made it difficult to apply a longer term retrospectively.

The Group Head of Council Advice & Monitoring Officer confirmed that the Police Protocol had been actioned for this case. At this time, the Council had not been advised of the outcome of the Police's investigation.

Following some further discussion, the Committee

RESOLVED – That

- (1) the decisions of the Assessment Panel be noted; and
- (2) the outcome of the Committee's review of the publication period be confirmed as the maximum period of 12 months from 26 November 2018.

387. REVIEW OF THE LOCAL ASSESSMENT PROCEDURE

The Group Head of Council Advice & Monitoring Officer reminded the Committee that a revised Local Assessment Procedure had been adopted by Full Council on 8 November 2017 and that it had been agreed that a review would be undertaken following a year of that Procedure's operation.

The Committee received a report reviewing how the Procedure had worked in practice and it proposed some minor amendments for the Committee to consider for clarity purposes and to increase transparency of the process for dealing with Code of Conduct complaints. The Committee's views were also sought on any other changes that it felt should be put forward and proposed.

The Group Head of Council Advice & Monitoring Officer outlined that the procedure had worked well and had met the aims that the Committee had wanted in introducing a two staged review process in terms of practical use and application.

Taking into account comments received, there were six sections where change was being proposed, as set out below:

Paragraph 4

There were three additions proposed:

- (i) Whilst the flow chart at Appendix 3 confirms that this stage will be completed within 28 working days, it is suggested that an additional paragraph be added to confirm this timescale for clarity. This new paragraph (4.2) also confirmed the timescale for acknowledging any complaint received.
- (ii) In practice, the Monitoring Officer has been consulting with an Independent Person before using her discretion not to proceed with a complaint under one of the sub-paragraphs in paragraph 4.3. This was so that some independence could be seen to all parties from any decision taken. It was therefore proposed that this practice be formalised.
- (iii) This stage had no right of review and for clarity it was suggested that an additional paragraph be added to confirm this and that the Monitoring Officer's decision would be reported to the Standards Committee for information.

The Committee agreed to these changes.

Paragraph 5

Clarity was being proposed in:

- (i) A new paragraph 5.5 to confirm that the investigation would be completed within 28 working days (as explained in Appendix 3), unless the Monitoring Officer advised within that timeframe that more time was needed by the Investigating Officer to conduct their review.

- (ii) This stage also had no right of review and for clarity it was suggested that an additional paragraph be added to confirm this and that the Monitoring Officer's decision would be reported to the Standards Committee for information.

The Committee agreed to these changes.

Paragraph 6

To reflect the practice introduced, it was proposed that:

- (i) The third, fourth and final bullet points in paragraph 6.6 be amended to state that the report would be issued when the decision notice was published as well as in a report to the Standards Committee, so Members and the relevant Town/Parish Council were made aware as soon as the final decision notice was issued to all parties.

The Committee agreed to these changes.

Paragraph 8

To reflect the practice introduced, it was proposed that:

- (i) An additional paragraph 8.6 be added to confirm that if no review was requested by either the Complainant or Subject Member, both would be advised in writing that the decision had been confirmed and how the decision would be published.

The Committee agreed to these changes.

Paragraph 9

Clarity was being proposed in:

- (i) Paragraph 9.1 to confirm that the Chairman of the Assessment Panel would not always be the Chairman of the Standards Committee, except when the Chairman was in attendance, and that the decision notice would initially be sent to the Complainant and Subject Member only for review.
- (ii) Paragraph 9.2 to confirm that the decision notice would be published once the review period had passed and to clarify the publication arrangements.

The Committee agreed to these changes.

Appendix 3 – Procedure Flowchart

It was proposed that a further timescale be introduced for those complaints dealt with under a Stage 1 investigation. As currently, the initial investigation needed to be completed within 28 working days. However, as confirmed in paragraph 5.5, there was then a 14 day period for consultation with both the Complainant and Subject Member before the Investigation Officer's report would be presented to the Independent Person for review. For clarification, it was suggested that the flowchart confirmed this and that the Monitoring Officer may request an extension of time if required. This extension being to allow for those few occasions where the complaint was complex or the investigation required interviews with multiple witnesses.

The Committee agree to these changes.

Finally, the Group Head of Council Advice & Monitoring Officer highlighted a further three issues where the Committee's views were sought. These are as set out below:

1. Would Members of the Standards Committee wish to be circulated the decision letter issued by the Monitoring Officer for complaints that did not proceed to further investigation or for these to continue to only be referenced in the monitoring report presented to each meeting? *The Monitoring Officer and Chairman's view was that the former approach would help the Committee to be aware of any complaint dealt with in this way as soon as it has been resolved in case any question was raised with them prior to their next meeting and provide them with the full details.*
2. If the complaint did not go any further than Stage One (as paragraph 5.8 of the report confirmed), would Members wish for the Investigating Officer's report to be published to the Council's website and presented to the next Standards Committee for information or for these to continue to only be referenced in the monitoring report presented to each meeting? *The Monitoring Officer, Chairman and Independent Persons were all of the view that for transparency reasons the decision notice should be published as otherwise the Complainant and Subject Member needed to be asked to keep this confidential.*

3. Should the Complainant's name be published in the decision notice as the Procedure was silent on this? *Paragraph 2.4 of the Procedure confirmed that the Subject Member would usually be told who had complained about them. However, it was silent on whether the Complainant's name would be published in the decision notice. The Monitoring Officer had not been publishing this in the absence of a clear direction. The Monitoring Officer, Chairman and Independent Persons were all of the view that the Complainant's name should be included in the decision notice in the interests of fairness to all parties, unless they had been granted anonymity.*

The Committee agreed that the points above be introduced and applied to the appropriate paragraphs of the Assessment Procedure.

The Committee

RECOMMEND TO FULL COUNCIL – That

- (1) the Local Assessment Procedure be amended to reflect the changes shown in Appendix A to the report and as highlighted at the meeting;
- (2) a copy of the amended Local Assessment Procedure be sent to all Town and Parish Councils; and
- (3) a review of the Procedure be undertaken following a further two years of operation, or sooner if required, and reported back to the Standards Committee.

388. RECRUITMENT OF INDEPENDENT PERSONS TO THE STANDARDS COMMITTEE

The Committee received a report from the Group Head of Council Advice & Monitoring Officer which was asking the Committee for its views on the approach to be taken to recruiting additional Independent Persons to the Standards Committee as requested at the last meeting of the Committee on 21 June 2018.

The Group Head of Council Advice & Monitoring Officer explained that it had not been possible to commence a recruitment process until now due to an unprecedented increase in workload. This was because there had been a significant number of complex complaints made against Councillors under the Code of Conduct between July to November 2018.

Despite this, the consequential workload had provided an opportunity to test out all stages of the Local Assessment Procedure and had involved the Independent Persons in the majority of the complaints received. It was reported that the work had been evenly distributed between the two Independent Persons and both had been able to respond in a timely manner to the Monitoring Officer.

The two Independent Persons, Mr Green and Mr Thompson, had been consulted on whether they felt that the workload from the recent cases had been too onerous and whether they had any views on the appointment of additional Independent Persons.

The view of the Monitoring Officer was that two Independent Persons was sufficient but at the same time, the Committee needed to bear in mind how much work was involved in managing and assessing complaints. On an average, 5-6 complaints were received over a year, however since July 2018, 22 complaints had been received to date.

The two Independent Persons were then invited to provide their views. They confirmed that the workload for them had not been too onerous, however, they felt that it would be sensible for consistency and training purposes to appoint one further Independent Person to cover for any unforeseen absences such as holiday or illness.

Following a brief discussion, the Committee agreed that a recruitment exercise should be pursued to appoint one further Independent Person. The Group Head of Council Advice & Monitoring Officer proposed that a similar approach be taken to recruitment to that adopted by the Audit & Governance Committee in July 2018 in appointing new members to the Independent Remuneration Panel which conducted reviews of the Council's Members' Allowances Scheme. Having explained the stages to the approach used, it was confirmed that a new Independent Remuneration Panel had been successfully appointed through advertising in the business community and on the Council's website.

The Committee

RESOLVED – That

(1) the option for recruiting one additional Independent Person to the Standards Committee, as set out in the report, be endorsed with authority being given to the Group Head of Council Advice & Monitoring Officer, in consultation with the Chairman of the Committee, to agree the application pack and advertisement; and

(2) the Group Head of Council Advice & Monitoring Officer, in consultation with the Chairman of the Committee, be given authority to appoint two Members of the Committee and an Independent Person to sit on the Interview Panel.

389. EXEMPT INFORMATION

The Committee

RESOLVED

That under Section 100A (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 and Part 5 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

390. REGISTER OF ASSESSMENTS OF COMPLAINTS AGAINST COUNCILLORS (Exempt – Paragraph 1 – Information Relating to Any Individual)

(Prior to the commencement of the discussion on this item, Councillor Mrs Bower declared a Personal Interest in some of the complaints contained within this report as her husband was the Subject Member. Councillor Mrs Bower confirmed that she would therefore leave the meeting for this item.)

The Committee received and noted a report from the Group Head of Council Advice & Monitoring Officer which updated Members on the complaints against Councillors received over the past two years.

(The meeting concluded at 6.42 pm)

HOUSING & CUSTOMER SERVICES WORKING GROUP

7 February 2019 at 6.00 p.m.

Present: - Councillors Hughes (Chairman), Mrs Porter (Vice Chairman), Bicknell, Mrs Harrison-Horn, Mrs Madeley, Oppler, Miss Rhodes and Mrs Rapnik.

The Cabinet Member for Residential Services Councillor Bence and The Cabinet Member for Community Wellbeing Councillor Clayden were also in attendance at the meeting.

14. APOLOGY

An apology for absence had been received from Councillor Stanley.

15. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

16. MINUTES

The Minutes of the meeting held on 20 September 2018 and 13 December 2018 were approved as a correct record and signed by the Chairman.

17. COMMUNITY SAFETY AND HOUSING PARTNERSHIP WORKING REVIEW 2016 – 2018

The Cabinet Member for Community Wellbeing Councillor Clayden introduced this item to the Working Group.

The Community Manager provided Members with a detailed overview of the review report that set out the integrated working and achievements of the Arun District Council Community Safety and Housing teams between 2016/18.

The key points highlighted were;

- The joint working that was outlined in the report was directed through the priorities set by the Safer Arun Partnership (SAP), as it was outlined in its partnership plan.
- To ensure the team achieve the Vision, SAP agreed the following 18/19 strategic priorities, that encourage and support joint working;
 - Tackle & reduce anti-social behaviour (ASB)
 - Street Communities
 - Serious and Organised Crime with a specific focus on 'Cuckooing'
 - Neighbourhood Development

- 2016/17 saw ASB Caseworkers work with 367 individual perpetrators of nuisance in their communities and 245 in 2017/18. Over the two performance years an average of 97% success rate was achieved in effectively reducing and stopping ASB by identified perpetrators
- One of the key achievements for the ASB and Housing teams was with supporting statements from Sussex Police successfully obtained six partial Closure Orders in Littlehampton and Bognor for Council properties between December 2017 and August 2018. .
- Street community refers to a specific cohort of individuals who choose to congregate and conduct their social life in public areas, usually typified by consumption of alcohol and / or drugs which gives rise to public concerns and / or disorder. Street communities can be rough sleeping, insecurely housed or may have their own accommodation.
- Arun Street Community Multi Agency Risk Assessment Conference (MARAC) is where key partners regularly meet to discuss individual cases agreeing on delivering actions that would mitigate and or reduce risk factors.
- From April 2016 to September 2018 MARAC had proactively assessed risk and developed shared action plans for 148 individuals.
- Increases in the number of rough sleepers and the exponential increase of individuals using Class A drugs presents all partners including the Housing and Community Safety with complex challenges and underpins the importance of all teams working together
- Since April 2016 - to date 64 individuals have been discharged from MARAC meetings as they have sustained good progress in reducing risk factors.
- 43 individuals have also been re-housed – 8 within Arun District Council properties: 35 in RSL/private let or other.
- Cost benefit analysis shows that the project has delivered a cost saving of £471,657 to criminal justices agencies (in relation to reduced demand to address crime and anti-social behaviour) and a cost benefit of £129,075 by removing rough sleepers from the streets (source: Manchester Unit Cost Database 2015 v1.4).
- Serious and organised crime mainly relating to County drug lines is a major contributor to the violent crime experienced within Arun. This is a significant ongoing problem for the district.
- Associated with County lines, is cuckooing, this is a type of crime whereby a vulnerable individual or family are befriended by a drug dealer who goes on to take over their home in order to conduct illegal drug activity. There are currently over 70 known properties that have been cuckooed in the last year, resulting in joint interventions between the Police, ASB and Neighbourhood Housing team and local Registered Social Landlords (RSLs). Approximately 27% of these were ADC housing properties in 2017/18.

- Integrated working for this area is key to being successful – it is important to continue working in this way moving forward.

The following comments were made:-

- Confirmation was obtained from the Community Manager that the teams also work with Stone Pillow and Turning Tides in Littlehampton. The data from the report is from the Street Community and is not inclusive of the work Stone Pillow and Turning Tides complete.
- There was some concern raised regarding rough sleepers at The Sunken Gardens in Bognor. This had been seen as a reoccurring issue last summer but there seemed to be very little awareness about the problem at the time and thereafter. The Community Manager explained that the Council need people to report anti – social behaviour and / or any type of criminality. The Council and the Police have completed joint patrols however ongoing allocation of resources are driven by reports that are received from the local community and public. There is awareness of this issue and the Council and the Police resources permitting, will take proactive measures.
- Further concern for the Homelessness strategy surrounding the cuts that have been approved by WSCC were raised. The Council are working closely with parties involved to assess the impact and where possible to preserve this. However due to these discussions being ongoing it was not possible to comment further.

The Working Group agreed;

RECOMMEND TO CABINET – That

(1) the integrated working between the Council’s Community Safety and Housing teams is endorsed and the importance of partnership working in contributing to reducing anti-social behaviour, creating safe environments and addressing Street Community issues is recognised; and

(2) recognition is given to the work of Community Safety, Housing and the Safer Arun Partnership in contributing to the delivery of the Council’s strategic priority “supporting people in our district who need our help” and “serving our communities well by delivering the best services we can afford”.

18. STOCK CONDITION UPDATE

The Working Group was given a presentation by the Group Head of Residential Services.

The key points highlighted were;

- Just Housing are a consultancy dedicated to helping improve performance, reduce expenditure and deliver better services and were appointed in January 2017 to support ADC deliver better services for social housing.
- Field work started in Spring 2017 with qualified surveyors
- Data collection continued until September 2018, specifically external surveys for blocks and houses and internal surveys for flats and houses
- Over 90% of housing stock surveyed inside and out, including photographs and floor plans having been captured which will be a great benefit in future.
- There are ongoing discussions regarding how to extend surveys to 100%.
- All components have been in assessed in terms of life span/life expectancy and this has been recorded via a traffic light method – Red, Amber & Green.
- Survey findings were that the majority of properties are amber or green on roofing/doors and windows. The majority of properties are amber or red on soffits/fascias and guttering.
- A significant number of kitchens need replacing in 5-10 years (and again in 25-30 years).
- A significant number of bathrooms will need replacing in 5-15 years.
- External and internal expenditure had been broken down over a 30 year strategy
- The team is working closely with the Finance team and the business plan is able to withstand this type of expenditure. This has been detailed in a report that has gone to Cabinet which is set to be approved at the Special Council meeting on 20 February.
- It was explained that there will be an element of borrowing in the future and this is being planned out now.

The following comments were made:-

- The Cabinet Member for Residential Services Councillor Bence, explained to the Working Group that the Housing Revenue Account (HRA) monies are ring-fenced for the HRA only. The work the team has had to complete, is vast and the achievements in this area vital. The benefits of this work mean that through to 2030 the Council are able to make informed decisions moving forward regarding costs for planned and reactive maintenance.

The Chairman thanked the Group Head of Residential Services for her presentation and the Working Group noted the updated.

19. SOCIAL HOUSING GREEN PAPER REPORT

The Group Head of Residential Services updated the Working Group with the proposed strategy for reforming social housing.

The tragic events at Grenfell have shone a spotlight on social housing and its residents. The proposed strategy for reforming social housing has five main themes:

1. Ensuring homes are safe and decent
2. Effective resolution of Complaints
3. Empowering residents and strengthening the regulator
4. Tackling stigma and celebrating thriving communities
5. Expanding supply and supporting home ownership

The key points highlighted were:

- Ensuring homes are safe and decent - The current standard we work too is out of date so a review is overdue.
- Effective resolution of Complaints - The Government have announced a new process for reviewing these complaints and this work is ongoing.
- Empowering residents and strengthening the regulator - This had come out of the learning since Grenfell and the role of the social housing regulator is vital to ensuring landlords are doing what they should be doing.
- Tackling stigma and celebrating thriving communities – There should be celebration for social housing and the communities that live within them.
- Expanding supply and supporting home ownership – alongside celebrating social housing there must be a drive for people towards home ownership options.
- Abolition of the housing revenue account and the settlement after the final year of the rent setting, Landlords would be able to increase rents by 1% (CPI)
- There does appear to be a lack of clarity and purpose of the role of social housing, the rhetoric on social housing as a ‘springboard’ to home ownership appears at odds with the desire to reduce stigma. A response from the Government is expected spring 2019.

The following comments were made:-

- The Cabinet Member for Residential Services Councillor Bence reassured the Working Group that on a monthly basis the Council is actively sending out Officers for walk arounds. He also elaborated on the phrase ‘tenure blind’ meaning that in future you won’t be able to tell social housing from an ownership property. This can currently be seen in place in Yapton with 65 properties and the Local Plan supports this. He went on to express that he was very impressed with the Officers work and the speed in which they are reacting to what they find.

The Chairman thanked the Group Head of Residential Services for the report and the Working Group noted the updated.

20. EMPTY HOMES STRATEGY UPDATE

On the 4 January 2018 the Working Group recommended to Cabinet that the Empty Homes Strategy 2018-2023 was adopted and this report provides an update on the work and achievements to date.

Empty homes represent a wasted resource and can have a negative impact on local communities. Long term empty properties can:

- Attract crime, vandalism, and anti-social behaviour
- Become a public health hazard and magnet to vermin
- Detract from the neighbourhood amenity
- Reduce the value of adjacent properties
- Cost the community for visits and action by Police and the Councils Private Sector

The Group Head of Technical Services highlighted the following:

- There were 416 empty homes in the district as of April 2018 based on Council Tax records
- There has been an increased amount of Officer time spent on this area which is why you can see much bigger improvement in terms of the number of properties brought back into use in 2018/19 in comparison with previous years
- In addition to the environmental benefits the work that the Empty Homes Officers carry out contributes to the amount of New Homes Bonus the Council receives and since 2014 this has equated to approximately £1 million.
- A presentation detailing work for a sample of properties that had been completed in 2018 and were either reoccupied or awaiting sale was also given to the Working Group.

The following comments were made by the Working Group:-

- Concerns were raised regarding the timescales from reporting empty homes, to them being brought back into use. It was explained to the Working Group that each property is unique and would be considered on its merits, different approaches are needed for different properties, but that referrals should be made and would be investigated in a timely fashion, accepting that seeing through enforcement actions can involve significant time scales. Confirmation from the Cabinet Member for Residential Services Councillor Bence was provided to the Working Group by stating he had followed the reporting process and found the timeframe to have been very speedy.
- Confirmation on the increased number of improvements detailed in the report was directly down to having more Officers on the team.

The Chairman thanked the Group Head of Technical Services for his report and the Working Group noted the updated.

21. RE - PROCUREMENT OF RESPONSIVE REPAIRS CONTRACT

The Group Head of Residential Services provided the Working Group with an update on the re-procurement of the Responsive Repairs Contract.

The key points highlighted were:

- Arun District Council (ADC) are currently engaged in a Term Partnering Contract with Mears Limited for the delivery of repairs, maintenance and associated works and services. This contract is due to expire in June 2020 and the current annual value of this contract is £2.5 million.
- The Council need to consider all the options available to them in relation to delivery of the contract moving forward and the method of procurement to enable a fair and transparent process. The services to be delivered under the new contract can include:
 - Responsive Repairs and Minor Voids
 - Major Voids
 - Aids and Adaptations
 - Planned Maintenance
- Faithhorn Farrell Timms LLP have been appointed as ADC's consultants to assist in the procurement of the new contract.

The following comments were made by the Working Group:-

- The Working Group wanted to know if Mears Limited would be able to resubmit to keep the contract. It was explained that, Mears Limited would be able to submit a bid for the new contract.

The Chairman thanked the Group Head of Residential Services for her report and the Working Group noted the updated.

22. COUNCIL HOUSING STOCK - HEALTH & SAFETY UPDATE

The Group Head of Residential Services provided the Working Group with an update on the Health and Safety obligations Arun District Council has as a Landlord.

In August 2018 the regulator for Social Housing determined that Arun District Council (ADC) had breached the Home Standard. The breach was specifically in relation to ADC failing to meet statutory Health & Safety requirements in respect of fire and water hygiene.

The key points highlighted:

- ADC are working at pace to get this on track

- ADC anticipates being fully compliant across all Health & Safety areas by November 2019.

The Chairman thanked the Group Head of Residential Services for her report and the Working Group noted the updated.

23. REPORT BACK FROM CABINET/FULL COUNCIL

No queries or questions on recommendations that had been forwarded from the Working Group to Cabinet on 12 November 2018 were raised.

24. WORK PROGRAMME 2018/19

The Work Programme for 2018/19 is still under construction and will be shared with the Working Group at a later date.

(The meeting concluded at 19.30 pm)

315

CABINET

11 February 2019 at 5.00 pm

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

Councillors Ambler, Mrs Madeley, Mrs Oakley, Mrs Pendleton, Warren and Wheal were also in attendance at the meeting.

391. WELCOME

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

392. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

393. PUBLIC QUESTION TIME

The Chairman confirmed that no public questions had been received.

394. MINUTES

The Minutes of the meeting held on 14 January 2019 were approved by the Cabinet as a correct record and signed by the Chairman.

395. BUDGET VARIATION REPORT

There was no item for this meeting.

396. BUDGET MONITORING REPORT

The Deputy Leader of the Council and Cabinet Member for Corporate Support introduced the Budget Monitoring report to 31 December 2018. He outlined that financial performance was monitored on a regular basis to ensure that spending was in line with the Council's Policies and that net expenditure was contained within overall budget limits.

The report covered performance against the approved budget to the end of December 2018 in relation to the General Fund and Housing Revenue Account (HRA) and Capital.

The Financial Services Manager then drew Members' attention to the key elements of the budget monitoring report which had been attached at Appendix 1.

Cabinet – 11.02.19

The variances on budget had been set out in the General Fund summary with this showing a favourable variation against expected spend of £403k.

Members were reminded that at the end of December 2018 of the adverse net variation of £458k against expected, this had been in relation to nightly paid accommodation. A request had been made for a supplementary estimate for an additional £650k net expenditure which had been approved at Cabinet on 12 November 2018 and forwarded and approved at Full Council on 9 January 2109. This would regularise the situation for the next Budget Monitoring report.

Paragraph 2.8 of the report estimated the outturn position in relation to the General Fund, this was anticipated to be around £7.5 at the end of the financial year. The Council had been successful in an application for a Coastal Revival Fund grant of £50k for the Bognor Regis Band Stand and it was highlighted that the Cabinet would be asked to note this successful outcome.

Income from fees, charges and rents has been buoyant with total income currently £179k above expectation. The graph at Paragraph 6.3 of the report illustrated income by source and value; the achievement to the end of December 2018 against profiled budget; full year budget and outturn last year.

Looking at the (HRA) section of the report, this set out the monitoring summary to the end of December 2018 and summarised expenditure on supervision and management. The report highlighted that there had been 8 Right to Buy disposals in the current period compared to 13 for the previous year.

The Financial Services Manager stated that there were no issues to report in relation capital and special projects in relation to the approved budget.

Finally, looking at Section 106 sums, the table at Paragraph 10.4 showed the amounts received for each agreement, analysed by its intended application. Members were advised that that there was currently £58k which needed to be spent within the next year but that it was important to emphasise that although sums were time limited, under the terms of their agreement, this did not present a risk to the Council at the present time.

In discussing the report, the Cabinet Member for Technical Services confirmed his thanks to Officers for their work and the successful outcome with the Coastal Revival Fund grant for the Bognor Regis Band Stand.

The Chairman thanked the Financial Services Manager for the comprehensive report and referred Members to the recommendations.

The Cabinet

RESOLVED – That

- (1) The report in Appendix 1 be noted;
- (2) It be noted that overall performance against Budget was currently on track; and
- (3) The successful grant application for £50k from the Coastal Revival Fund (MHCLG) for the Bognor Regis Band Stand be noted.

The Cabinet then confirmed its decision as per Decision Notice C/039/110219), a copy of which is attached to the signed copy of the Minutes.

397. COUNCIL BUDGET – 2019/20

In introducing the report the Deputy Leader of the Council and Cabinet Member for Corporate Support stated that the Budget for 2019/20 was good news. It was noted that, in spite of operating in a challenging financial environment, the Council had achieved a balanced budget and so he commended the finance team on their professional work.

It was highlighted that this report set out the Capital, Housing Revenue and General Fund Revenue Budget for 2019/20 which Cabinet would review making recommendations to the Special Meeting of the Council to be held on 20 February 2019.

The Group Head of Corporate Support was then invited to provide an overview of the Council's Budget for 2019/20 highlighting what was felt were the significant areas that Members should be made aware of.

In presenting the Budget it was explained that the Budget was a positive one but the risks and main strategic issues were as follows:

- This would be the final year of the four year settlement that the Council accepted in 2016/17. The Council was no longer in receipt of Revenue Support Grant (RSG) and this was due to become negative £430k (payment to Government) in 2019/20. However the negative RSG had been cancelled by the Government resulting in a one-off windfall for the Council in 2019/20.

- It was explained that West Sussex, as an area, had been successful with its application to become a 75% Rate Retention Pilot for 2019/20. This would result in significant investment in Superfast Broadband across the County.
- The Business Rate reset was currently out to consultation. It was highlighted that the Council would need to respond vigorously to this consultation as the Council was at risk of losing all of the significant growth that had been achieved since the scheme had been introduced. It was very important for the Council to ensure that it would not face a huge reduction in funding in 2020/21.
- The New Homes Bonus (NHB) had been a main source of funding since it had been introduced in 2011/12, however, payments had been continually reducing with the number of effective years reducing from 6 years to 4 years. The introduction of the deadweight adjustment and the future of the scheme remained uncertain. The consultation regarding reform of the system added more uncertainty for the future.
- The table in Paragraph 2.9 illustrated the reduction in funding amounting to £514k after a number of years of reductions.
- Paragraph 2.11 explained that the Council was proposing to increase its Council Tax to the maximum allowable which was £5.22 or 2.96% - this represented a 10p per week increase based on a Band D Council Tax. It was highlighted that the Council's share of the total Council Tax bill equated to less than 10%.
- The effect of this had been summarised in the table in Appendix 1 – the General Fund Revenue Budget Summary which showed that the Council had achieved balanced budget whilst also contributing a further £1.1m to the Business Rates Reserve (in addition to the contribution of £2m made in 2018/19). Mitigating a cushion against potential future reductions in funding.
- The table on page 33 set out a summary of the projected movement on General Fund Reserves. This showed that the Council was anticipating balances of approximately £7.5m at the end of 2019/20 which would provide a reasonable cushion to the Business Rates Reserve given the uncertainty already outlined.
- Of importance was the Table at page 34 showing variances – most of which were self-explanatory. Members' attention was drawn to the reduction in recycling credits in the sum of £131k following the termination of the current agreement (memorandum of Understanding) by West Sussex County Council. This would result in a reduced payment for 2019/20 and the MoU would not continue after 2019/20 placing a further £850k of income at considerable risk from 2020/21 and so a further strain on the Council's Budget which the Council could not ignore.

- Although most of the risks had been covered, Members' attention was drawn to Paragraphs 6.9 and 6.10 of the report relating to homelessness and especially the risks associated with WSCC's decision to reducing support to the voluntary housing sector. This would place further strain on the Council's resources but reinforced the need to have sound balances in the HRA fund.
- Turning to the HRA Account Budget, this showed a marked reduction in the level of balances which was a result of the recent stock condition survey. The enhanced programme was affordable for 2019/20 but the Housing Repairs Budget for 2020/21 onwards would need to be reviewed in light of slippage and affordability.
- Capital, Asset Management and other projects – this was the first year that the Council was required to have a Capital Strategy. This would be considered by the Audit & Governance Committee on 14 February 2019. A new capital programme had been detailed at page 42 and demonstrated considerable ambition. Despite severe financial constraints, the Council was continuing to invest in the District's infrastructure and new initiatives such as The Keystone Centre in Littlehampton and the Pavilion Park in Bognor Regis.

Finally, the Group Head of Corporate Support alerted Members to the observations made by the Overview Select Committee at its meeting held on 29 January 2019 where the Committee had given support to the Budget but had raised serious concerns over the WSCC's decision to cut funding for homeless charities. The Committee had specifically requested that its concerns be passed to Cabinet.

The Chairman thanked the Group Head of Corporate Support for his detailed presentation and congratulated him and his team in achieving a balanced budget whilst at the same time continuing with an ambitious capital programme and she then invited questions from Members.

In discussing the 2019/20 Budget, Cabinet supported the comments made by the Overview Select Committee about the cuts in grant made by WSCC to homelessness charities and stated that it remained concerned at the unknown impacts this would bring.

Concern was also expressed about the reduction in recycling credits proposed by WSCC. Funds used to boost recycling rates were set to be cut in 2019/20 with Arun's share falling by around £131k. The Cabinet Member for Community Wellbeing, Councillor Wotherspoon, stated that these credits had been used to fund a number of projects in Arun to increase recycling and that Arun had operated in this way year on year since 2013/14. Councillor Wotherspoon stated that he and the Council would be taking WSCC to task over these reductions.

Cabinet – 11.02.19

The Chairman stated that the Budget for 2019/20 was a positive budget and that it was important to emphasise that all of the services provided by the Council were at a cost of just £3.50 per week for a Band D Council Tax. There were important issues to keep an eye on such as the Business Rate split and New Homes Bonus. Councillor Mrs Brown stated that the District Council's Network was working very hard with all Councils and that the Government would have a very big fight on its hands if it proposed to take some of this funding back.

The Cabinet

RESOLVED – That

(1) It be noted that the Group Head of Corporate Support, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Support, had approved a Council Tax base of 61,281 for 2019/20; and

(2) The Budget report in Appendix A, 1, 2 and 3 be noted.

The Cabinet then

RECOMMEND TO THE SPECIAL MEETING OF THE COUNCIL
ON 20 FEBRUARY – That

(1) The General Fund Revenue Budget as set out in Appendix 1 is approved;

(2) The Council's Band D Council Tax for 2019/20 is set at £181.62, an increase of 2.96%;

(3) The Council's Council Tax Requirement for 2019/20, based on a Band D Council Tax of £181.62, is set at £11,129,855 plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;

(4) The Housing Revenue Account (HRA) Budget as set out in Appendix 2 is approved;

(5) The HRA rents for 2019/20 are set at 1% below the current year's level in accordance with the provisions of the Welfare Reform and Work Act;

(6) HRA garage rents are increased by 5% to give a standard charge of £11.72 per week (excluding VAT), and heating and water/sewerage charges increased on a scheme by scheme basis, with a view to balancing costs with income; and

(7) The Capital Budget as set out in Appendix 3 is approved.

The Cabinet then confirmed its decision as per Decision Notice C/040/110219, a copy of which is attached to the signed copy of the Minutes.

398. JUDICIAL REVIEW AT LAND SOUTH OF NEW ROAD [A259] AND EAST OF BROOK LANE, ANGMERING [PLANNING APPLICATION REFERENCE A/23/15/OUT].

The Cabinet Member for Planning, Councillor Charles, introduced this item stating that the Development Control Committee had granted planning permission for a new retail food store and public house on land to the south of the A259 in Angmering, contrary to the Officer's recommendation of refusal on retail policy grounds. In making the decision, Members gave greater weight to the socio-economic benefits of the scheme and took into account the limited impact it would have on the character of the countryside in that location.

Store Properties had submitted an application for permission for Judicial Review. The Council had responded setting out what its summary grounds for contesting the claim would be.

As there were various scenarios at each stage of the process, and the costs incurred could vary depending upon different outcomes, the report was seeking to secure a supplementary estimate of £150k based on covering the Council's costs and costs that the Council could be liable to pay.

The Director of Place provided a further update. There was positive news in that the Council's case had been supported by a judge considering the submitted papers. However, an oral hearing had now been requested by the appellant. The Director of Place promised to keep Members updated on this case.

The Cabinet

RECOMMEND TO FULL COUNCIL ON 13 MARCH 2019

That a supplementary estimate of £150,000 be approved for the costs associated with the Judicial Review in respect of planning application A/23/15/OUT. This to include Counsel costs to defend the Council's position and an estimate of potential costs that the Council would be required to pay as a result of the Claimant being successful in their Judicial Review claim.

The supplementary estimate equates to a Band D Council Tax of £2.48.

The Cabinet then confirmed its decision as per Decision Notice C/041/110219, a copy of which is attached to the signed copy of the Minutes.

Cabinet – 12.02.19

399. JOINT AREA COMMITTEES

The Cabinet received and noted the Minutes of the meeting of the Joint Western Arun Area Committee held on 31 October 2018.

400. OVERVIEW SELECT COMMITTEE – 29 JANUARY 2019

The Cabinet received and noted the Minutes from the meeting of the Overview Select Committee held on 29 January 2019. The Minutes relating to Council Budget 2019/20 had been considered earlier in the meeting.

(The meeting concluded at 5.25 pm)

ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE CABINET MEETING HELD ON
11 FEBRUARY 2019

REF NO.	DECISION
C/039/110219	Budget Variation Report to 31 December 2018
C/040/110219	Council Budget – 2019/20
C/041/110219	Judicial Review at Land South of New Road [A259] and East of Brook Lane, Angmering [Planning Application Reference A/23/15/OUT]

PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00 A.M. ON WEDNESDAY 20 FEBRUARY 2019 UNLESS THE CALL-IN PROCESS IS APPLIED

If a Councillor wishes to request a call-in of any of the decisions taken above, they will need to take the following steps in line with the Scrutiny Procedure Rules at Part 6 of the Constitution – Scrutiny Procedure Rules (Other)

They will need to:

- Submit their request in writing for a Call-In to the Group Head of Policy & Scrutiny and identify who will act as the lead Member of the Call-In
- Specify which decision is to be the subject of the Call-In
- Explain which of the criteria for the Call-In apply

REFERENCE NO: C/039/110219

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Budget Monitoring Report to 31 December 2018	
OFFICER CONTACT: Carolyn Martlew – Financial Services Manager Extn: 01903 737568 e.mail: Caroly.Martlew@arun.gov.uk	
EXECUTIVE SUMMARY: The budget monitoring report sets out the Capital, Housing Revenue and General Fund Revenue budget performance to the end of December 2018.	
DECISION: The Cabinet RESOLVED (1) The report in Appendix 1 be noted; (2) It be noted that the overall performance against budget is currently on track; and (3) The successful grant application for £50k from the Coastal Revival Fund (MHCLG) for the Bognor Regis Band Stand is noted.	
REASON FOR THE DECISION: To ensure that spending is in line with approved Council Policies and that it is contained within overall budget limits.	
OPTIONS CONSIDERED BUT REJECTED: To not note the report.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/040/110219

FULL CABINET DECISION	YES and NO
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Arun District Council Budget – 2019/20	
OFFICER CONTACT: Alan Peach – Group Head of Corporate Support Extn: 01903 737558 e.mail: Alan.Peach@arun.gov.uk	
EXECUTIVE SUMMARY: The Cabinet considered the Revenue and Capital Budgets for 2019/20 for both the General Fund and the Housing Revenue Account.	
DECISION:	
The Cabinet	
RESOLVED – That	
<p>(1) It be noted that the Group Head of Corporate Support, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Support, has approved a Council Tax base of 61,281 for 2019/20;</p> <p>(2) the Budget reports in Appendix A, 1, 2 and 3 be noted.</p>	
The Cabinet also	
RECOMMEND TO THE SPECIAL COUNCIL MEETING ON 20 FEBRUARY 2019 - That	
<p>(1) The General Fund Revenue budget as set out in Appendix 1 is approved;</p> <p>(2) The Council's Band D Council Tax for 2019/20 is set at £181.62, an increase of 2.96%;</p> <p>(3) The Council's Council Tax Requirement for 2019/20, based on a Band D Council Tax of £181.62, is set at £11,129,855 plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;</p> <p>(4) The Housing Revenue Account (HRA) Budget as set out in Appendix 2 is approved;</p> <p>(5) The HRA rents for 2019/20 are set at 1% below the current year's level in accordance with the provisions of the Welfare Reform and Work Act;</p> <p>(6) HRA garage rents are increased by 5% to give a standard charge of £11.72 per week (excluding VAT), and heating and water/sewerage charges increased on a scheme by scheme basis, with a view to balancing costs with income; and</p> <p>(7) The Capital Budget as set out in Appendix 3 is approved.</p>	
Page 77	

REASON FOR THE DECISION: To ensure that the Council has a firm financial basis for conducting its business in 2019/20.	
OPTIONS CONSIDERED BUT REJECTED: To not approve a Budget for 2019/20 is not an option.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/041/110219

FULL CABINET DECISION	NO
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Judicial Review at Land South of New Road (A259) and East of Brook Lane, Angmering (Planning Application Reference A/23/15/OUT).	
OFFICER CONTACT: Claire Potts – Strategic Development Team Leader Extn: 01903 737698 e.mail: Claire.Potts@arun.gov.uk	
<p>EXECUTIVE SUMMARY: An application for Judicial Review (JR) of the decision by Arun District Council to grant planning application for a retail unit and public house at Land south of New Road (A259) & East of Brook Lane, Angmering (reference A/23/15/OUT) has been filed by Store Property Investments Limited. If the application for the JR to be heard is allowed and the Council considers that it is expedient to defend the JR, legal support will be required. Should the Claimant be successful the Council will automatically be liable to pay their costs associated with the JR.</p> <p>This report seeks approval to a supplementary estimate of up to £150,000 to cover costs of defending this JR.</p>	
<p>DECISION:</p> <p>The Cabinet</p> <p>RECOMMEND TO FULL COUNCIL ON 13 MARCH 2019</p> <p>The approval of a supplementary estimate of £150,000 for the costs associated with the JR in respect of planning application A/23/15/OUT. This includes Counsel costs to defend the Council's position and an estimate of potential costs that the Council would be required to pay as a result of the Claimant being successful in their JR claim.</p> <p>The supplementary estimate equates to a Band D Council Tax of £2.48</p>	
REASON FOR THE DECISION: In order to defend a JR claim, legal representation is required and costs may be accrued if unsuccessful.	
OPTIONS CONSIDERED BUT REJECTED: There are a number of options at each stage in the JR process, which will determine the costs incurred. The options will be reviewed at each stage based on legal advice to determine the best course of action.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None

**CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER
CONSULTED IN RESPECT OF THIS DECISION: None**

ELECTORAL REVIEW SUB-COMMITTEE

12 February 2019 at 6.00 pm

Present:- Councillors Dendle (Chairman), Wotherspoon (Vice-Chairman), Bower, Chapman, Elkins and Haymes.

7. DECLARATIONS OF INTEREST

There were no Declarations of interest made.

8. MINUTES

The Minutes of the meeting held on 1 August 2018 were approved by the Sub-Committee as a correct record and signed by the Chairman.

9. REVIEW OF 2018 CANVASS

In the absence of the Chief Executive, the Group Head of Policy presented the report setting out the detail for changes to the process from previous years, inclusive of a full review of 2018 Canvass.

The key points highlighted to the Sub-Committee were:

- The annual canvass for 2018 was successfully completed with a response rate of 96.45% against figures of 95.45% in 2017 and 92.53% in 2016.
- The duties of the Electoral Services Team were revised in 2018 which resulted in clarification of duties with staff retaining some of their new responsibilities in order that the Electoral Services Manager can carry out a broader range of duties.
- Project planning started earlier than previous years which meant a clear plan was communicated to all concerned, with all deadlines met.
- The Electoral Commission published new templates that allowed Councils to customise elements of the Household Enquiry Form (HEF). Arun took advantage of this flexibility to more actively encourage online responses.
- Personal canvassing started earlier in high returning areas, at the first reminder stage. This resulted in positive feedback from canvassers. Lower-responding areas were then canvassed at the second reminder stage. This change meant that Arun was able to use a smaller personal canvassing team, but over a longer period of time.

- Fully utilised the automated data matching process between Arun's software supplier and Council Tax which allowed identification and confirmation of vacant properties quickly and easily.
- Personal canvasser visits were also completed at 99 care homes in the district which led to an increase in the numbers and accuracy of registrations for these residents and, an important consideration for a District like Arun with its particular demographics.
- A clear focus for the Electoral Registration Team is to decrease the number of people responding by post which would see a decrease in postage costs as well as saving administration time as returns needed to be input by hand into the system. However Arun would still be legally obliged to provide a free postal return service. Arun would need to continue to focus its online service as a multiservice function as the online service allows residents to make additional changes to their details unlike phone or text responses.
- A review took place with Electoral Registration colleagues from elsewhere in West Sussex in early 2018 a number said that they were trying an incentive approach to encourage the use of the online service based on a prize draw of high street vouchers with anyone being entered who had responded online by a given date. Arun may look into this in the future as savings from return postage are likely to far outweigh the cost of purchasing the vouchers.
- There were very few complaints about form deliveries, which were dealt with appropriately
- A thank you to the team for their hard work was given by The Group Head of Policy and the Sub-Committee were in agreement.

Comments from the Sub-Committee were:

- There was some discussion regarding the use of diagrams to clearly display the voting registration and HEF process for members of the public to ensure clarity of the two stage process of which the Group Head of Policy noted.
- It was also suggested when consideration would be given to the possible introduction of an incentive to encourage online registration that it also be considered that if vouchers are used then could these be vouchers for local businesses/ supermarkets allowing them to be spent within the Arun District. Along with this discussion the suggestion of linking up on a campaign to support those with limited computer skills and/ or those without access to a computer/ the internet with local Libraries in the Arun District to ensure that all residents who would like to vote online can.

- A request was made to the Group Head of Policy to ensure that evidence of costing was accurately provided in future reports to allow the Sub-Committee to understand the full impact of savings in this area.
- The Chairman asked if Arun District Council currently worked with housing developers in terms of providing them with cards to leave at newly built properties detailing the HEF and Voting registration process. It was explained that currently this was not something that Arun District Council do, however there had been a suggestion to introduce a 'Welcome Pack' for new developments from a recent meeting of the Electoral Services Team and this would be looked into. Councillor Bower confirmed that Littlehampton Town Council already do this and suggested making contact with them for advice on this.

The Sub-Committee requested it be noted that the Electoral Services Team should be commended for their hard work.

The Sub-Committee noted the report.

10. PROPOSALS FOR THE REFORM OF THE ANNUAL CANVASS 2020

The Group Head of Policy presented the report setting out the detail for the reform of the annual Canvass process in 2020.

The paper described the current process and summarised the proposals intended to enable local authority Electoral Registration Officers (EROs) to target their resources more effectively.

The key points highlighted to the Sub-Committee were:

- Electoral Registration Officers (EROs) are required to conduct an annual canvass of all residential properties in the area for which they have responsibility.
- 2014 saw the introduction of Individual Electoral Registration (IER) which replaced the household registration system that saw one person in every household being responsible for registering everyone who lived at that address.
- Under the current process ERO's must send every household a Household Enquiry Form (HEF) and this requires a response regardless of whether any changes in the household had taken place and failure to respond is an offence.
- ERO's must follow up any non-responses with up to two reminders and carry out a household visit if required.
- The current process is highly prescriptive and allows ERO's little scope to adapt the process to best fit the needs of current residents and different property types.

- Feedback from ERO's indicated that there had been continued confusion from residents about the new 'two stage' process. Some believed that by completing and returning the HEF that they had registered to vote as was the case under the old household system. This led them to ignore the subsequent Invitation to Register (ITR) and therefore failed to register. Others instead of completing the HEF went online and registered to vote again, however due to there being no response to the HEF the EROS were obliged to continue the chasing cycle. Not only did this increase costs but created a negative impact on the public's experience of electoral registration.
- Online registration was made available in 2014, this made the process quick, easy and more in keeping with the way people increasingly live their lives. This process was extremely successful with over 25 million online applications having been received to date. However there was an unexpected consequence; people are increasingly opting to register outside of the canvass period. This signalled that the canvass itself was becoming less important in registering eligible electors. The canvass is now one of numerous ways that the ERO is able to update their electoral registers.
- The Cabinet Office piloted schemes over the 2016 and 2017 canvass in an attempt to address these issues. Four models were designed and piloted across 24 Local Authority areas in England, Scotland and Wales and it was these pilots that informed the proposed model for the annual canvass going forward.
- The proposal would not be looking to abolish the annual canvass as it would still be a crucial means to help ERO's identify additions and changes to the electoral register. The purpose of the annual canvass under the revised model would remain the same as under the current model. However it would be more targeted and efficient to ensure the Council was able to identify more residents who were not currently registered to vote as well as ensuring there would be opportunity to report changes in those residents properties if required.
- The new model will incorporate a 'data discernment step' that will inform the ERO which properties have not had a change to the household composition.
- The ERO would have the choice to follow one of two routes for each property. This would then allow for the process to be streamlined for those households that do not change each year. Enabling the ERO to target their resources to where responses and updates to the register are required.

- ERO's would also have the discretion to match their electoral register against locally held datasets such as Council Tax and housing benefit data.
- The Electoral Services Team included in their response to the Cabinet Office some concerns about the proposed changes inclusive of how 'clean' the data would be on various databases specifically relating to issues matching student households and second homeowners.
- The consultation finished on 30 November 2019 and a response alongside a draft legislation during the second half of 2019 with a view to implement changes from the middle of 2020.

Questions from the sub-committee were:

- Concerns were raised by the Chairman regarding potential abuse of the process, and wanted confirmation that there was a process of strong verification in the new proposal. It was confirmed that this concern was one of those raised by the Electoral Services Team which was highlighted in their report back to the Cabinet Office. However route 3 of this proposal would help Arun District Council to minimise this risk significantly.
- There was a further discussion around the possible introduction of a 'My Arun Account' to help support any campaigns/ incentives encouraging all residents to use online services with a focus on the importance of keeping their account details up to date.

The Sub-Committee noted the report.

(The meeting concluded at 6.46pm)

This page is intentionally left blank

315

DEVELOPMENT CONTROL COMMITTEE

13 February 2019 at 2.30 p.m.

Present: Councillors Bower (Chairman), Mrs Bence (Vice-Chairman), Mrs Bower, Brooks, Cates, Dillon, Mrs Hall, Haymes, Mrs Oakley, Oliver-Redgate, Mrs Rapnik, Miss Rhodes and Mrs Stainton.

Councillors Ambler, Bence and Elkins were also in attendance at the meeting.

Note: Councillor Haymes was absent from the meeting during consideration of the matters referred to in Minute 395.

391. WITHDRAWN APPLICATION

Prior to commencement of proceedings, the Chairman advised the meeting that Planning Application Y/49/18/PL had been withdrawn from the agenda and would not be considered.

392. DECLARATIONS OF INTEREST

Declarations of interest were made as follows:-

Planning Applications BE/85/18/PL – Councillor Haymes declared a personal interest as he was the owner of a residential mobile home caravan park and he stated that he would leave the meeting during its consideration.

Planning Application BR/222/18/PLI – Councillor Dillon declared a personal interest as he was a trustee of the Bognor Regis Community Centre in Westloats Lane.

393. MINUTES

The Minutes of the meeting held on 16 January 2019 and the Special meeting held on 23 January 2019 were approved by the Committee and signed by the Chairman as a correct record.

Development Control
Committee – 13.02.19.

394. PLANNING APPLICATIONS

Y/49/18/PL – Development of 10 No. residential properties & associated infrastructure. This application is a Departure from the Development Plan, Land East of North End Road, Yapton Having received a report on the matter, the meeting had been advised that it had been withdrawn from the agenda.

Prior to consideration of the following item, Councillor Elkins spoke as the Ward Member.

FG/159/18/PL/ - Two storey extension to the existing Café in order to provide increased internal seating, multi-purpose space, with improved service & food preparation area, disabled access & bike storage, The Bluebird Café, South Drive, Ferring Having received a report on the matter, together with the officer's written report update detailing that the reasons for refusal had been amended to delete reason no. 3 relating to sound insulation and odour control as that could be controlled by a suitably worded condition, the Committee duly considered the proposal.

In presenting the detail of the application, the Planning Team Leader advised that, although County Highways had raised no objection, an independent view had been sought by the Local Planning Authority which concluded that insufficient information had been provided by the applicant to provide any surety that there would be no detrimental impact on the locality. In addition, it was the view of officers that the extent of what was being proposed would cover the majority of the site which would not be in sympathy with the open seaside location and would form an intrusive development.

To assist Members with their deliberations, the Group Head of Planning advised that this was not a straight forward case. The principle of the proposal was supported in terms of the socio-economic benefits relating to employment and tourism, however, the scale of the development was considered to be excessive and compliance with some of the relevant policies could not be met. The officer recommendation was therefore to refuse the application.

In discussing the matter, Members expressed concerns relating to the access to the site and the potential for a significant increase in traffic movements and, whilst acknowledging that this was a successful business that needed to expand, it was felt that the proposal constituted overdevelopment and therefore could not be supported.

The Committee

317

Development Control
Committee – 13.02.19.

RESOLVED

That the application be refused as detailed in the report and the officer report update.

(Prior to consideration of the following application, Councillor Dillon had declared a personal interest and remained in the meeting and took part in the debate and vote.)

BR/222/18/PL – Erection of 4 No. 2 bedroom dwellings with associated parking & landscape, Land adjacent to Community Centre, Westloats Lane, Bognor Regis Having received a report on the matter and verbal advice that this was a Council application, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Haymes had declared a personal interest and left the meeting during its consideration.)

BE/85/18/PL – Variation of conditions granted under BE/46/10 relating to Condition 2 – use of caravan site between certain dates, Orchard Caravan Park, Chichester Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

395. PLANNING APPEALS

The Committee noted the planning appeals that had been received.

(The meeting concluded at 3.35 p.m.)

This page is intentionally left blank

319

AUDIT AND GOVERNANCE COMMITTEE

14 February 2019 at 6.00 pm

Present: - Councillors Chapman (Chairman), Mrs Oakley (Vice-Chairman), Ambler, Blampied, Brooks, Cates, Dendle, Mrs Porter and Wheal.

396. WELCOME

The Chairman welcomed Members and Officers of the Internal Audit & Finance teams, Kevin Suter (Audit Manager) from Ernst & Young and members of the Independent Remuneration Panel, John Thompson (Chairman), Alan Ladley, Celia Thomson-Hitchcock, Sarah Miles and Andrew Kelly to the meeting.

397. DECLARATIONS OF INTEREST

In view of the nature of the issues to be discussed in respect of Agenda Item 5 (The Independent Remuneration Panel's Eighth Review of the Members' Allowances Scheme) it was recognised that all Members of the Committee had a personal interest in accordance with the Members' Code of Conduct. This did not preclude them from considering the proposals.

398. MINUTES

The Minutes of the meeting held on 15 November 2018 were approved by the Committee as a correct record and signed by the Chairman.

399. THE INDEPENDENT REMUNERATION PANEL'S EIGHTH REVIEW OF THE MEMBERS' ALLOWANCES SCHEME

The Chairman welcomed the Independent Remuneration Panel to the meeting and invited the Chairman of the Panel, John Thompson, to present the Panel's Eighth Review of the Members' Allowances Scheme.

Mr Thompson highlighted the main points of change and the background and rationale behind the review undertaken. He explained that an erratum sheet had been distributed which drew Members' attention to the fact that calculations for the Basic Allowance and the change in SRA payment to the Licensing Committee Chairman had been incorrectly recorded.

Audit & Governance
Committee – 14.02.19

Mr Thompson explained that as a new Panel it had had to work to very tight timescales to conclude this review in time for this meeting. Despite this, and the steep learning curve that the new members of the Panel had had to overcome, each member had brought energy, independence of mind and originality to the process.

The Panel had undertaken interviews with a wide range of Members in addition to reviewing substantial data from the South East Employers and other Local Authorities.

Mr Thompson highlighted the key points to the Committee, these have been summarised below:

- The Basic Allowance – The most commonly expressed views were that some Members did a lot more than others. However, the only potential solution would be to introduce some form of allowance linked to attendance. The legislation that was introduced in 2003 made it clear that the Basic Allowance could not be linked to attendance in this way. The Panel had therefore worked to the requirements of the law and the report explained the justification for their recommendation on the Basic Allowance.
- Special Responsibility Allowances (SRAs) – The Panel took the approach, when making its recommendations, that SRAs were not about ‘people’ they specifically related to the role itself. The Committee was reminded that any Member could renounce all or part of an allowance at any time.
- The Leader of the Council’s SRA – The Panel had focused on the full extent of responsibilities and the hours that this role demanded. They considered it was important to adequately reward the Leader so as to attract strong candidates in the future to this high profile role.

The Chairman proposed to take each recommendation in turn to allow full debate. This approach was agreed by the Committee.

The Committee supported the recommendations put forward by the Panel in terms of Recommendations 1 to 7:

- **Basic Allowance for all Members – recommendation (1)**
- **Special Responsibility Allowances (SRAs) – recommendation (2)**
- **Leader of the Council’s SRA – recommendation (3)**
- **Deputy Leader Remuneration – recommendation (4)**
- **Cabinet Members Remuneration – recommendation (5)**

- **Chairman and Vice Chairman of the Council's SRA – recommendation (6)**
- **Development Control Members SRA – recommendation (7)**

Concern was however expressed in relation to the following recommendations:

Licensing Committee Chairman and Vice-Chairman – Recommendation (8)

The proposal was for the SRA payable to the Chairman of the Licensing Committee to be decreased from £4,000 to £2,000 and for the Vice-Chairman from £1,200 to £600. There was concern at this proposal based on whether the Panel had taken account sufficiently of the workload and training requirements for this Committee, particularly from some recent meetings of the Licensing Sub-Committee that had been complex and contentious. The Panel was therefore asked to review this aspect of the report so it could be reconsidered by the Committee.

Members of the Licensing Committee – Recommendation (9)

The proposal was that the SRA payable to a Member of the Licensing Committee should be abolished and replaced with an allowance of £60 per meeting exceeding half a day in duration also payable to named substitute Members. The Committee received advice from the Chief Executive that the legislation did not allow a meeting allowance for a regular additional responsibility such as Members of this Committee held, as this went against the principle of attendance allowances not being permissible. Further, it was felt that this recommendation did not take account of the mandatory training that Members and substitute Members were required to undertake in order to serve on the Committee. It was therefore proposed to the Panel that they revisit this recommendation and consider an alternative proposal in line with the principles that had been applied to Members of the Development Control Committee.

The Committee supported the Recommendations put forward by the Panel in terms of Recommendations 10 to 19:

- **Chairman and Vice Chairman of Overview Scrutiny Committee SRA – recommendation (10)**
- **The Co-opted persons allowance – recommendation (11)**
- **Chairman and Vice Chairman of Audit & Governance SRA – recommendation (12)**
- **Chairman and Vice Chairman of Standards Committee SRA – recommendation (13)**
- **Independent Persons meeting allowance – recommendation (14)**
- **Leader of the largest opposition group SRA – recommendation (15)**
- **Leader of the smaller minority groups SRA – recommendation (16)**
- **Allowance paid to minority groups – recommendation (17)**
- **IT Allowance – recommendation (18)**
- **Meeting allowance for Co-opted members and witnesses – recommendation (19)**

Concern was however expressed in relation to the following recommendation:

Carers' Allowance for Members - Recommendation Number 20.

The proposal was that the Carers Allowance of £10 per hour up to a maximum of 20 hours a month be replaced by a Child Care allowance of £10 an hour; the Dependent Adult allowance be linked to the Home Care rate paid by West Sussex County Council and no limit be placed on the number of hours it is claimed for either allowance.

Whilst the Committee commended the Panel on what it was trying to achieve with this recommendation in that it was paying particular reference to its Terms of Reference *'the need to attract and retain Members of appropriate calibre and representative of the demographic make-up of the district'*, it was felt that a complete re-think was needed. This was mainly due to the point that the rate per hour under this current recommendation equated to £18.49 and this had clear budget implications that had not been considered in the Panel's report. Also, the proposed removal of the 20 hour cap that could be claimed was a point for concern as it was felt that a limit was appropriate with a discretion that included that cases above that limit could be considered by a designated Officer. The Committee requested that the Panel reconsider this aspect of the report and report back with further proposals.

At this point, Councillor Wheal proposed that the Panel's review be deferred. In the absence of a seconder this proposal was not debated.

The Chairman summarised that the Committee had supported most of the recommendations within the Panel's report. However, in view of the referral back on three of the recommendations it was then suggested to refer the report back to the Panel asking it to undertake further work and to provide further context and evidence against the three recommendations highlighted.

The Chairman outlined that any scheme proposed for allowances must be appropriate for the Council and affordable in relation to Budget provision.

Based on this, Councillor Wheal proposed this course of action and this was seconded by Councillor Blampied. On this being put to the vote it was declared CARRIED.

The Group Head of Council Advice & Monitoring Officer clarified that deferring the Panel's report would mean that it would not be possible for it to be considered at the next meeting of Full Council on 13 March 2019.

In view of the work to be undertaken and to ensure that Access to Information Rules were abided by, it was proposed that the revised report be resubmitted to a Special Meeting of the Committee to be convened in June/July so that recommendations could be considered at Full Council on 17 July 2019. The Committee and the Panel was advised that this would not prevent the new regime of allowances still being able to be effective from 7 May 2019 as the 2003 Act allowed the Committee to agree that its scheme of allowances be backdated as long as this was within the current financial year.

The Committee then supported the recommendations put forward by the Panel in terms of Recommendations 21 to 33:

- **Regulations to be added to the Members Allowance Scheme – recommendation (21)**
- **List of specified duties to be added to the Members Allowance Scheme – recommendation (22)**
- **The availability of this allowance and the procedure for claiming be more visible – recommendation (23)**
- **Request maternity, paternity and adoption arrangements – recommendation (24)**
- **Town and Parish Council contribution to the Arun District Council Basic Allowance for their Members – recommendation (25)**
- **Special Responsibility payments to be increased – recommendation (26)**
- **Remunerations received by members, Co-opted Members, Independent persons to be linked to Officers' pay annually – recommendation (27)**

- **Travel and Subsistence arrangements and rates – recommendation (28)**
- **Multiple SRA payments – recommendation (29)**
- **Continuous absence of a Chairman or Vice Chairman for two months or more – recommendation (30)**
- **Suspension of allowances – recommendation (31)**
- **The next Review of the Arun District Council Members' Allowances Scheme – recommendation (32)**
- **The new allowances scheme is effective from 7 May 2019 – recommendation (33)**

The Chairman asked the Panel if it wished to present any closing remarks. Mr Thompson responded stating that it was disappointing that the report had not been accepted as this meant that there were only three recommendations requiring additional work. However, speaking on behalf of the Panel it was accepted that the Panel would need to review the recommendations identified and to provide further information to the Committee before any final recommendations could be made to Full Council.

The Chairman thanked the Panel again for its hard work in submitting its report in such a short amount of time.

The Committee then

RESOLVED

That the report of the Independent Remuneration Panel on its Eighth review of the Members Allowances Scheme be deferred to enable the Panel to undertake further work on Recommendations (8), (9) and (20) with a revised report being submitted to a Special Meeting of the Committee, to be convened in June/July 2019 so that recommendations could be reported to the Full Council meeting on 17 July 2019.

400. UPDATE ON PROGRESS AGAINST THE RECOMMENDATIONS FROM THE PARTNERSHIPS AUDIT

In the absence of the Group Head of Policy, the Chief Executive presented this report.

The key highlights were:

- Partnership working had been identified as increasingly important for the future, particularly given the predicted future financial situation for local government. This had been brought into sharp focus by the recent decision of West Sussex County Council to remove funding from voluntary/commissioning organisations involved in homelessness.

- Past Audit Commission guidance emphasised the importance of local authorities understanding who their partners were, the nature of the collaboration, accountabilities and governance arrangements.

- Some work had been completed in 2017 on this Audit at the request of the Committee after the Council's Corporate Management Team (CMT) had agreed a working definition of the term 'partnerships' to facilitate the development of a Partnerships Register and ongoing process for reviewing this.

- Work needed to be completed in reference to the Constitution and what was listed at Part 3, Section 12.0 in terms of whether this was accurate. Work also needed to be undertaken to determine if the definition agreed in 2017 was still valid. Consideration also needed to be given as to where the list in the Constitution should be held and if the Constitution was the appropriate place, given the operational (and potentially changing) nature of the Council's relationships with its partners.

- The Group Head of Policy would clarify the definition with CMT and produce an up-to-date Register of Partners. It was emphasised that this work would be undertaken later in the year, due to the workload of the Group Head of Policy in her planning for the Council's Elections on 2 May 2019.

- It had previously been agreed that following clarity on the definition a number of key actions should be carried out. The Group Head of Policy had reviewed these and was proposing a set of questions to ask relevant Directors/Group Heads, once the agreed list of partners had been identified.

In reviewing the report, the Chairman stated that having met with the Group Head of Policy, ahead of this meeting; he felt that progress was now moving forward, however, he did have some reservations regarding the level of resources available to complete the work required. This comment was noted by the Chief Executive.

Having discussed some elements of Section 1.3 of the report, the Committee noted the report and the update provided.

401. ERNST & YOUNG – AUDIT PLAN & PROGRESS REPORT

The Committee received and noted the report from the Audit Manager at Ernst & Young.

Members were advised that this was the planning report for the 2019/2020 audit focusing on the risks and to ensure that Members were clear about the arrangements for Ernst & Young's audit work.

The key highlights were:

- An overview of the Audit Risks and areas of focus were outlined.
- The Council was required to complete a risk assessment in relation to the improper classification of revenue expenditure as capital expenditure.
- Pension liabilities and land and buildings valuation were highlighted as a standard focus of work that was continuing to be undertaken.
- Housing Revenue Account (HRA) depreciation was material in the financial statements and required a number of assumptions and judgements. In the previous year, errors had been identified above the Council's audit differences threshold. 2017/18 had been the first year where authorities were required to account for depreciation using proper accounting practices, so this was still a relatively new concept. Revised Calculations had been provided by Officers and would be reviewed.
- IFRS 15 Revenue from Contracts with Customers, A new reporting standard had been introduced this year and judgement on the financial statement was expected due to this. A full risk assessment was required to ensure that it has been appropriately implemented by the Council.

In reviewing the report, discussion took place regarding the HRA risk assessment and if it included the Stock Condition survey report findings. It was advised only in so far as they affected the financial statement. It would ultimately fall under the Health and Safety Regulator or Fire service.

The Committee thanked the Manger from Ernst & Young and then,

RESOLVED

That the outline Annual Internal Audit Plan for 2018/19 be approved.

402. ACCOUNTING POLICIES FOR 2018/19 ACCOUNTS

The Committee was asked to consider and agree the Accounting Policies that would be applied to the Statement of Accounts for 2018/19 which would be agreed by the Committee in July 2019

The Financial Services Manager presented her report to the Committee.

The key highlights were:

- As stated in the report the Accounting policies were the specific principles, bases and conventions, rules and practices applied by the Council in preparing and presenting the financial statements. They were based on the Code of Practice on Local Authority Accounting in the United Kingdom which defined proper accounting practice and the Code for International Financial Reporting Standards (IFRS). The objective of the Code was to specify the principles and practices of accounting required to give a 'true and fair view' of the financial position.
- The Committee's attention was drawn to Page 1 of the report (83 of the Agenda) Accruals of Expenditure and Income and advised that this section had been amended to reflect the IFRS 15 Revenue from contracts. The Council had also prepared a working paper to show that the impact of the new standard would not be material to the accounts.
- Page 7 of the report (89 of the Agenda) this had been amended to correctly reflect IFRS 9 Financial Instruments.
- The Accounting Policy for (BIDS) the Business Improvement District scheme was required because of the new Bognor Regis BID.
- An amendment had been made to Page 14 of the report (96 of the Agenda) '*Depreciation is calculated on the following basis*' fourth bullet point removal of "37 years" was required because the useful life of components could change. Further down the page bullet point 6, the sentence needed to read '*The depreciation for HRA dwellings (*remaining useful life for both houses and flats) serves as a proxy for componentisation as the relevant useful lives are calculated by reference to the weighted average of the useful lives of the key components*'. *37 years removed.

Audit & Governance
Committee – 14.02.19

In reviewing the report, the Chairman highlighted that this had been a useful update for the Committee to receive. Of most interest to Members had been the section reporting on the Housing Stock Condition Survey as this was felt this to be a very good way of ensuring that the authority could ensure its responsibilities in the future.

The Committee then

RESOLVED

That the Accounting Policies could be applied to the Statement of Accounts for 2018/2019.

403. CAPITAL STRATEGY

The Financial Services Manager reiterated that this was the first year that the Council had had to provide a Capital Strategy which would develop over time.

In presenting this report, the Financial Services Manager drew Members' attention to some key points:

- The aim of this Strategy was to balance capital expenditure needs and expectations with the limited resources available to the Council.
- It formed the framework for capital investment decisions over the next three years and was closely linked to the Treasury Management Strategy; the Investment Strategy and the Borrowing Strategy.
- Whole life costing for Capital Schemes was required when making capital expenditure decisions by the Council. This meant that any appraisal of a proposed capital project would need to consider not just the initial capital cost but all costs and income streams associated with the project, that were likely to occur in future years, including possible replacement or disposal costs. This was vital to ensure that the Council was not committing itself to future liabilities that were unsustainable.
- Capital expenditure was funded from a variety of sources all of which were extremely limited.
- There were separate capital programmes for the GF and HRA as they were separate funds.

- Housing Revenue Account (HRA) capital programme for 2019/20 and 2021/22 was driven by the approved HRA Business Plan. One of the key priorities of this Plan was the acquisition of 250 new dwellings over the 10 year life of the Plan. This would be funded from '1 for 1' Right to Buy receipts (30%) and borrowing (70%). However a recently published Government consultation paper proposed a number of changes to the way that retained Right to Buy receipts could be used and so it was outlined that this could have significant implications for the planned programme.
- The Council had a core annual programme for the General Fund (GF) which included asset management (all non HRA assets), Information Technology and Disabled Facilities Grants (DFG's). DFG's paid for essential adaptations to help people with disabilities to stay in their own homes – this was entirely funded by Government Grant whereas the Asset Management and Information Technology programmes were funded by revenue contributions.
- As with other local authorities Arun was facing a challenging financial climate and so it was therefore essential that systems were in place to ensure that scarce resources were allocated in the most effective way. High priority would be given to the replacement of business critical IT systems and all new schemes would be subject to rigorous appraisal and would require a sound business case.
- Possible sources of funding for capital schemes were:
 - Grants
 - Section 106 contributions
 - Capital receipts
 - Direct Revenue contributions
 - Borrowing
- Looking at specific resource issues, Grants and Section 106 contributions were generally used to fund specific capital schemes linked to the conditions imposed by the relevant grant or Section 106 contribution. There was little latitude in the way this funding could be applied. It was the Council's Policy to use capital receipts to support the General Fund capital programme. A specified proportion of these receipts would be earmarked for the Property investment Fund (PIF). With the exception of 1 for 1 Right to Buy Receipts which could only be used for new social housing. Revenue contributions were a flexible source of funding, but they could put an immediate strain on the General Fund balance and therefore should only be used to a limited extent. Borrowing would spread the cost over a number of years, however loan servicing costs and the overall level of debt exposure needed to be considered and clearly flagged in a business case.

Audit & Governance
Committee – 14.02.19

The Chairman referred Members to Section 1.2 of the report as this allowed authorities to delegate the detailed management of Treasury Management, including this Strategy, to a Sub-Committee. This responsibility had now been delegated to the Audit and Governance Committee facilitating more active discussion of this Strategy and its implementation, however pointing out that overall responsibility would at all times remain with Full Council.

In considering the report, there was some discussion on the Property Investment Fund and it was agreed by the Committee that as the Property Estates Manager was not present at this meeting that a detailed update should be submitted to a future meeting of the Committee.

The Committee then

RECOMMEND TO FULL COUNCIL

That the Capital Strategy 2019/20 to 2021/21 be approved.

404. TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY

The Committee received the Treasury Management Strategy Statement and Annual Investment Strategy 2019/2020 report from the Senior Accountant/Treasury & Investment Officer which it was required to consider prior to making recommendations to the next meeting of Full Council.

In presenting this report, the Senior Accountant (Treasury) drew Members' attention to the following key points:

- Treasury Management Reporting - the Council was currently required to receive and approve as a minimum, three main reports each year, which incorporated a variety of policies, estimates and actuals. These reports were required to be adequately scrutinised by the Audit and Governance Committee before being recommended to Full Council.
- The Council could invest in investments that were termed 'alternative investments'. These included, but were not limited to, things such as renewable energy bonds (Solar farms). These were asset backed bonds, offering good returns and would enable the Council to enter new markets, furthering diversification of the Council's investment portfolio with secured investments and enhancing yield. Any investments entered into this type would be subject to a full due diligence review prior to investment.

- As a result of the change in accounting standards for 2018/19 under IFRS 9, this authority would consider the implications of investment instruments which could result in an adverse movement in the value of the amount invested and resultant charges at the end of the year to the General Fund. The Council was currently in discussions with auditors regarding feedback that had been requested on the work completed so far.
- Royal bank of Scotland (RBS) ring-fenced was no longer on the Council's lending list.
- The Money Market Funds (MMF) were 'triple A' rated, liquid, and most would now be Low Volatility Net Asset Value (LVNAV). This changed from the previous Constant Net Asset Value (CNAV) as a result of the MMF reform where typically for every pound of principal invested a pound was received back. It was not guaranteed, but offered better protection than using the Variable Net Asset Value (VNAV) MMF's.

In reviewing the report, the Committee asked questions with regard to whether it had any investments with EU banks. Members were referred to Appendix 3 of the report as this contained a detailed list of where all the Council's investments were located.

The Committee then

RECOMMEND TO FULL COUNCIL – That

- (1) the Treasury Management Strategy for 2019/20 be approved;
- (2) the Annual Investment Strategy for 2019/20 be approved;
and
- (3) the Prudential Indicators for 2019/20, 2021/2022 and 2021/22 as contained in Appendix 1 and the body of the report be approved.

405. PROPERTY INVESTMENT FUND (PIF) UPDATE

A verbal update was provided to the Committee by the Chief Internal Auditor in the absence of the Property & Estates Manager.

The key points highlighted were:

- Full Council approved the setting up of a Property Investment Fund (PIF) at its September 2017 meeting as a means of generating income streams to replace the shortfalls in government funding being experienced by the Council. The PIF would not require any external borrowing with funds generated solely through disposal of existing general fund Council owned land and property (75% of these receipts would be passed to the PIF). The fund would be ring fenced and would sit within the Property & Estates budget and the Council would look to pursue the purchase of investment properties on the open market.

As at February 2019:-

- The Council had progressed the sale of Cornfield Close (subject to the granting of planning permission) with an estimated £2.25m of the net receipts to be passed to the PIF.
- With the approval of Full Council, the Council purchased Bognor Regis Arcade for c.£1.9M. This site was generating revenue for the Council and the potential refurbishment and use of the upper floors was being investigated.
- Other General Fund assets were under review and any potential sales would be advised to Members as they progressed.

The Committee noted the updates provided but requested that a further update from the Property & Estates Manager be submitted to a future meeting of the Committee.

406. ANNUAL INTERNAL AUDIT PLAN

The Chief Internal Auditor presented the Annual Internal Audit Plan 2019/2020 and advised that each year Internal Audit was required to develop this plan for the following financial year, for agreement by the Audit & Governance Committee. The development of this plan provided the opportunity for the Chief Internal Auditor, in consultation with senior managers and Members of the Audit & Governance Committee, to determine where best the limited resources available to Internal Audit should be directed.

In presenting this report, the Chief Internal Auditor drew Members' attention to the following key points:

- The section continued to operate with 2 Full Time Equivalent (FTE) focussing on mandatory and high priority work. Now that the Council's revised structure/operations were largely finalised, consideration would be given to resourcing in the future.

- The start of 2019 saw that there were still a number of Council strategies to be progressed such as Customer Access and Digital, etc. There also remained considerable uncertainty regarding a number of areas:
 - The Councils ongoing financial position
 - The impact of Brexit arrangements
 - Potential changes to the political make-up of the Council, dependent upon the result of the 2 May 2019 Elections.

It was outlined that all of the above points might require further operational changes to meet new and changed requirements or legislation. This Plan was therefore for the agreement of the Committee and it was highlighted that there would need to be considerable flexibility through the year in terms of assigning resources to specific tasks. It was currently anticipated that work would be required at some stage in the year on:

- The Housing Service after the restructure had been completed.
- The Office 365 migration project was due to start in May 2019. It was explained that this would be the second phase of this project implementation and would be of higher risk to the Council due to data being moved to the Cloud, with security and data protection implications.
- The Council's Medium Term Financial Strategy, giving consideration to resilience and sustainability (linked to the issue of CIPFA's Financial Management Code) which was expected later in 2019.

The Committee then

RESOLVED

That the Annual Internal Audit Plan for 2019/2020 be approved.

407. REVISED STRATEGIC RISK REGISTER 2018/19

In presenting this report (as a continuation from the 15 November 2019 meeting), the Chief Internal Auditor drew Members' attention to items 9 and 13 of the risk register – as set out below:

- Risk Item 9 – Information Governance & Data Security – the updates were accepted by the Committee. The Chief Internal Auditor explained that the risk had been reduced, as considerable work had been undertaken by the Council prior to the introduction of the General Data Protection Regulations (GDPR) in May 2018.

- Risk Item 13 - Cybersecurity – it was explained that Government advice stated that it was not a case of 'IF' but a case of 'WHEN' Councils would suffer such attacks. The Council's ICT area was very aware of this and the Council had recently received £10k of funding as a result of the LGA Cybersecurity Stocktake which would allow the engagement of a consultant to assist in risk assessing this area. The Committee accepted the points raised.

In debating this report, a discussion took place on the issue of Cyber-attacks and in particular the attack on the NHS which was understood to have been caused by out-of-date servers and a lack of adequate security patches being applied. It was confirmed that the maintaining and patching of the Council's servers formed part of the recently approved ICT Strategy.

The Chairman concluded the update at this point advising that it would be the role of the Committee to continue to receive regular updates on the Strategic Risk Register so that it could assess progress and realigned risks.

The Committee then noted the update provided.

408. PROGRESS AGAINST THE AUDIT PLAN

The Committee received a report from the Chief Internal Auditor, which monitored the delivery of progress made against the agreed 2018/2019 Internal Audit Plan.

In presenting this report, the Chief Internal Auditor drew Members' attention to the following key points:

- An outline Audit Plan had been presented to and approved by the Committee at its February 2018 meeting. The aim of the Plan was to ensure that mandatory work had been completed and that there was appropriate involvement with the progress of the 2020 Vision initiative and to ensure that audit work focused on the priority / highest risk areas identified. The report identified the main areas of work undertaken by the Internal Audit section.
- Recent work has focussed on key controls testing of the main financial systems (linked to external audit requirements)
- A considerable amount of work had been undertaken on the National Fraud Initiative. The annual Council Tax Single Person Discount (SPD) exercise reports had been received in December 2018 and were currently being worked on, prior to any queries being referred to the Revenues team for review. The main 2-yearly exercise (including Benefits, licensing, purchase ledger, Housing,

etc.) information was also under way with reports reviewed as they were received from the Cabinet Office. It was outlined that an update on the Council's counter-fraud work would be submitted, as part of the annual report, to the meeting of the Committee in July 2019.

The Committee then noted the update provided.

409. INFORMATION / ADVISORY DOCUMENTS RECEIVED

The Committee received and noted Ernst & Young's Local Government Audit Committee Briefing.

410. FUTURE WORK PLAN FOR THE AUDIT & GOVERNANCE COMMITTEE

The Committee reviewed the rolling Work Plan for 2019/20.

It was agreed that further updates be added for the Committee's November meeting on the Property & Investment Fund and the progress of the findings of the Partnerships Audit, as discussed earlier on in the meeting.

It was also suggested by a Member of the Committee that they should meet more regularly in the new municipal year. The Chairman advised that the new administration would need to take this comment into consideration. In addition to this the Committee Services Manager explained to the Committee that the Calendar of Meetings for 2019/20 had been approved by Full Council on 7 November 2018. She also highlighted that there was now the need to convene a Special Meeting of the Committee in June/July 2019 to reconsider the Independent Panel's Eighth Review of the Members' Allowances Scheme.

The Committee then noted the updates provided.

411. VOTE OF THANKS

As this was the last meeting of the Committee in this Municipal Year, the Chairman stated that he wished to take this opportunity to thank all Members of the Committee and in particular any Members that might not be standing for re-election at the District Elections on 2 May 2019.

He especially thanked the Committee's Vice-Chairman, Councillor Mrs Oakley, for her many years' service, including her past Chairmanship of the Committee.

(The meeting concluded at 20.03 pm)

AGENDA ITEM NO. 27

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 13 MARCH 2019

PART A : OFFICER REPORT

SUBJECT: Pay Policy Statement 2019-2020

REPORT AUTHOR: Alan Peach – Group Head for Corporate Support **DATE:** 31 January 2019 **EXTN:** 37558

EXECUTIVE SUMMARY:

The Localism Act 2011, section 38(1) requires that local authorities prepare an annual Pay Policy Statement. This paper introduces the draft Pay Policy Statement for 2019/2020 (attached) and asks Members to approve it.

RECOMMENDATIONS:

- a) To approve the Pay Policy Statement 2019/2020 for publication on the Arun website by 1 April 2019.
- b) To give delegated responsibility to the Group Head for Corporate Support to make changes to the Pay Policy Statement should new legislation be introduced during the forthcoming year that has an effect on its contents.

1. BACKGROUND:

- 1.1 The Localism Act 2011, Section 38(1) requires that local authorities prepare an annual Pay Policy Statement. This should set out an authority's own policies towards a range of issues relating to the pay of its workforce, particularly its senior staff and its lowest paid employees. This statement must be prepared for each financial year, and must be approved by Full Council ready to be published by April 2019.
- 1.2 The draft Pay Policy Statement for 2019 – 2020 (The Statement) is attached as Appendix 1, along with two other relevant appendices.
- 1.3 The Statement sets out our processes for determining remuneration and a number of related issues, including the use of bonuses (or not in our case), severance pay, enhancement of pension entitlement (not in our case), allowances etc. The contents of the Statement are matters of fact and simply set out current practice.
- 1.4 Section 9 of the Statement, "Relationship between remuneration of Chief Officers and employees who are not Chief Officers" sets out the relationship between the highest and lowest paid officers.

2. PROPOSAL(S):		
a) To approve the Pay Policy Statement 2019/2020 for publication on the Arun website by 1 April 2019.		
b) b) To give delegated responsibility to the Group Head for Corporate Support to make changes to the Pay Policy Statement should new legislation be introduced during the forthcoming year that has an effect on its contents.		
3. OPTIONS:		
a) Agree the Pay Policy Statement for 2019/2020 to be published on the Arun website by 1 April 2019		
b) Not approve the Pay Policy Statement for 2019/2020		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		
Unison		✓
CMT		✓
Cabinet Member for Governance		✓
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:		
Requirement to publish under the Localism Act 2011		

7. REASON FOR THE DECISION:

To comply with our obligations under the Localism Act 2011 in the interests of transparency.

8. BACKGROUND PAPERS:

None

This page is intentionally left blank

ARUN DISTRICT COUNCIL Pay Policy Statement Financial Year 2019 – 2020

1. Purpose

- 1.1 This Pay Policy Statement (Statement) is provided in accordance with Section 38(1) to 43 of the Localism Act 2011 and the Statement will be updated annually from April each year.
- 1.2 The Statement sets out Arun District Council's (ADC) policies relating to the pay of its workforce for the financial year 2019 – 2020, in particular:
- The remuneration of its senior management, third tier and above
 - The remuneration of its "lowest paid employees"
 - The relationship between the remuneration of its senior managers and employees who are not senior managers

2. Definitions

- 2.1 For the purpose of this Pay Policy the following definitions will apply:

"Pay/Remuneration" in addition to salary includes charges, fees, allowances, benefits in kind, increases in/enhancements to pension entitlements and termination payments.

"Chief Officers" refers to the following roles within ADC:

- Chief Executive as Head of Paid Service
- Directors
- Group Heads

"Lowest Paid Employees" refers to those staff employed on Grade 2 of the Council's pay scales. The definition for the "lowest paid employees" has been adopted because Grade 2 is the lowest grade on which employees are paid within the Council's pay framework.

"Employee who is not a Chief Officer" refers to all staff who are not covered under the Chief Officer group above. This includes the "lowest paid employees".

3. Pay Framework and Remuneration Levels

3.1 Remuneration for staff up to and including Director Level

3.1.1 *Determining the Grades of Posts*

- 3.1.2 The Council uses a locally agreed Job Profiling Scheme to evaluate the grade applied to each job role. This is to ensure that jobs are graded fairly, equitably and consistently and that the Council complies with the Equal Pay Act.
- 3.1.3 Decisions on grading are by consensus of a pay profiling panel following a thorough assessment of each job role. The panel is made up of both employer and union representatives and panellists are trained in use of the scheme to ensure fairness in application.
- 3.1.4 The profiling scheme covers all posts within the Council with the exception of the Chief Executive. This is because an evaluation exercise is not needed to establish that this is the highest paid post in the Council as the post holder will have ultimate accountability and responsibility.

3.2 *Pay Structure and Pay Increases*

- 3.2.1 The Council's pay and grading structure is based on the national pay scale issued by the National Joint Council (NJC) as part of the National Agreement for Local Government Services. This pay scale incorporates posts graded 1 to MG5 (MG6 is covered by an extension to the National Pay Scales). Incremental rises within each grade is automatic on the 1st April each year until the employee reaches the top of the scale.
- 3.2.2 The Council has a separate pay scale for Group Heads and Directors. Incremental increases are not automatic for these staff and are at the Chief Executive/Director's discretion.
- 3.2.3 All staff, other than the Chief Executive, are awarded an annual cost of living increase which is linked to national pay negotiations for the National Joint Council for Local Government Services.
- 3.2.4 There is no provision for the payment of bonus payments to staff in these grades.

3.3 **Remuneration of the Chief Executive**

- 3.3.1 It is essential for good governance that decisions on pay and reward for the Chief Executive are made in an open and accountable way and that there is a verified and accountable process for recommending the level of pay for this post.
- 3.3.2 The remuneration of the Chief Executive is recommended by the Chief Executive Remuneration Committee and the decision is made by Full Council. This Committee comprises of elected councillors from the main political parties and determines the pay of the Chief Executive on appointment and

annually thereafter, following the rules as set out in the Council’s Constitution as Part 3 – Section 9.2 and additional guidance provided in the “National Salary Framework and Conditions of Service Handbook’ for Local Authority Chief Executives”. The Remuneration Committee will take account of recommendations concerning performance from the Chief Executive Appraisal Panel, details of which are also set down in Part 3, section 9.1 of the Constitution. It will also review market data relevant to Chief Executive Pay and any other significant considerations which arise. The Chief Executive does not receive any additional payment other than fees in connection with election duties in his role as Returning Officer. Election fees are set out annually in the ‘Scale of Returning Officer’s expenditure for Local Government Elections, Polls and Referendums’, attached as Appendix 1.

3.3.3 There is no provision for the payment of bonus payments to the Chief Executive. Other payments made will be in line with Council policies on allowances.

4.0 Publication of Chief Officer Salaries including the Chief Executive

4.1 Information on remuneration for the Chief Executive, Directors and Group Heads is published as part of the Annual Statement of Accounts. This is published each year in June/July and can be found on the Council’s website. Officers below this level will not be identified in this way.

4.2 A structure chart showing the membership and responsibilities of the Corporate Management Team is attached to this document as Appendix 2.

5 Other Pay Elements

5.1 Market Supplements

5.1.1 The Council will consider the use of market supplements where there are significant recruitment or retention difficulties. In situations where a market supplement is being considered, a report detailing the business case will be presented for consideration by the Corporate Management Team in conjunction with the HR Manager. Market Supplements are time limited and subject to review.

5.2 Honoraria/Honorariums

5.2.1 There is provision within the Council’s Human Resources Guidance for the payment of “honoraria” in exceptional circumstances (as defined in the guidance), to any staff employed by the Council. For Directors, honoraria must be approved by the Chief Executive, in consultation with the Leader of the Council. For Group Heads, this must be approved by the relevant Director

in consultation with the Chief Executive. For the Chief Executive this must be approved by the Remuneration Committee.

5.3 *Other Allowances*

5.3.1 There are a number of other allowances which staff may be eligible for such as car allowance, standby/call out allowance etc. Any allowance or other payment will only be made to staff in connection with a particular role or the patterns of hours that they work. Allowances will be payable subject to the employee meeting the eligibility criteria as laid out in the relevant policy.

5.3.2 Payments made to staff working during elections, polls and referendums will be in line with the Scale of Returning Officer's expenditure for Local Government Elections, Polls and Referendums, as attached at Appendix 1.

6 Pensions

6.1 All staff as a result of their employment with Arun District Council are eligible to join the Local Government Pension Scheme (LGPS). Full details of the scheme can be found at www.lgps.org.uk. The LGPS is a contributory scheme and contributions are made by both the employer and the employee. The level of contribution is dependent on the employee's earnings.

6.2 The LGPS requires employers to prepare and publish a written policy on its discretionary powers in relation to pensions. These are known as the Council's Pension Discretions; they are reviewed annually and can be found on the Council's intranet.

7 New Starters Joining the Council

7.1 Employees new to the Council will be appointed to a salary point within the grade for the post considered appropriate taking into account their experience and ability to undertake the role. This will be at the discretion of the recruiting manager.

8 Termination of Employment

8.1 All employees who leave the Council's employment are entitled to payment of their contractual notice (except in cases of summary dismissal following disciplinary proceedings) along with any outstanding holiday pay.

8.1.2 The Council has determined that a vote by the Council on severance payments above a defined threshold is not required. This is due to the fact that the Joint Consultative Panel agrees all pay policies including those affecting severance payments. All severance payments are paid in

accordance with Council policy and in compliance with employment legislation.

8.2 *Redundancy Payments*

8.2.1 Redundancy payments are payable to employees whose post is made redundant and the post holder has two years' service or more. ADC's redundancy payments are determined by the age of the employee and length of service and are based on actual salary and a 2.2 multiplier of the Statutory Redundancy Pay Table.

8.2.2 There is no local discretion to increase an employee's total pension scheme membership or award additional pension except in exceptional circumstances where compassionate grounds apply.

8.3 *Settlement Agreements*

8.3.1 In exceptional circumstances, and specifically to settle a claim or potential dispute, the Group Head for Corporate Support can agree payment of a termination settlement sum up to the value of £10,000. In such cases, each decision as to the level of payment will be taken on its individual merits and with advice taken from the Human Resources Manager.

8.4 *Re-employment of Officers*

8.4.1 The Council needs to retain the flexibility to respond to recruitment demands and labour shortages and therefore, in some circumstances, it may be in the Council's best interests to re-employ former local government employees who have previously left the service on the grounds of redundancy or efficiency. If the Council were to re-employ a previous local government employee who had received a redundancy or severance package on leaving, then the Council's policy is to ensure that the rules of the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999 is applied. In addition, the Council will ensure that a fair, transparent selection process has taken place before any appointment is confirmed.

9 **Relationship between remuneration of “Chief Officers and “employees who are not Chief Officers”**

9.1 The mean average remuneration for the 2019/2020 budget is £36,400 and the highest paid employee £146,630. This includes all allowances and employers pension contributions at 17.8%. The pay multiple between the two is 4.03. This is based on current pay scales, including the agreed national pay award.

In comparison, the mean average remuneration for the 2018/2019 budget was £35,176 and the highest paid employee £144,102. This includes all

allowances and employers pension contributions at 17.8%. The pay multiple between the two is 4.1. This was based on current pay scales, including the proposed 2% pay award.

- 9.2 The lowest paid employee is at £11,350 and the highest paid employee £146,630. This includes allowances and employers pension contribution and the pay multiple between the two is 12.92 this is based on current pay scales, including the agreed 2% pay award.

In comparison, for the 2018/2019 budget, the lowest paid employee was at £10,774 and the highest paid employee £144,102. This included allowances and employers pension contribution at 17.8%. The pay multiple between the two is 13.38. This was based on current pay scales, including the proposed 2% pay award.

*note that this includes apprentice pay. The multiplier excluding apprentice pay is 7.70.

Date approved by Full Council (Insert)

APPENDIX 2
CORPORATE MANAGEMENT TEAM
2019

CHIEF EXECUTIVE

DIRECTOR OF
SERVICES

DIRECTOR OF PLACE

Residential
Services
Group

Neighbour-
hood
Services
Group

Community
Wellbeing
Group

Technical
Services
Group

Economy
Group

Planning
Group

Policy
Group

Council
Advice &
Monitoring
Officer
Group

Corporate
Support
Group

This page is intentionally left blank

AGENDA ITEM NO. 28

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 13 MARCH 2019

PART A : REPORT

SUBJECT: New National Pay Scale 2019

REPORT AUTHOR: Alan Peach, Group Head for Corporate Support

DATE:

EXTN: 37558

PORTFOLIO AREA: Corporate Support

EXECUTIVE SUMMARY:

The National Joint Council (NJC) pay agreement for 2018-20 included the introduction of a new pay scale which will come into effect on 1 April 2019. The new pay scale will replace the current one and it is for Councils to decide locally, in consultation with their recognised union/s, how the organisational grading structure should fit against the new pay scale.

This paper explains the proposed new grading structure for Arun District Council and how staff will assimilate across from their existing pay point to the new pay scale.

RECOMMENDATIONS:

1. To approve the proposed new grading structure and the principles around the assimilation of staff from the current pay scale to the new one.

1. BACKGROUND:

The NJC pay agreement for 2018-20 includes the introduction of a new pay scale on 1 April 2019. A new pay scale has been introduced as it was recognised nationally that if left unchanged, the National Living Wage would supersede the lower end of the Local Government Pay Scale. As a result, posts graded less than spinal column point (scp) 28 will benefit from a pay increase that is greater than the 2% applied to all grades above scp 28 (the percentage increase varies depending on the scp).

Agreements reached by the NJC in relation to pay are incorporated into our contracts of employment and as such, the changes will take effect automatically. The new scale will replace entirely the current scale and accordingly employees should assimilate across from their current SCP to the new corresponding SCP in April 2019.

In order to assimilate our current grading structure and associated profiling scheme to the new pay scale, we have to negotiate this locally with our recognised union, Unison. Discussions have taken place with Unison and we have agreed to a new grading model and the principles to be adhered to when assimilating across. These principles include:-

- That grades should contain no more than 5 spinal column points as longer grades are difficult to justify in terms of length of time taken to become competent in the role. Equally there are age discrimination implications with longer grades.
- That no one loses pay and subsequently complicated pay protection arrangements are avoided.
- That the opportunity is taken to rename the grades, Grade 1 to 14 rather than Grade 1 to MG6, to avoid assumptions around management grades and management responsibility versus professional posts.

The model in Appendix 1 shows the proposed grading structure which best fits with the principles as detailed above.

The Finance Team has worked with HR to produce and cost this model. Using the current establishment (excluding vacancies) and working on the basis that all staff employed below our current scp 28 (grade 6) would eventually move to the top of the grade, the anticipated cost would be up to £60K. Not all staff will move to the top of the grade in April 2019 and so this cost will occur over a period of years. Costs have been built into next year's base budget.

Consultation has taken place with staff and the proposal has been accepted. Unison has also conferred with their Regional Office who has confirmed that the proposal is acceptable.

2. PROPOSAL(S):

1. To approve the proposed new grading structure and the principles around the assimilation of staff from the current pay scale to the new one.

3. OPTIONS:

1. To accept the proposed grading structure and the principles around the assimilation of staff from the current pay scale to the new one.
2. To not accept the proposed grading structure and the principles around the assimilation of staff from the current pay scale to the new one and for HR, Finance and Unison to consider a new proposal accepting that the 1 April implementation date cannot be met.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)	✓	
<ul style="list-style-type: none"> • Corporate Management Team • Local Joint Consultative Panel (including the Cabinet Member for Corporate Governance and 		

Unison)		
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: We are legally required to adopt the national pay scale as the national pay negotiations are incorporated into the contract of employment. This should be in place by 1 April so we would not be able to meet this deadline if the proposal was to be rejected.		

7. REASON FOR THE DECISION:
 To comply with our obligations to apply the outcome of the national pay negotiations.

8. BACKGROUND PAPERS:
 Proposed pay and grading model
 Equality Impact Assessment

This page is intentionally left blank

AGENDA ITEM NO. 29

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 13 MARCH 2019

PART A : REPORT

SUBJECT: Local Government Pension Scheme – Pension Discretions for Arun District Council.

REPORT AUTHOR: Alan Peach, Group Head for Corporate Support

DATE:

EXTN: 37558

PORTFOLIO AREA: Corporate Support

EXECUTIVE SUMMARY:

Arun District Council provides a staff pension scheme which is part of the Local Government Pension Scheme (LGPS). It is a requirement under the LGPS Regulations for each scheme employer to formulate, publish and keep under review how it will deal with a number of discretionary areas within the LGPS rules. This paper sets out where we propose to make minor changes to our local discretions with an explanation for those changes and describes the consultation process. Full Council is required to agree any changes to the Pension Scheme.

RECOMMENDATIONS:

Full Council is asked to:

- a) agree the proposed changes to Arun District Council's Pension Discretions as set out in Appendices 1 and 2 to this report; and
- b) approve giving delegated authority to the Group Head for Corporate Support to make any necessary changes to the pension discretions resulting from changes to employment legislation or Council policy.

1. BACKGROUND:

The LGPS has been changed significantly over time and actually consists of a number of schemes which are separately identified and in a number of cases have separate discretions which apply to people who had membership at different times.

The discretions are therefore set out as:

- Discretions in relation to Scheme members who joined on or after 1.4.14
- Discretions in relation to Scheme members (excluding councillor members) who ceased active membership on or after 1.4.08 and before 1.4.14

- Discretions in relation to Scheme members who ceased active membership on or after 1.4.98 and before 1.4.08
- Discretions in relation to Scheme members who ceased active membership before 1.4.98.
- Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)
- Discretions under the Local Government (Early Termination of Employment)(Discretionary Compensation) (England and Wales) Regulations 2000 (as amended)
- Discretions under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

Overall the discretions have remained broadly unchanged. Appendix 1 provides a summary of the changes that have been made to the discretion as a result of this latest review.

2. PROPOSAL(S):

- Agree the proposed changes to Arun District Council's Pension Discretions as set out in Appendices 1 and 2 to this report.
- To give delegated authority to the Group Head for Corporate Support to make necessary changes to the pension discretions resulting from changes to employment legislation or Council policy.

3. OPTIONS:

- To agree the proposed changes to Arun District Council's Pension Discretions
- Not to agree the proposed changes to Arun District Council's Pension Discretions and retain current discretions.
- To give delegated authority to the Group Head for Corporate Support to amend the pension discretions should changes to employment legislation or Council policy arise prior to the next review date.
- Not to give delegated authority to the Group Head for Corporate Support to amend the pension discretions should changes to employment legislation or Council policy arise prior to the next review date.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)	✓	

<ul style="list-style-type: none"> Formal Staff Consultation Panel (including the Cabinet Member for Corporate Governance and UNISON) 		
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:		

7. REASON FOR THE DECISION:
 To comply with the LGPS requirement to review and update Arun District Council's local pension discretions.

8. BACKGROUND PAPERS:

This page is intentionally left blank

Appendix One

Summary of Changes to Pension Discretions

Page	Regulation	Change
2	R3(1)(c) & R4(2)(b)	<p>This discretion has been removed as we have received confirmation from WSCC that it only applies to admitted bodies and not Scheme Employers such as Arun DC.</p> <p><i>Which employees to designate for membership (admission bodies)</i></p> <p><u>Arun Discretion:</u> <i>This will be determined by the relevant parties at the point when an Admission Agreement is being made</i></p>
3	R16(2)€ & R16(4)(d)	<p>We have removed the wording around the exception as we do not have SCAPC's therefore this would not happen in practice.</p> <p><i>Whether, how much and in what circumstances to contribute to a Shared Cost Additional Pension Contribution (SCAPC)</i></p> <p><u>Arun Discretion</u> <i>Arun does not exercise the option to contribute towards the cost of purchasing extra pension via a Shared Cost Additional Pension Contribution (SCAPC) entered into on or after 1 April 2014. (This does not apply to cases where a member has a period of authorised unpaid leave and elects within 30 days of return to work to pay a SCAPC to cover the amount of pension 'lost' during the period of absence – there is no discretion for the employer in this situation)</i></p>
3	R16 (10) & R16 (16)	Discretions added, not covered previously.
3	R17(1)	<p>Amended to allow for the AVC Wise scheme to be introduced as a staff benefit.</p> <p><i>Whether, how much and in what circumstances to contribute to shared cost Additional Voluntary Contributions (SCAVC) arrangements entered into on or after 1.4.14</i></p> <p><u>Arun Discretion</u> <i>The Council will pay SCAVC contributions where an employee has elected to pay AVCs by salary sacrifice. The amount of these employer SCAVC contributions will not exceed the amount of salary sacrificed by the employee. This is a Council discretion which is subject to the employee meeting the Council's conditions for acceptance into the salary sacrifice shared cost AVC scheme and may be withdrawn or changed at any time.</i></p>
11	TP3(1)(a), TSch 1,	Discretion added, not covered previously.

	L23(4)	
12	A49(1) & (2)	Discretion added, not covered previously.
12	A58(7) (b)	Discretion added, not covered previously.
18	88(2)	Discretion added, not previously covered.
18	92	Discretion added, not previously covered.
23	25 (2)	Discretion added, not previously covered.
25	3 (1)	<p>Text added to explain that employees recorded as having an industrial injury or contracting a disease in the course of their duties remain on full pay and therefore there is no reduction in remuneration.</p> <p><i>Whether to grant injury allowance following reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job</i></p> <p><u>Arun Discretion</u> <i>Arun District Council has no general policy to grant an injury allowance following reduction in remuneration as a result of the LGPS member sustaining an injury or contracting a disease in the course of carry out the duties of their job. Employees recorded as having an industrial injury continue on full pay and therefore should not have a reduction in their remuneration.</i></p>
25 to 31	All discretions related to Injury Allowance	<p>The Council does not pay an injury allowance and therefore these discretions do not apply.</p> <p>The Council has personal liability insurance and employee insurance for injuries sustained whilst at work and for death in service. Compensation would be considered subject to the individual circumstances of each case and in conjunction with any subsequent insurance claim.</p>

AGENDA ITEM NO. 30

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 13 MARCH 2019

PART A : REPORT

SUBJECT: ADOPTION OF ARUN DISTRICT COUNCIL CORPORATE HEALTH & SAFETY POLICY

REPORT AUTHOR: Nat Slade, Group Head of Technical Services

DATE: 15 February 2019

EXTN: 37683

PORTFOLIO AREA: Technical Services

EXECUTIVE SUMMARY:

The Council has reviewed its arrangements for fulfilling its moral and statutory duties in relation to health and safety. Accordingly Full Council is requested to adopt the revised "Health & Safety Policy: Organisation and Responsibilities", and delegate authority to officers to keep it up to date.

RECOMMENDATIONS:

Full Council is requested to :

- 1) Adopt the "Health & Safety Policy: Organisation and Responsibilities"; and
- 2) Delegate authority to the Group Head of Technical Services to make future amendments to the policy taking account of changes to personnel, structures, legislation and best practice.

1. BACKGROUND:

- 1.1 The Council has a three part Health and Safety policy which sets out our approach.
- 1.2 The Chief Executive Nigel Lynn signed the Council's Health and Safety Policy Statement in April 2018 which sets out our aim and commitment to ensuring that we fulfil our moral and legal duties to provide safe systems of work and safe places for staff and others to use.
- 1.3 The policy sets out who has responsibility for fulfilling statutory health and safety duties and how the Council monitors to ensure these duties are fulfilled. The Organisation & Responsibilities section of the Health and Safety Policy sets out who does what in order to achieve the aim. This section had become outdated, reflecting the previous Council structure. This section of the policy has now been updated, see Appendix 1. The process of updating the policy has been undertaken in consultation with Corporate Management Team, Senior Management Team, the Staff Health and Safety Panel and the Formal Unison Staff Consultation Panel. Each of these two panels includes Member representation as well as officers and Unison. All the bodies

consulted have contributed to its development and support its adoption.

1.4 The Arrangements section of the policy was a collection of topic-specific policies. It is proposed that these be replaced by a series of template procedures for each service to complete for their activities.

1.5 If the policy is adopted by Full Council, the Safety Management Programme, which has been suspended in recent months whilst the policy has been updated, will be relaunched. This is a series of monthly tasks which prompt managers to for example, check their team's Personal Protective Equipment, condition of work equipment, update risk assessments etc. Topics relating to management of property will be separated out and targeted at those departments with relevant responsibilities. Initial Safety Management Programme tasks will be focussed on raising awareness of the H&S responsibilities outlined in the appended policy, and on completing the template procedures.

1.6 Training for the Senior Management Team on Health and Safety Responsibilities including this proposed policy has been arranged for April 2019. Training on risk assessment for service managers and other officers with these responsibilities will follow shortly after.

1.7 An external auditor will be engaged to assess our compliance with the new policy in order to identify areas in need of improvement. This will be undertaken in approximately one year from the adoption of the Health and Safety Policy: Organisation & Responsibilities.

2. PROPOSAL(S):

2.1 Full Council is requested to :

- 1) Adopt the "Health & Safety Policy: Organisation and Responsibilities".
- 2) Delegate authority to the Group Head of Technical Services to make future amendments to the policy taking account of changes to personnel, structures, legislation and best practice.

3. OPTIONS:

3.1 Amend the policy and adopt.

3.2 Not to adopt the policy.

3.3 Not to delegate authority to make subsequent amendments.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)	X	
Corporate Management Team		
Senior Management Team		
Staff Health & Safety Panel (consists of		

Member/Officer/Union reps) Formal Unison Staff Consultation Panel (consists of Member/Officer/Union reps) All groups welcomed the proposed policy, and their feedback has been incorporated into the final version, Appendix 1.		
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)		X
<p>6. IMPLICATIONS:</p> <p>Financial: Sufficient resources need to be allocated to ensure that no unreasonable risks are posed to the health or safety of people as a result of the Council's activities. The proposal does not include a request for additional budget. The training and auditing associated with implementation of the policy will be obtained from within existing resources.</p> <p>Legal: Employers have a duty to ensure as far as reasonably practicable, the health, safety and welfare at work of all their employees, and of others, such as volunteers and members of the public. Employees have duties to take reasonable care for their own health and safety, and others who may be affected by their work, and to cooperate with their employer in ways that are necessary to allow them to fulfil their health and safety obligations.</p> <p>There are numerous legislative provisions relating to health and safety including common law duties regarding employees' safety, and statutory duties under the Health & Safety at Work etc. Act 1974, regulations made thereunder and the Occupier Liability Act 1957. Breaches of the statutory duties gives rise to criminal liability.</p> <p>Asset Management/Property/Land: The policy sets out where responsibilities lie for ensuring land and property which the Council owns is operated and maintained in such a way as to minimise risk to health and safety.</p>		

7. REASON FOR THE DECISION:

Policy adoption:

To ensure robust arrangements are in place to discharge our legal and moral responsibilities to take reasonably practicable steps to promote health and safety.

Delegation:

To ensure the policy is kept up to date so it remains relevant and allows for evolution in best practice to be quickly adopted.

8. BACKGROUND PAPERS:

H&S Policy Statement:

[Health and Safety Policy Statement](#)

Appendix 1: The "Health & Safety Policy: Organisation and Responsibilities"

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n13471.pdf&ver=13694c>