

**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 16 SEPTEMBER 2020 AT 6.00 PM**

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

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

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated: - Councillor Mrs Hamilton- Minute 182 (Part); Councillor Goodheart – Minute 182 to 183 (Part); Councillor Northeast – for the vote on Minute 195 [Audit & Governance – Minute 156]; Councillor Purchase – Minute 182 to Minute 195; Councillor Smith – Minute 198 to Minute 202; Councillors Chapman, Mrs Gregory, Purchase, Miss Rhodes and Miss Seex for the vote on Motion 1 – Minute 199; Councillors Chapman, Coster, Dixon, Mrs Gregory, Oliver-Redgate, Miss Rhodes, Miss Seex, Smith, Mrs Stainton, and Tilbrook on Motion 2 the first recorded vote; Councillor Chapman, Coster, Dixon, Mrs Gregory, Mrs Hamilton, Oppler, Miss Rhodes, Miss Seex and Smith on Minute 199 – Motion 2 the second recorded vote; and Councillors Chapman, Coster, Dixon, Mrs Gregory, Mrs Hamilton, Miss Rhodes, Miss Seex and Smith – Minutes 201 to 202].

182. WELCOME

The Chairman welcomed Councillors, representatives of the public, press and officers to the Council Meeting. A special welcome was extended to Honorary Alderman Norman Dingemans.

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183. TRIBUTE IN MEMORY OF FORMER MEMBER OF STAFF - CATHY SOUTHCOMBE

The Chairman announced the news that former Council Officer, Cathy Southcombe had passed away in early August 2020. Cathy had worked in the Council's Tourist Information Centres back in the 1990s at Arundel, Bognor Regis and Littlehampton but had been based more permanently at the Fontwell TIC office which had received the award "Best TIC in England in 1992".

The Chairman passed on the Council's thoughts and prayers to Cathy's family and friends at this time and then asked the Council to take part in a minute's silence to her memory.

184. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Caffyn, Mrs Catterson and Mrs Erskine and from Honorary Aldermen Mrs Goad, MBE, Mrs Morrish and Mrs Stinchcombe.

185. DECLARATIONS OF INTEREST

Councillor Northeast made a request for his name to be added to the usual table of declarations included in the minutes outlining those Councillors who had declared on their register of interest that they were either a Town, Parish or West Sussex County Councillor.

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 Kenton Batley | Bognor Regis |
| 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 Andy Cooper | 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 Claire Needs | Bognor Regis |
| Councillor Mike Northeast | Littlehampton |
| Councillor Francis Oppler | WSCC |
| Councillor Jacky Pendleton | Middleton-on-Sea and WSCC |
| Councillor Vicky Rhodes | Littlehampton |
| Councillor Emily Seex | Littlehampton |
| Councillor Martin Smith | Aldwick |
| Councillor Samantha Staniforth | Bognor Regis |
| Councillor Matt Stanley | 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 |

186. 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 and the Virtual Meeting Procedure Rules amended by the Council on 15 July 2020.

The Chairman confirmed that twelve questions had been submitted – these have been very briefly summarised below:

1. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding Bognor Regis Regeneration
2. From Mr Chester to the Leader of the Council, Councillor Dr Walsh regarding coastal erosion at Climping
3. From Mr Coppard to the Cabinet Member for Residential Services, Councillor Mrs Gregory regarding a housing issue surrounding his lodger
4. From Mrs Birch to the Leader of the Council, Councillor Dr Walsh regarding the Climate Change Emergency declared by the Council
5. From Mr Burt to the Cabinet Member for Community Wellbeing, Councillor Mr Yeates regarding the establishment of a community lottery

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6. From Mr Cosgrove to the Cabinet Member for Technical Services, Councillor Stanley regarding the Bognor Regis Arcade
7. From Mr Chester to the Leader of the Council, Councillor Dr Walsh regarding police presence in Littlehampton
8. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding the London Road Lorry Park in Bognor Regis
9. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding Bognor Regis regeneration and applying for a loan from the Local Government Loans Board
10. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding the consideration of regeneration proposals at a future meeting of the Bognor Regis Regeneration Sub-Committee
11. From Mr Cosgrove to the Cabinet Member for Commercial and Business Development, Councillor Coster regarding the climate for inward investment and new revenue streams for the District
12. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding the free transfer of the ownership of Hotham Park to Bognor Regis Town Council.

All of the questions were responded to and supplementary questions asked in respect of questions 1, 6 and 10.

(A schedule of the full questions asked and the responses provided can be found on the Pubic Question Web page at: <https://www.arun.gov.uk/public-question-time>)

The Chairman then drew Public Question Time to a close.

187. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

There were no questions for this item.

188. PETITIONS

The Chairman confirmed that no Petitions had been received

189. MINUTES

The minutes from the Full Council Meetings held on 15 and 22 July 2020 were approved as a correct record by the Council. The Chairman confirmed that these would be signed at the earliest opportunity available to her.

190. CHAIRMAN'S ANNOUNCEMENTS

The Chairman alerted Members to the list of engagements and events that had been attended since the meetings of Full Council held on 15 and 22 July 2020, which had been emailed to Councillors recently.

The Chairman then provided an overview of the events that she had attended during the Covid-19 lockdown period.

191. URGENT MATTERS

The Chairman confirmed that there was one urgent item requiring the consideration of the Council.

This was the need to present the minutes from the meeting of the Overview Select Committee held on 9 June 2020 which had been deferred at Full Council on 22 July 2020.

The Chairman confirmed that these minutes would be presented as a new Item 15a – prior to the presentation of the Minutes from the Overview Select Committee held on 1 September 2020. The minutes had been published to the Full Council web page on 15 September 2020 as part of the second supplement pack.

192. CABINET - 20 JULY 2020

The Chairman, Councillor Dr Walsh, presented the Minutes from the meeting of Cabinet held on 20 July 2020.

Councillor Dr Walsh alerted Members to a recommendation at Minute 91 [Supplementary Estimate to Defend Appeals at Middleton Poultry Farm [M/80/19/PL; Inglenook Hotel, Pagham [P/58/19/PL]; and Land East of Shripney Road, Shripney [BE/109/19/OUT]. Councillor Dr Walsh outlined that approval was being sought for a supplementary estimate of £40,000 to allow the Council to defend three planning appeals for major development where planning permission had been refused by the Development Control Committee. Councillor Dr Walsh formally proposed the recommendation which was then seconded by Councillor Lury.

In debating the recommendation many comments were made. Concern was expressed over the fact that the Planning Department had a very limited budget for this work and that the increase in workload for Officers could not be sustained by existing resources. Another concern, which had been detailed in the Officer's report, was that it may be difficult to find a consultant that would be willing to defend the decisions taken by the Council. It was felt that the Development Control Committee was making unreasonable decisions and that the £40k supplementary estimate request did not include the cost of potentially losing the appeals. The report had also warned Councillors of the fact that there could be further appeals that could place the Council back into this situation again.

Other opinions provided focused on the performance of the Planning Department in terms of defending appeals, and the quality of decision making at Development Control which was often contrary to Officer advice.

Following a lengthy debate,

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The Council

RESOLVED

That a supplementary estimate of £40,000 is agreed in order to defend decisions taken on planning applications M/80/19/PL, P/58/19/PL and BE/109/19/OUT at planning appeal be approved.

[The Band D equivalent for £40k supplementary estimate is £0.64].

193. HOUSING & CUSTOMER SERVICES WORKING GROUP - 21 JULY 2020

The Chairman, Councillor Bennett, presented the Minutes from the meeting of the Housing & Customer Services Working Group held on 21 July 2020.

Councillor Bennett confirmed that there was one recommendation to consider at Minute 9 [Work Programme] which was to approve the Working Group's Work Programme for the remainder of the Municipal Year 2020/21 which he formally proposed. The recommendation was then seconded by Councillor Mrs Pendleton.

The Council

RESOLVED

That the Work Programme for the Housing & Customer Services Working Group for 2020/21 be approved.

194. DEVELOPMENT CONTROL COMMITTEE - 29 JULY 2020

The Chairman, Councillor Bennett, presented the Minutes from the meeting of the Development Control Committee held on 29 July 2020.

195. AUDIT & GOVERNANCE COMMITTEE - 30 JULY 2020

The Vice-Chairman, Councillor Mrs Haywood, presented the Minutes from the Audit & Governance Committee held on 30 July 2020.

Councillor Mrs Haywood alerted Members to the first set of recommendations at Minute 156 [Treasury Management Annual Report] which she duly proposed. The recommendations were then seconded by Councillor Bennett.

The Council

RESOLVED – That

- (1) the actual prudential and treasury indicators for 2019/20 contained in the report be approved;
- (2) the annual treasury management report for 2019/20 be noted; and
- (3) the treasury activity during 2019/20 which has generated interest receipts of £850,000 (1.31%). Budget £596,000 (1.24%) be noted.

Councillor Mrs Haywood then alerted Members to the final recommendation at Minute 157 [Chairman's Annual Report] which she duly proposed. The recommendation was seconded by Councillor Bennett.

The Council

RESOLVED

That the content of the Chairman's annual report be endorsed.

The Chairman then adjourned the meeting for a short comfort break.

In proceeding to the next item on the agenda, the Chairman proposed a Motion without Notice to change the order of the agenda to allow Agenda Items 14 and 15 to be considered together. This Motion was seconded by Councillor Brooks. On this Motion being to the vote, it was declared CARRIED.

196. CONSTITUTION WORKING PARTY - 17 AND 24 AUGUST 2020

The Chairman, Councillor Mrs Yeates, presented the Minutes from the meetings of the Constitution Working Party held on 17 and 24 August 2020.

Councillor Mrs Yeates explained that the Constitution Working Party was reporting back to Full Council on the progress of the work to date in implementing the new governance arrangements. The minutes from the meeting held on 24 August 2020, contained a list of recommendations relating to Parts 1 to 5 of the Constitution. The background papers showing the replacement sections for Parts 1 to 5 of the Constitution had been uploaded to the Full Council website on 9 and 15 September 2020.

Councillor Mrs Yeates confirmed that there was a slight error in the minutes from the meeting of 24 August 2020 at Recommendation (4) in that the Service Committee set out in the third bullet point should read the Environment and Neighbourhood Services Committee and not the Environment and Wellbeing Service Committee. It was outlined that Parts 6 to 8 would be considered by the Working Party at its next meeting.

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Councillor Mrs Yeates then provided a summary and brief overview of the work undertaken by the Working Party on 17 and 24 August 2020 to assist Members in considering the list of recommendations before them. A summary of the verbal report made has been set out below:

- Part 1 – Summary and Explanation – It was explained that a glossary of terms had been drawn up which would be updated as necessary when Parts 6 to 8 of the Constitution were reviewed.
- Part 2 [Articles of the Constitution], any references to the Cabinet system had been removed and consequential changes made. At the heart of the Committee system was Article 11 where at Paragraph 3 four types of decision making had been identified being:
 - (a) Decisions reserved to Full Council
 - (b) Decisions made by Committees appointed by the Full Council
 - (c) Decisions made by Sub-Committees appointed either by the Full Council or a Committee
 - (d) Decisions made by Officers
- Part 3 of the Constitution [Responsibility for Functions]. Under the Committee system, little change had been made to Full Council. Looking at Committees, the new Constitution functions not reserved by Full Council would be delegated to the six Service Committees and no longer to Cabinet. This section of the Constitution identified the six Service Committees and the four Regulatory Committees. The role and remit of each of the Service Committees had been fully investigated and debated by the Working Party and the minutes had clearly detailed the key issues detailed below:
 - property matters - property and asset management. Following full debate, the Working Party had proposed that Asset Management Strategy and the Property Investment Strategy be the responsibility of the Economic Committee. It had then been suggested that the rational for the division of functions was that the Corporate Committee would be responsible for operational properties and that commercial properties would be the responsibility of the Economic Committee. An enquiry into how this would work has been commissioned by the Working Party and so this part of the review would be considered by the Working Party and therefore Full Council at a later date.
 - Development Control and Planning – It was agreed that any review relating to Development Control and Planning would be delayed until the outcome of the Planning review had been received.
 - Role and remit of the other Regulatory Committees – these were already in operation under the current form of governance.
 - Sub-Committees, Working Parties and Panels – Sub-Committees could be established by Committees or by Full Council. For the

existing two Regeneration Sub-Committees [which would be disbanded under the new system] it was agreed that should the Economic Committee wish to create Regeneration Sub-Committees, these would be established reporting directly into this Committee.

- Financial thresholds to Committees – strong views had been expressed about the level of thresholds
- At Part 4 - Chief Executive Delegation – a request had been made to add a new paragraph stipulating that the Chief Executive should not be able to grant a leave of absence for a Councillor and that this matter should be for Full Council to consider with the Chief Executive not being able to make such a decision under emergency action.
- Part 4 – Officer Scheme of Delegation – It was brought to Members' attention that Part 4, Section 2, Paragraph 3 onwards was the responsibility of the Chief Executive to draft and so was not within the remit of the Working Party and therefore not a decision for Full Council to make when the Constitution was adopted in May 2021.
- Part 4 – Officer Scheme of Delegation – Section 2 - Chief Executive and Directors – Urgent Decisions – for those decisions that needed to be made in between Committee or Full Council meetings, it was proposed to limit the urgent decision making threshold to £100k and to add that this had to be in consultation with Group Leaders or Deputy Group Leaders.
- Part 5 – Meeting Procedure Rules – all reference to Cabinet Procedure Rules had been deleted.
- The Public Speaking Rules for the Development Control Committee had been removed from this section with its principles incorporated into a proposed new Planning Protocol, as this would reflect good practice, but would be presented to the Working Party at a future meeting once the Planning Review had been completed.
- Virtual Meeting Procedure Rules had not been considered at this stage of the review as the legislation currently only provided for remote meetings to 6 May 2021. If further legislation was introduced by the Government to extend these provisions or to introduce other arrangements such as a 'hybrid' model, then these Meeting Procedure Rules would be revised at that time.
- Points of Order – wording had been added to provide Councillors wishing to raise a Point of Order reasonable time to indicate the Procedure Rule in question.
- Public Question Time – suggestions to change the current rulings in place for Public Question Time were not agreed. It was also agreed to limit Public Question Time to Full Council and Service Committees only.
- Referral and Recovery – it was explained that as the Council had chosen not to establish a Scrutiny Committee as part of the new structure, Officers had been requested to draft a referral and recovery option. This proposal had been accepted by the Working Party, subject to increasing the trigger number to 28 Councillors for both recovery and referral.

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Councillor Mrs Yeates then formally proposed the recommendations which were then seconded by Councillor Mrs Gregory.

The Chairman then invited debate on the recommendations. The debate saw concerns being raised over the potential cost to the Council and its ratepayers from moving from a Cabinet form of governance back to a Committee system. It was felt that this was not a wise use of money. Concern was also expressed over the speed of decision making under the new structure; the delegation to officers; the lack of scrutiny and the quorum for meetings. Under the proposals, this meant that just four Councillors could make key decisions without the opportunity for other Councillors to scrutinise such decisions as the existing Overview Select Committee would be abolished. Concerns were also raised over the need to address structure of the Council which needed to change to fit with the new Committee system and the new Constitution. Comments were made that the review of the Constitution had been rushed to meet an unrealistic deadline and so some Councillors stated that they needed more time to address these key issues.

A specific concern was raised in relation to the functions delegated to the Joint Area Committees as the South Downs National Park and other key organisations such as Southern Water and National Growers were not members of these Committees. The point argued was how could the delegated functions listed at (a), (b) and (d) be undertaken without these key players forming membership of these Committees when these functions were partly their responsibility. In view of these concerns, Councillor Bower, who had raised this issue, formally proposed that the delegation of functions for the Joint Area Committees be re-examined by the Constitution Working Party. This proposal was then seconded by Councillor Gunner.

Before inviting Councillors to debate this proposal, the Chairman asked the Chief Executive for his input. The Chief Executive confirmed that the delegation of functions for the Joint Area Committees had not changed and were as set out in the current Constitution.

A question was asked if Councillors would have the opportunity to review all aspects of the new Constitution before it became final and operating from May 2021. It was explained that as many of the remaining sections of the Constitution would be considered by the Working Party in October so that recommendations could be considered by Full Council at its next meeting on 11 November 2020.

More clarification was sought in relation to the delegated functions of the Joint Area Committees and whether Article 11 of the Constitution could be reviewed again by the Working Party. Following a lengthy debate, it was agreed that the Articles relating to Joint Area Committees and their associated delegated functions be reviewed further by the Working Party. In recognition of this, it was agreed to withdraw Recommendation (2) set out in the minutes as the Articles would be reviewed further.

Debate on the remaining recommendations continued and the Working Party was thanked for its hard work and long hours of deliberation. This illustrated how thoroughly all Sections of the Constitution had been reviewed. Concern was expressed over the decision made to abolish the scrutiny function of the Council, despite this decision having been made back in January 2020. It was pointed out that active scrutiny would still take place at Full Council and by each of the Service Committees. The delegated powers given to Officers was a concern and the point was made as to whether each of the Service Committees could take charge of this issue.

It had been disappointing for some Members to learn that the Working Party had decided not to make further adaptations to Public Question Time as it was felt that the 15 minutes allocated should be extended to 30 minutes. It had also been hoped that Public Question Time would be extended to include all Sub-Committees and questions were asked as to the future of the two existing Regeneration Sub-Committees.

Debate again focused about scrutiny and the keenness of some Members to have Public Question Time extended to a time period of 30 minutes. It was pointed out that any of the six Service Committees could establish their own Sub-Committees and that the Economic Committee would be investigating very early on the possibility of setting up four Regeneration Sub-Committees. To address the concerns raised over scrutiny, the new Council Procedure Rule 18 Referral and Recovery introduced a new process to allow a scrutiny function to take place. This had been significantly discussed by the Working Party as to whether it was necessary or not. After much deliberation, the Working Party decided to retain this as it provided an opportunity for Scrutiny.

Councillor Mrs Gregory, as seconder to the recommendations, urged Members to approve the recommendations as they more than adequately set out how Committees would operate in the future.

Councillor Mrs Yeates, as proposer of the recommendations, was satisfied that most issues raised by Councillors had been addressed.

The Council

RESOLVED – That

- (1) The proposed revisions to be incorporated into the new 2021 Constitution at Part 1 [Summary and Explanation] at Appendix 1 be approved;
- (2) The proposed revisions to be incorporated into the new Constitution at Part 3 [Responsibility for Functions] as set out in Appendix 3 be approved;
- (3) As a result of the changes proposed in (3) above, and provided these are approved, the minor changes being suggested to the Service Committees, as set out in Appendix 4] as shown highlighted in grey relating to the areas set out below, be approved:

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Corporate Policy and Performance

- Under service areas to include the wording after Partnership and Liaison [excluding where this falls within other Service Committees]
- To lead on@ to include Climate Change Strategy

Residential and Wellbeing Services to not lead on:

- Foreshores

Environment and Neighbourhood Services to lead on:

- Foreshores

Economic – to have included as a service area:

- Commercial Activities

(4) The proposed revisions to be incorporated into the new 2021 Constitution at Part 4 [Officer Scheme of Delegation] as set out in Appendix 5;

(5) The proposed revisions to be incorporated into the new 2021 Constitution at Part 5 [Meeting Procedure Rules] as set out in Appendix 6; and

(6) To comply with the binding decisions already taken by the Council to change its form of governance, these revisions to take effect from the Annual Council Meeting on 19 May 2021.

197. **OVERVIEW SELECT COMMITTEE - 9 JUNE 2020**

The Chairman, Councillor Northeast, presented the minutes from the meeting of the Overview Select Committee held on 9 June 2020 which had been circulated separately to the agenda as a Supplement.

198. **OVERVIEW SELECT COMMITTEE - 1 SEPTEMBER 2020**

The Chairman, Councillor Northeast, presented the minutes from the meeting of the Overview Select Committee held on 1 September 2020.

Councillor Northeast confirmed that there was one recommendation for the Council to consider at Minute 172 which was to approve the Committee's Work Programme for the remainder of 2020/21. Councillor Northeast formally proposed this recommendation which was seconded by Councillor English.

Councillor Gunner made a statement and asked questions in accordance with Council Procedure Rules 13.1 and 13.2 on Minute 171 [Cabinet Member Questions and Updates] in relation to responses that had been provided by the Leader of the Council,

Councillor Dr Walsh and other Cabinet Members as part of that item. Councillor Gunner referred to a range of issues which he felt were broken election promises made by the Liberal Democrat Group.

Following some discussion and having had a Point of Order raised, the Council returned to consider the vote on Recommendation 171 [Work Programme for 2020/21].

The Council

RESOLVED

That the Work Programme for the Overview Select Committee for the remainder of 2020/21 be approved.

Having received an explanation from the Chief Executive on Council Procedure Rules 13.1 and 13.2, the Chairman invited Councillor Gunner to continue to ask his questions on Minute 171 [Cabinet Member Questions and Updates].

Councillor Gunner made a statement outlining what were in his opinion broken promises made by the Liberal Democrat Group relating to revamping tourism; regeneration options for Bognor Regis; plans to enhance the heritage asset; the future of the Bognor Regis Arcade; and matters relating to Council Tax.

Councillor Dr Walsh responded reminding Councillors that the Council had been dealing with the Covid-19 pandemic for the past six months and that this had had to be the Council's priority. He confirmed that the Bognor Regis Town Hall could only be transferred to Bognor Regis Town Council has a sale and that it could not be gifted. Regeneration plans were ongoing for Bognor Regis but had been slowed down due to Covid-19. Finally, Councillor Dr Walsh confirmed that he was delighted with the cross-party Covid-19 Working Party that had been established by Cabinet to address how the Council would embrace recovering from the Covid-19 pandemic. This had been set up as a joint initiative from himself, as Leader of the Council, the Chief Executive and Councillor Gunner a Leader of the Opposition.

A range of further politically driven questions were asked by Councillors Chapman and Dendle which were responded to.

199. MOTIONS

Prior to the commencement of this item, the Chairman called a five- minute adjournment.

The Chairman confirmed that two Motions had been received and accepted as valid in accordance with Council Procedure Rules 14.1 and 14.2.

The Chairman confirmed that the first Motion had been submitted from the Green and Liberal Democrat Groups and she invited the proposer, Councillor Ms Thurston to present her Motion.

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Councillor Ms Thurston outlined that this Motion had been delayed from the 18 March 2020 Full Council meeting which had been cancelled due to the Covid-19 pandemic. She emphasised that many people had, during the lockdown period, valued wildlife more with some species benefitting from a pause in human activity, however this had been only been a short pause.

This Motion was very timely as the UN's report on Biodiversity had just been published and recent television programmes starring David Attenborough had addressed the real threat that some plants were threatened with extinction which was a major concern. This confirmed that the United Kingdom was one of the more nature depleted countries in the world with over half of its species being in decline caused by climate change, a loss of habitat and due to the impact of infrastructure and road building on natural habitats.

The Council's Local Plan stated that it would protect the District's land however it was currently the case that many examples were being overridden by conflicting demands – all too often a wildlife site was marooned and surrounded by development impacting local species. Arun was an area that was lucky to have rare chalk streams and sites of specific scientific interest as well as traditional farmland and a beautiful coastline. At the same time, more and more pressure was being put onto the Council to build on some of these areas and this threat would continue to increase.

This Motion sought to raise the profile of biodiversity moving forward and it sought to ensure that part of the work that the Council would be undertaking in addressing its climate emergency would seek to protect and enhance natural habitats. The Government's Environmental Bill recognised some of these problems and proposed a Nature Recovery Strategy together with funding for local authorities to protect biodiversity. If accepted, the Motion would put the Council into a good position to start work and when funding became available.

A lot of work had commenced but the Motion would bring the objectives that the Council needed to achieve together in the form of a Biodiversity Action Plan.

Councillor Mrs Staniforth then seconded the Motion.

The wording of the Motion has been set out below:

The Council declared a Climate Emergency at Full Council in January 2020. Whilst welcoming much good ecological work that is ongoing, such as tree planting and the planned creation of Green Infrastructure, further action is required. The Council will review and update the bio-diversity policies within the Local Plan, informed by a new Bio-Diversity Action Plan 2021-2026 to be created. This Action Plan to include consideration of the following:

- A local Nature Reserve site map, showing existing wildlife areas, parks, green spaces, woods and marine protected and other areas such as churchyards and school fields, to inform new development and ensure habitat is joined up.
- Reviewing recognised and potential wildlife corridors and areas of protection and looking at ways of joining them to provide wider foraging areas.
- SPD covering new guidelines for developers on including wild areas and 'pocket parks' as part of planting as well as ensuring the areas are maintained. With such high levels of building, these areas will ensure stepping-stones of biodiversity across the District.
- Ensuring the increased planting of wild areas in Council owned parks and properties
- Including information for the public about the purpose and importance of wilding
- Managing invasive species
- Promoting opportunities for community engagement for activities such as tree planting and the creation of wildflower areas as well as looking after such spaces
- Launching a public awareness campaign to encourage and promote wildlife-friendly gardening in the district, including pesticide awareness
- Setting a target for the council to phase out the use of glyphosates and to join the growing number of councils that are pesticide free
- Commissioning a report into watercourses and aquifers in the District and strengthening measures to prevent pollution caused by chemicals that leach into the soil and water from farming and run off

The Chairman then invited debate on the Motion. This saw many positive comments being made and support given. Councillors recognised the importance of the Motion and confirmed that if supported, it would show how serious the Council was about tackling its climate change emergency. Many were in support of establishing a public awareness campaign to promote wildlife friendly gardening. It was hoped that a dialogue with local nurseries could be developed to help residents know the best seeds and plants to put in their gardens to encourage wildlife.

There were some Councillors who although supported the sentiments of the Motion, reminded Members that much of what was being proposed was already the subject of Policy adopted by the Council. The Biodiversity duty of Local Authorities had been Government produced in 2014 and pre-dated the inspection on the Council's Local Plan which would have not been recommended for adoption if it had not conformed with Government Policy. Of concern was that no costings had been supplied to produce this action plan. It had been hoped that the Council's Section 151 Officer would have been approached to provide an indicative cost to assist Members with their decision making. Another issue to consider was what other resources might be needed. The engagement of professional consultants and the need for the Council to engage with other authorities were issues to consider. Councillors confirmed that they did not reject the sentiment of the Motion but would feel more comfortable to understand full costs to also include Officer resources in undertaking the required work. This was an important point that needed to be addressed as the Council was facing many serious financial pressures as a result of the Covid-19 pandemic.

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In supporting the Motion, Councillors urged for work to take place with farmers and the District's agricultural industry to tackle the prevention of using harmful chemicals. Others felt that there was the need to support creating space for nature and water and for people to enjoy the local environment. The issue of tackling evasive species needed to be a priority to protect plants that assisted wildlife. A view was made that a budget should be established to support this work and that the Council should reach out to countryside charities and experts who may be willing to volunteer their expertise. The work of other voluntary groups should be considered in assisting with pushing this work forward and it was recognised that there were groups in existence that already assisted the Council with planting wildflower gardens that could protect and sustain certain species. It was felt that a lot of work could be achieved by working with different groups which could tap into revenue funding whilst having a minimal cost for the Council.

Councillor Cooper then proposed that 'the question be now put'. Although this was not seconded, the Chairman confirmed that she was satisfied that the Motion had been sufficiently discussed.

Councillor Mrs Staniforth, as seconder to the Motion, was therefore invited to speak and she confirmed that the Motion would bring to the forefront of people's minds the importance of remembering wildlife and biodiversity when building in the area. The climate change situation was constantly changing due and so this Motion confirmed that the cost of not doing anything would be a far worse situation to deal with.

Councillor Ms Thurston, as proposer of the Motion, thanked Councillors for their support and helpful suggestions and ideas. She understood the concerns expressed over costs and confirmed that she had decided not to approach the Council's Section 151 Officer as it would have been difficult for him to have confirmed an accurate figure at a time when there could be more funding opportunities for the Council to consider in addressing this work. It was hoped that this would be a six-year rolling ambition and that funds could be set aside in next year's Budget. The new Sustainable Officer, when recruited, would address what funding could be applied for and would pull together a plan to address the ideas put forward.

The Council

RESOLVED – That

The Council declared a Climate Emergency at Full Council in January 2020. Whilst welcoming much good ecological work that is ongoing, such as tree planting and the planned creation of Green Infrastructure, further action is required. The Council will review and update the bio-diversity policies within the Local Plan, informed by a new Bio-Diversity Action Plan 2021-2026 to be created. This Action Plan to include consideration of the following:

- A local Nature Reserve site map, showing existing wildlife areas, parks, green spaces, woods and marine protected and other areas such as churchyards and school fields, to inform new development and ensure habitat is joined up.
- Reviewing recognised and potential wildlife corridors and areas of protection and looking at ways of joining them to provide wider foraging areas.
- SPD covering new guidelines for developers on including wild areas and 'pocket parks' as part of planting as well as ensuring the areas are maintained. With such high levels of building, these areas will ensure stepping-stones of biodiversity across the District.
- Ensuring the increased planting of wild areas in Council owned parks and properties
- Including information for the public about the purpose and importance of wilding
- Managing invasive species
- Promoting opportunities for community engagement for activities such as tree planting and the creation of wildflower areas as well as looking after such spaces
- Launching a public awareness campaign to encourage and promote wildlife-friendly gardening in the district, including pesticide awareness
- Setting a target for the council to phase out the use of glyphosates and to join the growing number of councils that are pesticide free
- Commissioning a report into watercourses and aquifers in the District and strengthening measures to prevent pollution caused by chemicals that leach into the soil and water from farming and run off

(During the course of the debate on Motion 1, Councillor Blanchard-Cooper declared a Personal Interest as he was Chairman of the Friends of Mewsbrook Park Group that assisted the Council with planting projects in that Park).

The Chairman confirmed that a second Motion had been received from the Conservative Group and she invited Councillor Roberts, as proposer of the Motion, to present his Motion.

The wording of the Motion presented is as set out below:

This Council recognises the impact Covid-19 continues to have across the District, and the economic uncertainty it has presented. Council notes the continuing opportunity for Bognor Regis to play a major part in the economic growth of the District and the necessary regeneration required to support such growth.

Council believes that the prospects of regeneration of Bognor Regis will be strengthened if proposals are developed through an open and meaningful consultation, and that all prospective developers are given the opportunity to make presentations to the viability of regeneration schemes.

This Council wishes to extend an invitation to the Sir Richard Hotham Project (SRHP), and any other prospective developer to present the merits of their scheme in a presentation, face to face, or virtual, at their earliest convenience.

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Officers are instructed to facilitate such arrangements.

Councillor Roberts confirmed that he wished to amend his Motion and that he asked for his amendment to be displayed for all to see at the meeting. The amendment is set out below with deletions shown using ~~striketrough~~ and additions shown using **bold**.

This Council recognises the impact Covid-19 continues to have across the District, and in particular the economic uncertainty it has presented. Council notes the continuing opportunity for Bognor Regis to play a major part in the economic growth of the District and the necessary regeneration required to support such growth.

Council believes that the prospects of regeneration of Bognor Regis will be strengthened if proposals are developed through an open and meaningful consultation, and that all prospective developers are given the opportunity to make presentations to the viability of regeneration schemes.

This Council wishes to extend an invitation to the Sir Richard Hotham Project (SRHP), aka project sunrise and any other **forthcoming, or previous stakeholder, be it a developer, architect, development partner, the Council or community group, to present the merits of their scheme in a presentation, face to face, or virtual, at their earliest convenience. This Council will be open to requests to make such presentations up until and including 13 November 2020. Group Leaders will meet separately to discuss and agree the process in detail.**

Officers are instructed to facilitate such arrangements.

Councillor Roberts confirmed that his Motion focused on three issues, being purpose, process and payoff. Its purpose was to help achieve the regeneration that Bognor Regis deserved and had been promised but had not been progressed. Its process was that it had to be recognised that currently everyone was living in uncertain times and that regeneration would be good for the economic growth for the whole of the District with the proposals being developed through open and meaningful consultation with all interested parties being given the same opportunity to present schemes. Although it was accepted that specific mention had been made of one scheme, it was important to note that consultation would be inclusive and open for all. In terms of the amendment, this would allow an invitation to be made for all to present ideas at the earliest convenience by indicating an intention on or before and by 13 November 2020 whilst also instructing Officers to progress this work by following Members' instructions. The payoff would be the retransformation of Bognor Regis into a vibrant and successful resort making it a national holiday destination once again which in turn would create jobs and boost the local economy for the authority.

Talking to the amendment, Councillor Roberts confirmed that it invited forthcoming or previous stakeholders to submit their ideas up until and including 13 November 2020. Group Leaders would then meet separately to discuss and agree the process in detail. Councillor Roberts then explained his reasoning for mentioning the SRHP stating that there had not been a Council vote to reject the project and that the Council had a duty of care to hear from SRHP and any other schemes so that the Council could then act in the best interests of the District and allow all developers/groups to have the same opportunity to present the merits of their proposals.

The Chief Executive raised a query in terms of the wording of the amendment as presented by Councillor Roberts. Councillor Roberts was asked to reconfirm the wording of his amendment which is set out below - deletions have been show using ~~striketrough~~ and additions have been show using **bold**:

This Council recognises the impact Covid-19 continues to have across the District, and in particular the economic uncertainty it has presented. Council notes the continuing opportunity for Bognor Regis to play a major part in the economic growth of the District and the necessary regeneration required to support such growth.

Council believes that the prospects of regeneration of Bognor Regis will be strengthened if proposals are developed through an open and meaningful consultation, and that all prospective developers are given the opportunity to make presentations to the viability of regeneration schemes.

This Council wishes to extend an invitation to the Sir Richard Hotham Project (SRHP), **aka Project Sunrise** and any other **forthcoming , or previous stakeholder, be it a developer, architect, development partner, the Council or community group, to present the merits of their scheme in a presentation, face to face, or virtual, at their earliest convenience** ~~prospective developer to present the merits of their scheme in a presentation, face to face, or virtual, at their earliest convenience.~~ **This Council will be open to requests to make such presentations up until and including 13 November 2020. Group Leaders will meet separately to discuss and agree the process in detail.**

Officers are instructed to facilitate such arrangements.

Councillor Roberts confirmed that this wording, his amendment, was correct and that he had a seconder in Councillor Dendle.

Councillor Coster raised a Point of Order seeking clarification on whether this amendment would be voted upon now without discussion or debated as a substantive motion.

Various questions were then asked in terms of the process that would be followed in considering the motion as amended. The Chief Executive provided advice.

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Councillor Dendle then seconded the Motion as amended.

The Chairman then invited debate. Councillor Coster stated that this now appeared to be the substantive motion and that there did not appear to be an opportunity to discuss the amendment made. If this was the substantive motion, he wished to propose that in line with Council Procedure Rule 16.11 [Motions which may be moved during debate] (e) to adjourn the debate to a future meeting so that full clarity could be provided on the proposals as the amendment proposed was confusing.

Points of Order were raised by Councillors Dendle and Roberts as the seconder and proposer of the tabled amendment in which they stated that the motion as amended needed to be discussed now.

The advice of the Chief Executive was sought. Working to Council Procedure Rule 16.7 [Amendments to Motions], it was confirmed that Councillor Robert's amendment which had been proposed and seconded would be debated first, any subsequent amendments would then be considered in the order received.

Following more Points of Orders raised, and questions asked about process, the Chairman confirmed that the amendment would now be debated, and a vote taken.

More Points of Orders were raised in relation to the motion that had been moved by Councillor Coster and seconded by Councillor Dixon. The Chief Executive reinforced his advice already given from the Constitution at Council Procedure Rule 16.7 [Amendments to Motions].

The Chairman confirmed that she would now invite debate on the Motion as amended.

This saw many Councillors raising their concern that the invitation to present a scheme specifically named the SRHP. It was felt that this gave an unfair advantage and was not democratic and did not make the exercise a level playing field. Many Councillors confirmed that they could support the Motion, as amended, but without mentioning the SRHP. Other Councillors disagreed stating that the Motion, as amended, still provided ample opportunity for all groups to make a request to present their schemes.

Concern was also expressed that the Motion did not specifically refer to what sites any schemes would relate to and that it was could be difficult to agree to any Motion without naming sites and areas. Concern was also raised over the stipulated deadline which was felt to be too restrictive. It was hoped that the deadline would not prevent ideas from being submitted outside of the District.

Further Points of Order were again raised by Councillors Coster and Roberts. Having heard these, the Chairman confirmed that she wished to continue with the debate.

Further Points of Order were raised, advice was provided by the Chief Executive and the Chairman confirmed that she wished to continue with the debate.

The debate continued. This saw some Councillors confirming that they supported the core principles of the motion but did not feel easy about accepting specifying a developer to engage with, this was felt to be inappropriate meaning that the amendment did not achieve fairness.

Further debate took place with Councillor Gunner providing some explanation as to why the amendment had been made. The list for prospective parties had been extended to make it more inclusive. The deadline of 13 November 2020 was to submit an intention to make a presentation, not to submit any final detail of a presentation. This was to make sure that regeneration would eventually happen within a reasonable timeframe. Reassurance was provided to Councillors on the process to be followed which was that Group Leaders would meet to discuss and agree on the process to take regeneration forward.

Councillor Gunner confirmed that he would be happy, as Leader of the Opposition and Conservative Group, to remove mention of the SRHP if he could receive a 'cast iron' guarantee from the Leader of the Council that the SRHP would be invited to present their regeneration plans. Without receiving this guarantee, it would be necessary to leave reference to SRHP in the motion.

Councillor Dr Walsh confirmed that he would be willing to provide an absolute guarantee that this administration would convene a virtual meeting for all Councillors to attend inviting all interested parties to make their presentations. A similar guarantee was sought from the Chief Executive.

The Chairman asked Councillors Roberts and Dendle as the proposer and seconder to the Motion how they wished to proceed in view of the guarantees made. Following considerable discussion, it was agreed to continue with the debate and then move to the vote on the then amended motion, if approved.

Following further debate and Points of Order made, the Chairman confirmed that she would now put the motion to the vote.

Depending upon the outcome of the vote, the Council could then consider moving forward with any other requests.

Before proceeding with the vote, the Chairman invited Councillor Dendle to speak, as seconder to the motion. Councillor Dendle outlined that Bognor Regis was crying out for regeneration and had been for many years. The motion, and the amendments made, attempted to make the process as inclusive as possible. Group Leaders would then out the protocols and procedures to establish how to take this work forward.

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Councillor Roberts, as proposer to the motion, outlined that the motion had been drafted to push forward regeneration. It provided the opportunity for the Council to hear from everyone and anyone.

A request was made that the named vote undertaken on this item be recorded.

Those voting for the Motion, as amended, were Councillors Bennett, Bicknell, Blanchard-Cooper, Bower, Brooks, Buckland, Charles, Clayden, Mrs Cooper, Cooper, Mrs Daniells, Dendle, Edwards, Elkins, English, Goodheart, Gunner, Mrs Haywood, Hughes, Jones, Kelly, Lury, Mrs Madeley, Miss Needs, Northeast, Oliver-Redgate, Mrs Pendleton, Purchase, Roberts, Mrs Staniforth, Stanley, Tilbrook, Dr Walsh, Mrs Warr, Mr Worne and Mrs Yeates (36). Those voting against were Councillors Huntley and Mrs Stainton (2). Councillor Ms Thurston abstained from voting.

The Motion as amended was therefore CARRIED.

The Chairman then returned to the motion as amended and invited debate. This saw Councillors expressing the desire to remove reference to the SRHP as discussed earlier.

Councillor Dr Walsh confirmed that he wished to make an amendment to what was now the substantive motion which was to remove the words "Sir Richard Hotham Project (SRHP) aka Project Sunrise and any other" after the words invitation – as set out below:

This Council recognises the impact Covid-19 continues to have across the District, and in particular the economic uncertainty it has presented. Council notes the continuing opportunity for Bognor Regis to play a major part in the economic growth of the District and the necessary regeneration required to support such growth.

Council believes that the prospects of regeneration of Bognor Regis will be strengthened if proposals are developed through an open and meaningful consultation, and that all prospective developers are given the opportunity to make presentations to the viability of regeneration schemes.

This Council wishes to extend an invitation to ~~the Sir Richard Hotham Project (SRHP), aka Project Sunrise and any other~~ any forthcoming, or previous stakeholder, be it a developer, architect, development partner, the Council or community group, to present the merits of their scheme in a presentation, face to face, or virtual, at their earliest convenience This Council will be open to requests to make such presentations up until and including 13 November 2020. Group Leaders will meet separately to discuss and agree the process in detail.

Officers are instructed to facilitate such arrangements

Councillor Oppler seconded this amendment.

Councillor Dr Walsh explained that he wanted to see regeneration proposals coming forward for Bognor Regis. This amendment made it clear that not just one specific project was being mentioned and that all previous and new proposals could come forward with an approach to the Council, without giving any preference to any scheme.

At this point, Councillor Dendle challenged the process claiming that he had proposed that the 'question now be put' but had been ignored.

Following further challenges made about the process followed, the Chairman confirmed that it was her view that the debate should continue. There was confusion as to whether what was being debated was the amended motion or the substantive. The advice of the Chief Executive was sought.

Debate continued. This showed support for the further amendment as it removed any question of bias towards one developer.

Following some further discussion, the Chairman then requested a recorded vote to be taken on the amendment made to the substantive motion.

Those voting for were Councillors Bennett, Bicknell, Blanchard-Cooper, Bower, Brooks, Buckland, Charles, Clayden, Mrs Cooper, Cooper, Mrs Daniells, Dendle, Edwards, Elkins, English, Goodheart, Gunner, Mrs Hamilton, Mrs Haywood, Hughes, Huntley, Jones, Kelly, Lury, Mrs Madeley, Miss Needs, Northeast, Oppler, Mrs Pendleton, Purchase, Roberts, Mrs Staniforth, Stanley, Ms Thurston, Dr Walsh, Mrs Warr, Mr Worne and Mrs Yeates (38). No Councillors voted against and there were no abstentions.

The substantive motion as amended was therefore declared CARRIED.

Returning to the substantive motion as amended, clarification was sought that the SRHP project would be invited to make a presentation. This was supported and confirmed. The Chairman then moved to the vote and the motion was declared CARRIED.

The Council

RESOLVED – That

This Council recognises the impact Covid-19 continues to have across the District, and in particular the economic uncertainty it has presented. Council notes the continuing opportunity for Bognor Regis to play a major part in the economic growth of the District and the necessary regeneration required to support such growth.

The Council believes that the prospects of regeneration of Bognor Regis will be strengthened if proposals are developed through an open and

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meaningful consultation, and that all prospective developers are given the opportunity to make presentations to the viability of regeneration schemes.

This Council wishes to extend an invitation to any forthcoming, or previous stakeholder, be it a developer, architect, development partner, the Council or community group, to present the merits of their scheme in a presentation, face to face, or virtual, at their earliest convenience This Council will be open to requests to make such presentations up until and including 13 November 2020. Group Leaders will meet separately to discuss and agree the process in detail.

Officers are instructed to facilitate such arrangements

200. QUESTIONS FROM MEMBERS

There were no questions for this meeting.

201. COMMITTEE MEMBERSHIPS

The Council noted various changes to Committee memberships as detailed below:

- (1) Councillor Bower to replace Councillor Dendle on the Audit & Governance Committee;
- (2) Councillor Roberts to replace Councillor Mrs Madeley on the Constitution Working Party;
- (3) Councillor Mrs Caffyn to replace Councillor Cooper on the Littlehampton Regeneration Sub-Committee;
- (4) Councillor Hughes to replace Councillor Mrs Pendleton on the Planning Policy Sub-Committee;
- (5) Councillor Bicknell to replace Councillor Dendle on the Housing & Customer Services Working Group;
- (6) Councillor Mrs Cooper to replace Councillor Clayden on the Overview Select Committee; and
- (7) Councillor Clayden to replace Councillor Mrs Caffyn on the Staff Appeals Panel

202. REPRESENTATION ON OUTSIDE BODIES

There were no changes made to the representation of Outside Bodies.

(The meeting concluded at 11.37 pm)