



Public Document Pack

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NOTE: This meeting will be webcast

30 September 2019

SPECIAL COUNCIL MEETING

To all Members of the Council

You are summoned to attend a meeting of the ARUN DISTRICT COUNCIL to be held on **Thursday, 10 October 2019 at 5.30 pm** in the **Council Chamber, at the Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** 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. **Minutes** (Pages 1 - 26)

To approve as a correct record the Minutes of the Meeting of the Council held on 18 September 2019, which are *attached*.

6. **Chairman's Announcements**

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

7. **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.

8. **A27 Trunk Road - Improvements at Arundel** (Pages 27 - 36)

The report seeks authorisation to respond to Highways England with a corporately preferred option for the proposed improvements on the Arundel section of the A27 Trunk Road. It sets the reasons why Highways England has opted for a second non-statutory consultation; outlines the options put forward in the current consultation; and the issues identified as being pertinent to the various options.

- 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
- Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [Filming Policy](#)

Subject to approval at the next Full Council meeting

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**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 18 SEPTEMBER 2019 AT 6.00 PM**

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

Honorary Alderman Mrs Stinchcombe and Squires were also present at the meeting.

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated:- Councillors Bicknell – Minute 203 to 206 [Part]; Councillor English – Minute 203 to 204 (Part); Councillor Mrs Pendleton – Minute 216 to 225; Councillor Bennett – Minute 203 to 218 (Part); Councillors Mrs Caffyn, Mrs Madeley, Miss Rhodes and Mrs Stainton – Minute 222 (Part) to Minute 225; Councillors Bower, Cooper, Edwards, Kelly, Oliver-Redgate and Roberts – Minute 224 (Part) to Minute 225].

203. WELCOME

The Chairman welcomed Councillors, representatives of the public, press and officers to the Council Meeting. A special welcome was extended to Alderman Mrs Stinchcombe and Squires.

204. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Baker, Batley, C Blanchard-Cooper, Miss Needs and from Honorary Aldermen, Mrs Goad, MBE and Mrs Morrish.

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205. DECLARATIONS OF INTEREST

The Director of Place declared a Personal and Prejudicial Interest in Agenda Item 12 [Cabinet – 29 July 2019 – Minute 141 [Local Housing (Property) Company as the current Director of the Company. He confirmed that he would leave the meeting for this item.

A Declaration of Interest Sheet had been circulated to the meeting setting out those Members who had made a declaration of their personal interest as a Member of a Town or Parish Councillor or a West Sussex County Councillor, as confirmed in their Register of Interest as these declarations could apply to any of the issues to be discussed at the meeting. This table is set out below:

Name	Town or Parish Council or West Sussex County Council [WSCC]
Councillor Jamie Bennett	Rustington
Councillor Paul Bicknell	Angmering
Councillor Billy Blanchard-Cooper	Littlehampton
Councillor Jim Brooks	Bognor Regis
Councillor Ian Buckland	Littlehampton and WSCC
Councillor Mike Clayden	Rustington
Councillor Alison Cooper	Rustington
Councillor Sandra Daniells	Bognor Regis
Councillor David Edwards	WSCC
Councillor Roger Elkins	Ferring and WSCC
Councillor Paul English	Felpham
Councillor Inna Erskine	Bognor Regis
Councillor Steve Goodheart	Bognor Regis
Councillor Pauline Gregory	Rustington
Councillor June Hamilton	Pagham
Councillor Shirley Haywood	Middleton-on-Sea
Councillor David Huntley	Pagham
Councillor Henry Jones	Bognor Regis
Councillor Martin Lury	Bersted
Councillor Francis Oppler	WSCC
Councillor Jacky Pendleton	Middleton-on-Sea and WSCC
Councillor Vicky Rhodes	Littlehampton
Councillor Dan Purchase	WSCC
Councillor Emily Seex	Littlehampton
Councillor Martin Smith	Aldwick
Councillor Matt Stanley	Bognor Regis
Councillor Samantha Staniforth	Bognor Regis
Councillor Isabel Thurston	Barnham & Eastergate
Councillor James Walsh	Littlehampton and WSCC

Councillor Jeanette Warr	Bognor Regis
Councillor Amanda Worne	Yapton
Councillor Gillian Yeates	Bersted

206. PUBLIC QUESTION TIME

The Chairman invited questions from members of the public who had submitted their questions in advance of the meeting in accordance with the rules of the Council's Constitution.

The Chairman announced that two questions had been received. As the first questioner was not able to be present, the Committee Services Manager read out the question on their behalf. This asked the Cabinet Member for Community Wellbeing, Councillor Mrs Yeates, if the Council could consider the implementation of Neighbourhood Wardens. It was felt that a visible presence could prevent crime and deter repeat offenders.

The Cabinet Member for Community Wellbeing, Councillor Mrs Yeates, responded stating that the Council was aware of the various Neighbourhood Warden schemes in operation across West Sussex and the beneficial outcomes for local communities, which included increasing community guardianship, improved engagement and where required, utilising enforcement to disrupt and deter anti-social behaviour. The Council would scope and consider the viability of implementing a similar scheme in Arun.

The Chairman then invited the second questioner to ask their question. The Cabinet Member for Technical Services, Councillor Stanley, was asked if the barriers around the Felpham beach huts could be removed. The questioner also sought assurance that no similar structure would be erected without full and lawful consultation with the public.

The Cabinet Member for Technical Services, Councillor Stanley, responded stating that he appreciated and understood the frustration some residents felt due to the lack of consultation that was undertaken prior to the installation of fences around the Felpham greensward. He outlined that the fences were installed during the previous administration due to numerous complaints being received by Arun District Council regarding dog waste on the greensward. Alongside this it is also worth noting that traces of dog waste were previously identified by laboratory analysis in the water nearby.

Since the fences have been in place cleansing officers had reported a noticeable reduction in dog waste around the greensward, and during the 'Beauty of the Beach' Felpham beach clean, which he had attended, no issues of concern or complaints had been raised. In fact, three emails of thanks had been received praising the installation of the fences.

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The Chairman then invited supplementary questions.

The second questioner asked a supplementary question stating that she would appreciate continuing some sort of dialogue with the Cabinet Member to address the issues. Councillor Stanley responded confirming that he would be happy to continue correspondence.

The Chairman then drew Public Question Time to a close.

207. PETITIONS

The Chairman confirmed that no Petitions had been received.

208. MINUTES

The Minutes of the last Full Council Meeting held on 17 July 2019 were approved by the Council as a correct record and signed by the Chairman.

209. CHAIRMAN'S ANNOUNCEMENTS

The Chairman alerted Members to the list of engagements and events that had been attended since the last Full Council meeting held on 17 July 2019 – these had been emailed to Councillors recently.

She also referred to Alderman Mrs Morrish who had been poorly recently and she asked the Council to join with her in sending her good wishes for a speedy recovery.

210. URGENT MATTERS

There were no items for this meeting.

211. DEVELOPMENT CONTROL COMMITTEE - 10 JULY 2019

The Vice-Chairman, Councillor Ms Thurston, presented the Minutes from the meeting of the Development Control Committee held on 10 July 2019.

Councillor Ms Thurston alerted Members to recommendations at Minute 93 [To Consult on the Renewal of the Butlin's Local Development Order]. The recommendations were seconded by Councillor Mrs Yeates.

The Council

RESOLVED - That

- (1) The principle of a Local Development Order for Butlins be agreed for a further 5-year period;
- (2) Delegated authority be granted to the Group Head of Planning to:
 - (a) Carry out formal public consultation on the draft renewal of the Local Development Order
 - (b) Consider the representations to the draft Butlins Local Development Order and make amendments, if necessary;
 - (c) Submit the Local Development Order to the Secretary of State for Communities and Local Government; and
 - (d) Subject to the Secretary of State for Communities and Local Government not intervening through making a direction under Section 61B(1) of the Town and Country Planning Act, the Butlins Local Development Order be adopted as soon as reasonably practicable after 1 September 2019.

212. ELECTORAL REVIEW SUB-COMMITTEE - 16 JULY 2019

The Chairman, Councillor Purchase, presented the Minutes from the meeting of the Electoral Review Sub-Committee held on 16 July 2019.

213. STANDARDS COMMITTEE - 25 JULY 2019

The Chairman, Councillor English, presented the Minutes from the meeting of the Standards Committee held on 25 July 2019.

Councillor English then drew Members' attention to a series of recommendations at Minute 127 [Local Government Ethical Standards] and which he formally proposed. It was confirmed that the minutes were incorrect in referring to these as a 'resolved' matter as they should have been recommended to the Council. The recommendations were then duly seconded by Councillor Tilbrook.

The Council

RESOLVED – That

- (1) The areas for change in the Members' Code of Conduct and the Local Assessment Procedure be agreed, as set out in Appendix 4 attached to the Minutes;
- (2) The review of the Code of Conduct should consider updating the "Principles of the Code of Conduct" against the latest wording for the Seven Principles of Public Life;

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(3) Consultation be undertaken with Town and Parish Councils in considering any areas for change; and

(4) The Group Head of Council Advice & Monitoring Officer should bring back a revised draft of the Members' Code of Conduct and Local Assessment Procedure to a future meeting, taking account of the areas for change.

214. CABINET - 29 JULY 2019

The Chairman, Councillor Dr Walsh, presented the Minutes from the meeting of the Cabinet held on 29 July 2019.

Councillor Dr Walsh drew Members' attention to the first set of recommendation at Minute 135 [Corporate Plan 2018-2022 – Quarter 4 and end of Year Performance Outturn for 1 April 2018 to 31 March 2019] which he duly proposed. The recommendations were then seconded by Councillor Oppler.

The Council

RESOLVED - That

(1) The CP11 [Household Waste Sent for Re-Use, Recycling and Composting] indicator target be increased from 40% to 50% for 2019-2020; and

(2) The CP8 [Number of new Council Homes Built or Purchased per annum] target be increased from 25 to 35 for 2019-2020.

Councillor Dr Walsh then drew Members' attention to the next recommendation at Minute 139 [Local Housing (property) Company – Trisanto].

[The Director of Place redeclared his Personal and Prejudicial Interest made at the start of the meeting and left the meeting for this item].

Councillor Dr Walsh confirmed that he was withdrawing this item explaining that further investigation needed to take place as to whether the termination of the Local Housing (Property) Company was the right decision for the Council to make.

Councillor Dr Walsh then drew Members' attention to the final recommendation at Minute 142 [Overview Select Committee – 25 June 2019 – Minutes of the meeting of the Council Tax Support Task and Finish Working Party (16 April 2019) which was asking the Council to support that the Council's Council Tax Support (the income banded scheme) be retained and unchanged for a further year. Councillor Dr Walsh proposed this recommendation which was seconded by Councillor Oppler.

Councillor Buckland confirmed that he needed to disclose to the Council that Section 106 of the Local Government Finance Act 1992 applied to him and so he would not be voting on this matter but would remain in the meeting for this item.

The Council

RESOLVED

That the Council's Council Tax Support (the income banded scheme) is retained – that is no change to the current scheme.

215. AUDIT & GOVERNANCE COMMITTEE - 30 JULY 2019

The Chairman, Councillor Mrs Erskine, presented the Minutes from the Meeting of the Audit & Governance Committee held on 30 July 2019.

Councillor Mrs Erskine alerted Members to three recommendations at Minute 150 [Treasury Management Annual Report – 2018/19] which she duly proposed. The recommendations were then seconded by Councillor Mrs Haywood.

The Council then

RESOLVED – That

- (1) the actual prudential and treasury indicators for 2018/19 contained in the report be approved;
- (2) the treasury management report for 2018/19 be noted; and
- (3) the treasury activity during 2018/19, which had generated interest receipts of £754,000 (1.25%) Budget £480,000 (1.14%) be noted.

216. DEVELOPMENT CONTROL COMMITTEE - 7 AUGUST 2019

The Vice-Chairman for the meeting, Councillor Chapman, presented the Minutes from the meeting of the Development Control Committee held on 7 August 2019.

Councillor Coster confirmed that he wished to make a Statement in accordance with Council Procedure Rule 13.2 in relation to Minute 162 [Planning Application P/30/19/OUT]. He stated that he had serious concerns as he believed that the Council had acted unlawfully in considering this planning application. Councillor Coster stated that at the meeting he had asked for an officer explanation as to why the Committee was being requested to approve the application when it had breached five important policies contained within the Local Plan. As Councillor Coster felt that he had not received a satisfactory response to the questions and concerns raised, he wished this application to be brought back to the Development Control Committee for reconsideration.

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The Chief Executive responded confirming that the Decision Notice for this application had been issued as the decision was legally binding. He further confirmed that this matter could not be debated at this meeting as the Council had, through its Constitution, delegated authority to determine this and other applications, to the Development Control Committee as confirmed at Part 3 – Responsibility for Functions, Paragraph 4.2.

Councillor Huntley confirmed that he wished to make a Statement on the same matter in accordance with Council Procedure Rule 13.2. He criticised the date of the meeting having been organised during the peak school holiday summer season which had resulted in several apologies being submitted making substitutions difficult.

The response provided by the Chief Executive outlined that the Calendar of Meetings had been set months in advance and that meetings of the Development Control Committee always took place in the month of August.

217. CABINET - 2 SEPTEMBER 2019

The Chairman, Councillor Dr Walsh, presented the Minutes from the meeting of Cabinet held on 2 September 2019, which had been circulated separately to the agenda.

218. OVERVIEW SELECT COMMITTEE - 3 SEPTEMBER 2019

The Chairman, Councillor Coster, presented the Minutes from the meeting of the Overview Select Committee held on 3 September 2019, which had been circulated separately to the agenda.

Councillor Dendle confirmed that he wished to make a Statement in accordance with Council Procedure Rule 13.2 in relation to Minute 184 [Combined Cleansing Services Contract – Review of Performance Since Award and Extension of Contract]. He referred to the discussion that had taken place at the meeting about the Council's green waste service and what methods could be introduced to boost recycling levels. He had proposed that garden waste collections should be provided to all residents without charge and it had been disappointing that his proposal had not been supported.

A response was provided confirming that the wider aspects of this approach needed to be addressed first along with other initiatives. It was emphasised that the Council faced huge challenges around West Sussex County Council's (WSCCs) approach to recycling and so it was necessary to look at all alternatives to make recycling work for the Council.

Councillor Buckland confirmed that he wished to make a Statement on the same matter in accordance with Council Procedure Rule 13.2 relating to the carbon footprint. He held the view that more work needed to be undertaken with Central Government in terms of the recycling of the batteries from electric vehicles. His other concern related the amount of electricity that was used to power up electric car batteries which he felt also needed further research as electric vehicles became more popular.

Councillor Coster, as Chairman of the Committee, raised one final point. He had become aware that during the meeting a Member of the Committee had used his mobile phone at the table to take pictures of certain Councillors which had then been published onto social media following the meeting without the consent of those Councillors. Councillor Coster made a request that the publication of such photographs be investigated to ensure that this action was not in breach of the Council's Filming and Recording of Meetings Protocol.

The Councillor responsible confirmed that he had taken the pictures so that he could engage with the public. He apologised for this action but not for intending to engage with the public.

The Chief Executive confirmed that the Council did have a Filming and Recordings of Meeting Protocol in place, and he asked Members to ensure that they complied with it.

219. DEVELOPMENT CONTROL COMMITTEE - 4 SEPTEMBER 2019

The Chairman, Councillor Bennett, presented the Minutes from the meeting of the Development Control Committee held on 4 September 2019, which had been circulated separately to the agenda.

220. CONSTITUTION WORKING PARTY - 9 SEPTEMBER 2019

The Chairman, Councillor Mrs Yeates, presented the Minutes from the meeting of the Constitution Working Party held on 9 September 2019, which had been circulated separately to the agenda.

The Chairman alerted Members to the first of a series of recommendations at Minute 5 [Constitutional Amendments – Officer Employment Rules]. Councillor Mrs Yeates outlined that this had been a major review of this section of the Constitution which had been undertaken to take account of changes to legislation since the Officer Employment Rules had been drawn up. As this part of the Constitution has not been reviewed for some years a complete re-write had been necessary to also consider best practice and Joint Negotiating Committee guidance. Councillors were advised that Appendix 1 in their second bundle of papers set out the replacement text to be adopted which would make managing staff more straight forwards from a day-to-day operational perspective. Councillor Mrs Gregory then seconded the recommendations.

The Council

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RESOLVED - That

(1) The proposed changes to the Constitution at Part 6 [Procedure Rules (Other)], Section 7 [Officer Employment Rules] as set out in the replacement text at Appendix 1, as attached to the minutes, be approved;

(2) Article 4, paragraph 2.0(o) be amended to add the words shown in bold below:

“Approving the dismissal in a disciplinary matter of the Head of Paid Service (Chief Executive), Directors, Section 151 Officer and Monitoring Officer based on a recommendation from the Statutory Officers’ Investigatory and Disciplinary Committee;

(3) Article 4, paragraph 2.0(p) be amended to remove the words crossed through and add the words shown in bold:

“Approving terminations of service of the Head of Paid Service (Chief Executive) in respect of early retirement and/or redundancy within the framework of restructuring proposals, and any changes to the postholder’s terms and conditions in response to a request for flexible retirement.

(4) Amend Part 4 (Officer Scheme of Delegation), Section 2 (Chief Executive and Directors), paragraph 2.0 (Chief Executive) to add a further paragraph as shown in bold to read:

a. Settlement Agreements

- i. to agree terms for Settlement Agreements up to a cost to the Council of £50,000 in consultation with the Section 151 Officer;
- ii. to agree terms for Settlement Agreements up to a cost to the Council of £95,000 in consultation with the Leader of the Council, Leader of the Opposition and Section 151 Officer; and
- iii. to submit a report to Full Council for consideration on settlements of more than £95,000.

(5) Amend Part 4 (Officer Scheme of Delegation), Section 3 (Group Heads), paragraph 2.1 (Group Head of Corporate Support) to replace the word “Compromise” with “Settlement” in the title and text; and amend the figure of “£10,000” to read “£25,000”. To also replace the last sentence with the words “Settlements of more than £25,000 may be considered by the Chief Executive or Full Council dependent on their value as confirmed in Part 4 (Officer Scheme of Delegation, Section 2 (Chief Executive and Directors) and Article 4 (Functions of Full Council).”

(6) Amend Article 4 (Functions of Full Council) to add a further paragraph as shown in bold to read:

- a. Approving Settlement Agreements of more than £95,000.

(7) Amend Part 3 (Responsibility for Functions), paragraph 8.6 (Staff Appeals Panel) as shown crossed through and in bold below:

- a. *At the 1st bullet point* - Any financial settlement up to a limit of £25,000 for an individual claim to a compensatory payment. All financial claims relating to a regrading claim require a decision of Full

Council where a supplementary estimate is needed; and

- b. *At the 2nd bullet point* – “The non-financial terms for a confidentiality agreement or settlement agreement to settle a matter.”

(8) The Group Head of Council Advice & Monitoring Officer be authorised to make any further consequential changes to the Constitution.

Councillor Mrs Yeates then referred Members to the next set of recommendations at Minute 6 [Constitutional Amendments – Part 4 (Officer Scheme of Delegation for Crime and Disorder Act 1998 and the Anti-Social Behaviour, Crime and Policing Act 2014)]. Councillor Mrs Yeates explained that Full Council approval was sought to make changes to the Constitution in respect of decision making on matters relating to the Council’s response to crime, disorder and anti-social behaviour. Currently, in her position as Cabinet Member for Community Wellbeing, she had responsibility for making all decisions on such matters. However, to facilitate the operational requirements of application and enforcement, it was proposed that responsibility for these functions and associated two legislative acts be delegated to Senior Officers, under the Council’s Officer Scheme of Delegation. In her position as Cabinet Member, this would mean that she would continue to retain responsibility for Policy decisions under the legislation.

Councillor Mrs Yeates outlined that at the Working Party a slight amendment to Recommendation (2) a) had been made to ensure that such decisions could only be made by members of staff in the Senior Management Team consisting of the Corporate Management Team and Group Heads to provide additional capacity to the Council in responding to these operational matters. Councillor Mrs Gregory then seconded the recommendations.

The Council

RESOLVED – That

The following Constitutional amendments be agreed:

- (1) Part 3 (Responsibility for Functions), Section 3 (Cabinet Member Responsibilities) amend point (8) under the Cabinet Member for Community Wellbeing’s specific responsibilities to add the word shown in bold:

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- a) To make policy decisions on all matters arising from the Council's statutory responsibilities under the Crime and Disorder Act 1998 and the Anti-social behaviour, Crime and Policing Act 2014".
- (2) Part 4 (Officer Scheme of Delegation), Section 2, Sub-Section 2.0 (Chief Executive), paragraph 2.24 is amended as follows – additions are shown in bold and deletions crossed through:
- a) Pursuant to the Anti-social Behaviour, Crime and Policing Act 2014 power to issue Closure Notices for up to a maximum period of 48 hours and the power to delegate authority to other officers within the authority for the purpose of issuing closure notices for up to a maximum period of 48 hours. In the absence of the Chief Executive this authority is delegated to their nominees, these being members of the Senior Management Team [the Corporate Management Team and Group Heads].
 - b) Subject to 2(a), delete paragraph 3.16 at Part 4 (Officer Scheme of Delegation), Section 2, Sub-Section 3.0 (Director of Services).
 - c) Delete paragraph 3.15 at Part 4 (Officer Scheme of Delegation), Section 2, Sub-Section 3.0 (Director of Services).
- (3) Part 4 (Officer Scheme of Delegation), Section 3 (Group Heads), paragraph 4.1 (Group Head of Community Wellbeing) is amended as follows:
- a) Subject to 2(a), delete paragraph 4.1.2.
 - b) Insert new paragraph to read: To appoint local Business Wardens that are accredited with the Community Safety Scheme as authorised persons for the purposes of Section 63(1) of the Anti-social Behaviour Crime and Policing Act 2014.
- (4) Part 4 (Officer Scheme of Delegation), Section 3 (Group Heads) is amended as follows:
- a) At paragraph 3.2 (Group Head of Technical Services) insert new paragraph to read: "To issue written warnings prior to issuing Community Protection Notices, Community Protection Notices and Fixed Penalty Notices under the Anti-social Behaviour, Crime and Policing Act 2014".
 - b) Subject to 2(a), delete paragraph 3.2.10.
 - c) At paragraph 4.2 (Group Head of Residential Services) insert new paragraph to read: "To issue written warnings prior to issuing Community Protection Notices, Community Protection Notices and Fixed Penalty Notices under the Anti-social Behaviour, Crime and Policing Act 2014".
 - d) At paragraph 4.3 (Group Head of Neighbourhood Services) insert new paragraph to read: "To issue written warnings prior to issuing

Community Protection Notices, Community Protection Notices and Fixed Penalty Notices under the Anti-social Behaviour, Crime and Policing Act 2014”.

- (5) The Monitoring Officer is authorised to make further consequential changes to the Constitution arising from the implementation of recommendations 1 – 4 above.

The Chairman then referred Members to the next recommendation at Minute 7 [Arun District Council’s Members’ Allowances Scheme – Guidance] and reminded Members that at the last meeting of Full Council, a new Members’ Allowances Scheme had been approved. To meet statutory requirements, there was now a need to publish guidance on how the scheme would be administered in the Council’s Constitution at Part 9. Councillor Mrs Gregory then seconded the recommendation.

The Council

RESOLVED

That the guidance set out in the Appendices attached to these Minutes be added to Part 9 of the Constitution – Members’ Allowances.

The Chairman then alerted Members to the final two recommendations at Minute 8 [Constitutional Amendments – Part 5 – Rules of Procedure (Meetings) – Section 1 – Council Procedure Rules. Councillor Mrs Yeates explained that approval was being sought to add a new Rule 14.3 to Section 7 of the Constitution in respect of Special Meetings to confer the Title of Honorary Alderman at Paragraph 4 (Special Council Meetings). It was outlined that there was a stipulation under Section 249 of the Local Government Act 1972, that no other business shall be conducted at such meetings. The inclusion of this new Rule would ensure just that, that Special Meetings of the Council to confer such titles would be one item meetings to allow the civic and ceremonial elements of this unique occasion to be enjoyed.

Having been seconded by Councillor Mrs Gregory, the Council

RESOLVED – That

- (1) Approval be given to a new Rule 4.3 being added at Part 5 of the Constitution – Rules of Procedure (Meetings) – Section 1 – Council Procedure Rules to read as set out below:

SPECIAL MEETINGS TO CONFER THE TITLE OF HONORARY ALDERMAN

A Special meeting of the Council may be called by the Chief Executive in consultation with the Chairman of the Council and Political Group Leaders to consider conferring the title of Honorary Alderman on a former Councillor who meets the Council’s agreed protocol.

At such meetings, the business to be followed will be:

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- (1) Election of Chairman/Vice-Chairman [if not present]
- (2) Declarations of Interest
- (3) Conferment of the title of Honorary Alderman

As required by Section 249 of the Local Government Act 1972, no other business shall be conducted at such a meeting.

- (2) Agree that the Group Head of Council Advice and Monitoring Officer be authorised to make any further consequential changes to the Constitution.

221. MOTIONS

The Chairman announced that three Motions had been received in accordance with Council Procedure Rules 14.1 and 14.2.

The Chairman invited the proposer of the first Motion, Councillor Dixon to present the Motion which he duly proposed. The Motion was seconded by Councillor Coster. The Motion read as follows:

Motion relating to climate change and the implications for large scale development on the coastal plain

Climate change is real. It doesn't matter whether we believe it is man-made or the end of the last ice age – climate change is happening – and quickly.

We are compelled, against our will, by government, to build 20,000 new homes on a coastal plain. As Councillors we are required to consider and determine planning applications for 20,000 new homes on this part of the coastal plain in the coming years.

Yet, here in Arun District the environmental risks are already substantial and increasing. The district is uniquely unsuitable for large scale development because it is particularly vulnerable to the risks arising from climate change, in addition to every type of flooding that already occurs in this country.

In Paleolithic times the land we now live on was under the sea. The Slindon, Norton and Aldingbourne raised beaches, roughly following the line of the A27, remind us where the beach once was. If the coastal plain was under the sea once, it can be again.

Sea levels have been rising since the end of the last ice age (approx. 11,700 years ago) and continue to do so. As sea levels rise, and extreme weather events increase, as anticipated by scientists around the world, flood risk will increase significantly, yet we have no coherent and deliverable plan or funding for effectively guaranteeing the prevention of this risk to the residents of the district.

Large scale development in an area at risk of coastal and tidal flooding, flash flooding, surface water flooding, groundwater flooding from chalk aquifers and fluvial flooding is irresponsible.

Because we live on a coastal plain the land is flat and the water table is very high. Drainage of surface and ground water to the sea is slow, even more so at times of major weather events, via a small network of rifes that are tide locked twice a day. We also have the South Downs to the north shedding water southwards towards the coastal plain and sea.

Against this background, this council believes that the Local Plan does not adequately protect new and existing communities from increasing flood risk. Therefore, we have no confidence in the Local Plan.

The Council calls on the Government to introduce a moratorium on large scale development in the Arun District whilst climate change and its potential impact on coastal plain development is properly assessed at governmental level.

The Council instructs the Chief Executive to write to the appropriate government Minister to notify him/her of this motion and to request a meeting with the Minster in order to discuss it.

We also call on local MPs to engage with the concerns raised in this motion and to assist the council in taking these concerns to Government”.

Councillor Dixon then provided the meeting with a detailed presentation outlining what the impacts would be for the District as a result of rising sea levels. His presentation also covered what the long-term implications would be in terms of large-scale development.

Councillor Dixon stated that if the coastal plain had been underwater before, then it could be again and so the protection of residents was vital. He believed that the Council’s Local Plan did not adequately protect new and existing communities from increasing flood risk and due to this he held no confidence in the Council’s Local Plan. He therefore urged Members to agree with his Motion requesting the Council to call on the Government to introduce a moratorium on large scale development in the District whilst the impacts of climate change on coastal plain development could be assessed. This could be achieved by the Council’s Chief Executive notifying the relevant Government Minister of the Motion by requesting a meeting to discuss it. The Council’s three Members of Parliament were also requested to engage with the sentiments of the Motion and to assist the Council in taking these concerns to Government.

The Chairman then invited Members to debate the Motion. The first to speak was Councillor Jones who stated that he wished to propose an amendment to the end of the third paragraph of the Motion to read as set out below – additions have been shown in **bold**:

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The Council calls on the Government to introduce a moratorium on large scale development in the Arun District whilst climate change and its potential impact on coastal plain development is properly assessed at governmental level. **“The Council also calls on the Government to, as part of this assessment, report on the terrain of the Arun District and which areas are expected to be lost as a result of rising high tide marks, increased saturation of the water table and alteration of the flood plains - with reference to global sea levels of +0.5m, +1, +2 and +3m.”**

Councillor Jones explained that he supported the Motion but felt that added pressure needed to be applied to Central Government on this topic as climate change encompassed a huge range of issues. He held concern that many of these that needed to be focused on could not be backed up by the necessary scientific studies. This was not just about climate change, rising sea levels was also a major concern. Studies could prove that sea levels could rise by half a metre or more by the end of this century as a result of pollution. This was specifically relative in the medium to short term as it could not be underestimated what the impacts for the District would be. Councillor Jones hoped that other Councils would follow Arun’s stance and press Government for the appropriate data to be used when considering large scale development in the future.

Councillor Mrs Catterson then seconded the amendment.

The Chief Executive asked Councillor Dixon if he and his seconder would be happy to accept Councillor Jones’ amendment being added to his Motion. Councillor Dixon confirmed that they were both happy for the amendment to be added to his Motion.

The Chairman then invited debate on the amended Motion. Councillor Ms Thurston confirmed that she wished to propose a short amendment to add a few words to the first paragraph of the Motion to read as set out below [additions have been shown in **bold**]:

Climate change is real. It doesn’t matter whether we believe it is man-made or the end of the last ice age – climate change is happening – and quickly. **Earlier this year, the UK Parliament declared an Environment and Climate Emergency.**

Councillor Ms Thurston in proposing her amendment stated that she felt these words would add strength to the Motion. She felt it necessary to remind the Government of its own declaration made and that it was now duty bound to act upon it bearing in mind that it had declared a climate change emergency.

Councillor Mrs Catterson then seconded this amendment.

A Point of Order was then raised in which concerns were aired over the procedural aspects in debating and voting on this Motion.

The Chief Executive confirmed that two amendments to the Motion had now been proposed and seconded. The first amendment had been accepted by the proposer and seconder of the Motion, Councillor Dixon. If he now felt able to accept this second amendment, it would be easier for the Council to then continue to debate and then vote on the Motion, as amended.

The Chief Executive asked Councillor Dixon if he and his seconder would be happy to accept Councillor Ms Thurston's amendment being added to his Motion. Councillor Dixon confirmed that they were both happy for the amendment to be added to the Motion.

The Chairman then invited debate on the amended Motion.

Various Councillors spoke against the Motion. The point was made that at the last meeting of the Council various statements had been made on managing the coast in a changing climate. This had resulted in the Cabinet confirming that there was no intention of the Council giving up the sea defences along the Arun coastline. Requests had also been made that a stop should be put to scaremongering and frightening residents on this topic. At the same meeting, a Motion had been debated on how the Council could improve the level of sustainability of all developments in comparison to the present position and it had also been resolved that this work be carried forward through the Planning Policy Sub-Committee. This Motion was asking Councillors to declare that they had no confidence in the Council's adopted Local Plan and to agree a moratorium on large scale developments whilst instructing the Chief Executive to write to the appropriate Minister seeking a meeting. It was a fact that global warming and climate change were the direct result of population growth and it was due to this that the present arrangements for Local Plans and Neighbourhood Plans had been introduced. As population grew, more homes were needed to house residents in sustainable development. Without a National Planning Policy Framework speculative development would lead to an inability to provide homes to meet the need of the population in the locations where homes were needed. This was why the Council had a Local Plan which included specific policies on green infrastructure; natural environment; and flooding including sustainable drainage. All of these assessments had been included within the Local Plan and were well understood by the relevant organisations such as the Environment Agency. Based on this, some Councillors could not support this element of the Motion as the areas of concern raised were specifically and adequately covered in the Local Plan.

Other Councillors speaking against the Motion stated that they could not envisage Government supporting implementing a moratorium on large scale developments in the District due to the support of all three main political groups to increase rates of housebuilding to house the growing population. It was also unclear whether the moratorium would cover the number of homes for which permission had been granted and were either already in development or awaiting development. It needed to be pointed out that any delay in carrying forward agreed developments would result in rising levels of homelessness; a reduction in Section 106 contributions supporting infrastructure improvements and a reduction in income from New Homes

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Bonus. It was felt that the Motion did not address the issue of homelessness and would make that situation worse.

Those speaking in favour of the Motion could not agree with the statements just made. It was stated that the reasons for climate change such as population growth could not be accepted. One of the reasons lying behind climate change was the behaviour of people. It was accepted that housing for young people was needed. What had to be looked at was where these houses would be built – in areas where people had major concern about flooding now and in the future. The anticipated timeframe for increased sea levels was not far away. This Motion was simply asking for some breathing space so that the Council could take another look at these unpopular and contentious areas. The Motion, if accepted, need not hold up housebuilding, it was about looking at local challenges for Central Government to review.

There were some Members who expressed views for and against the Motion. It was pointed out that proposals for creating an Eco Town at Ford has been fully discussed some years ago but had not been pursued for all sorts of reasons. Much debate had taken place in agreeing housing numbers with the Council challenging these figures on two or three occasions since 2006. All these facts had been fully covered when the Council had agreed the Local Plan. The Council had a legal obligation to assess planning applications against the Local Plan. Failure to do this would lead to more planning appeals and losing controlling of the planning system.

Councillor Coster, as seconder to the Motion, confirmed that the Council should not rule out the fact that sea levels were rising and that if predictions materialised this meant a considerable rise within the next 60 years. This was why the Council had to adopt a sensible precautionary attitude in planning for this possibility to ensure that residents were protected. The Council's Local Plan was not adequately covering this threat. What was needed was a coherent and funded plan which needed to come from Central Government level. A moratorium would introduce a temporary pause allowing a proper assessment to take place about what could happen.

Councillor Dixon, as proposer of the Motion, stated that he felt that many Members had not understood it. He had presented evidence that sea levels would increase to where they had once been. Although the precise timescales were not known, this was why Government needed to look at the unique situation forming Arun's coastal community. He felt sure that it would result in the Council being recommended to not build on some levels. On the issue of providing much needed housing, he agreed that houses were needed but should only be built on what would be dry land in the future, this was the main thrust of his Motion and this was why the matter needed serious consideration by Central Government and before the Council granted planning permission for thousands of houses in areas at risk of flooding. He was simply asking the Government to assess the risk prior to the granting of planning permission.

A request had been made for a recorded vote to be taken.

Those voting for the Motion, as amended were Councillors Bennett, B Blanchard-Cooper, Brooks, Mrs Catterson, Coster, Dixon, Mrs Erskine, Goodheart, Mrs Gregory, Mrs Hamilton, Mrs Haywood, Huntley, Jones, Lury, Oliver-Redgate, Oppler, Purchase, Smith, Mrs Staniforth, Stanley, Ms Thurston, Dr Walsh, Mrs Worne and Mrs Yeates (24). Those voting against were Councillors Bicknell, Bower, Mrs Caffyn, Chapman, Charles, Clayden, Mrs Cooper, Mrs Daniells, Dendle, Edwards, Elkins, English, Gunner, Kelly, Mrs Madeley, Miss Rhodes, Roberts and Mrs Stainton (18). Councillors Buckland, Hughes, Ms Seex, Tilbrook and Mrs Warr abstained from voting.

The Motion was therefore declared CARRIED.

The Council, therefore

RESOLVED

That climate change is real. It doesn't matter whether we believe it is man-made or the end of the last ice age – climate change is happening – and quickly. Earlier this year, the UK Parliament declared an Environment and Climate Emergency.

We are compelled, against our will, by Government, to build 20,000 new homes on a coastal plain. As Councillors we are required to consider and determine planning applications for 20,000 new homes on this part of the coastal plain in the coming years.

Yet, here in Arun District the environmental risks are already substantial and increasing. The district is uniquely unsuitable for large scale development because it is particularly vulnerable to the risks arising from climate change, in addition to every type of flooding that already occurs in this country.

In Paleolithic times the land we now live on was under the sea. The Slindon, Norton and Aldingbourne raised beaches, roughly following the line of the A27, remind us where the beach once was. If the coastal plain was under the sea once, it can be again.

Sea levels have been rising since the end of the last ice age (approx. 11,700 years ago) and continue to do so. As sea levels rise, and extreme weather events increase, as anticipated by scientists around the world, flood risk will increase significantly, yet we have no coherent and deliverable plan or funding for effectively guaranteeing the prevention of this risk to the residents of the district.

Large scale development in an area at risk of coastal and tidal flooding, flash flooding, surface water flooding, groundwater flooding from chalk aquifers and fluvial flooding is irresponsible.

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Because we live on a coastal plain the land is flat and the water table is very high. Drainage of surface and ground water to the sea is slow, even more so at times of major weather events, via a small network of rife that are tide locked twice a day. We also have the South Downs to the north shedding water southwards towards the coastal plain and sea.

Against this background, this council believes that the Local Plan does not adequately protect new and existing communities from increasing flood risk. Therefore, we have no confidence in the Local Plan.

The Council calls on the Government to introduce a moratorium on large scale development in the Arun District whilst climate change and its potential impact on coastal plain development is properly assessed at governmental level. The Council also calls on the Government to, as part of this assessment, report on the terrain of the Arun District and which areas are expected to be lost as a result of rising high tide marks, increased saturation of the water table and alteration of the flood plains - with reference to global sea levels of +0.5m, +1, +2 and +3m.

The Council instructs the Chief Executive to write to the appropriate government Minister to notify him/her of this motion and to request a meeting with the Minister in order to discuss it.

We also call on local MPs to engage with the concerns raised in this motion and to assist the council in taking these concerns to Government.

The Chairman then invited Councillor B Blanchard-Cooper to present his Motion – this was Motion 2 which read:

“The Council believes that the decision by West Sussex County Council to enforce a blanket license fee for the use of tables and chairs on highways to be unfair, unjust, short sighted. This seems to have undergone no measurable research against similar charges made by other similar authorities. We request an urgent meeting with West Sussex County Council to find resolution to this punitive measure that will protect the economic future of the Arun District”.

Councillor B Blanchard-Cooper stated that West Sussex County Council’s decision had been ill thought out and would be detrimental to Arun’s business community. He had contacted the Leader of West Sussex County Council, the copy of the email and the response received had been circulated to the meeting. The email had asked a series of questions and raised concerns and it was hoped that the response received might have cultivated a constructive way forward. Unfortunately, a bland list of answers had been received. Councillor B Blanchard-Cooper stated that although he had been disappointed at the response received, the Cabinet Member for Highways and Infrastructure at WSCC, Councillor Elkins, had been in contact and had offered to meet to discuss the concerns listed. Based on this latest chain of events, Councillor B Blanchard-Cooper stated that he now wished to withdraw his Motion.

The Chairman then invited Councillor Bennet to present his Motion, this was Motion 3 which had been set out in the second bundle of papers issued. The Motion read:

“I make a request to change the following section of the Council’s Constitution- Part 3- Responsibility for Functions-Paragraph 4.2- Development Control Committee in terms of its stipulation that no more than 2 Members can also be Cabinet Members.

This will enable Cabinet Member Substitutes to replace any member on the Development Control Committee should they not be able to attend. It will also ensure that this vitally important committee has full representation at each meeting, which will help deliver the best possible service to the community of Arun District.”

Councillor Bennett outlined that the Development Control Committee was one of the Council’s most important Committees. Some of the Members on this Committee were Members who worked and so it was not always possible for them to be able to attend all meetings, sometimes apologies had to be given and at short notice. The Council’s Constitution limited the number of Cabinet Members who were able to sit on the Committee to two. This made substitution arrangements difficult if the Liberal Democrat Group found that a named substitute who was also a Cabinet Member needed to substitute a Member of the Committee who was not a Cabinet Member. The Motion aimed to resolve this issue.

Councillor Oppler seconded the Motion.

In debating this Motion, Councillor Dr Walsh stated that having discussed the Motion with the Council’s Monitoring Officer, he believed there some ambiguity in what was being proposed and so he therefore wished to propose an amendment to make the Motion clear. The amendment is set out below with deletions shown using ~~strikethrough~~ and any additions shown in **bold**.

“I make a request to change the following section of the Council’s Constitution- Part 3- Responsibility for Functions-Paragraph 4.2- Development Control Committee in terms of its stipulation that no more than 2 Members can also be Cabinet Members **and increase this figure from 2 to 4**.

This will enable Cabinet Member Substitutes to replace ~~any~~ **a relevant Group** Member on the Development Control Committee should they not be able to attend. It will also ensure that this vitally important committee has full representation at each meeting, which will help deliver the best possible service to the community of Arun District.”

Councillor Oppler, as seconder, and Councillor Bennett, as proposer to the Motion confirmed that they were happy to accept this amendment.

The Chairman then invited debate on the Motion, as amended.

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Debate saw several viewpoints being expressed. A couple of Members felt that to extend the Membership of the Committee to allow up to four Cabinet Members to be able to sit on the Committee was too big an increase and that the matter needed wider debate at the Constitution Working Party where more legal opinion could be gained.

In response, the Group Head of Council Advice & Monitoring Officer confirmed that the appropriate Regulations had been checked and this was why it had been recommended that a cap on the level of Cabinet Member attendance be added to the Motion. The further amendment in the second paragraph also ensured that the political balance of the Committee would always be maintained.

Other Members spoke in support highlighting that the most important element of the Motion was to ensure that the Committee had full representation at each meeting.

Having voted on the amendment, it was declared CARRIED.

The Council

RESOLVED – That

(1) the following section of the Council's Constitution - Part 3 - Responsibility for Functions -Paragraph 4.2 - Development Control Committee be changed in terms of its stipulation that no more than 2 Members can also be Cabinet Members and increase this figure from 2 to 3.

(2) This will enable Cabinet Member Substitutes to replace a relevant Group Member on the Development Control Committee should they not be able to attend. It will also ensure that this vitally important Committee has full representation at each meeting, which will help deliver the best possible service to the community of Arun District.

222. QUESTIONS FROM MEMBERS

The Chairman confirmed that the Questions from Members along with their responses had been circulated to the meeting and so this would be put without discussion, in line with the Constitution.

The Chairman then invited each questioner to ask a supplementary question.

Each of the questioners asked supplementary questions. These questions and the supplementary responses can be found on the schedule attached to these Minutes.

223. REVIEW OF GOVERNANCE ARRANGEMENTS

The Deputy Leader of the Council and Cabinet Member for Corporate Governance, Councillor Oppler, presented a report that sought Members' views on whether the Council should conduct a review of governance arrangements moving from the current Cabinet arrangement to a new Committee style structure. The report highlighted the scope for a review process and how this could be taken forward.

Councillor Oppler outlined his personal view that a Committee style structure did have the advantage of involving the maximum number of members in decision making and provided more opportunity for the voice of members to be heard. A review of this nature would provide an opportunity for all political groups to work together and to come up with a Committee system that would not only work for the Council but for all residents of Arun too. Having proposed the recommendations in the report, Councillor Dr Walsh then duly seconded them.

In discussing the recommendations, many Councillors welcomed the opportunity for review, though some concerns were expressed over the timeline in place for concluding this work. It was acknowledged that there was considerable work involved with a review of this nature and whether this could be achieved in time for a new Committee system to be introduced in May 2020. Concern was also expressed that the cost of undertaking and implementing this work had not been included in the report.

Despite the short timescale in place, it was hoped that the Working Party would be able to scrutinise thoroughly all the issues in determining a new decision-making process, looking at the upside and downside benefits.

Having concluded to support the recommendations in the report and the establishment of a Governance Working Party to take forward this specific task, the following membership nominations were put forward as follows:

Liberal Democrats – 4 Members – Councillors Mrs Gregory, Oppler, Stanley and Dr Walsh

Conservatives – 4 Members – Councillors Bower, Charles, Gunner and Mrs Pendleton.

Independents – 1 Member – Councillor Dixon

Green – 1 Member – Councillor Ms Thurston

Other Independents – Councillor Mrs Daniells

The Council

RESOLVED – That

- (1) A review of governance arrangements being conducted is agreed;
- (2) A Governance Working Party is established to undertake this review based on the following terms:

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Terms of reference	(i) To conduct a review of the Council’s governance arrangements exploring the advantages and disadvantages of moving to a Committee system. (ii) The review to work to the Local Government Association and Centre for Public Scrutiny’s guidance “Rethinking governance – practical steps for councils considering changes to their governance arrangements” and to take account of experience in other district and borough local authorities.
Size of the Working Party	11 Members with seats allocated based on the political balance of the Council as follows: <ul style="list-style-type: none"> • Liberal Democrats x 4 • Conservatives x 4 • Independents x 1 • Green x 1 • Labour x 0 • Other Independents x 1
Nominations to the seats	Membership confirmed as follows: Councillors Bower, Charles, Mrs Daniells, Dixon, Mrs Gregory, Gunner, Oppler, Mrs Pendleton, Stanley, Ms Thurston and Dr Walsh
Vacancies to seats	To be for the relevant Group Leader to fill the vacant seat and report this for information to the next Council meeting
Timescale for the work to be undertaken	To consult with the Audit and Governance Committee before Full Council and by 15 January 2020 To report back to Full Council on proposals to: <ul style="list-style-type: none"> (i) Agree the formal resolution for any change to governance arrangements; and (ii) Instruct officers to take forward the work to re-design rules and procedures

(3) The Working party provides a report back to the next meeting of Full Council.

224. COMMITTEE MEMBERSHIPS

The Council received and noted the following changes in Committee Memberships:

- (1) Councillor Edwards to replace Councillor Oliver-Redgate as a Member of the Development Control Committee;
- (2) Councillor Chapman to replace Councillor Bicknell as a named substitute of the Development Control Committee;
- (3) Councillors Clayden to become a named substitute of the Development Control Committee;
- (4) Councillor Bower to replace Councillor Mrs Stainton as a Member of the Standards Committee;
- (5) Councillor Chapman to replace Councillor Mrs Madeley as a Member of the Audit & Governance Committee;
- (6) Councillor Charles to replace Councillor Dendle as a Member of the Members' IT Working Party;
- (7) Councillor Charles to replace Councillor Roberts as a Member of the Chief Executive's (CEO) Remuneration Committee;
- (8) Councillor Bicknell to now become a Member of the Housing & Customer Services and Environment & Leisure Working Groups;
- (9) Councillor B Blanchard-Cooper to replace Councillor C Blanchard- Cooper as the Vice-Chairman of the Littlehampton Regeneration Sub-Committee
- (10) Councillor Ms Thurston to now become a Member of the Housing & Customer Services and Environment & Leisure Working Group; and
- (11) The Assets of Community Value Appeals Panel is no longer required. The appeals process against a decision made under The Assets of Community Value (England) Regulations 2012 is to the First Tier Tribunal, not a Council body.

Having received permission from the Chairman, Councillor Dixon made a statement in relation to Councillor Bower's membership on the Standards Committee.

225. REPRESENTATION ON OUTSIDE BODIES

No changes to representation to Outside Bodies were reported to this meeting.

(The meeting concluded at 9.45 pm)

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 10 OCTOBER 2019

SUBJECT: A27 TRUNK ROAD - IMPROVEMENTS AT ARUNDEL

REPORT AUTHOR: Roger Spencer – Engineering Services Manager
DATE: 30 September 2019
EXTN: 37812
PORTFOLIO AREA: Technical Services

EXECUTIVE SUMMARY:

The report seeks authorisation to respond to Highways England with a corporately preferred option for the proposed improvements on the Arundel section of the A27 Trunk Road. It sets the reasons why Highways England has opted for a second non-statutory consultation; outlines the options put forward in the current consultation; and the issues identified as being pertinent to the various options.

RECOMMENDATIONS:

1. The Council responds to the Public Consultation as follows:

- 1.1.i. The Council supports the principle of improving the A27 at Arundel, as part of the National strategic road network, that links the Crossbush junction with the A27 to the west of the White Swan Hotel and in doing so, creating a bypass to dual carriageway standards for Arundel;
- 1.1.ii. The Council supports the objective of improving the economic well-being of Arundel and the region, and the social and environmental well-being of residents in Arundel and Walberton, Storrington and surrounding communities;
- 1.1.iii. The Council would urge Highways England to consider all potential opportunities on any preferred route corridor, which would further reduce the impact upon residents and the environment;
- 1.1.iv. The Council would encourage Highways England to construct any bypass and consequential embankment, viaducts and bridges to the highest possible architectural standard and to take appropriate account of any potential flooding issues;
- 1.2.i. In pursuance of 1.1i above, the Council supports Option 4/5AV1 (magenta) as set out in the Further Public Consultation document produced by Highways England (13/9/2019 revision), accepting that this route is partly within the South Downs National Park and that that an appropriate level of environmental mitigation will be necessary;
- 1.2.ii. Furthermore, the Council would offer the following comments on the other options:
- 1.2.iii.a. No objection to Option 4/5V2 (amber) but recognising the impacts on the South Downs National Park and Ancient Woodland.

- 1.2.iii.b. No support for the ‘on-line’ options i.e. Option 1V5 & 1V9 (cyan & beige respectively) because of the continued severance of Arundel.
- 1.2.iii.c. No support for Option 5BV1 (grey) unless the impact upon Walberton can be reduced.
- 1.2.iii.d. The Council recognises the potential environmental impact of Option 3V1 (crimson) but offers no opinion on it.
- 1.3. The Council would encourage Highways England to consider amending any ‘off-line’ preferred route to provide a junction between the proposed A27 Bypass and Ford Road to improve accessibility to and from communities (existing and proposed) south of the South Coast Mainline Railway and the residential amenity of residents in Ford Road, Arundel.
- 1.4.i. The Council would welcome further investigation into the routing of Footpath 2207 at Crossbush, with the potential for an on-line footbridge rather than a diversion that is routed close to the Arun Valley Railway
- 1.4.ii. The Council would encourage Highways England to consider using the port of Littlehampton and the River Arun to barge aggregate and other construction materials to the construction site
- 1.5. The Council would encourage Highways England to support, through their ‘Designated Funds’, the creation of a cycleway between the South Downs National Park via Arundel to the coast, along the River Arun and improved parking for commuters, tourists and residents at Ford Railway Station.

AND

- 2. The commissioning and submission of any Local Impact Statement required as part of a formal Development Consent Order process shall be delegated to the Director of Place. The Council would support the principle of working collaboratively with West Sussex County Council, Arundel Town Council, Walberton Parish Council and the South Downs National Park Authority to submit a single Local Impact Study on behalf of all the named authorities.

1. **BACKGROUND:**

1.1 Introduction

- 1.1.1. Highways England (HE), the Government company responsible for operating, maintaining and improving England’s motorways and major A (Trunk) roads, has developed a number of options for Arundel, to meet the Government’s current Road Investment Strategy (RIS).
- 1.1.2. From a long list of options, six have been put forward into the current consultation; the consultation runs from 30 August to 24 October 2019. More details of the consultation are at 1.2 below and on the HE website.
- 1.1.3. Members may recall that there have been a number of previous proposals and studies around improvements to the A27 at Arundel. The Council’s historic position prior to the last consultation was in support of the “pink/blue route”. This approximates to the current Option 3V1 (crimson) – figure 1 below.

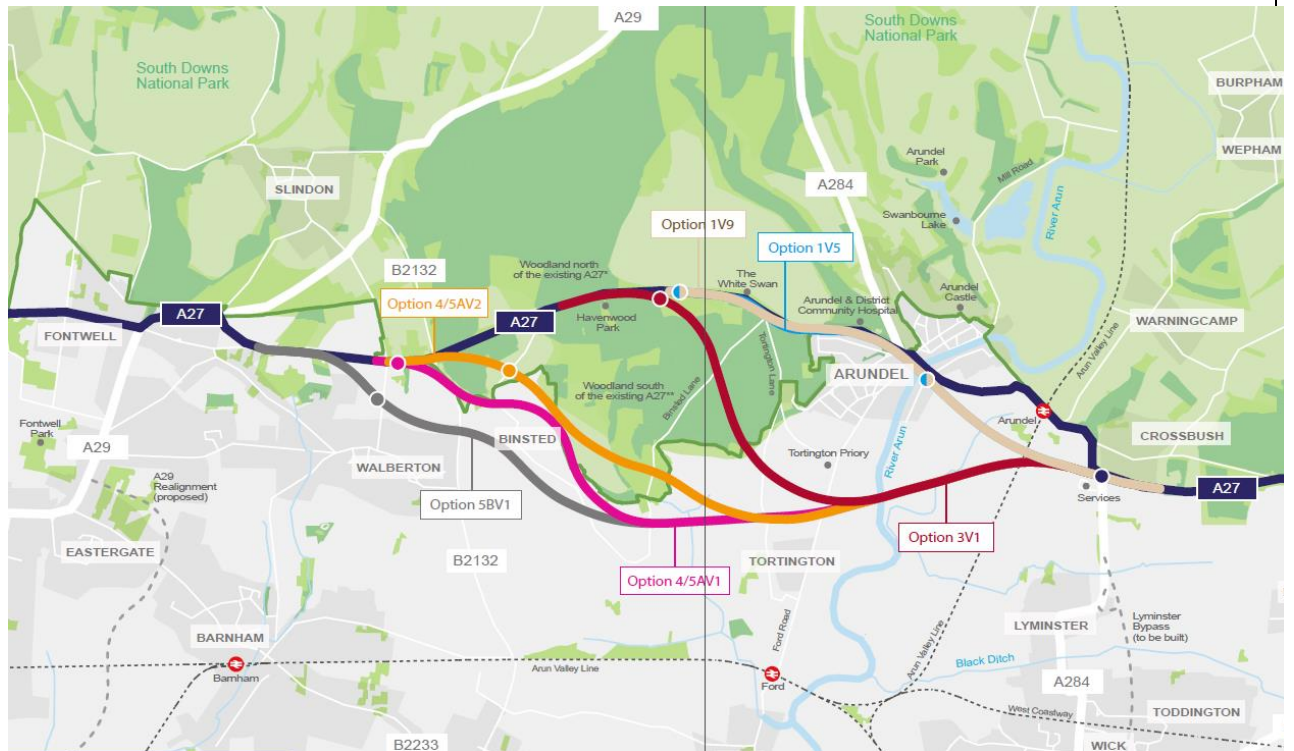


Fig. 1 Highways England's Six Options

- 1.1.4. From a consultation in 2017, the Council revised its preferred solution, to Option 5A (with a suggestion for a slight amendment); an equivalent of the current Option 4/5AV2 (magenta)
- 1.1.5. In May 2018 Highways England announced a preferred route (PRA) which was 5AV3. Work began developing the design which would lead to a submission an application for consent to the Secretary of State.
- 1.1.6. It was then, during the course of this work, that it was discovered that new information was available. This led to revised options and a wish by Highways England to seek views on the new options – the current 'further consultation'.
- 1.1.7. For a number of reasons, the PRA stands until there is a revised announcement.
- 1.1.8. As noted above, the old pink/blue route (now Option 3V1 (crimson)) has previously been the Council's favoured route and has been safeguarded in the emerging Local Plan.
- 1.1.9. The proposal for an improved A27 at Arundel fits into the Dept. of Transport RIS Package of 4 schemes on the A27 'corridor', alongside Chichester, Worthing & Lancing and East of Lewes. The Chichester scheme was cancelled in February 2017; Lewes is due to start construction in 2020 and Worthing is 'currently under review' (source: HE website).
- 1.1.10. The scope for the Arundel section, in the RIS, calls for a dual carriageway bypass linking the two existing sections of dual carriageway; whilst it forms part of a wider package, it is considered a standalone scheme, of significant benefit to traffic and one that is capable of being implemented independently of the others in the package.

- 1.1.11. There are a number of challenges and constraints (that apply to all options), including routing through Ancient Woodland, being within the South Downs National Park, passing close to housing and other settlements, rail and river crossings (flood plain) and being close to Scheduled Monument and Heritage assets.
- 1.1.12. Whilst there are these challenges, there are also benefits to improving the A27:- Reducing queues; improved journey times, air quality and road safety; removal of traffic from other, less suitable routes in the National Park; helping businesses and supporting the growth of tourism.
- 1.2. Consultation Process
- 1.2.1. The consultation runs from 30 August to 24 October 2019 with 12 manned exhibitions in and around Arundel and Littlehampton. Consultation material (maps & posters etc.) will be available at 4 locations (unmanned).
- 1.2.2. A comprehensive (32 page) brochure has been produced and this, with an accompanying questionnaire, is available at libraries and mobile libraries and Arun DC offices.
- 1.2.3. It is considered that the consultation should be as inclusive and as far ranging as possible; to this end Arun DC has worked with HE to involve local businesses in the process (in a neutral, facilitating process).
- 1.2.4. Coast to Capital (Local Enterprise Partnership) has previously stated a very strong view about the importance of investment in the A27 as a regional priority.
- 1.2.5. Responses to the consultation may be made via the hardcopy questionnaire available with the brochure, online, by email or telephone (all details within the brochure).
- 1.3. Options put forward by Highways England;
- 1.3.1. From a long list of options considered, six are being taken forward; two are within the current budget (£100m - £250m) but all six are value for money (Benefit: Cost ratio greater than 1) and meet other scheme objectives. All six options start in the east at the Crossbush Junction and are dual two-lane carriageway construction.
- 1.3.2. Option 1V5 (cyan) – from Crossbush, follows a north-westerly line across the water meadows, crossing the River Arun with a new bridge (alongside the existing bridge), crossing over the existing roundabout at Ford Road (no connection to the local road system at that point) and then is dualled towards Chichester.
- 1.3.3. Option 1V9 (beige) – from Crossbush, follows the same north-westerly line across the water meadows, crossing the River Arun with a new bridge (alongside the existing bridge), meeting up with the existing A27 at Ford Road (new signal controlled ‘through about’ and then is dualled towards Chichester.
- 1.3.4. Option 3V1 (crimson) – from Crossbush, follows a westerly line across the water meadows to a new River crossing south of Tortington Priory, then north-westerly through the Ancient Woodland to re-join the existing A27 near to Havenwood Park. The by-passed section of the existing A27 would revert to being part of the local road network (subject to agreement with WSCC).
- 1.3.5. Option 4/5AV1 (magenta) – follows a similar route to Option 3V1 (crimson) but tracks further west, re-joining the existing A27 just west of the Yapton Lane / Shellbridge Road junction.

1.3.6. Option 4/5AV2 (amber) – would follow a similar, but slightly more easterly route to Option 4/5AV1; whilst slightly shorter, it would result in the loss of more Ancient Woodland.

1.3.7. Option 5BV1 (Grey) – As in all options, it would start at Crossbush, and as with the 3V1 (crimson), and both 4/5A options (magenta & amber), it would follow a westerly line across the water meadows to a new River crossing and be south of the existing A27 and it would re-join the A27 east of the A27/A29 roundabout at Fontwell.

Table 1 Headline facts and figures (Benefits & Impacts)

Option	1V5 cyan	1V9 beige	3V1 crimson	4/5AV1 magenta	4/5AV2 amber	5BV1 grey
Accidents avoided	411	397	379	527	727	676
Residential properties within 50m	120	142	3	29	21	41
Construction period (months)	36	34	36	32	32	36
Cost range (£m)	200 – 295	195 – 290	255 – 380	280 – 405	290 – 420	320 – 455
Benefit:Cost Ratio	1.7 – 2.5	1.6 - 2.3	1.7. – 2.4	1.5 – 2.2	1.6 – 2.3	1.5 – 2.1
Value for Money	Medium	Medium	Medium	Medium	Medium	Medium
Journey time saving (mins)	6 - 8	4 - 8	6 - 9	6 - 10	6 - 10	6 - 11
Impact upon woodland (km)	8.37	7.44	20.57	3.51	5.33	1.49
Within SDNP (km)	1.92	1.93	2.28	0.74	1.97	0

1.3.8. All options include a viaduct spanning the River Arun and a bridge over the Arun Valley Railway. The water meadows of the Arun floodplain to be crossed on an embankment, although all routes could be built on a viaduct (a decision on this taken after the preferred route is confirmed).

1.3.9. All routes would be 70mph (national speed limit) although in its current configuration, option 1V9 (beige) would need a 50mph limit in some sections.

1.3.10. The emerging Local Plan calls for high design standard; HE has provided examples of both embankment and viaduct in the consultation media, the former potentially helping with flood mitigation in the future and the latter being an elegant solution.

- 1.3.11. Much of options 3V1, 4/5AV1 & 2 and 5BV1 (crimson, magenta, amber & grey respectively) routes' west of the river crossing would be in cutting, with the need for over-bridges to take existing lanes and footpaths.
- 1.3.12. There are opportunities for environmental mitigation and compensation – e.g. green bridges, habitat creation, tree planting, flood management and screening in cultural heritage settings.
- 1.3.13. Deliverability: the potential risks to completing the scheme on time will have a bearing on the preferred option. Option 3V1 (crimson) has a major risk and challenge, that of environmental lobbying and finding (and the cost of) sufficient land for compensating for the loss of Ancient Woodland. There would be major requirements in terms of traffic management during construction for both Options 1V5 & 9 (cyan & beige).
- 1.3.14. The currently proposed alignment for all 'off-line' routes, i.e. Options 3V1, 4/5AV1 & 2 and 5BV1, (crimson, magenta, amber & grey) go south of Tortington Priory (to avoid anticipated archaeological conflict north of the Priory) but there is no junction with Ford Road indicated in the consultation. Highways England has said that there is equal opportunity for such a junction in all four off-line options and that this could be included in the stage 3 design stage, if an off-line option is chosen.
- 1.3.15. The main difference between the 'on-line' options, i.e. Options 1V5 (cyan) and 1V9 (beige), is that 1V5 (cyan) would be on a viaduct over the Ford Road junction (with no interaction with local traffic at that point), whereas 1V9 (beige) would include an 'at grade' (i.e. at the same/current level) junction – a so called 'through about'. This would leave the current congestion at the northern end of Ford Road, with potential for a worsening situation as and when the developments within the emerging Local Plan at Ford and elsewhere start to add to traffic counts.
- 1.3.16. It is clear that there is no 'ideal scheme' but whilst Options 1V5 and 1V9 are the cheapest and shortest routes, they seem to be the worst of the six for a number of other reasons, including but not limited to; dividing the town, noise and pollution, traffic management (during the work) and limitations of the route west of Ford Road.
- 1.3.17. Option 3V1 (crimson) has major impacts on the environment and consequential risks to deliverability and Option 5B1 (grey) has the disadvantage of having a greater impact on local communities than the other options.
- 1.4. Environmental considerations
 - 1.4.1. There are many environmental considerations and constraints and these include: bats, water voles, badgers and reptiles, as well as the South Downs National Park and Ancient Woodland status of some of the route corridors.
 - 1.4.2. In depth analyses of these considerations have been undertaken and the results are outlined in the further consultation brochure and in detail within the supporting documentation available.

1.5. Planning

1.5.1. The scheme is defined as a *Nationally Significant Infrastructure Project* (Planning Act 2008) and as such HE will need to obtain a Development Consent Order – to be lodged with the Planning Inspectorate and available to further comment. This will be part of the Statutory Consultation Stage (see below).

1.6 Timeline

2017/18	1 st Public Consultation (non-statutory) and analysis of feedback
May 2018	Preferred Route Announcement
Aug – Oct 2019 	Further Public Consultation (non-statutory) - then analysis of feedback
Early 2020	2 nd Preferred Route Announcement
	Statutory public consultation on details of preferred route
	Application for Development Consent Order
	Examination by Planning Inspectorate
	Decision by Secretary of State for Transport
2022	Construction commences
depending upon construction period for preferred option)	New road fully open (2026?)

1.7. Other opportunities

1.7.1. Highways England has a fund (Designated Funds) allocated to supporting local initiatives that are linked to their scheme but are outside of their core 'business as usual' framework – a candidate for this could be the support of a cycle route from the south, to Arundel Railway Station and potentially beyond, into the National Park

1.7.2. Both potential crossings of the River ('on-line' and 'off-line' options) are contained within the Littlehampton Harbour Board's limits. The port of Littlehampton would seem to be an ideal mechanism by which to supply the construction phase of the project and in doing so, to provide potential financial efficiencies and environmental advantages.

2. **PROPOSAL(S):**

2.1. Observations on the Options

2.1.1. All options feature a remodelled 'peanut' or 'dumbbell' roundabout at Crossbush in place of the existing arrangement

2.1.2. All options cross the Arun Valley railway line and within that crossing have provision for a footpath diversion; this puts the public closer to the railway and into a what would be dark space under the new road, when a footbridge could be provided on the existing line of the footpath.

- 2.1.3. Similarly, all options cross the water meadows in some way; all those crossings are currently shown as being on embankment, with a note to say that at detail design stage that could be revised to be a viaduct. A viaduct could look more elegant but there is scope for the embankment to be planted to reduce visual and noise impact. The degree to which the embankment could be planted may relate to the make-up of the embankment.
- 2.1.4. Option 1V5 (cyan) 'on-line' - would have a major impact on Arundel with a high level (non-connected) 4 lane bridge of the Arun and the Ford Road roundabout beside the existing, retained 2 lane bridge. There would be no direct access to the Hospital, London Road or the White Swan. The new road alignment would be closer to properties in Canada Road than as at present and would be relatively 'land hungry' to provide accesses.
- 2.1.5. Option 1V9 (beige) 'on-line' - would involve a wider new bridge over the Arun (to allow for slip lanes (8 lanes total crossing) and a major roundabout at Ford Road; this would have impact on local housing. From a pedestrian's point of view, provision at this roundabout is limited; north/south movement being controlled by traffic light sequencing, which is likely to reduce the smooth flow of traffic along the new road. There is restricted (access on and off the eastbound carriageway only) to the Hospital but no direct access to the White Swan.
- 2.1.6. Option 3V1 (crimson) is the first of the 'off-line' options - would cross the Arun further south but would cross Ford Road on a relatively high embankment (when compared to the remaining three options) and run quite close to the Tortington Priory. There is space south of the new road for a limited junction with Ford Road. The route then goes through the Ancient Woodland and South Down National Park; being within a cutting for much of this section would lead to a high level of 'land take' necessitating mitigation elsewhere.
- 2.1.7. Option 4/5VAV1 (magenta) – crosses the Arun in a similar location but crosses Ford Road further away from Tortington Priory, and appears to be on a slightly lower embankment than Option 3V1 (crimson). Both of these points lead to less restriction for the provision of a junction (albeit restricted) at Ford Road, which should be encouraged. The route divides the relatively isolated properties west of Ford Road and a large viaduct west of Tortington. The road then curves east of the nursery in Binsted Lane but takes a number of holes of the golf course, with further 'land take' at the reconnection point to the existing A27.
- 2.1.8. Option 4/5V2 (amber) – after a similar alignment to Tortington, the road turns tighter to take a shorter route through more of the SDNP and woodland. There is no direct eastbound right turn junction to Walberton, which may lead to more 'rat-running' on local roads.
- 2.1.9. Option 5BV1 (grey) – takes a similar route to Option 4/5V1 (magenta) to south of Binsted. There would be viaduct over the ravine though the golf course and Yapton Lane being realigned over the new road, with more of the golf course taken together with a portion of the proposed 'east of Tie lane development'.
- 2.2. Suggested response to Highways England on the various Options
- 2.2.1. Support the principle of a bypass for Arundel
- 2.2.2. Support for Option 4/5V1 (magenta)
- 2.2.3. No objection to Option 4/5V2 (amber) but recognising the impacts on the South Downs National Park and Ancient Woodland

<p>2.2.4. No support for the 'on-line options i.e. Option 1V5 & 1V9 (cyan & beige respectively) because of the severance of Arundel</p> <p>2.2.5. No support for Option 5BV1 (grey) unless the impact upon Walberton can be reduced</p> <p>2.2.6. The Council recognises the potential environmental impact of Option 3V1 (crimson) but offers no opinion on it.</p> <p>2.2.7. The Council would welcome further investigation into the routing of Footpath 2207 at Crossbush, with the potential for an on-line footbridge rather than a diversion that is routed close to the Arun Valley Railway.</p> <p>2.2.8. The Council stresses the importance of providing an interchange with Ford Road and recognises that this is best provided as part of Options 4/5V1 & 2 (magenta & amber respectively).</p> <p>2.3. <u>In view of the above, the following six actions are proposed in the Recommendations:</u></p> <p>2.3.1. Prepare a response to Highways England's consultation exercise, stating general principles,</p> <p>2.3.2. Include within that response the suggestions in 1.6 i.e. Support for Option 4/5V1 (magenta) and comments on the other Options,</p> <p>2.3.3. Set out the Council's wish to see included a junction with 'off-line' routes at Ford Road (restricted to access/egress to the south)</p> <p>2.3.4. Encourage Highways England to consider further suggestions in respect of the Options and the use of the River as a logistical supply route for the works</p> <p>2.3.5. Encourage Highways England to consider how its Designated Fund might be used in the Arun / Arundel area in line with para 1.7.1,</p> <p>2.3.6. Commission and submit a Local Impact statement required as part of a formal Development Consent Order process.</p>		
<p>3. OPTIONS:</p> <p>1 Provide a response (as recommended);</p> <p>2 Provide a response advocating an Option not as the Recommendation;</p> <p>3 Not to provide a response</p>		
<p>4. CONSULTATION:</p> <p>Wide ranging Public consultation undertaken by Highways England, including around 67,000 letters to householders and a wide-ranging approach to businesses; exhibitions (manned and static) and a widely available brochure & questionnaire with supporting information available on-line.</p>		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	See above	
Relevant District Ward Councillors		
Other groups/persons (please specify)		

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability	✓	✓
Asset Management/Property/Land		✓
Technology		✓
Safeguarding		✓
Other (please explain)	✓	
6. IMPLICATIONS: Sustainability – Highways England will need to undertake a full environmental assessment Other – The general route of Option 3 has been safeguarded in the Emerging Local Plan NB – the existing RPA stands (as at May 2018 – i.e. 5AV3) until varied.		

7. REASON FOR THE DECISION:

To enable a formal response to be made to Highways England’s public consultation with the aim of securing an improvement to the economic well-being of Arundel and the region.

8. BACKGROUND PAPERS:

“A27 Arundel Bypass Further public consultation” consultation brochure & questionnaire – Highways England (previously circulated to all Members), with technical supporting papers available.

The revised version is available via https://highwaysengland.citizenspace.com/he/a27-arundel-bypass-further-consultation/supporting_documents/A27%20Arundel%20Bypass%20Further%20%20public%20consultation%20%20Have%20your%20say.pdf NB1 – revision date 13 September 2019 NB2 – Members informed of revision.