



Public Document Pack

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NOTE: This meeting will be a virtual meeting and will be webcast live

9 March 2021

COUNCIL MEETING

To all Members of the Council

You are summoned to attend a virtual meeting of the ARUN DISTRICT COUNCIL to be held on **Wednesday 17 March 2021** at **6.00 pm** to transact the business set out below:

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

Nigel Lynn
Chief Executive

PLEASE NOTE: *This meeting will be a 'virtual meeting' and any member of the press and public may listen-in and view the proceedings via a weblink which will be publicised on the Council website at least 24 hours before the meeting.*

Different meeting arrangements are in place for the period running from 4 April 2020 to 7 May 2021 from the provisions of the Coronavirus Act 2020 and the meeting regulations 2020, to allow formal 'virtual meetings'.

This Council's revised Rules of Procedures for 'virtual meetings' can be found by clicking on this link: <https://www.arun.gov.uk/constitution>

Any members of the public wishing to address the Full Council meeting during Public Question Time, will need to email Committees@arun.gov.uk by 5.15 pm on Thursday, 11 March 2021 on line with current Cabinet Procedure Rules. It will be at the Chief Executive's/Chairman's discretion if any questions received after this deadline are considered.

For further information on the items to be discussed, please contact: committees@arun.gov.uk

AGENDA

1. **Apologies for absence**

2. **Declarations of interest**

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

Members and Officers should make their declaration by stating:

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

3. **Public Question Time**

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

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

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

5. **Petitions**

To consider any petitions received from the public.

6. **Minutes** (Pages 1 - 16)

To approve as a correct record the Minutes of the Special Council Meeting held on 17 February 2021, which are *attached*.

7. **Chairman's Announcements**

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

8. **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.

9. **Motions**

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

10. **Questions from Members**

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

OFFICER REPORTS

11. **Appointment of Vice-Chairman of the Council for the Municipal Year 2021/22**

In accordance with Article 4.2(b) of the Constitution Procedure Rule 18.9, the Council will consider nominations put forward by each of the Political Groups for the position of Vice-Chairman of the Council for 2021/22 and Chairman Elect for 2022/23. A secret ballot will then be undertaken to determine the appointment.

12. **Pay Policy Statement 2021/22 (Pages 17 - 34)**

The Localism Act 2011, section 38(1) requires that local authorities prepare an annual Pay Policy Statement. This paper introduces the draft Pay Policy Statement for 2021/2022 and asks Members to approve it.

13. **To 'Make' The Felpham Neighbourhood Development Plan - 2019-2031 (Pages 35 - 38)**

The Felpham Neighbourhood Development Plan 2019-2031 passed Examination in December 2020. The Examiner of this modified Plan concluded that the Plan passed the Examination and that the material modifications do not change the nature of the Plan and it does not require a Referendum so should proceed to be 'made'.

This 'making' of the plan will give it legal force and it will form part of the statutory Development Plan for that area. Consequently, decisions on planning applications in the neighbourhood area will need to be made in accordance with the Neighbourhood Development Plan or Order, unless material considerations indicate otherwise.

14. **Feedback on Presentations Relating to Bognor Regis Regeneration (Pages 39 - 92)**

Attached is a report on the eleven presentations given to Members on Bognor Regis Regeneration so that the Council can identify what steps it wishes to take to advance this project.

15. **Transition to Committee Style of Governance (Pages 93 - 94)**

This is a status report on the progress of transition to the committee style constitution and associated matters. It explains that the revision and rewriting of the Constitution is complete and that the new constitutional document is almost ready for publication.

REPORTS FROM CABINET, OVERVIEW SELECT, REGULATORY AND STANDARDS COMMITTEES, AND FROM WORKING PARTIES AND WORKING GROUPS

16. **Development Control Committee - 6 January 2021** (Pages 95 - 102)

The Chairman, Councillor Bennett, will present the Minutes from the meeting of the Development Control Committee held on 6 January 2021. There are no recommendations.

17. **Cabinet - 11 January 2021** (Pages 103 - 124)

The Chairman, Councillor Dr Walsh, will present the Minutes from the meeting of Cabinet held on 11 January 2021. There are recommendations at:

- Minute 401 – [Housing Revenue Account Business Plan Update] – to view the Officer's report, please click on this link – [Report](#)
- Minute 403 – [Supplementary Estimate to Cover Costs Awarded Against the Council in Appeals – Y/103/18/PL and EP/148/20/PL] – to view the Officer's report and appendices, please click on this link – [Report](#) and [Appendix A](#), [Appendix B](#), [Appendix C](#), [Appendix A\(ii\)](#), [Appendix B \(ii\)](#) and [Appendix C \(ii\)](#)

18. **Overview Select Committee - 26 January 2021** (Pages 125 - 132)

The Chairman, Councillor Northeast, will present the Minutes from the meeting of the Overview Select Committee held on 26 January 2021. There are no recommendations.

19. **Constitution Working Party - 27 January 2021** (Pages 133 - 176)

The Chairman, Councillor Mrs Yeates, will present the Minutes from the meeting of the Constitution Working Party held on 27 January 2021. There are a range of recommendations at:

- Minute 36 [The New 2021 Constitution – Update Report]. The Officer's report and Appendices are attached.

20. **Electoral Review Sub-Committee - 28 January 2021** (Pages 177 - 180)

The Chairman, Councillor Oppler, will present the Minutes from the meeting of the Electoral Review Sub-Committee held on 28 January 2021. There are no recommendations.

21. **Licensing Committee - 29 January 2021** (Pages 181 - 182)

The Chairman, Councillor Blanchard-Cooper, will present the Minutes from the meeting of the Licensing Committee held on 29 January 2021. There are no recommendations.

22. **Development Control Committee - 3 February 2021** (Pages 183 - 188)

The Chairman, Councillor Bennett, will present the Minutes from the meeting of the Development Control Committee held on 3 February 2021. There are no recommendations.

23. **Housing & Customer Services Working Group - 4 February 2021** (Pages 189 - 192)

The Chairman, Councillor Bennet, will present the Minutes from the meeting of the Housing & Customer Services Working Group held on 4 February 2021. There are no recommendations.

24. **Cabinet - 8 February 2021** (Pages 193 - 214)

The Chairman, Councillor Dr Walsh, will present the Minutes from the meeting of Cabinet held on 8 February 2021 with the exception of Minute 465 [Council Budget 2021/22] which was dealt with at the Special Meeting of the Council held on 17 February 2021. There are no recommendations.

25. **Standards Committee - 18 February 2021** (Pages 215 - 226)

The Chairman, Councillor Edwards, will present the Minutes from the meeting of the Standards Committee held on 18 February 2021. There are recommendations at:

- Minute 484 [Review and Revision of the Member Code of Conduct] – to view the report and Appendices, please click on this link – [Report](#) and [Appendix 1](#) and [Appendix 2](#)

26. **Planning Policy Sub-Committee - 23 February 2021** (Pages 227 - 240)

The Chairman, Councillor Mrs Yeates, will present the Minutes from the Planning Policy Sub-Committee held on 23 February 2021. There are recommendations at:

- Minute 35 [Local Plan – Vision and Objectives] – to view the Officer's report, please click on this link – [Report](#)
- Minute 37 [Interim Housing Statement] – to view the Officer's report, please click on this link [Report](#) and [Appendix](#)

27. **Audit & Governance Committee - 25 February 2021** (Pages 241 - 246)

The Vice-Chairman, Councillor Mrs Haywood, will present the Minutes from the Audit & Governance Committee held on 25 February 2021. There are a range of recommendations at:

- Minute 497 [Capital Strategy – 2021/22 to 2023/24] – to view the Officer's report, please click on this link - [Report](#) and [Appendix](#)

- Minute 498 [Treasury Management Strategy Statement and Annual Investment Strategy] – to view the Officer's report and Appendices, please click on this link - [Report](#)

28. **Constitution Working Party - 2 March 2021** (Pages 247 - 300)

The Chairman, Councillor Mrs Yeates, will present the Minutes from the meeting of the Constitution Working Party held on 2 March 2021. There are a range of recommendations at:

- Minute 41 [Final Report – Review of the Constitution for Transition to Committee Style of Governance]. The Officer's report and Appendices are attached.

29. **Development Control Committee - 3 March 2021**

The Chairman, Councillor Bennett, will present the Minutes from the Development Control Committee held on 3 March 2021. There are no recommendations.

The Minutes will be circulated separately to this agenda.

30. **Bognor Regis Regeneration Sub-Committee - 4 March 2021** (Pages 301 - 306)

The Chairman, Councillor Stanley, will present the Minutes from the Bognor Regis Regeneration Sub-Committee held on 4 March 2021. There is a recommendation at:

- Minute 18 [Bognor Regis Place Branding] – to view the report and Appendix, please click on this link – [Report](#) and [Appendix 1](#) and [Appendix 2](#)

31. **Committee Memberships**

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

32. **Representation on Outside Bodies**

The Council is asked to approve any changes to its representation on Outside Bodies. These will be reported verbally by the Leader of the Council at the meeting.

- Members are reminded that if they have detailed questions, would they please inform the relevant Cabinet Member/Chairman and/or Director in advance of the meeting in accordance with the Council Procedure Rules

- Copies of the reports on the recommendations from the other Committees are provided via an e-link, where appropriate
- 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](#)

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Subject to approval at the next Full Council meeting

397

**MINUTES
OF A
SPECIAL VIRTUAL MEETING OF THE ARUN DISTRICT COUNCIL
HELD ON 17 FEBRUARY 2021 AT 6.00 PM**

Present: Councillors Mrs Worne (Chairman), Brooks (Vice-Chairman), Batley, Bennett, Bicknell, Blanchard-Cooper, Bower, Buckland, Mrs Caffyn, Mrs Catterson, 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, Oliver-Redgate, Oppler, Mrs Pendleton, Purchase, Miss Rhodes, Roberts, Miss Seex, Mrs Stainton, Mrs Staniforth, Stanley, Tilbrook, Ms Thurston, Dr Walsh, Mrs Warr and Mrs Yeates.

Honorary Aldermen Mr Dingemans and Mrs Stinchcombe were also in attendance at meeting.

[Note: The following Councillors were absent from the meeting during consideration of the matters referred to in the minutes outlined – Councillors Mrs Gregory, Hughes, Mrs Madeley and Mrs Stainton – Minute 478 [Part]].

469. WELCOME

The Chairman welcomed Councillors, representatives of the public, press and Officers to this Special Meeting of the Council. She extended a special welcome to Honorary Aldermen Mrs Stinchcombe and Mr Dingemans.

470. TRIBUTE IN MEMORY OF FORMER MEMBER OF STAFF - MARK EVERSON

The Chairman announced the sad news that former Tree Officer, Mark Everson, had recently passed away and that she wished to take a minute to remember him as he had been a true and original member of the 'Arun family' having started with Arun in 1974 up until his retirement in 2010.

It was outlined that Mark had an encyclopaedic knowledge of plants and trees which was regularly tapped into by his colleagues – he also knew many of the more interesting trees in the District personally. Mark would not only be remembered by many colleagues and Members, but also by many residents of Arun.

The Chairman asked Members and those present to join her in sending Mark's family and friends the Council's condolences and she asked if they could join her in taking part in a minute's silence.

Full Council - 17.02.21

471. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Chapman Northeast, Smith and from Honorary Aldermen Mrs Goad and Mrs Morrish.

472. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

The Declaration of Interest Sheet set out below confirms 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.

Name	Town or Parish Council or West Sussex County Council [WSSC]
Councillor Tracy Baker	Littlehampton
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 WSSC
Councillor Mike Clayden	Rustington
Councillor Andy Cooper	Rustington
Councillor Alison Cooper	Rustington
Councillor Sandra Daniells	Bognor Regis
Councillor David Edwards	WSSC
Councillor Roger Elkins	Ferring and WSSC
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	WSSC
Councillor Jacky Pendleton	Middleton-on-Sea and WSSC
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

473. 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 confirmed that five questions had been submitted – these have been very briefly outlined below:

- (1) From Mr Cosgrove to the Leader of the Council regarding the closure by West Sussex County Council of family centres and youth provision in the District;
- (2) From Mr Cosgrove to the Leader of the Council regarding Bognor Regis regeneration;
- (3) From Mr Cosgrove to the Leader of the Council regarding Coast to Capital funding for the Place St Maur project;
- (4) From Mr Cosgrove to the Leader of the Council regarding the Bognor Regis Town Hall; and
- (5) From Mr Cosgrove to the Leader of the Council regarding the Bognor Regis Masterplan

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

The Chairman then drew Public Question Time to a close.

474. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

There were no questions from Members with prejudicial/pecuniary interests.

475. MINUTES

The Minutes of the Council Meetings held on 13 and 25 January 2021 were approved by the Council as a correct record and would be signed by the Chairman when normal office functions started again.

Full Council - 17.02.21

476. CHAIRMAN'S ANNOUNCEMENTS

The Chairman asked the Council to join with her in sending the Council's thoughts and prayers to the Royal Family in reaction to the news announced earlier in the day that the Duke of Edinburgh had been admitted to hospital as a precaution.

The Chairman then provided a brief outline of a virtual event that she would be holding on 23 March 2021 which would reflect upon the last year and how the Covid-19 pandemic had so overwhelmingly affected the District. Further details would follow soon.

477. URGENT MATTERS

There were no items for this meeting.

478. COUNCIL BUDGET 2021/22

The Leader of the Council, Councillor Dr Walsh, presented his Budget Statement, **a copy of which is attached to the signed copy of the Minutes.**

An extract from the Minutes from the meeting of Cabinet [Minute 465] held on 8 February 2021; an amendment to those recommendations, and Appendix 4 setting out the statutory resolutions that the Council was also required to consider, had been uploaded to the Council's website prior to the meeting and had been emailed to all Councillors.

In proposing the recommendations at Minute 465 from the Cabinet meeting held on 8 February 2021, Councillor Dr Walsh confirmed that he needed to propose an amendment to include the additional statutory recommendations listed in the Group Head of Corporate Support's report as set out on pages 31 and 32 of the agenda.

The amendment added further recommendations (8), (9) and (10) which had also been circulated as part of the second bundle of papers. The additional wording has been set out below in bold:

The Council is recommended to RESOLVE - that

- (1) The General Fund Revenue Budget as set out in Appendix 1 is approved;
- (2) Arun's Band D Council Tax for 2021/22 is set at £191.52, an increase of 2.65%;
- (3) Arun's Council Tax Requirement for 2021/22, based on a Band D Council Tax of £191.52, is set at £11,994,514 plus parish precepts

as demanded, to be transferred to the General Fund in accordance with statutory requirements;

- (4) The Housing Revenue Account (HRA) Budget as set out in Appendix 2 is approved;
- (5) The HRA rents for 2021/22 are increased by 1.5% (CPI plus 1%) in accordance with the provisions of the rent standard;
- (6) HRA garage rents are increased by 5% to give a standard charge of £12.93 per week (excluding VAT), and heating and water/sewerage charges increased on a scheme by scheme basis, with a view to balancing costs with income;
- (7) The Capital Budget as set out in Appendix 3 is approved;
- (8) The statutory resolutions required by the Council in agreeing its budget for 2021/22, as set out in Appendix 4 circulated at the meeting, be approved;**
- (9) It be noted that the Group Head of Corporate Support, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Support, has approved i) a Council Tax base of 62,6284 for 2021/22 and ii) the submission of the Council's NNDR1 return (the estimate of the Council's Business Rate income for 2021/22) to the Ministry of Housing, Communities and Local Government; and**
- (10) For 2021/22, any expenses incurred by the Authority in performing in part of its area a function performed elsewhere in its area by a Parish/Town Council or the Chairman of a Parish Meeting shall not be treated as special expenses for the purposes of Section 35 of the Local Government Finance Act 1992.**

The Leader opened his budget statement confirming that this was the second budget to be delivered by the Liberal Democrat administration and that moving back to last year's meeting, it would have been impossible to believe what was lying ahead in terms of the Pandemic and the unprecedented pressures that this would bring. Hopefully, now, we would be on the threshold of better times.

Councillor Dr Walsh outlined that this Budget had been prepared with an even greater degree of uncertainty than usual. It had been achieved using a fine balance between prudence and ambition. It had been necessary to be extremely agile to respond to the needs of residents, bearing in mind the severe financial climate that the Council was having to operate in which had been exasperated by the Pandemic.

Full Council - 17.02.21

The Budget formed part of the Council's medium-term financial plan to give economic security to its residents and to show that despite facing continuing significant funding challenges and declining support from Central Government, the Council could deliver effective efficient services.

It was pleasing to report that this was an extremely positive budget with much to celebrate despite having to operate within a severely constrained financial envelope. Although there was still great uncertainty about local government funding for the future, everything in this budget would be provided at a cost of £191 per annum for a Band D property and Arun's share of the total bill was less than 10%. This charge seemed comparatively modest given the breadth of the services that the Council provided. The Council proposed to increase its share of the Council Tax by £4.95 or 2.65% (less than 10p per week). It was reiterated that Arun's share constituted a small percentage of the overall Council Tax bill with the majority of this local tax going to the County Council.

Councillor Dr Walsh stated that he was proud and delighted to announce that, despite all the financial pressures being faced, the Council had been able to achieve a balanced budget. In addition to this, a sum of approximately £0.5M had been added to the contingencies budget as a buffer against the adverse financial effects of the pandemic. This has been achieved by reserving a significant proportion of the COVID funding allocated by Government for 2021/22. This meant that as well as balancing the budget, significant funds had been allocated to address future funding pressures demonstrating this administration's strong commitment to sound financial planning whilst not having to "raid on reserves". In addition to this there was an ambitious capital programme, which would benefit the residents of the District and make a visible difference.

Councillor Dr Walsh provided some background to the ongoing changes in Central Government funding and covered a range of points:

- It was anticipated that the New Homes Bonus, a major funding source to the Council, would reduce to zero.
- The major funding source from central government going forward would be the retention of business rates and any increase would be dependent upon growth in the rates base across the District. Arun had experienced significant growth since the inception of this scheme in April 2013 (especially in supermarkets) and this has proved to be of significant benefit to the Council and had partially offset the reduction in other funding sources. There was the real threat that the Council would lose all or some of this growth if the Government reset the business rates base.
- Given these severe risks, it was vitally important for the Council to mitigate against them so that it could continue to prudently plan. For this increased uncertainty, the only prudent way to achieve this was to maintain a reasonable level of balances. This was why the Cabinet had taken the decision to transfer approximately £850k to the Funding Resilience Reserve which now totaled approximately £5.8M and would

mean that the Council would have time to properly and systematically plan for the inevitable reductions in the Council's net budget within a realistic timeframe.

- It was therefore important to hold a reasonable level in the Council's General Fund Reserve. It was anticipated that this would amount to approximately £6.7M at March 2022.

Despite all these factors, Councillor Dr Walsh was pleased to be able to confirm that the Council had made significant progress on implementing the digital agenda. Full Council had adopted the Digital Strategy in January 2020 delivering a joined-up customer experience, meeting expectations and transforming the way that the Council worked. These and other highlights were:

- The Council had successfully achieved a sudden unanticipated move to homeworking and had made excellent progress on pressing ahead with the digital agenda;
- The website was being redesigned to improve the overall customer experience and provide information much faster.
- Climate change; carbon reduction and biodiversity measures at around £100k would be overseen by the new Climate Change Officer recruited this month.
- Small grants would be made available to Day Centres in Bognor Regis and Littlehampton to assist in post-Covid recovery.

Moving onto the Housing Revenue Account (HRA), this reflected the Business Plan that was presented to Cabinet in January 2020. The primary objectives were to increase the housing stock, ensure that housing assets were fit for purpose and to maximise income to make the best use of available resources. The Council was on course to deliver its 90th new Council house this year.

The final part of the budget concerned the capital programme where Councillor Dr Walsh was able to state that despite the severe financial pressures that was facing, there was a sound capital programme in place.

In conclusion, the Leader commended what he stated was a forward looking and prudent budget, produced in the face of the most testing times imaginable. The Council had managed to achieve a balanced budget despite the factors outlined. This budget was regarded as sensible and ambitious in any climate but under the current circumstances it was an exceptional achievement. Councillor Dr Walsh formally proposed the budget, as amended, to the Council, and he urged Councillors to support it.

Councillor Oppler then seconded the recommendations as amended.

Full Council - 17.02.21

The Chairman then invited Councillor Dixon to respond to the Budget as the Leader of the Independent Group. Councillor Dixon confirmed that it had been an incredibly difficult year for all Councils. The Coronavirus pandemic had been a huge diversion from normal Council business and had impacted significantly on traditional income streams. At the same time, the Council had received strong support from the Government with legislation, guidance and emergency grant funding for the Council and local businesses. Councillor Dixon then stated that he wished to pay tribute to the Council's staff who had adapted to the national emergency and kept Council services running in extremely difficult and unprecedented times. Despite these difficulties and, with the help of Government funding, the Council had managed to achieve a balanced budget for the financial year 2021-22 which was excellent news.

Councillor Dixon stated that despite the positives highlighted, there were clear risks to the budget – these were:

- The previous administration had committed around £16 million of reserves to the Littlehampton Wave, leaving reserves lower at a time when they might be needed.
- The Littlehampton Wave had started trading robustly and as a result of Covid-19 had relied upon significant income from the Council
- Income from town centre parking was a risk due to the difficulties and challenges being faced by the High Street and the significant shift towards online shopping.
- Future funding for this and all other Councils remained uncertain.
- The New Homes Bonus was coming to an end which would have implications for the Council.
- Councillor Dixon urged the Leader of the Council to write to the Government in order to share with them the Council's financial forecasts so that they could see the challenges ahead.
- The Independent group welcomed the investment in an officer to lead on climate change efforts.

In concluding, Councillor Dixon confirmed that this was a sensible budget in the prevailing circumstances which his Group fully supported.

The Chairman then invited Councillor Ms Thurston to respond on behalf of the Green Group. She congratulated the Liberal Democrat Group and the Finance Team in providing a reassuring balanced budget and during a very unprecedented and challenging year. Councillor Ms Thurston hoped that this crisis would become less dominating allowing the Council to move forward with more projects in the year ahead. There was the need to spend wisely now to invest in changes that would bring long term benefits to current and future residents. The other long-term crisis to face was that of climate change as the climate emergency was beginning to bite locally and would create long-term issues for the future generation of Arun if more action was not taken now. It had been pleasing to welcome the Council's new Sustainability and Climate Change Officer who would be drawing up the Council's Climate Change Action Plan to tackle and reduce the Council's own carbon omissions. Councillor Ms Thurston stated

that she welcomed the Tree Planting Strategy and hoped that other projects would follow as protecting existing biodiversity was just as important. She applauded other green initiatives such as the Food Waste Trial and research into active travel routes to increase walking and cycling in the District. She commended the provision of new housing stock and the use of low carbon alternatives all of which were an excellent way of introducing new green technologies. Councillor Ms Thurston confirmed that she was pleased to support this careful budget which she fully commended.

The Chairman then invited Councillor Miss Seex to respond on behalf of the Arun Independent Group. She outlined her view that the Council needed to align budgets and resources to sit alongside the Council's priorities. She was not averse to a modest increase if those funds were spent well for the benefit of residents. However, she felt that the priorities set out before Covid-19 had been 'wishy washy' at a time when the Council needed to lay down a laser focused way for its economy to recover as the Covid-19 pandemic came to an end. It was essential for the Council to find a way of ending deprivation in Bognor Regis and Littlehampton and to do this it needed to make regeneration a priority. To achieve this, more resources needed to be invested into the economy team.

The Chairman then invited Councillor Gunner to respond to the Budget on behalf of the Conservative Group. Councillor Gunner confirmed that in addressing the budget he would table an amendment and he explained the background to this. Over the last year the people of Arun had suffered greatly as a result of the pain and hurt that Covid-19 had brought. One of the main issues had been financial with many having been furloughed; had working hours reduced; or had been made redundant leaving many with hard choices to make and often a choice between health and wealth. Councillor Gunner stated that the Council wanted to look after and support residents as much as possible and that the pandemic situation had also been tough for the Council in terms of the impact for staff and on the Council's finances. The Government had recognised this impact too and by supporting the Council to the tune of millions whilst also recognising that dealing with the Pandemic situation needed to be a shared endeavour. The Council had received £2m in unring-fenced grants. The Council's budget had to be managed to support its residents whilst at the same time continuing to provide all services. Councillor Gunner confirmed that the Council did not need more funding in the next financial year to continue to run these services. It could not be compared to West Sussex County Council or other Town or Parish Councils. It was Councillor Gunner's view that the Council should freeze its portion of the council tax in recognition of the situation that its residents found themselves in.

Councillor Gunner then proposed and outlined the detail of his amendment which addressed four areas:

Full Council - 17.02.21

- To increase the Economy budget – recognising that in order to get businesses back on their feet and get residents returned to work, additional staff resource was needed.
- To freeze the management budget for 2021/22;
- To reduce the planning budget in view of the fact that £321k had been earmarked to spend on consultants to review the Local Plan – this was not needed now
- To propose a £100k reduction in the contingencies budget
- All these proposals would allow the Council to put a freeze on Council Tax without a cut in services.

Councillor Mrs Pendleton then seconded this amendment.

Prior to inviting Councillors to debate this amendment, the wording was shared to the meeting – and is set out below:

1. The General Fund Revenue Budget as set out in Appendix 1 **as amended by the Conservative Group** is approved;
2. Arun's Band D Council Tax for 2021/22 is set at ~~£191.52~~ **£186.57, the same level as in 2020/21, an increase of 2.65%;**
3. Arun's Council Tax Requirement for 2021/22, based on a Band D Council Tax of ~~£191.52~~ **£186.57**, is set at ~~£11,994,515~~ **£11,684,506** plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;

To understand the context behind the amendment, an Appendix was shared to the meeting which is attached to these minutes.

Councillor Gunner was invited to explain further the detail of his amendment.

The Chairman then invited debate on the amendment. The first to speak objected to the fact that such a detailed amendment had not been shared in advance of the meeting. It was stated that as the detail of the amendment had been set out in an Excel document, this was too difficult to read from a screen share set up and so highlighted the importance of circulating amendments in advance. Councillors opposed this amendment for several reasons. The most overriding one was that any freeze on Council Tax set back the Council's Council Tax base storing up trouble for years ahead. The amendment only provided an easing of financial strain in a very temporary way as it meant that a period of playing catch-up at some point would be required. It was also pointed out that other Councils were increasing their Council Tax and that this was necessary in order to continue to provide the services needed by their communities. In view of the amendments proposed to the General Fund Budget, the view of the Council's Section 151 Officer was sought in terms of whether he could confirm if these were prudent and financially sensible.

The Chairman invited the Section 151 Officer to provide his professional opinion. He outlined his responsibility under the Local Government Act 2003 to comment on the amendment and its robustness in relation to the estimates. He outlined that the Appendix submitted with the budget report had been based on a lot of work undertaken by Officers and so it was very difficult to move figures around without fully understanding the true implications. The Section 151 Officer's professional view was that making reductions to the Council's budget would not compensate for loss of Council Tax income. Without the background behind the amendment it was difficult however the proposed reductions appeared to be one off in nature, or in relation to management support would probably mean staff reductions which would be difficult to assess in terms of how the savings could be achieved. All the savings identified from the amendment would not replace the loss of Council Tax income. Members' attention was then drawn to the Medium-Term Financial Strategy which had been approved by Cabinet in September 2020 and predicted significant deficits but had been based upon a rise in Council Tax for 2021/22 and the life of the forecast. To freeze Council Tax would mean that these deficits would be significantly higher due to the taxbase not increasing and this would mean that any cuts would have to be deeper. This would also compromise any ambition that the Council might have in relation to borrowing as this depended upon revenue to fund the resulting financing costs.

Having received this advice, other Councillors spoke against the amendment stating that it was unclear and unimpressive. The increase in Council Tax proposed amounted to a 10 pence per week increase and it was felt that most residents could afford this. There were elements of the amendment that were of interest which perhaps with notice could have been explored in advance of the meeting. However, it was felt that it was impossible to be able to evaluate whether the amendments proposed would be good or bad for the Council and so on this basis, the amendment should not be supported.

Other comments made were that parts of the amendment should be supported or explored further, especially the increase in staff resource for the Economy section. Questions were asked about the money in the planning budget and the review of the Local Plan.

There were Councillors that supported the amendment stating that it was vital for the Council to take notice of the plight of its residents in such exceptional times. Comments were made that at previous Budget meetings, amendments had never been circulated to Councillors in advance. Points were made in that the content of the amendment had been shared with Officers in advance of the meeting. Central Government had generously supported the Council and so it was now the turn of this Council to support its residents as there was no valid reason to increase Council Tax for this year. The amendment had been carefully planned to mean that there would be no service reductions and to recognise the fact that further funding could be received from Central Government giving the Council the ability right now to freeze Council Tax.

The Chairman then called a short adjournment.

Full Council - 17.02.21

Following much discussion, Councillor Miss Seex confirmed that she wished to make an amendment to Councillor Gunner's amendment. This was that the Council needed to support the £40k of additional funding that would supply an additional head count for the Economy team from either the Council's reserves or the large financial increase proposed for planning. Councillor Miss Seex confirmed that she was proposing this amendment as the Council needed to get serious about economic regeneration and the economic development of the District.

Councillor Goodheart seconded this amendment.

Following several Points of Personal Explanation and Points of Order raised, the Interim Monitoring Officer provided advice confirming that now a further amendment had been formally put and seconded that Councillor Gunner should be presented with the opportunity to consider if he might wish to accept Councillor Miss Seex's amendment and then withdraw some or all of his amendment in response. Councillor Gunner confirmed that he did not wish to accept Councillor Miss Seex's amendment in any aspect. This meant that following the conclusion of the debate on Councillor Gunner's amendment it would be put to the vote and if declared lost, then Councillor Miss Seex's amendment would then be discussed. It was confirmed that the Council could not debate two amendments running at the same time.

Debate then continued on Councillor Gunner's amendment.

The Section 151 Officer provided further advice and clarification in response to some of the points raised by Councillors.

Councillor Mrs Pendleton then spoke as seconder to the amendment in response to some of the statements that had been made. She explained the rationale behind the amendment outlining that the savings made would balance the freeze in Council Tax. The amendment sought to assist residents when they needed it most by reducing funding in areas that would not have an impact such as management and support service contingencies. This would still achieve a balanced budget without drawing on reserves.

In line with Council Procedure Rule 18.6 – the voting on this amendment was recorded.

Those voting for it were Councillors Bicknell, Bower, Mrs Caffyn, Charles, Clayden, Mrs Cooper, Cooper, Dendle, Edwards, Elkins, English, Goodheart, Gunner, Hughes, Kelly, Oliver-Redgate, Mrs Pendleton, Miss Rhodes and Roberts (19). Those voting against were Councillors Batley, Bennett, Blanchard-Cooper, Brooks, Buckland, Mrs Catterson, Coster, Dixon, Mrs Gregory, Mrs Hamilton, Mrs Haywood, Huntley, Jones, Lury, Miss Needs, Oppler, Purchase, Mrs Staniforth, Stanley, Tilbrook, Ms Thurston, Dr Walsh, Mrs Warr and Mrs Yeates (24). Councillors Mrs Daniells, Miss Seex and Mrs Worne abstained from voting (3).

The amendment moved by Councillor Gunner was therefore NOT CARRIED.

The Chairman then asked Councillor Miss Seex to confirm if she still wished to proceed with her amendment proposed earlier. Councillor Miss Seex confirmed that she did and reconfirmed the wording to her amendment which is set out below:

“Accepting £40k additional funding to provide additional staffing for the Economy development team”.

Councillor Goodheart seconded this amendment.

The Chairman then invited debate on this amendment. The first to speak was Councillor Dr Walsh who confirmed that he was happy to accept this amendment and that he hoped that the Council would support it. Other Councillors confirmed that they were confused as to what was being proposed as this represented an additional £40k to be added to the budget. Councillor Miss Seex was asked how she proposed to spend the £40k and how this would be funded?

Following much discussion, questions were asked in terms of how this could be supported without knowing the detail of where this money would be found. The Council's Section 151 was again invited to provide his professional opinion. He confirmed that he had not been approached in terms of this amendment and so he could not confirm the source of funding only to assume that the £40k would be met from balances.

The Chief Executive confirmed that if a proposal to put an addition to the budget was put, it had to clearly identified where the funding would come from. This had to be confirmed now before the Council was able to continue with this debate. The Chief Executive confirmed that neither himself nor the Section 151 Officer had been approached by Councillor Miss Seex to discuss this option.

Councillor Miss Seex was invited to provide more detail on her proposal. She confirmed that she was trying to salvage something from Councillor Gunner's amendment which they had confirmed was achievable without any financial detriment. She wished to continue to allocate £40k to the Economic team as this was a requirement that was needed which she felt could be met from reserves and as the Conservative Group had already investigated this.

The Chief Executive confirmed that the funding proposed by the Conservative amendment was coming from reserves.

Councillor Miss Seex asked if the Appendix showing the detail behind the Conservative amendment could be shared again with the meeting. On this being shared, Councillor Miss Seex stated that the savings identified to the contingencies/miscellaneous fund would accommodate her proposal to increase the Economy budget by £40k or perhaps from savings proposed by the Conservatives to the Planning budget could be used. She asked if the Leader of the Council as Cabinet Member for Economy could comment in terms of whether he approved this suggestion.

Full Council - 17.02.21

Councillor Miss Seex was reminded that this was her amendment and so she needed to confirm the detail that sat behind it.

Councillor Dr Walsh raised a Point of Personal Explanation and confirmed that he supported this amendment and Councillor Miss Seex's proposal for the £40k additional funding to the Economy team to be provided from the Council's balances.

The Section 151 Officer confirmed that this would be ongoing expenditure as the proposal was talking about posts as opposed to one-off expenditure and he pointed out that this would be an additional £40k that would need to be added to the base budget. The Section 151 Officer was asked to provide further clarification. He explained that the £40k as suggested by Councillor Dr Walsh, would be taken from the Council's balances which currently stood at £5.8m but that this would not be a one-off expenditure it would be £40k plus other costs associated with employment each year. This was doable but Councillors had to understand that this would be a reoccurring item of expenditure.

Debate on this second amendment saw some Councillors speaking in support as they agreed that the Economy team did need to be increased but they had difficulty in accepting how this would be funded and in terms of the Leader of the Council's response to the proposal. Other suggestions were made which were to take funding away from Planning (£7k) and to use the funding that had been put into place for the printer (£33k) which would avoid the need to use any of the Council's reserves.

The Chief Executive reminded Members that they needed to very carefully think about not making decisions without fully understanding the financial implications. He explained that he had met with all Group Leaders and provided them with ample opportunity to raise; discuss and investigate possible amendments ahead of this meeting. He invited the Section 151 Officer to explain the implications of the suggestions that had been made. The Section 151 Officer confirmed that the cost of the printer was £33k but that this printer would be used to bring in revenue income to a value of £244k in view of the printing contracts that the Council had in place with Chichester District Council and Worthing/Adur Council. As this was a serious income generator it was not considered prudent to remove the supply of this equipment.

There were Councillors who spoke stating that other Councillors needed to pause and pay attention to what the Chief Executive and the Section 151 Officer were saying. It was felt that making policy and financial changes in this way was very dangerous and irresponsible. The budget had been compiled very carefully by the finance team and any change made to it had numerous implications. The budget presented by the Council's financial experts was what should be accepted.

Following very lengthy discussion, Councillor Miss Seex confirmed that she wished to withdraw her amendment on the understanding that Councillors and Officers would work together to bring a report to the next Full Council meeting to resolve this issue and to provide the detail to make this proposal work following discussion with all Group Leaders.

The Chairman then invited debate on the substantive recommendations.

There were Councillors who hoped that work could be undertaken to find the funding proposed by Councillor Miss Seex for additional Officers in the Economy section so that valuable and much needed regeneration would proceed.

A range of questions were then asked about the amount of money that the Council spend on Consultants; would Foreshore Officers be recruited for the forthcoming Summer season; would the Council be looking at undertaking a review of its office space as homeworking had been so successful. Questions were also asked on the level of affordable housing provided as targets were not being seen to be met. Debate also focused on the Place St Maur project; climate change issues; sheltered accommodation and especially assisting the residents at Flaxmean.

Councillor Dr Walsh, as proposer to the recommendations, responded to some of the points raised. He confirmed that as suggested at the start of the debate, he would write to Central Government to share with them the Council's financial forecasts so that they could see the challenges ahead. This matter was also being addressed by the District Council's Network.

Following a range of Points of Order and Points of Personal Explanations raised, the Interim Monitoring Officer outlined that in line with the Council's Constitution a recorded vote was required when voting on the budget.

Those voting for the substantive recommendations were Councillors Batley, Bennett, Blanchard-Cooper, Brooks, Buckland, Mrs Catterson, Coster, Dixon, Mrs Hamilton, Mrs Haywood, Huntley, Jones, Lury, Miss Needs, Oppler, Purchase, Mrs Staniforth, Stanley, Tilbrook, Ms Thurston, Dr Walsh, Mrs Warr and Mr Yeates (23) and those voting against were Councillors Bicknell, Bower, Mrs Caffyn, Charles, Clayden, Mrs Cooper, Cooper, Dendle, Edwards, Elkins, English, Gunner, Kelly, Oliver-Redgate, Mrs Pendleton, Miss Rhodes and Roberts (17). Councillors Mrs Daniells, Goodheart, Miss Seex and Mrs Worne abstained from voting (4).

The Council

RESOLVED – That

- (1) The General Fund Revenue Budget as set out in the revised Appendix 1 is approved;
- (2) Arun's Band D Council Tax for 2021/22 is set at £191.52, an increase of 2.65%;
- (3) Arun's Council Tax Requirement for 2021/22, based on a Band D Council Tax of £191.52, is set at £11,994,515 plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;

Full Council - 17.02.21

- (4) The Housing Revenue Account (HRA) budget as set out in Appendix 2 is approved;
- (5) HRA rents for 2021/22 are increased by 1.5% (CPI plus 1.0%) in accordance with the provisions of the rent standard;
- (6) HRA garage rents are increased by 5% to give a standard charge of £12.93 per week (excluding VAT) and heating and water/sewerage charges increased on a scheme by scheme basis, with a view to balancing costs with income;
- (7) The Capital Budget as set out in Appendix 3 is approved;
- (8) The statutory resolutions required by the Council in agreeing its budget for 2021/22, as set out in Appendix 4, are approved;
- (9) It be noted that the Group Head of Corporate Support, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Support, has approved i) a Council Tax base of 62,628 for 2021/22 and ii) the submission of the Council's NNDR1 return (the estimate of the Council's Business Rate income for 2021/22) to the Ministry of Housing, Communities and Local Government; and
- (10) For 2021/22 any expenses incurred by the Authority in performing in part of its area a function performed elsewhere in its area by Parish/Town Council or the Chairman of a Parish Meeting shall not be treated as Special Expenses for the purposes of Section 35 of the Local Government Finance Act 1992.

(The meeting concluded at 10.30 pm)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 17 MARCH 2021

SUBJECT: Pay Policy Statement 2021-2022

REPORT AUTHOR: Alan Peach – Group Head for Corporate Support **DATE: 23**
February 2021 **EXTN: 37558**

EXECUTIVE SUMMARY:

The Localism Act 2011, section 38(1) requires that local authorities prepare an annual Pay Policy Statement. This paper introduces the draft Pay Policy Statement for 2021/2022 (attached) and asks Members to approve it.

RECOMMENDATIONS:

- a) To approve the Pay Policy Statement 2021/2022 for publication on the Arun website by 1 April 2021; and
- b) To give delegated responsibility to the Group Head for Corporate Support to make changes to the Pay Policy Statement should new legislation be introduced during the forthcoming year that has an effect on its contents.

1. BACKGROUND:

- 1.1 The Localism Act 2011, Section 38(1) requires that local authorities prepare an annual Pay Policy Statement. This should set out an authority's own policies towards a range of issues relating to the pay of its workforce, particularly its senior staff and its lowest paid employees. This statement must be prepared for each financial year and must be approved by Full Council ready to be published by April 2021.
- 1.2 The Pay Policy Statement for 2021 – 2022 (The Statement) is attached as Appendix 1, along with two other relevant appendices.
- 1.3 The Statement sets out our processes for determining remuneration and several related issues, including the use of bonuses (or not in our case), severance pay, enhancement of pension entitlement (not in our case), allowances etc. The contents of the Statement are matters of fact and simply set out current practice.
- 1.4 Section 9 of the Statement, "Relationship between remuneration of Chief Officers and employees who are not Chief Officers" sets out the relationship between the highest and lowest paid officers.

2. PROPOSAL(S):

a) To approve the Pay Policy Statement 2021/2022 for publication on the Arun website by 1 April 2021.

b) To give delegated responsibility to the Group Head for Corporate Support to make changes to the Pay Policy Statement should new legislation be introduced during the forthcoming year that influences its contents.

3. OPTIONS:

a) Agree the Pay Policy Statement for 2021/2022 to be published on the Arun website by 1 April 2021

b) Not approve the Pay Policy Statement for 2021/2022

4. CONSULTATION:

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

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓

6. IMPLICATIONS:

Requirement to publish under the Localism Act 2011

7. REASON FOR THE DECISION:

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

8. BACKGROUND PAPERS:

None

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ARUN DISTRICT COUNCIL Pay Policy Statement Financial Year 2021 – 2022

1. Purpose

- 1.1 This Pay Policy Statement (Statement) is provided in accordance with Section 38(1) to 43 of the Localism Act 2011 and the Statement will be updated annually from April each year.
- 1.2 The Statement sets out Arun District Council's (ADC) policies relating to the pay of its workforce for the financial year 2021 – 2022, in particular:
- The remuneration of its Senior Management, third tier and above
 - The remuneration of its "lowest paid employees"
 - The relationship between the remuneration of its senior managers and employees who are not senior managers

2. Definitions

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

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

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

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

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

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

3. Pay Framework and Remuneration Levels

3.1 Remuneration for staff up to and including Director Level

3.1.1 *Determining the Grades of Posts*

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

3.2 *Pay Structure and Pay Increases*

- 3.2.1 The Council's pay and grading structure is based on the national pay scale issued by the National Joint Council (NJC) as part of the National Agreement for Local Government Services. This pay scale incorporates posts graded 2 to 14 (Grade 14 is covered by an extension to the National Pay Scales). Incremental rises within each grade is automatic on the 1st April each year until the employee reaches the top of the scale.
- 3.2.2 The Council has a separate pay scale for Group Heads and Directors. Incremental increases are not automatic for these staff and are at the Chief Executive/Director's discretion.
- 3.2.3 All staff, other than the Chief Executive, are awarded an annual cost of living increase which is linked to national pay negotiations for the National Joint Council for Local Government Services.
- 3.2.4 There is no provision for the payment of bonus payments to staff in these grades.

3.3 **Remuneration of the Chief Executive**

- 3.3.1 It is essential for good governance that decisions on pay and reward for the Chief Executive are made in an open and accountable way and that there is a verified and accountable process for recommending the level of pay for this post.
- 3.3.2 The remuneration of the Chief Executive is recommended by the Chief Executive Remuneration Committee and the decision is made by Full Council. This Committee comprises of elected councillors from the main political parties and determines the pay of the Chief Executive on appointment and annually thereafter, following the rules as set out in the Council's Constitution as Part 3

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

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

4.0 Publication of Chief Officer Salaries including the Chief Executive

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

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

5 Other Pay Elements

5.1 Market Supplements

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

5.2 Honoraria/Honorariums

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

5.3 *Other Allowances*

- 5.3.1 There are a number of other allowances which staff may be eligible for such as car allowance, standby/call out allowance etc. Any allowance or other payment will only be made to staff in connection with a particular role or the patterns of hours that they work. Allowances will be payable subject to the employee meeting the eligibility criteria as laid out in the relevant policy.
- 5.3.2 Payments made to staff working during elections, polls and referendums will be in line with the Scale of Returning Officer's expenditure for Local Government Elections, Polls and Referendums, as attached at Appendix 1.

6 Pensions

- 6.1 All staff, as a result of their employment with Arun District Council, are eligible to join the Local Government Pension Scheme (LGPS). Full details of the scheme can be found at www.lgps.org.uk. The LGPS is a contributory scheme and contributions are made by both the employer and the employee. The level of contribution is dependent on the employee's earnings.
- 6.2 The LGPS requires employers to prepare and publish a written policy on its discretionary powers in relation to pensions. These are known as the Council's Pension Discretions, they are reviewed annually and can be found on the Council's intranet.

7 New Starters Joining the Council

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

8 Termination of Employment

- 8.1 All employees who leave the Council's employment are entitled to payment of their contractual notice (except in cases of summary dismissal following disciplinary proceedings) along with any outstanding holiday pay.
- 8.1.2 The Council has determined that a vote by the Council regarding severance payments above a defined threshold is not required. This is due to the fact that the Joint Consultative Panel agrees all pay policies including those affecting severance payments. All severance payments are paid in accordance with Council policy and in compliance with employment legislation.

8.2 *Redundancy Payments*

8.2.1 Redundancy payments are payable to employees whose post is made redundant and the post holder has two years' service or more. ADC's redundancy payments are determined by the age of the employee and length of service and are based on actual salary. Details of how the redundancy payment is calculated is set out in the Council's redundancy policy.

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

8.3 *Settlement Agreements*

8.3.1 In exceptional circumstances, and specifically to settle a claim or potential dispute, the Chief Executive in consultation with the Section 151 Officer, can agree payment of a termination settlement sum up to the value of £50,000. In such cases, each decision as to the level of payment will be taken on its individual merits and with advice taken from the Human Resources Manager.

8.4 *Re-employment of Officers*

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

9 Relationship between remuneration of "Chief Officers and "employees who are not Chief Officers"

9.1 The mean average remuneration for the 2021/2022 budget is £38,980 and the highest paid employee £154,320. This includes all allowances and employers pension contributions at 21.4%. The pay multiple between the two is 3.96. This is based on current pay scales, excluding a national pay award.

In comparison, the mean average remuneration for the 2020/2021 budget was £38,560 and the highest paid employee £153,750. This included all allowances and employers pension contributions at 21.4%. The pay multiple between the two was 3.99. This was based on 2020/21 pay scales, including the 2% pay award.

9.2 The lowest paid employee is at £12,160 and the highest paid employee £154,320. This includes allowances and employers pension contribution at 21.4% and the pay multiple between the two is 12.69*. This is based on current pay scales, excluding a national pay award.

In comparison, for the 2020/2021 budget, the lowest paid employee was at £7,650 and the highest paid employee £153,750. This included allowances and employers pension contribution at 21.4%. The pay multiple between the two was 20.09. This was based on 2020/21 pay scales, including the 2% pay award.

*note that this includes apprentice pay. The multiplier excluding apprentice pay is 7.83.

Date approved by Full Council

CORPORATE MANAGEMENT TEAM

2021

CHIEF EXECUTIVE

DIRECTOR OF SERVICES

DIRECTOR OF PLACE

Residential Services Group

Neighbourhood Services Group

Community Wellbeing Group

Technical Services Group

Economy Group

Planning Group

Policy Group

Law and Governance Group

Corporate Support Group

Page 27

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SCALE OF RETURNING OFFICERS EXPENDITURE FOR LOCAL GOVERNMENT ELECTIONS, POLLS AND REFERENDUMS IN HELD WEST SUSSEX 2021/2022

PART A – PERSONAL FEE FOR RETURNING OFFICER’S SERVICES

A.1	Personal fee in respect of each electoral area for executing all the statutory duties of the Returning Officer for the conduct of the election, including the appointment of Deputy Returning Officers, the publication of prescribed notices, the distribution preparation, verification and adjudication of candidates’ nomination papers and consents, the provision of polling stations and ballot papers (including the dispatch and receipt of postal ballot papers), the appointment of presiding officers, poll clerks and counting assistants, the dispatch of poll cards, the issue of notifications of secrecy, the supervision of the counting of votes and declaration of the result of poll, the submission of returns and the custody of records.	
	For all services in an uncontested election or for services up to the close of the withdrawals period in a contested election	£79.00
	For services after the close of the withdrawals period in a contested election	£31.00 for every 500 local government electors (or part 500)
	For a countermanded election:-	
a)	If countermanded before the close of the withdrawals period	£79.00
b)	If countermanded after the close of the withdrawals period	£79.00 plus £16.50

PART B – DISBURSEMENTS BY RETURNING OFFICER

B.1	<u>Staff for polling Stations</u>	
a)	Presiding Officer’s services	£221.00
b)	Supplementary fee to Presiding Officers for combined polls for district, parish or county elections	£45.50
c)	Poll Clerk’s services (one clerk for each 1000 local government electors or part 1000 allocated to a polling station)	£140.00
d)	Supplementary fee to Poll Clerk for combined polls for district, parish or county elections	£30.00

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- | | | |
|----|---|--|
| e) | Services of part-time Poll Clerk (where not required for whole of polling hours) | Hourly rate (as proportion of normal fee) on basis of hours employed |
| f) | Supplementary fee to Presiding Officer who acts as Senior Presiding Officer at a polling place where there is more than one polling station | £15.50 |
| g) | Polling Station Inspector | £221.00 |
| h) | Fee in respect of attendance at training session for up to | £43.50 |
| i) | Polling Station Marshalls/ Stewards | £187.00 |
| j) | Supplementary fee for staff in connection with cleaning the polling station | Up to £35 in addition to the normal fee |
| k) | Supplementary fee for Presiding Officer to collect and deliver poll booths | £15.00 |

B.2 Staff for Counting of Votes

- | | | |
|----|---|---|
| a) | Counting Assistant's services (for sorting and counting ballot papers) | £25.00 plus £9 per hour, or part, of duration of count proceedings or £25.00 plus £13.50 per hour, or part, of duration if count held overnight |
| b) | Counting Supervisor's services (for directing Counting Assistant's functions to ensure proper verification of ballot boxes) | £18.50 (responsibility supplement for each electoral area) plus £12.50 per hour, or part. |
| c) | Deputy Returning Officer's services | £44.50 (responsibility supplement for each electoral area) plus the fee for Counting Assistant's services |
| d) | Fee in respect of Count Supervisors attendance at training up to | £43.50 |

Staff for Clerical Assistance

£B.
3

- | | | |
|----|--|--|
| a) | General Assistance for purposes of preparation for the dispatch and receipt of postal ballot papers | £28.50 for every 50 ballot papers (or part of 50) |
| b) | General assistance for all other matters in district, parish or county elections (including completing, handling and dispatch of poll cards) | £8.50 for every 100 electors (or part 100); allowance to be reduced by 5% in parish elections where no poll cards are issued |
| c) | Staff payments in respect of despatch and opening of postal ballot papers | £28.50 per half day session or £9 per hour (or part hour) where |

hourly rate is applicable **or**
 £10.50 per hour (or part hour)
 where working after 5pm is
 involved **or** £13.50 per hour (or
 part hour) where weekend/bank
 holiday working is involved

- d) Postal Vote Supervisor (opening and despatch) £15.50 plus payment of despatch/opening fee

Travelling and Subsistence Expenses

- a) Journeys necessarily made for any purposes approved by the Returning Officer in relation to the election proceedings Actual cost of rail fare (second class) or other forms of public transport. Top allowance on NJC Scale for use of private vehicle

- b) Travel Expenses paid to staff in connection with the election

Fixed Fee for Presiding Officer	£10.00
Fixed Fee for Poll Clerks/Counting Assistants	£7.00
For those being paid mileage rate	.45p per mile

B.5 Ballot Boxes and Stamping Instruments

- a) Cleaning and preparation of equipment before issue from storage place £3.00 for each polling place

B.6 Poll Cards

For hand delivery of poll cards 18p per card

B.7 All other expenses necessary for the proper conduct of the election proceedings, including the following particular matters:-

- a) Provision, use and fitting up of accommodation for polling stations
- b) Provision and transport of equipment for polling stations (e.g. voting compartments, tables and chairs)
- c) Provision and publication of notices, poll cards, ballot papers, registers of electors and postal and proxy voters' lists
- d) Provision of all other stationery and documents
- e) Postage and telephone charges
- f) Compensation for injury to persons or damage to property

Notes

- 1 The prescribed amounts in the scale are payable in respect of each separate electoral area
- 2 "Electoral area" means any ward/parish/division for which a separate election is held
- 3 The prescribed amounts in the scale are maximum sums and Returning Officers may pay lesser amounts for those items in circumstances where they consider this to be specifically justified
- 4 "Elector" means a person registered as a local government elector in the register for the electoral area concerned.
- 5 Fees for Parish polls will be adjusted according to the workload and timing of the poll.

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 17 MARCH 2021

SUBJECT: Adoption (making) of the Felpham Neighbourhood Plan 2019-2031

REPORT AUTHOR: Donna Moles (Senior Planning Officer)

DATE: 23 February 2021

EXTN: 37697

PORTFOLIO AREA: Planning Policy

EXECUTIVE SUMMARY:

The Felpham Neighbourhood Development Plan 2019-2031 passed Examination in December 2020. The Examiner of this modified Plan concluded that the Plan passed the Examination and that the material modifications do not change the nature of the Plan and it does not require a Referendum so should proceed to be 'made'.

This 'making' of the plan will give it legal force and it will form part of the statutory Development Plan for that area. Consequently, decisions on planning applications in the neighbourhood area will need to be made in accordance with the Neighbourhood Development Plan or Order, unless material considerations indicate otherwise.

RECOMMENDATIONS:

It is recommended to Full Council that:

- 1) It 'makes' the Felpham Neighbourhood Plan 2019-2031 and it becomes part of the Development Plan for Arun District Council.

1. BACKGROUND:

1.1 The Localism Act, which received Royal Assent on November 15 2011, introduced new rights and powers to allow local communities to shape new development by coming together to prepare Neighbourhood Plans and Orders. Neighbourhood forums and Parish Councils can use new Neighbourhood Planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as 'Neighbourhood Development Plans'. They have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy).

1.2 Under the Town and Country Planning Act 1990 (as amended), the Local Planning Authority has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans and Orders and to take Plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.

1.3 The Felpham Neighbourhood Development Plan relates to the area that was designated by Arun District Council as a neighbourhood area on 29th November 2012. This area is coterminous with the Felpham Parish Council boundary that lies within the Arun District Council Local Planning Authority Area.

1.4 The Felpham Neighbourhood Development Plan was examined by Mr John Slater, who passed the Plan and recommended Arun District Council should, subject to the modifications in the Examination report, proceed to be 'made' by Arun District Council. Following this, the Examiner's modifications were agreed by Felpham Parish Council and Arun District Council and a Post Examination Plan incorporating the changes, was published on 5th March 2021.

1.5 On 5th March 2021, the Decision Statement, which is a report that outlines all the Examiner's modifications and confirms acceptance by all parties, was signed by the Group Head of Planning and published on the Arun District Council website.

2. PROPOSAL(S):

2.1 There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

- Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
- Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

2.2 Whether modifications change the nature of the plan is a decision for the independent examiner. The examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the qualifying body and the local planning authority. Where material modifications do not change the nature of the plan (and the examiner finds that the proposal meets the basic conditions or would with further modifications) a referendum is not require.

2.3 The Examiner concluded that whilst the modifications to existing policy and the addition of a small number of new policies are material modifications to the existing made plan, they do not when taken as a whole change the nature of the neighbourhood plan. They are in the main refinements of existing policy and the plan does not introduce new allocations, therefore; a new referendum is not required and it is appropriate for Arun District Council to make the modified plan.

3. OPTIONS:

1. To 'make' the Felpham Neighbourhood Plan 2019-2031 to become part of the Development Plan for Arun District Council.

Or

2. To not 'make' the Felpham Neighbourhood Plan 2019-2031 which would not become part of the Development Plan for Arun District Council.

4. CONSULTATION:

Various rounds of consultation has been undertaken as part of the Neighbourhood Plan process.

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	X	
Relevant District Ward Councillors	X	
Other groups/persons (please specify) The community, Statutory bodies and relevant stakeholders as per the regulations	X	

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		X
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X

6. IMPLICATIONS:

Once 'made', the Felpham NDP will become part of the Development Plan for the District and will be used by the Council when determining planning applications for this area.

7. REASON FOR THE DECISION:

Arun District Council as the Local Planning Authority under section 61E(4) of the 1990 Act, needs to bring a Neighbourhood Development Plan into force.

8. BACKGROUND PAPERS:

The various web link provide the full information for the Plan, background of the Plan and [Felpham Neighbourhood Development Plan 2 | Arun District Council](#)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 17 MARCH 2021

SUBJECT: Feedback on Presentations Relating to Bognor Regis Regeneration

REPORT AUTHOR: Karl Roberts, Director of Place
DATE: 5 February 2021
EXTN: 37760
PORTFOLIO AREA: Regeneration

EXECUTIVE SUMMARY:

To receive a report on the eleven presentations given to Members on Bognor Regis Regeneration and identify what steps the Council wishes to take to advance this project.

RECOMMENDATIONS:

Officers are asked to prepare a report for a future meeting of Full Council based on the debate tonight regarding what type of regeneration activity the Council might want to pursue in Bognor Regis, and any relevant procurement requirements and associated funding issues.

1. BACKGROUND:

1.1 On 16 September 2020 Full Council considered a motion regarding regeneration in Bognor Regis and agreed the following resolution:

“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 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.”

- 1.2** A number of subsequent discussions took place with Group Leaders to agree the parameters within which the invitation to make presentations would be made.
- 1.3** Prior to the deadline of 13 November a total of twelve requests to make presentations were received by parties which met the parameters set by Full Council.
- 1.4** The presentations themselves took place on 1, 2, 9 and 10 February 2021. In the end only 10 presentations took place. Each party was invited to provide a maximum of a four-page summary of their presentation and those which we received are appended as Appendix 1-10 to this report in the order that the presentations were made.
- 1.5** Also attached as Appendix 11 is a copy of a letter received from the Bognor Regis Regeneration Board regarding the Board's view of how Members might want to evaluate the presentations.

2. PROPOSAL(S):

- 2.1** From the wording of the September resolution officers are not able to discern what Full Council would wish to happen next so Full Council is invited to give officers instructions regarding what next steps should be taken.
- 2.2** One option would be to ask officers to prepare a detailed report regarding matters of what regeneration activity the Council might want to pursue, procurement requirements and funding issues.

3. OPTIONS:

Full Council is invited to set out what option the Council wishes to pursue.

4. CONSULTATION: None in writing this report.

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
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		X
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X

Technology		X
Other (please explain)		X

6. IMPLICATIONS:

Since this report is not asking Full Council to make a specific decision on what form any regeneration scheme might take there are no implications for the above matters directly arising from the recommendation.

7. REASON FOR THE DECISION:

To provide Full Council with a report on the presentations made to Members in February regarding regeneration possibilities in Bognor Regis pursuant to a resolution of Full Council in September 2020 and to seek instructions from Full Council on what steps should be taken next.

8. BACKGROUND PAPERS:

Remember to list background papers and insert required links

Equality Impact Assessment : Not Required

Appendix 1 – Big Blake Project Summary

Appendix 2 – 4BR Summary

Appendix 3 – Shooting Match Ltd Summary

Appendix 4 – Plaza Cinema Ltd Summary

Appendix 5 – One Bognor Society Summary

Appendix 6 – Juice Architects Summary

Appendix 7 – Project Sunrise Summary

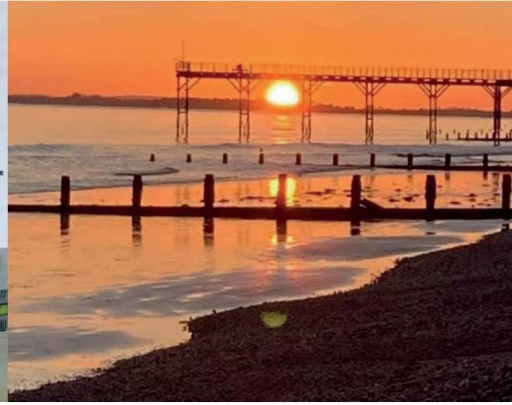
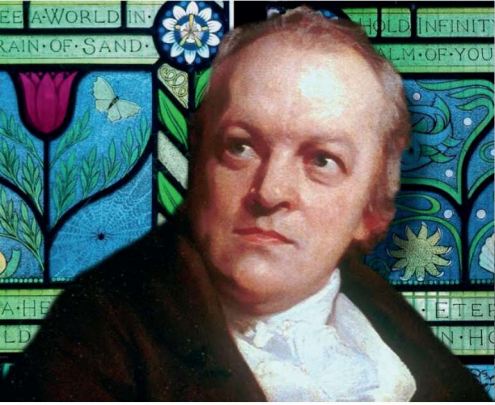
Appendix 8 – Coffee Cup Summary

Appendix 9 – Beachway Mgt Ltd Summary

Appendix 10 – BR Reinvigotation Summary

Appendix 11 – BBRB The Build Back Better Principle

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BOGNOR REGIS – a vision for the future

How do we propose a sustainable regeneration for Bognor Regis?

- Provide a key stone for the local community, support local businesses, retail and leisure opportunities
- A landmark regeneration project to bring Bognor Regis back as a serious tourist destination on the South Coast
- Catalyse the regeneration through the 'Centre for Imagination'; a proposal for a multi-use cultural centre both inspired by and to celebrate William Blake



Bognor Regis is fantastically placed to expand its tourism economy

In order for a proposal to support the continual regeneration of Bognor, it needs to be underpinned with a sustainable economic model.

- Various capital and lottery funded regeneration projects, such as Portsmouth Historic Dockyard, The Jerwood Gallery in Hastings and the Contemporary in Margate align to the South Coast.
- All are conveniently placed within a day's rail trip from Central London.
- Bognor is equidistant from London – why can't Bognor have the same?

The Big Blake Project have a good track record in delivering unique and authentic events in Bognor Regis. They have established links with the Arts Council and the University of Chichester and had exploratory discussions with the Tate and the V&A. The Centre of the Imagination could work within a wider scheme providing that the Big Blake Project were involved in the design and delivery stages.

The Big Blake Project created BlakeFest, an annual Arts and Music Festival in Bognor Regis.

Here are a few highly successful examples of arts-led regeneration:

Folkestone Quarter House Design Precedents

- £4M Contract Sum
- Completed February 2009
- Winning scheme of 2 stage completion
- Gallery and exhibition space
- Café and bar
- 220 seat/500 standing multi-purpose auditorium
- Business Enterprise Centre
- Envisaged as new cultural hub for Folkestone



Designed to act as a beacon for the local area, expressed through the use of materials which enables the building to be illuminated at night

The use of fluted metal mesh cladding inspired by scallop shells and links with the maritime story of the city.

Jerwood Gallery Hastings Design Precedents

- 4M Contract Sum
- Completed March 2012
- Awarded an RIBA Civic Trust Award
- Primarily functions as a gallery displaying the Jerwood Foundation collection
- Temporary exhibition spaces
- Seafront location
- Associated studio spaces
- 350 seat auditorium
- 120 seat performance space
- Workshops and Artist-in-Residence
- Ancillary and supporting spaces

Built on a tight urban site, the layout and design reflects tightly woven street space Located on a compressed site, spaces are top lit.



Southend Pier Royal Pavilion Design Precedents

- £4M Contract Sum
- Completed 2009
- Set on the world's largest and longest Grade II listed pier
- Used as Theatre and Art Gallery

Designed as an undulating wave form of glass and steel cladding to echo the movement of the sea.

Bognor Regis and Felpham lay claim to an association with an iconic English artistic and literary figure

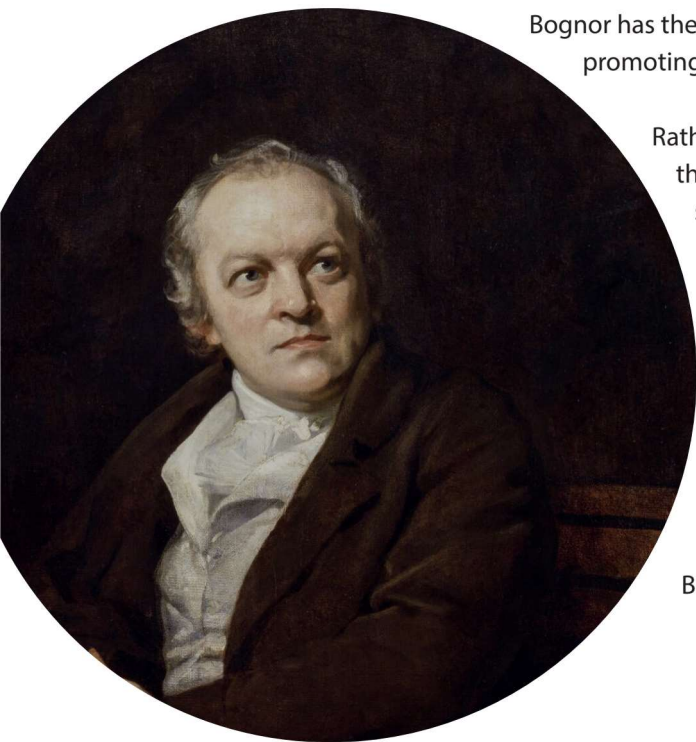
Bognor has the ability to enter the cultural day-trip tourist market by celebrating and promoting William Blake, who was once resident of adjacent Felpham.

Rather than a retrospective exhibition space for William Blake, his paintings, thoughts, poetry and legacy, might not the 'father of imagination' be the seed for a centre? A place that not just celebrates his work but uses it to inspire a contemporary centre for imagination and creativity, that forms a central burst of regeneration to the Regis Centre site that can ripple throughout the town.

How can the historic link with William Blake regenerate the entire town and area?

The Big Blake Project have created and published a Blake Trail – a meandering walk connecting key areas and associated places to William Blake in Bognor Regis.

Page 44



Highlights of this trail include the Railway Station as a starting point, the seafront promenade and Blake's Cottage in Felpham Village.

This trail includes various opportunities for further regeneration. What if these areas could be strategically linked through the Blake Trail and formed a basis for a masterplan linking up Bognor's existing treasures and new potential regenerative sites?



Regis Centre Site; a suggested proposal to meet the requirements for regeneration with both the local community and tourist market in mind

The existing proposals for the Regis Centre site propose a mixed use retail and leisure hub for the local community. This could be built upon with the addition of the William Blake inspired 'Centre for the Imagination', containing a new theatre/ performance space and freeing up more space for development.

Potential Regeneration sites:	Existing 'treasures':
Hothampton	Felpham Seafront
Bognor Regis Pier	St. Mary's Church
Seafront Promenade	Hotham Park
Esplanade/Butlin's corner	Waterloo Square/Regency Waterfront

This could also provide a residential element which could further enhance the quality of the development into a mixed use culture, retail, leisure and residential development that responds and enhances the existing rich Regency architecture and planning prominent along the esplanade.

Centre for the Imagination! A cultural hub for Bognor Regis inspired by the art, poetry and philosophy of William Blake. What could this hub contain?

- A new and unique Theatre/Performance/Exhibition space
- Permanent Exhibition space dedicated to William Blake
- Workshops and classrooms for schoolchildren or visitors to promote interactive and creative activities
- Associated retail and catering facilities, with a restaurant overlooking the town and seafront with views across the English Channel and coast

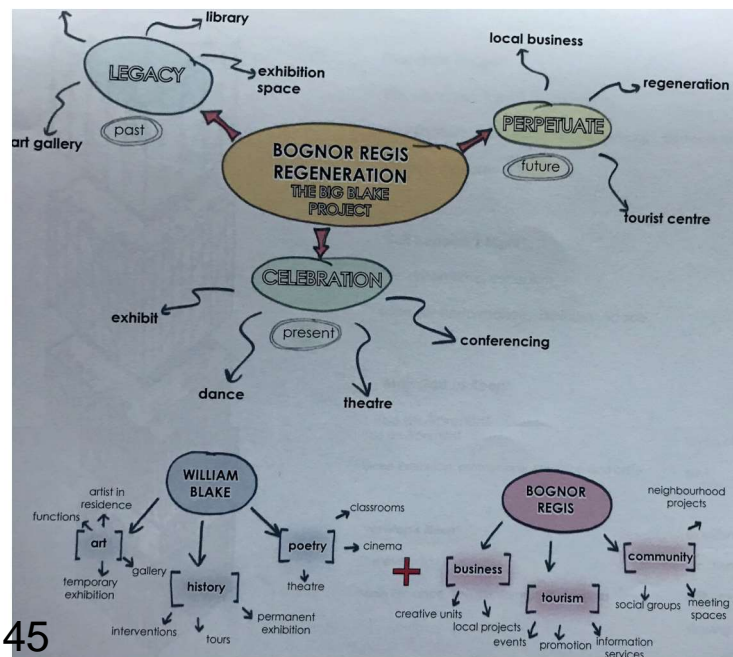
Who is this for?

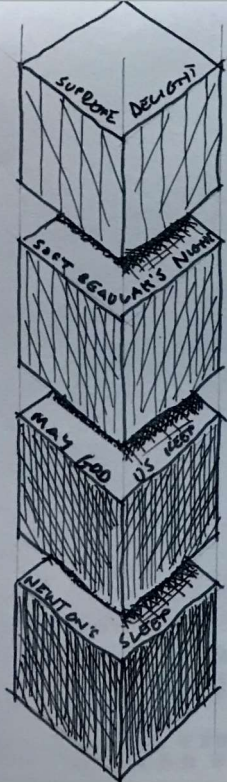
- The Local Community; individuals, schools, further education, local businesses and external business
- The tourists; local visiting for an afternoon, sojourn from shopping, the day tripper from London, the holiday makers in Bognor or surrounding areas.

This centre could be a draw to re-imagine Bognor Regis seafront, not limited to the tourist, but the local community also. The outlined brief attempts to cater for everyone and not just narrowly focus on one group.

Concept

Host a permanent exhibition of William Blake's work as a cornerstone to the Centre of the Imagination.





"Supreme Delight"

The wondrous, infinite imagination
Imagination and creative workshops, Restaurant,
Viewing Platform

"Soft Beulah's Night"

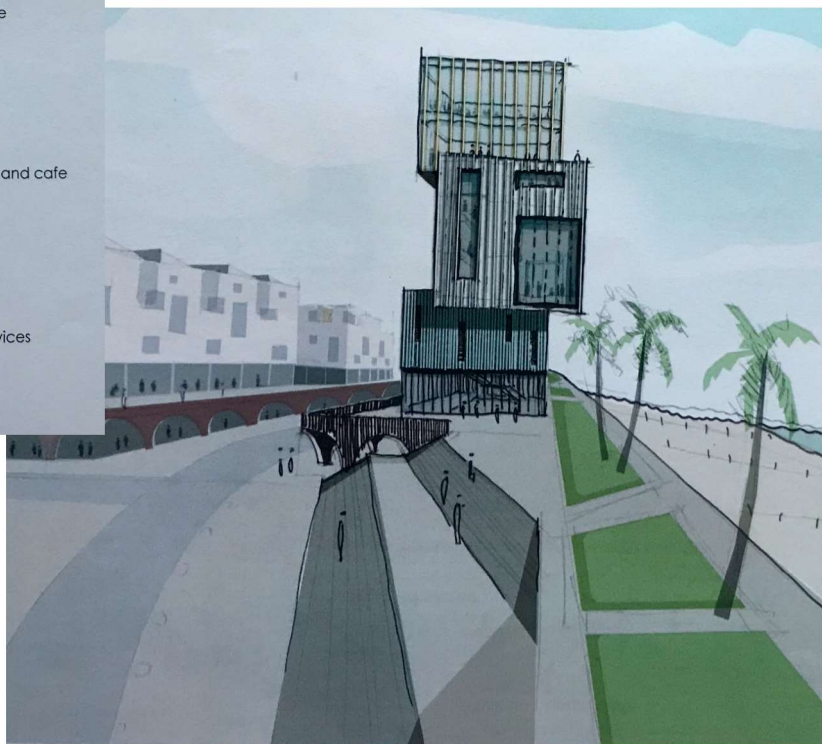
The dreamtime, escapism
Theatre/ Performance/ Exhibition Space

"May God us Keep"

The environment
Blake Exhibition, promenade entrance and cafe

"Newton's Sleep"

The everyday
Main Entrance, Tourist Information, Services



Blake in 2019 was the featured Artist in the five month sell-out blockbuster exhibition at the Tate. Tremendous ticket sales at £18 a piece prove that Blake is not niche. It was the biggest ever exhibition of a single artist. Blake's high profile was further raised by the associated outdoor light projections of his iconic images across London. The exhibition itself was covered regularly and in depth by all the daily newspapers, across the BBC radio stations and TV news programmes.

One way to organise the 'Centre for the Imagination'

*"Now I a fourfold visions see,
And a fourfold vision is given to me:
Tis Fourfold in my supreme delight
And threefold in soft Beulah's night
And twofold always, may god us keep
From single Visions and Newton's sleep!"*

William Blake wrote these words in a letter while walking from Felpham to Lavant. By utilising this vision as a concept to order the internal functions of the proposal, the visitor can engage with the narrative through a journey up to the viewing platform, with the horizon over the channel symbolising Blake's notion of infinite essence.

Conclusions

The idea of flagship cultural centre to spearhead regeneration is an established strategy, prevalent in many UK and European urban areas.

The day-trip tourist from London has many options on the South Coast, but a centre in Bognor Regis, focused on a huge giant in English culture would bring a new, unique, and authentic identity to the Bognor Regis area, as well as providing inspiration for local residents and businesses with a new and rich association to their town.

The surrounding Regis Centre site could build upon the existing proposals, and with the new Blake 'Centre for the Imagination' combine with the esplanade and surrounding town developments to once again make Bognor Regis a wonderful place to live, visit and stay.



For Bognor Regis Regeneration February 2021

Following 4BR's presentation, which was made by Sean Maginnis, we have created this synopsis. Within this are a couple of images showing our vision for the Regis Centre site and the promenade site. During the presentation Paul Newman & Juice Architects were mentioned and 4BR's relationship with them is explained in our synopsis. I'm sure you all will understand the benefits that would come the way of both ADC & Bognor Regis if a Joint Venture partnership was created between ADC & Juice.

- **LOCATION** - Bognor Regis is located within the Arun District of West Sussex on the south coast. It was developed in the 18th century into a seaside destination which had its heyday in the 1940s 50s and 60s. *It's now in need of major investment.*
- **REGENERATION** - To improve the seaside experience - Enhance the public buildings - Benefit the community and the tourist experience
- **ADC** - The local authority, Arun District Council, are again working towards regenerating areas within Bognor Regis. Back in September 2014 ADC asked for proposals to be submitted but following many attempts nothing developed. We're now in 2021 with another administration, offering another opportunity to get regeneration going.
- **HISTORY of 4BR** - 2 locals who run businesses within the town, who formed 4BR in 2014 out of frustration with the state of the town. Putting pen to paper, conceptual ideas were created and support was gathered from many locals and businesses. After many presentations to the relevant authorities, 4BR needed to progress their ideas and investigate the market.
- **Paul Newman & JUICE** - Juice Architects were approached and through the MD Paul Newman, joined forces with 4BR, expanding on our original ideas and created many improvements.
- **4BR SYNDICATION** - This was created in 2015 with a solid proposal which gave 4BR a complete regeneration package. At its heart - the future of Bognor Regis, with private financial backing for the development.
- **THE REGIS CENTRE: Community and Cultural use** - Working together with major stake holders, the Arun Arts Trust, and the wider community towards the continued use of this important area in Bognor Regis is extremely important for its future. The Regis Centre site has historically been the main area for entertainment in Bognor Regis. It's always been part of our plan to develop the theatre & create a multi-purpose facility. This multi-purpose facility would be for the benefit of both locals and tourists consisting of areas that could be transformed into a dance hall, sports hall, performance space, used for exhibitions, conferences and even as a village hall.
- **GALLERY and MUSEUM** - A quality gallery space where touring national and international exhibitions could be held, curated by galleries such as The Tate, The National etc. Quality exhibitions will attract cultural tourists who will regularly return to Bognor Regis if the experience is right.
- **WILLIAM BLAKE** - Sitting alongside the gallery would be a permanent display for Blake's Centre of Excellence.



For Bognor Regis Regeneration February 2021

- **MANUFACTURERS' SHOWCASE** - An area for displaying products that are produced along the south coast from IT to Formula 1 cars.
- **RETAIL and LEISURE** - The ground level of the new building replacing the Regis Centre will have several distinct areas for relaxing and entertainment, with community ideas included. Cafes, restaurants & bars would be housed within the building and on its roof garden. High street brands alongside small start-up units will all add to the vibrancy to give this area atmosphere.
- **HOTEL and RESTAURANT** - As an anchor tenant, Whitbread PLC would be a part of this regeneration by adding a hotel and restaurant. These would both be built within the style of the overall design.
- **RESIDENTIAL and CAR PARKING** - Using the location to build accommodation on this site will support the funding of the community areas. Parking would be available on the ground floor foot print of the development.
- **PROMANADE and ESPLANADE** - The closure of the Esplanade road, will create a pedestrian area alongside the promenade that will open up this part of the seafront to a much bigger use which could include facilities such as: a lido or saltwater, tidal pool; rock islands to prevent coastal erosion would also create sandy beach areas; water-based activities including sailing, kayaking, water-skiing, jet-skiing, diving and swimming. There would also be various sites for catering kiosks along the revitalised promenade.
- **ENTERTAINMENT** - Within the Place St Maur, performance space will be created for festivals, film shows, theatrical acts, music performances and the seasonal ice rink.
- **WATERLOO SQUARE and THE SUNKEN GARDENS** - Waterloo Gardens and bowls green could be opened up to become a large green park where many different activities could take place. The Sunken Gardens is a gem that needs more investment to restore it to its former glory.
- **HOTHAMPTON CAR PARK** - This area was once the home of the south's biggest dance hall. With the same quality design throughout, this could be developed into accommodation for students from the University of Chichester on the upper levels with leisure outlets, restaurants, bars, shops and limited parking.
- **PARKING** - Park and Ride would allow precious space within the town to be used more effectively.



For Bognor Regis Regeneration February 2021

Thank you for reading our vision on the regeneration of a town with a future.

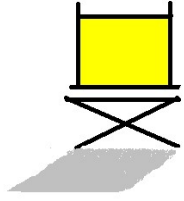
Kind regards

Steve Goodheart and Sean Maginnis

For information it must be noted that we only have a personal not pecuniary interest in these regeneration proposals.



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SHOOTING MATCH LTD

**BOGNOR REGIS
REGENERATION**

**TRANSCRIPT
PRESENTATION**

(Edited)

OF

PROPOSED PROJECT IDEAS

TO

ARUN DISTRICT COUNCIL

Nicholas Prosser

Good Evening. My name is Nicholas Prosser and I am Director of Shooting Match Ltd. To represent my freelance interests and to produce my own projects, I formed my own company called Shooting Match Ltd., which first produced London based independent screen acting training workshops and individual bespoke performer showreels. Here in Bognor, my company Shooting Match Ltd. has produced a short drama film called DELIVERY with the pupils of The Regis School, a corporate video for The Blake Project and a promotional 14 minutes film called : -

ENJOY BOGNOR REGIS & THE SURROUNDING AREAS, which, so far, has enjoyed nearly 14,000 hits on You Tube.

When we were planning our promotional film ENJOY BOGNOR REGIS, of course we looked at what Bognor had to offer - the Museum, Pier amusements, skateboarding opposite the Norfolk Hotel, Mini Golf, the children's roundabout and slide by the pier, the promenade train and the Palm Reader. I am sorry to tell you that we unanimously and reluctantly concluded that, to have enough material for our film, we could not just confine ourselves just to Bognor. So, in addition, we ventured to Felpham, Aldwick, Chichester, Littlehampton, to the boating lake and Wetland Centre at Arundel, to the races, the Trundle and the Weald & Downland Museum at Goodwood, Bognor's Roman Palace, Tangmere Museum and The South Downs. But Bognor has a long history as a seaside town with traditions of attracting visitors, for the day, for the weekend or for a longer summer holiday.

So a question worth asking? WHY REGENERATION?

Why not just serve the existing population and attract new residents by building more and more new apartments and houses, even more hotels? The answer to the question surely is to properly serve the local community and also to attract the visitor to generate enterprise for the town. Because of its seaside location Bognor Regis has a distinct advantage and privilege, which many inland towns would envy. I think I asked the question to a recent Town Manager : - "If you are standing at Victoria Station, peering up at the indicator boards, trying to choose between a train to Worthing, Hove, Southsea, etc., why would you choose Bognor?" Already, I have said that as producers of Enjoy Bognor Regis, we found that there were insufficient items or attractions to fill the content of a quarter of an hour film about Bognor. So we added to the title "& the surrounding areas". If existing attractions were not enough to make our film, I wonder if Bognor's existing attractions, good though they are, would entice a considerable increase in new visitors to the town. Surely, Bognor has to have SOMETHING those competitors lack. That SOMETHING that will entice non residents to visit. I have no geographical location in mind, though, as you will hear, one of them is conceived to be adjacent to the beach.

I have 4 ideas to present to you.

My first idea is for a PERFORMANCE ACTIVITY SPACE originates from when I was on stage management for the National Theatre's Young Vic Company, when we took Shakespeare's The Comedy of Errors to the Edinburgh Festival to perform to full houses for three weeks in the empty shell of the Haymarket Ice Rink. Portable seating was introduced on tiered rostra, allowing a performing space in the centre of the rink – very effective. From that experience, my proposal is to supply a flexible space that would provide a variety of activities to include a variety of performances in drama, dance, music recitals plus a venue for meetings, classes and workshops for drama, dance, music, yoga, keep fit, book clubs, debating societies, sport and so much more. What would make this venture flexible to accommodate so many different uses is that the 4 rostra supplying audience seating could be totally mobile, transported on wheels, allowing them to be tracked to various positions or completely removed into an adjacent storage dock area, leaving what is effectively a large, empty but totally flexible space. A space which could instantly be converted to become a theatre or an event base, according to individual production requirement. This facility would serve both the local community and be an attraction for visitors from far and wide. If ideas are to progress on the introduction of a new performance and activities space in Bognor, I should certainly welcome the opportunity to become actively involved. This then is the proposed idea for P.A.C. or Performance Activity Space.

Now to my idea - THE DIPPER to build a feature that stems from one of the key reasons why people visit seaside towns and that is to take a dip. My idea will link that leisure activity of bathing with the enterprising shopping and catering attractions, linked to the beach. Imagine, adjacent to the beach, with close proximity to the town centre, a dual pool experience. First, an external heated pool surrounded by sunbathing terraces with places to sit and congregate, cafes, even small shops. Then imagine, linked and connected to this external pool, a second INDOOR POOL, operational 365 days of the year, only divided from the external pool by a large transparent window of glass, providing light and sunshine. Surrounding this pool too, there would be endless possibilities of cafes, juice bars, small shops, even extending to an upper mezzanine floor overlooking the pool. This attraction would serve local residents, day visitors and holiday makers. This then the proposed idea called THE DIPPER

**And now to an idea based simply on FUN. Have you ever watched your children or grandchildren when they see any device which they think they can control, which satisfies their urge to touch, to press, to pull, to take control, because they are curious to experiment with life, wondering what will result. Even better, if when they pull that lever or press that button, they feel, hear or see SOMETHING happen to them. The ground they're standing on could shake. They could feel a strong blast of air. A water pistol might squirt a jet of water at them. A conveyor belt on which they stand could rotate, rise up or drop down to a basement. Any number of actions could be devised to provide active results from a child's pull of a lever or push of a button. This idea is just for FUN. But I suspect that children would be pleading with their parents for a return visit after being provided with an opportunity to take control, by pressing that button or pulling that lever. This then is the proposed FUN idea –
BUTTONS & LEVERS.**

Page 2.

And now to the last but what is certainly the most important of my proposed IDEAS. Bognor Regis is renowned as the sunniest seaside resort in the country and I hope that this is scientifically correct. If so, this is a fact to be proud of – Now, we should discover how to display and demonstrate this FACT by creating a tangible feature to match this geographical characteristic. This is what prompted me to have the idea of constructing a Climatorium as the pride and joy of Bognor Regis. Like all coastal resorts, there was an exodus in the early 1960s to the Costa del wherever in search of guaranteed sun. Since then there has been a quest for a bold innovative interesting project to attract them back and to propel us forward into an exciting and prosperous future. This project is not just any old ATTRACTION. It is not a dreary museum, where the children retreat into a corner to look at their mobile phones. I see it as an exciting experience for all age groups to entertain, inform and educate and, importantly, to demonstrate a glimpse of the future reality and the challenging opportunities that may be taken to ensure we have a future. Not to put too fine a point on it, to combat climate change may mean the survival of our children and our grand-children, effecting the future of the human species. Because I am no scientist, I am not going to provide a detailed list of the contents of this project. As we are becoming accustomed to saying these days – “THAT IS FOR THE SCIENCE.” However, I imagine it might include practical demonstrations of temperature rise, increased rainfall, the effect on crops, sea level changes and so on and I would hope that there could be a considerable degree of active visitor participation. For example, feeling the increased heat or wind to personally experience a taste of the catastrophic effects of Climate Change. If the basic idea to build such an enterprise was accepted, I would strongly suggest an association with scientists, perhaps a university department specialising in Climate Change, to advise and work with those planning and developing the project. I am confident that there would be several organisations willing to participate and contribute. I am also confident that it would be widely popular with the individual visitor, the family, the school outing and so on. Well known environmentalists could be approached such as Sir David Attenborough to provide their support. Prominent names such as his might welcome an involvement to spread the message of Climate Change. Certainly, I would imagine that he, and others like him would be interested to lend their support. We all now are aware of the importance of a human response to this Climate Crisis and one arrow in our quiver is to inform as many people as possible to prevent a potential calamity, which could, ultimately, lead to the destruction of our planet. Climate is a topical subject, discussed and portrayed in the media and, picking up a baton to illustrate and demonstrate it, might turn a few heads towards Bognor Regis. If it doesn't happen here, I suspect it will happen somewhere. I am convinced that if you the Council have the courage and resources to pick up this baton and run with it, a Climatorium would be a major worthwhile West Sussex attraction for visitors from far and wide. To convey this “gospel” of SAVE OUR PLANET is commendable and our own Climatorium project would play a major worthwhile contribution to that campaign, to inform and educate. At the same time such a project would provide an attractive, entertaining and enterprising venture for the town of Bognor Regis. This then is my proposed idea for a concept called A CLIMATORIUM.

Page 3.

CONCLUSION

To use a tennis analogy, I have lobbed the ball over the net to you this evening and it is now for you to play the next stroke.

For my part, I am more than happy to roll up my sleeves to become actively involved, to participate in progressing any of these proposed projects.

Indeed, in conclusion, for all of these projects

A PERFORMANCE ACTING SPACE

THE DIPPER

BOTTOMS & LEVERS

A CLIMATORIUM

I would be more than happy to participate in a constructive open minded discussion on their feasibility and potential.

Thank you for listening.

Page 4

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The Regis Centre Reimagined

*A summary of
proposals by*

Adam Cunard

Plaza Cinemas Ltd



Introduction

I am a local business owner with cinemas and other property throughout the UK. My proposals do not involve the sale of any land in the medium term, which during the current unstable market conditions, and the unknown economic state the council and the country as a whole will find itself in post Covid is clearly much less of a risk to The Council.

The suggestions I have would serve to fulfil many of the aspirations of the Council by providing the preferred elements, whilst leaving the door open for more extensive redevelopment when the time is more favourable. This would effectively create a holding position for the council in the meantime without incurring high costs or loss of assets. Regeneration would be achieved by revitalising the town centre with a new and exciting flexible space, introducing new business outlets to create jobs and increase footfall. It would work exceptionally well with the newly revamped Place St Maur to create an attractive and vibrant waterfront attraction.

The Regis Centre was divided in 1996. The theatre was untouched, and the seaward facing end was partitioned and converted by Whitbread to create the current bar and restaurant. The conversion was done very quickly, and with little permanent or irreversible alterations. In essence all Whitbread have done is fitted out a shell inside what is an existing function room, but everything else remains as was and crucially, the Hall is still there.

Background

The building was cut in half, leaving the main facilities on the theatre side, and all else kept intact. All the backstage facilities were built to serve both spaces and are still there.

Within the big roof voids, two managers flats were subsequently built by Whitbread's, which are still in use, but that has not impacted on the services, which are situated above them and remain untouched and functional.

Just prior to the conversion a brand new lighting gantry was purchased and installed, that remains in situ, albeit in perfect working order. Heating and air handling systems were mothballed in situ, in the roof of the former Royal Hall- currently the kitchens for Whitbread. The air ventilation and heating as well as the lighting gantries are all connected into the plant room, untouched above the flat and kitchens for the Royal Hall, so the fundamental elements for operating the venue are still there - and still useable.

Originally the glass atrium that you see now, extended all the way down the side of the building, past where the dividing wall is now, and opened up into a square space, and on to the Place St Maur. This was the original main entrance - a double height atrium space. This was taken down by Whitbread and changed into a chiller room/beer cellar. The remaining section of foyer was changed into toilets for Whitbread's side. However, it could all easily revert back- even the flooring tiles of that room are the same, continuous from the Theatre side into the Whitbread side, to the chiller room.

In essence, it would cost very little compared to replacement, to put the Regis Centre building back to how it once was, fully refurbish it, and to clad the outside. It would look a very different building if this were done sympathetically, and indeed there are many examples of this already, elsewhere. Bear in mind that a theatre and large hall is always going to be a box like building, by its' very nature, so whatever goes in its' place is likely to be similar in terms of mass, shape and footprint.

The Sydney Opera House is surprisingly very similar in construction to the Regis Centre, in terms of its' modernist brutal concrete and brick structure, but is recognisable everywhere as an iconic and beautiful building, much admired all over the world, whereas the Regis Centre is widely regarded as 'ugly' albeit a very similar type of construction fundamentally. This perception could be changed with some minimal costs to enhance the exterior with lighting and promoting the flexibility of the internal space and what it could potentially host, alongside the exciting planned refurbishments to the Place St Maur, which it would then open on to. A reimaged Regis Centre, theatre and Royal Hall opening up on to the Place may not be a radical change that some are hoping for, but this is a time when perhaps plunging into a large regeneration project necessitating the sale of land and construction of flats may not be appropriate, and would ultimately simply replace one large multi function room for another, albeit newer.

Business Case

Having a large function hall in addition to the theatre is a much more viable solution. Amateur dramatic groups can afford to rent the theatre due to its compact size, as well as the university and touring companies. However, there would be a great deal of potential and scope for more theatrical performances if the building was opened up again, since the Hall would be able to accommodate some of the acts that are currently using the theatre, such as tribute bands for example, which would work better in a hall. The hall would generate the main income and would greatly enhance revenue streams and open up the building to much more flexible use, enabling costs to be kept down to the smaller groups who may otherwise be outpriced. Multi-purpose theatre venues, which I know some councillors favour, do not work well in practice- they are too expensive to convert and labour intensive to switch from one use to another in between performances. Simple research of other areas where they have these will bear this out.

The existing hall if converted back to use again could be used, for example, as a temporary ice rink, for indoor events, exhibitions, functions, weddings, conferences etc. We are all agreed that a large indoor flat floor space is what Bognor is missing; it could deliver all the aspirations and be a flexible space and -best of all it already exists. Temporary attractions that could be brought in to further mitigate the risk of putting all of the Regeneration eggs in one basket by building a venue to host one type of activity, future proofing it for younger generations whose leisure requirements in a digital era are constantly shifting.

The original foyer on the Place St Maur could be rebuilt, but as an attractive wintergarden with a restaurant, as the hall would be there for events, this could be delivered in a second phase when funds allowed. The main building could stay open, and the hall converted back, and then the other side of the building closed to enable a refit of the theatre - meaning very little disruption compared to completely demolishing and rebuilding.

Another major advantage is that the main entrance to the theatre could easily switched to the car park side, so that there would be no disruption to the theatre whilst the wintergarden foyer, and other works continued to be undertaken on the other side of the building, thus ensuring continuity. Plans have previously been drawn up to increase the capacity of the theatre to 500 seats and have a full fly tower fitted (essential for large productions for storing sets).

Over the dressing rooms at the side of the building there is a huge amount of unused space- being almost double height inside. Here the roof could be squared off, resulting in an ideal and affordable hire/rehearsal/meeting room space for local groups, so the current studio area could become a the new Royal Sussex Wintergardens.

The Royal Hall formerly sat 550 people, and had the biggest sprung dance floor on the south coast - possibly even still underneath the flooring that Whitbread have installed. It used to be used for functions and exhibitions, bands, shows, concerts, the world famous clown convention, election counts and numerous other activities and events. We have no flat floor space currently and this option would provide that whilst leaving the theatre to continue as is, but with the additional theatre seats as per the plans, the theatre would also become more viable and attract a better quality and range of entertainers.

With minimal cost and disruption this leaves the door open for much more extensive regeneration when the time to do so is more favourable



Regis Centre as built 1980 showing place entrance

Arun can deliver much of what people want by retaining and enhancing what it already has.

Lease and Whitbread

I am well aware of the issues with Whitbread and the Lease. However, the building is not in a great state of repair and has suffered greatly over the years from a lack of investment. With this in mind, and with Whitbread a company not in good health with Covid hitting the sector hard, Arun as landlord could draw up a dilapidations order, which would run into many thousands of pounds. At the end of the lease, which has only 25 years to go now- they need to return the building back to how it was. If Whitbread were reminded of this, they may well consider walking away now, and investing elsewhere, rather than see out the term of the lease, and face the dilapidations and re conversion costs later.

This is why it is not prudent to offer them a very favourable deal in terms of a land swap, as the value is not there, 25 years is a fairly insignificant amount of time and any deals with Whitbread should not be disproportionate to the value in the Lease.

Town Hall

Further to my proposal to utilise the Regis Centre as a short to medium term solution, to provide the town with a much needed facility at a low cost, the council could even consider disposing of Littlehampton Civic centre, selling off the land or building council flats there, and moving staff fully into Bognor town hall, with rebuilt offices on the fire station, and using space in the arcade and Town Hall. The Regis Centre/ Royal Hall could be used for full council- as was the case many years ago. The town hall is going to be a very difficult asset to dispose of and is fully listed internally and externally so this would seem to provide a reasonable solution to that problem too, and bring some much-needed income into the council from selling the Civic Centre off. In this scenario the council also get to keep the lucrative car park, until such times as the whole site can be redeveloped in the future.

Page 50

See Attached Plan (A)

A Phased Approach to Implement the Scheme

Should the council agree with this proposal, negotiations would need to take place with Whitbread as soon as possible over the Lease, and remuneration to be given to Arun for the land for the Hotel. Possession of the Regis Centre could then take place following further negotiations with Arun Arts, so there is then a realistic potential for work to start by the end of the year. Looking at older plans it may be that it is only Building Regs that are required and not planning permission for the initial phase.

This first phase includes reinstating the old Royal hall, foyer spaces, cafes and kitchen once Whitbread vacate.

Phase 2 - See Attached Drawings (B)

Phase 2 involves the construction of a new rehearsal and studio space over the existing dressing rooms on the car park side of the building. It includes a new set of toilets including a 'Changing Space', as well as a small hall space, 'The Queens Hall' a new addition, to be built on the existing staff car park (currently leased to Whitbread). Also, facilities for offices in the former shop area, and a temporary foyer space in order for the building to remain open as much as possible during Phase 3.

The fire exit on the carpark side, and the newly constructed Queens' Hall and toilets would form a temporary foyer and main entrance allowing the Regis Centre to continue to function so that Arun Arts can continue to fulfil their contracted obligations, and for continuity. Other works included in this phase would be an access staircase- forming a new emergency route for the theatre on both sides, a reconstruction of the theatre control room to facilitate works in phase 3 and 4.

Phase 3 - See Attached Drawings (C)

This would involve full demolition of the foyer and studio one, the existing cafe space, and the sea-side end of the Whitbread Restaurant. The new "Royal Sussex Wintergardens" would be constructed, consisting of a double height glazed atrium. From the upper level of the Wintergarden it would therefore be possible to walk across the road to the upper level of the arcade via a glazed walkway. The walkway would also extend down to the seaward end of the building opening out on to the promenade, thus creating a spectacular and seamless link between town and sea. The current first floor office would be incorporated into the new Winter Gardens and redeveloped into a cocktail bar/coffee shop with spectacular views.

At the seaward end of the Winter Gardens on the first floor a new restaurant with outdoor terrace would open up on to the boardwalk.

Phase 4

The refurbishment of the Theatre and backstage facilities, increasing the capacity to 500 seats and installing a Fly Tower. During this phase The Royal Hall, the new Queens Hall and the Winter Gardens would be fully functional and able to generate income whilst the Theatre was being worked on.

Potential Funding

From Whitbread's surrender of the lease and subsequent land swap resulting in some gain to the council. There are also possibilities of a Public Works Board Loan, serviced by the car park revenues, and longer term revenue from Hothampton developments, leasing of retail, restaurant and hotel on the site, or even selling or leasing the Civic Centre in Littlehampton for residential development, and relocating the offices to The Arcade, Fire Station and Town Hall, particularly as the success of working from home may mean that less extensive office space is required in future.

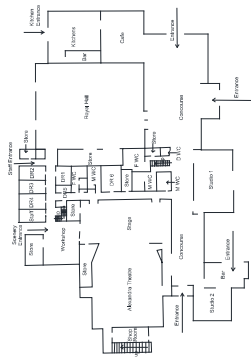


Artists Impression West Elevation of the Regis Centre Reimagined

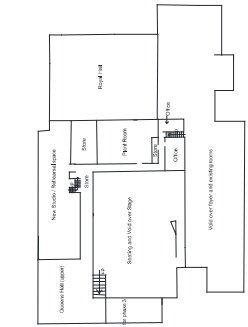


Artists Impression East Elevation of the Regis Centre Reimagined

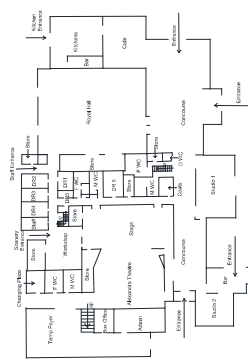
Plan A (ground floor)



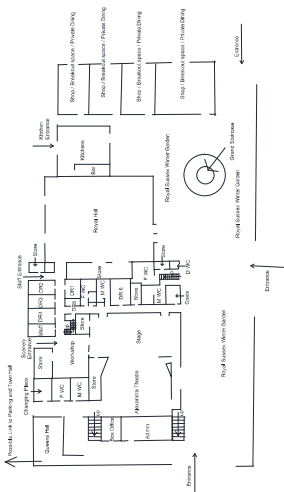
Plan B (First Floor)



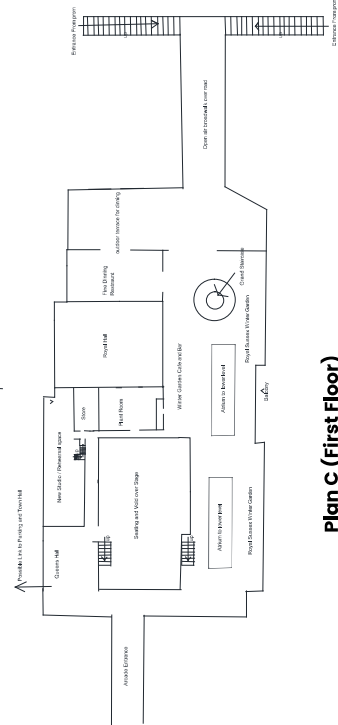
Plan B (Ground Floor)



Plan C (Ground Floor)



Plan C (First Floor)





Submission of Ideas for Bognor Regeneration

One Bognor Society exists to enable ideas and discussion re the future of Bognor Regis, its governance and regeneration. By 'Bognor Regis' is meant the area covered by the urban parishes of Aldwick, Bersted, Bognor Town, Felpham, Middleton and Pagham, with a substantial population of 63,000 residents. [Note – web links are in blue] It functions virtually through two main channels – its [One Bognor Facebook](#) page and a regular online-only newspaper, [The Bognor Regis Herald](#), a mix of original and curated news from many sources. Campaigning is also another feature as well as consultation. The support base for the Society is 844 followers.

The purpose and promise of Regeneration

Analysis of the regeneration needs of Bognor Regis shows a background of decline of share of visitor market, and many other well-understood features which require positive action to address them. This new Arun Consultation for ideas comes in the wake of successive failed regeneration and redevelopment approaches, consultant reports, lack of progress and now the COVID-19 crisis. In lockdown it's important to look forward to see what the landscape could look like post-pandemic. It is really possible to take a very optimistic approach based on the post-Brexit scenario of reduced out-of-country holidays, the benefits of the Bourne investment/new hotel space, and the negative effects of COVID on other venues and also on the leisure industry in many parts of the country. Staycations are predicted to rise sharply in the coming months. **Put simply, Bognor's location, access and climate/topography lend themselves to being a premier location AT THIS TIME for inward regeneration investment as described to me in a OB Vlog discussion which included a successful City investor. [Link to Vlog](#)**

The Proposals

The following are a series of ideas, not all mine. These are a combination of ideas from various people all included as being complementary to a coherent Regeneration strategy and facilities on the two main sites our Town Centre and/or regenerative in their own terms. Where possible, funding sources are indicated. It's very important to understand that Regeneration will be enhanced by such ideas but that piecemeal redevelopment with cherry-picking parts of sites will serve few needs and miss many opportunities of a comprehensive approach, not least the level of funding that can be attracted and which we need.

THEMATIC

National Centre & Museum of Comedy



Bognor could/should play to its reputation of Fun by becoming **the National Centre of Comedy and Humour**. This would embrace Birdman, the restored Pier Theatre (dress up for Pier Music hall), a new entertainment complex in the town and much more. Visitors could come to see a **Mile of Comedy Statues**, such as Del Boy and Rodney, Tony Hancock, Tommy Cooper, maybe 7 chosen by local public. Also in the entertainment centre a virtual museum of comedy with film, video, and other information access. Added possibly by phases, subscription, Arts Council funding, business sponsorship. The Centre also hosting Live Comedy with Big Names, Musical Comedy etc Could we become the annual venue for **National Comedy Award** with a prized **"Joker" trophy** – best stand-up, best new talent, best tv series, best quiz show, best music comedy etc. Media interest and focus on annual basis.

ESPLANADE/PROMENADE



Pier Arcade/Sheikhs to Esplanade site

The current operation moved to the Esplanade Theatre site. Pier owner retains freehold of property but gives long-term peppercorn lease to community body as below. A developer with planning permission for Esplanade site is willing to discuss this use and funding of construction for which they have money. Pier owner and Arun discuss favourable long-term peppercorn lease, this would be a new location for popular attraction not far from current site and with great views/access etc. Pier owner saves large annual maintenance costs. Disabled beach access also provided on Esplanade site. Pier owner appears willing to discuss.

Pier Theatre restored



Success above would enable plans abandoned for Pier Theatre restoration to be resumed, plus recovery of Pier walk. This would be a great re-location for Arun Arts who have experience and assets to enable community theatre to operate plus volunteer support. Heritage lottery support, peppercorn rental etc. The New Alexandra Theatre?

Promenade battery-powered [ROX?] Tram

Extending the day, season etc are accepted aims. We do have a motor train on the east side of the Pier,



seasonal. This new idea would use 2-car battery driven units, from Butlins to The Waverley, running seasonally April-end-September, guided by magnetic paint strip and/or sat nav. Various stops such as Regis Centre, Pier, Esplanade Theatre etc 4/6 units, decorated and also illuminated at night. Flat-fare? Payment by coin and/or bank card. Cost £40k a unit, one driver. Developer of RC site could help pay, the University could be involved in the science. Bognor's answer to the Blackpool Tram Fun

COMMUNITY

Town Hall as Community Hub - Civic Row re Belmont Street



Allied to the Regeneration of the Regis Centre site could be the redevelopment of the Town Hall as a **Community Hub**. The site would be sold to a developer (there is one), who would refurbish the Grade

II listed building as a Community Hub, Arun could lease-back space, the Town Council could have a secure longer-term lease (it has a 2-month licence currently), CAB could be accommodated as well as others, could there be interest in a Police office (this does not mean they would exit their London Road station), would there be room for the Library etc? Purchase: £650/750k? Refurbishment – similar? This, allied with a **new health centre on the Regis Centre site**, would create a **Civic Focus/Area** along Belmont Street.

Move Bognor Regis Medical Centre

Some months ago I was involved in a meeting which I brokered concerning the current location of the BRMC. There was a clear interest by the representative of the Centre in a proposal to move to a new, purpose-fitted Centre in Belmont Street within the context of a regeneration scheme. This was to be accessed by buses, cars etc and walking, with new facilities added. The funding would come from the developer and the NHS. This would release the current site for new use.

OTHER AMENITIES

Extend Sunken Gardens - southern arch - access to Hatters

An Electors Meeting rejected the Linear Park and endorsed the retention and improvement of the Sunken Gardens. Improvement could involve extension to the boundary with Hatters, which could provide new entrance/exit direct into Gardens. Electors suggested new southern arch entrance. Ideal to be handed to Community Gardeners aided by Town Force for maintenance. **A Developer is willing to fund in full.**

(1)Marine Park Gardens Lido/(2)Outdoor Arena

(1)The current gardens could become a very popular **Lido** venue served by buses, the tram, walking etc, seasonal only (but maybe ice-rink in Xmas period), sea-fed? Landscaped (screening trees along Kings Parade etc), concessions on the seaward side. Helps local business at that end of Promenade, safe bathing, supervision, fee access etc

(2)This has been suggested as idea for open-air music, beach sports etc, it's appealing, there could be concessions, venue for ROX etc. No location identified, or costs. I understand others also are advocating this be explored fully.

TRANSPORT ROADS & ACCESS

One way system in/out Town Centre

Living on Longford Road, the growing problems of vehicular ingress and exit are all too apparent. A successful Regeneration would increase the strain, so the proposal is to make **one-way Longford** and that part of Chichester Road between it and the A29 roundabout, inwards. The outward flow would be along **Town Cross** with few dwellings and lights at Chichester Road end. Linden could remain 2-way or if needed one way with access to Annandale, Victoria Drive from A29 roundabout no right turn from



Linden Road, also re Havelock which would be accessed from Longford, likewise Beatty and Clifton Roads. Bus stops inwards on Longford retained, on outward, stop at Linden would substitute, plus one on and the one just past Town Cross lights on Chichester Road. I discussed and walked this idea with a County Highways officer some time ago, the view was that it was feasible and could be beneficial, there would have to be public consultation.

Close East High Street to all traffic - divert buses via Belmont Street

Again, discussed this with WSCC officer as above, the view was that it was feasible, could be beneficial and that bus service provider would have to be agreeable. Stops at Town Hall/Medical Centre as above, access to Town Centre shops via Arcade. It has worked before indeed.

Pedestrianise west side of Waterloo Sq

This would allow access but also provide clear walk from Hothamton Sunken Gardens etc to seafront.

Social housing Covers

This has been mooted before, new housing for people in the Town centre could be very beneficial if a site e.g on A29 found for Covers. Retain brick building on Spencer Street? Community use?

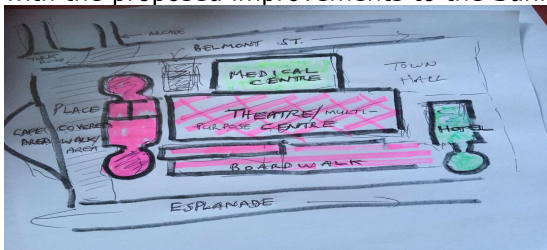
Project Sunrise Re-Purposed

Finally, I have been looking at the situation of one of the front-runners in the local Regeneration "game", with a view to creating a fresh perspective.

The Project Sunrise proposal is one I have followed, and supported, over several years. I will not, here, delve into the history, but simply summarise what's on offer:

- £90 million investment in two key areas owned by Arun Council
- Major boost to local employment
- Major new attraction for the town, a multi-purpose centre for entertainment, conferences and exhibitions
- Destination restaurant * 2 hotels
- Esplanade Boardwalk wth retail, restaurants etc
- Improvements to Hothamton Sunken Gardens and Place St Maur piad for
- landscaping and seafront features
- Covid-related health benefits
- ability for early start given planning consent exists

It has approached the task based on Masterplan principle of cross-subsidy between sites, paid for by incorporation of flats above ground floor on Regis Centre sites. However, Arun has pursued the strategy of separation of sites, choosing e.g. To try to offer hotel on Regis Centre site to Whitbread in land swap etc, or Coast2Capital funded improvements at Hothamton and Place St Maur. This approach, however, eschews major cross-subsidy benefits for the Town. This idea is solely mine, I discussed it with Tom Elliott, he is none too keen, I am bound to say, and that my idea would delay progress because of new planning consent being required etc. However My idea is to re-configure the PS scheme so that the multi-purpose centre goes onto the space that exists in the main scheme. That space faces Belmont Street, not a lot of use to be frank, offering little of attraction to resident or shopper/visitor. The diagram, based on PS scheme, suggests the placement, it is useful to understand that the rest of the scheme there remains "as is" EXCEPT that the flats could move to Hothamton, which would command, with the proposed improvements to the Sunken Gardens, the best sea views in the Town.



One additional benefit could be the building of a new health centre in Belmont Street as above. There also is the notion of covering the Place St Maur, automatic doors at each end, affording a covered walkway with cafe area between Esplanade and Arcade/ York Road. In a sense, the proposal recreates the Theatre Royal/Rex/Kursaal. One thing is clear, however – PS have spent generously to prepare and progress their scheme. **Arun would have to "stump up" to get this moving, and not impede progress, it would have to be a full commitment as landowner in a Joint Partnership.** PS have spent around as much as Arun, but they have something major with planning permission to show for it. If Councillors want such an approach they would have to convince PS that it would receive full support in every regard in order to retain the huge inward investment available via PS.

Summary

The foregoing are some ideas which CAN be realised for the improvement of personal, family, community and business life in this area of 63,000 people. They offer amenities, homes, jobs, they will depend on whether we get real Regeneration or not, they are presented for discussion, question, scrutiny.

Jan Cosgrove
January 2021

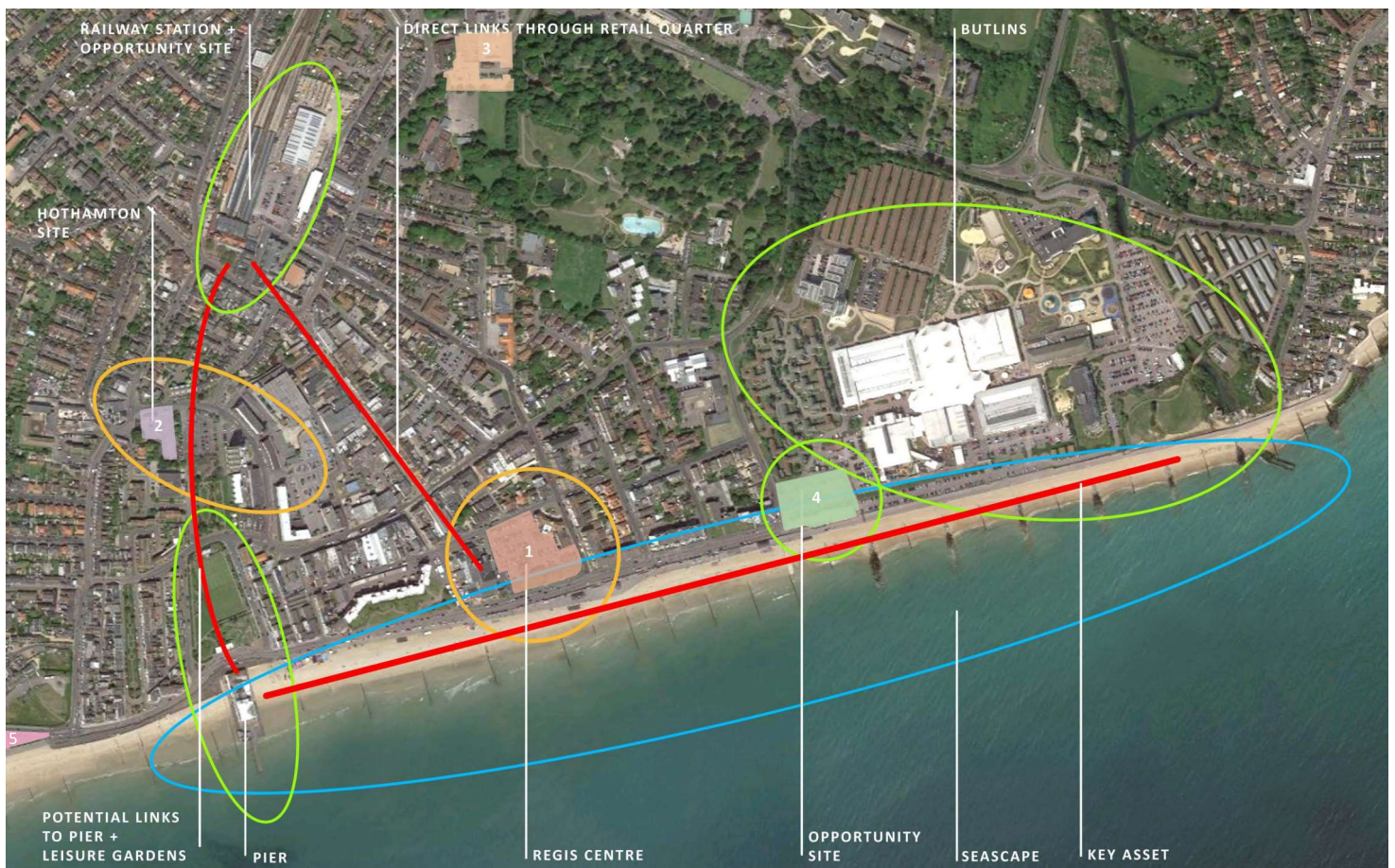
REGENERATION OPPORTUNITIES

The opportunity for the regeneration and repositioning of Bognor Regis has never been at a more vital time, and the identification of these five sites offers an opportunity to influence that regeneration and to be catalytic to the repositioning of Bognor Regis to the benefit of its residents and local businesses.

By adopting a holistic approach the collective value of all the sites should be greater than the sum of the parts through seeking synergies and tangible benefits across the sites and stimulating new business and inward investment into the town for future generations.

The town's key assets can be reinforced by widening the tourism profile to include cultural tourism as well as the watersports and beach tourism and reaching out to other key assets such as the University.

The Financial Crisis, Brexit and the Pandemic are re-shaping economic and social life and Bognor Regis has an opportunity to capitalise on this shift including the home working migration and staycation.



WHO WE ARE

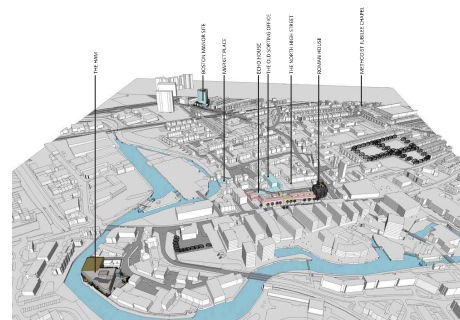
Paul Newman is founder of Juice Architects and has over 30 years of experience designing and delivering complex mixed-use project across all typologies in town and green field locations. He was born and bought up in a coastal town in the tourism industry and therefore has an inherent understanding of the challenges of seaside towns.

Most recently Juice have been involved in providing advice to landowners who have mixed portfolios but do not have the resources or in-house skills to maximise their assets. Our work in support of these clients has broadened and Juice has now teamed up with Citicentric to provide a more comprehensive consultancy.



Mark Rymell is a founding partner of Citicentric and has over 30 years experience of town centre development having led a number of award-winning schemes at Land Securities and SEGRO.

Citicentric provide property advice across the whole spectrum including the delivery of viable redevelopment and regeneration schemes and their clients include several Local Authorities across the south east of England.



OUR PROPOSITION

We have put forward to ADC a major mixed use regenerative scheme for the redevelopment of the Regis Centre, the promenade and other sites.

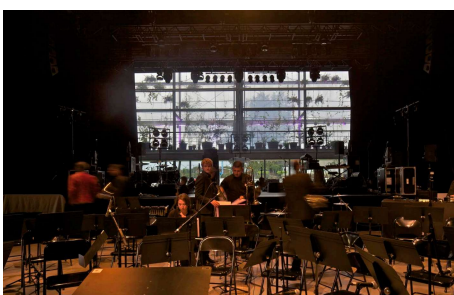


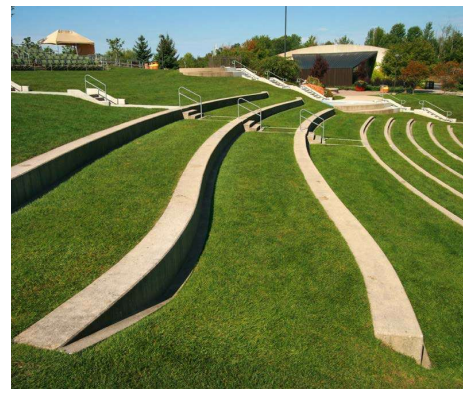
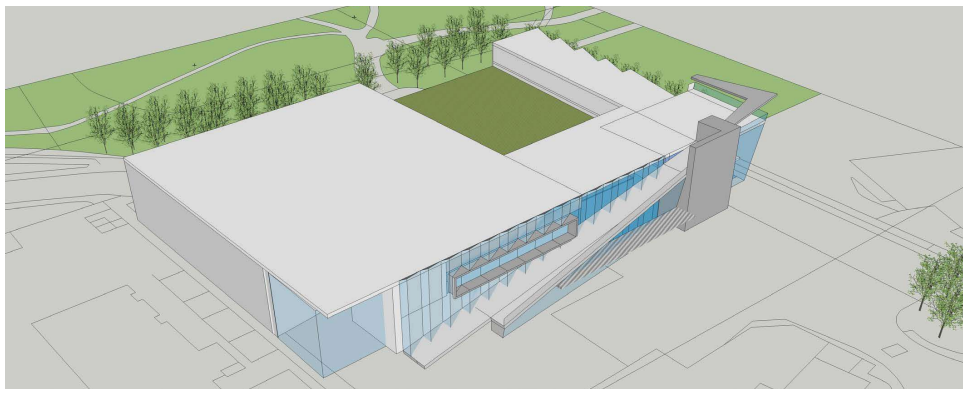
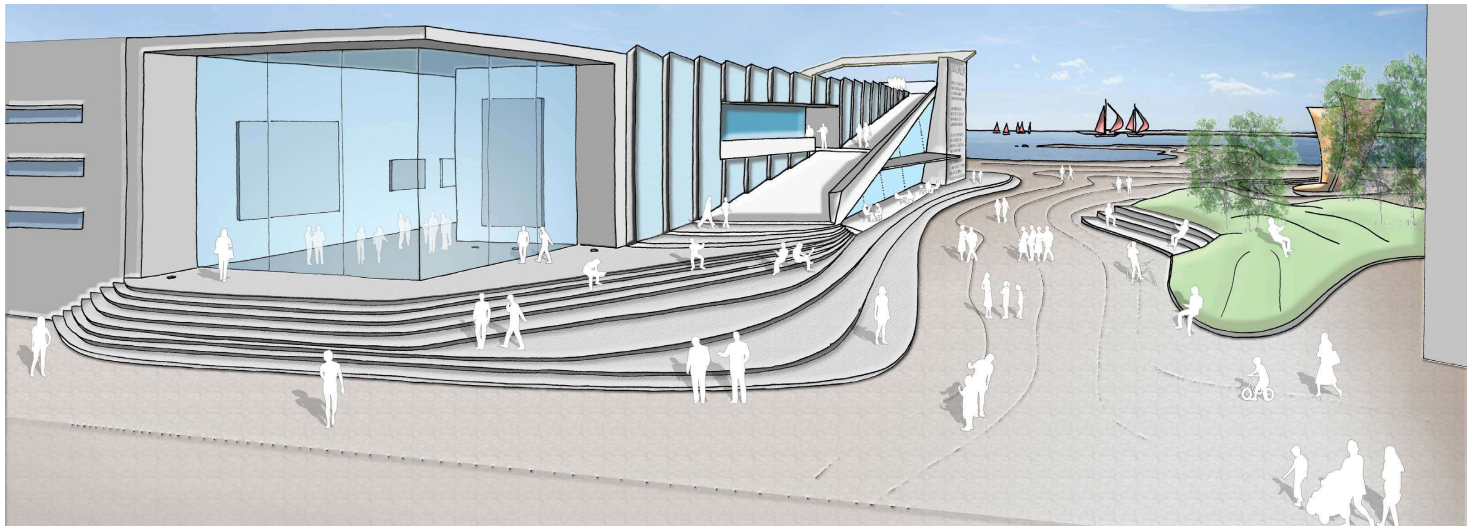
This scheme offered a new Multipurpose Centre for theatre and the performing arts as well as a Community Studio. The scheme also included enterprise start-up units for new local businesses and a 60 bed hotel whilst retaining a 300 space car park for the Councils continued income stream. The scheme was financially supported by a residential backbone and offered capital benefits from the development appraisal to afford a major public realm investment along the promenade.

The Hothampton and London Road sites were also considered to offer alternative development to support the town including student accommodation, local food store and further leisure activities. The Gloucester Road site is seen as an opportunity to develop an outstanding base for watersports.

The scheme has been presented with a financial appraisal which indicates its viability.

We believe a scheme such as this would be a game changer for Bognor Regis and be catalytic to the regeneration and repositioning of the Town for the benefit of generations to come.





THE NEXT STEP

Any regenerative scheme has a natural period of evolution and has to be undertaken in the knowledge it is for future generations as well as the current guardians of the town. It goes beyond the 4 year political cycle and should be cross party.

There have been many studies, surveys and reports undertaken but little material change. There should now be a considered but effective review of all the sites and the collective opportunities they can bring forward to the overall benefit and regeneration of the town.

In parallel with consideration of our proposals for the Regis Centre we are able to provide a unique consultancy in a timely manner with a support network to assist with development appraisals, costs budgets and market demand agency. Our approach is 'non-biased' and we will consult will both stakeholders and interested parties.

We are able to discuss options on development such as Sole Developer, Joint Venture or Partnership and bring forward Developers and Investors as appropriate.

Finally we are keen to work with BR Regeneration and ADC to provide the Vision along with the financial, environmental, social and regenerative benefit options to assist you to move forward with confidence to deliver the next step change for Bognor Regis in a timely manner.

SUPPORTING DOCUMENT FOLLOWING PRESENTATION TO ARUN DISTRICT COUNCIL

Sir Richard Hotham Project Ltd (re-branded Sept 2018 to Project Sunrise) Planning for the regeneration of three major sites in Bognor Regis

Planning appeal ref: APP/C3810/W/17/3178817

Decision date: 5 July 2018

Decision: Approved with “Design Excellence” by the Secretary of State’s Government Inspector, Louise Gibbons

THE BLAKE MULTI-USE VENUE (HOTHAMPTON CAR PARK)

Features	Benefits	Advantages
<ul style="list-style-type: none"> • 1100 seat multi-use venue • 48 Bedroom Hotel • Restaurant and Bar • 464 Car Parking Spaces (= 249 additional spaces) • Living “Green” wall - Climate change friendly • 2 Retails units facing onto Queensway <p>Climate change:</p> <ul style="list-style-type: none"> • Oairo technology • Low Carbon emissions • Up to 73% savings on energy consumption • Clean, healthy air • Neutralises pathogens 	<ul style="list-style-type: none"> • 20-25 year lease from a National Operator with established track record • National Hotel Brand 25 year lease • Car Park – 25 year lease from a National Operator • Privately Funded by Equity and Institutional Funding • ADC: There will never be any onus for subsidies from ADC or local taxpayers • Increase visitor spend with repeat visits, new visitors, and new local interest • Staycation market is escalating post-COVID19 and families are looking for quality destinations • Build local for local people with the increase in homeworking 	<ul style="list-style-type: none"> • Nationally recognised venue • 1100 seats attract more lucrative artists and shows together with conferences • This venue will attract visitors and support other major attractions– Butlins Holiday’s, Chichester University, Chichester Festival Theatre, Goodwood and Fontwell • This will be the start of regeneration and will have a multiplying effect on the economy* • Connectivity and sustainability will rescue the High Street (Grimsey Review – “Build Back Better”) <p>http://www.vanishinghighstreet.com/wp-content/uploads/2020/06/Grimsey-Covid-19-Supplement-June-2020.pdf</p>

THE BOGNOR REGIS BOARDWALK (The Bognor Regis Centre)

Page 72

<p>Features</p> <ul style="list-style-type: none"> • 6358 m² of commercial space (incl. 64 room hotel, leisure, tourist, food and beverage facilities) • 192 apartments with 30% affordable housing • Car parking (additional 179 spaces) • Creation of new destination Boardwalk • Studio for Arun Arts • Public Realm for outdoor events • Conversion of Place St Maur des Fosse into a Plaza • Soft and Hard landscaping 	<p>Benefits</p> <ul style="list-style-type: none"> • International Hotel Brand • New NHS Doctor’s surgery • New retail at the Boardwalk will be there to complement the High Street and local businesses • Regionally and nationally recognised landmark destination • Central community hub for meetings, outdoor events 	<p>Advantages</p> <ul style="list-style-type: none"> • Landmark destination attracting visitors that would otherwise go elsewhere • Regardless of the weather, visitors will come 52 weeks of the year throughout the day • Increase rates and revenue for ADC • Sustainable economy • Employment, jobs and long term careers • Arts and culture hub • Inclusivity for all generations and abilities • Meeting place for locals • Restore pride in Bognor Regis
<p>DESTINATION RESTAURANT (Skate Park, Esplanade Theatre Site)</p>	<p>3 KIOSKS (3 locations on the seafront)</p>	<p>STUDENT ACCOMMODATION (London Road, Lorry Park)</p>
<p>200 cover destination restaurant Relocation of existing skate park adjacent to the pier</p> <p>Benefits All day venue, 52 weeks of the year for all visitors and locals to enjoy the panoramic views whatever the weather</p>	<p>Provision of: 2 x kiosks for retail 1 kiosk to include toilets and showers</p> <p>Benefits Changing and shower facilities for people of all abilities</p>	<p>Accommodation for 200 students High quality accommodation Oairo technology (healthy lifestyle):</p> <ul style="list-style-type: none"> • Up to 73% savings on energy consumption • Clean, healthy air • Neutralises pathogens <p>100 public car parking spaces Public conveniences Giving students a quality experience and for the students to remain in Bognor Regis after their education. This will improve the expected standards for local HMO’s.</p>

CONSTRUCTION BENEFITS



OPERATION AND EXPENDITURE BENEFITS








LOCAL AUTHORITY REVENUE BENEFITS



VISITOR AND CULTURAL ECONOMY BENEFITS



*2018 UK

ENDORSEMENTS		
 <p>VisitEngland</p> <p>January 2021: “Given the potential national significance of this planned regeneration and the potential it could bring to the local economy; we hope this will be given due consideration in any planning decision”.</p> <p>Andrew Stokes, England Director</p>	 <p>January 2017: “With the squeeze on local authority spending there has been an increasing role of facilitation by the public sector through its inward investment and planning, in order to raise the interest of the private sector. Regeneration Projects need to work out how best to survive with reduced, little of no dependence on the public sector”</p> <p>Nigel Smith, Chief Executive</p>	 <p>Report commissioned by ADC, data compiled during March-May 2015: In summary, “with regard to financing any future regeneration, the feedback demonstrated significant support for this being covered at no cost to the local tax payer”</p>
 <p>August 2018: “Currently the portfolio embraces contracts with ten local authorities, for the management of eighteen auditoria and numerous associated hospitality sites and facilities”</p> <p>“HQT&H is unique amongst UK theatre operators in that it specialises and excels in hospitality management alongside theatre management..... HQ are supportive of this initiative and would welcome the opportunity to play an interactive role in future option appraisals”.</p> <p>Julian Russell, Chief Executive Officer</p>	<p><i>Bognor Regis Regeneration Board</i></p> <p>October 2016: “SRHP’s proposal meets the Board’s regeneration objectives, will be transformational for Bognor Regis and should be supported through the planning process. A successful application will enhance the value of ADC’s land and should prove to be the enabler for discussions between SRHP and ADC to achieve their mutual town centre objectives.”</p> <p>David Myers, Advisor to BRRB</p>	 <p>Royal Philharmonic Orchestra</p> <p>February 2020 in a letter to ADC Cllrs: “A new theatre would provide the platform not only to attract organisation such as RPO to Bognor, but many other national and local companies across all art-forms”</p> <p>James Williams, Managing Director</p>



coffeecupportsmouth.co.uk



Coffee Cup's proposal for The Esplanade Site, Bognor Regis

About us

We at Coffee Cup have been a focal part of Bognor Regis seafront since we served our first coffee from our kiosk on the esplanade in August 2016 and as our reputation, standing in the community and customer base has grown, we feel this is now the ideal opportunity to expand our name in the town in one of the recognised plots within Arun District Council's Bognor Regis masterplan. Coffee Cup was founded by husband and wife team Steve and Debbie Parsons in 2007 and begun life with a bespoke, mobile kiosk designed and commissioned by Steve. We have grown in the past 14 years to now have four family-friendly and reputable locations – a 300 seater coffee house at Eastney Esplanade, a 50 cover coffee house within Clarence Pier fun fair in Southsea, a 40 seater coffee house in the heart of Portchester village and our coffee kiosk on Bognor Regis Esplanade, all of which are pictured below.



Eastney Esplanade

Clarence Pier



Portchester Precinct

Bognor Regis



Our offering:



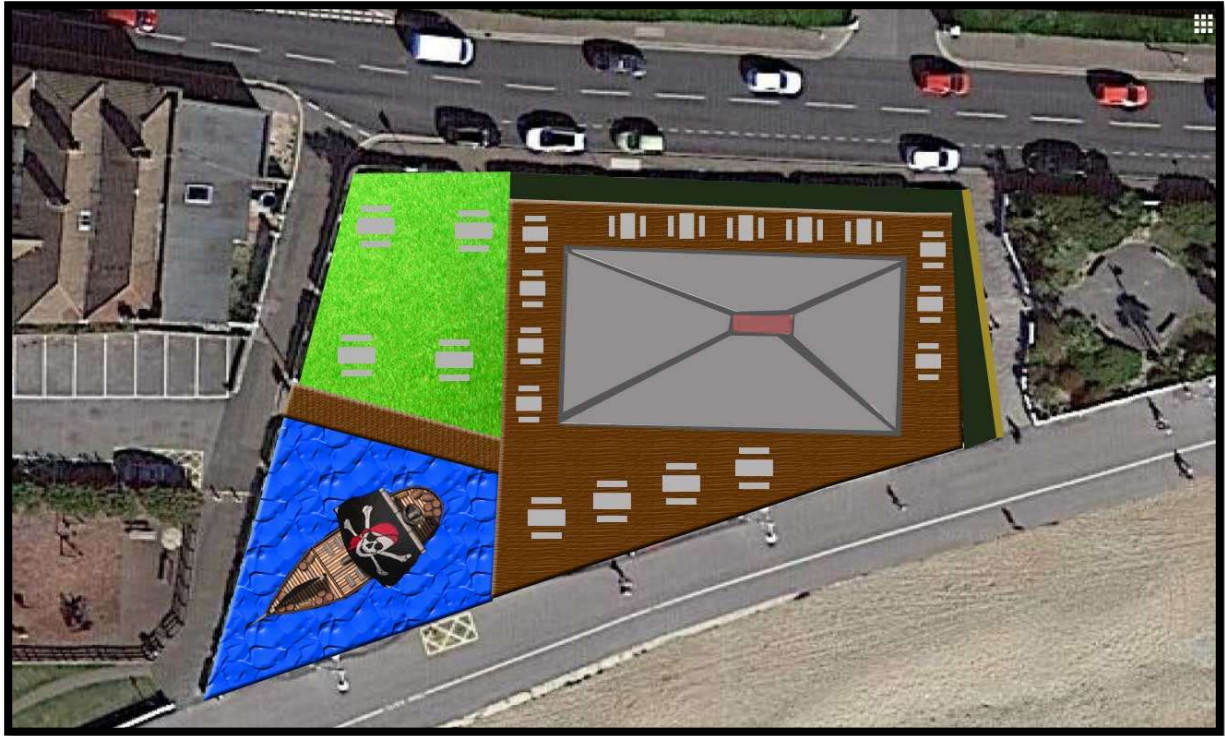
Having read the Bognor Regis Masterplan and visited the Esplanade Site, we believe we have an offering which is suitable for the location and will enhance the setting whilst meeting the development principles outlined in the Masterplan.

We are proposing to fund and build a 300 seater coffee house at this site.

This will be complete with an engaging and entertaining outside play area which will enhance the leisure experience along the promenade – one of the key elements outlined in the Masterplan.

We are keen to work with Arun District Council to realise this vision. Our coffee house will offer direct pedestrian access across the promenade, will face both seawards and the esplanade and all of our locations are of a high quality with this one being no exception – all key development principles desired within the Bognor Regis Masterplan.

Our offering will see the removal of the skate park, with a fun seaside or pirate themed play area designed and built in the space instead, ensuring young, active children have a colourful destination to visit to burn off their bouncing energy whilst parents can grab a coffee and cake from a brand which is recognised as number 1 for tea and coffee in Bognor Regis on TripAdvisor.



We will include free to use public toilets for all, not just our customers. There will be a dedicated grab and go take away window to allow dog walkers or those strolling along the promenade to pick up their favourite hot drink and carry on their walk, as well as comfy inside seating with magnificent sea views from their table, looking out through the floor to ceiling bi-fold doors over the ever changing landscape of the English Channel.

We intend to install a log burner inside the building – a hugely popular feature at our coffee house on Eastney Esplanade as well as a children’s book corner.

Outside, some areas of seating will be covered to offer shelter from the inclement weather and there will be dedicated disabled tables offering easy access for wheelchair bound customers.

We will offer dog bowls and dog tie up points around the outside seating areas and sell dog treats from our counters, so our four legged friends are also accommodated.

In preparing for something similar at our established site in Eastney, we instructed an architect to draw out our vision and created a bespoke design – we intend to do the same at The Esplanade Site in Bognor Regis.

We envisage **our offering will be a £500,000 investment** into the regeneration of Bognor Regis and we will be offering around **30 new jobs** to local people.

Why chose us?

As a local family business, we have earned the reputation for being hard working, determined and progressive. We are never afraid of what obstacles are put in front of us, having now built four business locations from the ground up, on sites where nothing of the sort had ever been seen before.

We have worked with and have strong relationships with Portsmouth City Council, Fareham Borough Council and Arun District Council when building up our business and locations and feel that we are brave enough to push forward with all plans we put before each committee in ensuring they are realistic and also deliverable.

We have ample marketing methods in place to reach a wide audience. These include social media such as our Facebook, Instagram and Twitter pages and local coverage through other media formats – we have appeared in the Portsmouth News and on BBC Radio Solent in recent months.

We are highly rated on TripAdvisor – our Bognor Regis kiosk is number one for tea and coffee in Bognor Regis and we have an overall 4.5 out of 5 star rating from visitors to us, showing how highly regarded we are. Plus, we are an award winning and reputable brand.

We know the responsibility we have to reduce our carbon footprint and keep the glorious surroundings we are fortunate enough to be a part of clean, clear and tidy. We introduced a Monday Beach Clean at both our Bognor Regis and Eastney Esplanade coffee locations, showing how we care for our settings. We use Fairtrade products wherever possible and many of our products are biodegradable or recyclable.

Coffee Cup is a local, trusted, family-run firm with many years experience and knowledge to call upon.

Having seen our success in Portsmouth, Denise Vine, Head of Economic Regeneration at Arun District Council and Paul Broggi, Property, Estates and Facilities Manager at Arun District Council approached us about bringing our reputation and business model to Bognor Regis in 2015. Having now built up what we believe to be a very popular and highly regarded location on Bognor Regis Esplanade, we are keen to enhance this further with our larger, leisure equipped offering at The Esplanade Site.

Having read through the Bognor Regis Masterplan, we are confident that our offering is a great fit for this setting. However we are open to working with Arun District Council to consider alternative options, with the end goal of achieving our dream of having a bespoke, high quality, large yet comfortable and tasteful coffee house with leisure facilities for families at The Esplanade Site in Bognor Regis.



We encourage you to 'Wake Up and Smell the Coffee' with us!

Regent Re-Gen Ltd

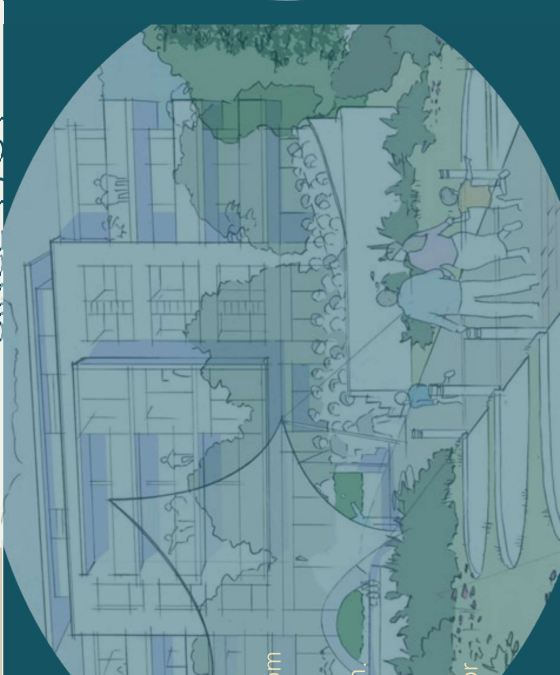
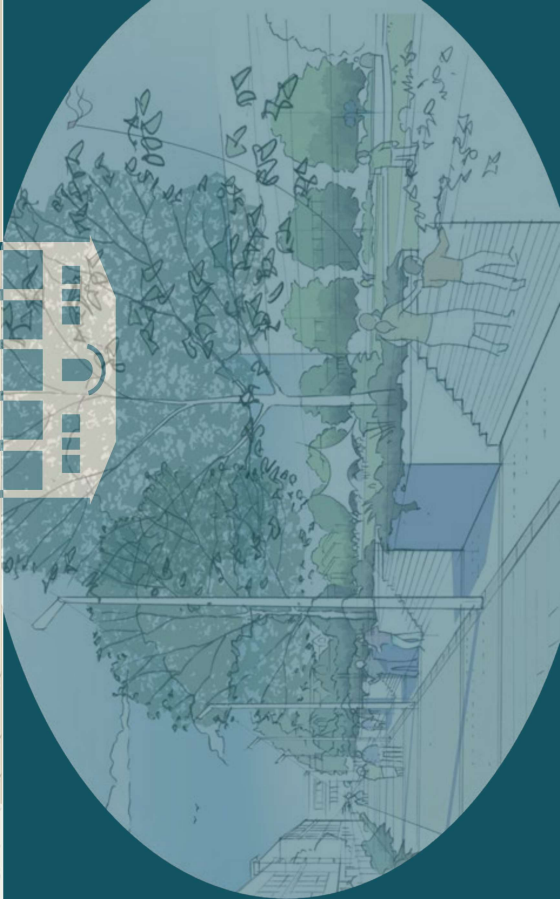
BOGNOR REGIS

SINCE 1784

Page 79

Regeneration Core Principles:

1. Using the town's significant assets.
2. Modern marketing of the town's lifestyle benefits.
3. Using development to create public realm improvements.
4. Inspiring a carbon-free town throughout regeneration proposal.
5. Working with local community using the best ideas from other regeneration areas we have worked in.
6. Adopting a flexible approach to achieving the goals.
7. Start with the simplest proposals to gather momentum.
8. Connecting the town to its waterfront: reducing the reliance of cars and creating quality public space.
9. Clustering activities in key locations.
10. Recognised regeneration professionals based in Bognor using a nationally recognized team.



The benefits of our proposal include:

- a. **£ 20m invested into public open spaces** including but not limited to: amphitheatre, bike stations, eco shuttle service, moorings, jetties, pier improvement, street art and other public realm improvements.
- b. **£ 5m modernisation of Alexandra Theatre** with scope for conference facilities.
- c. **Parking standards exceeded** and new car parking located in suitable locations.
- d. **Create a new continuous Central Park** flowing from the site of the old Hothamton car park southwards to the pier. The new northern section of Central Park will be raised with secure underground parking beneath. The southern part (Waterloo square) will be reimaged, opened and accessible. The whole Central Park will be framed by tree-lined boulevards. This would benefit from partial closure of small sections of the roads next to Waterloo square to the north and south.
- e. **The proposals respect existing street scenes** and urban patterns.
- f. **Flexible proposals** allow variations in the number of flats, to enable less or more funds to be invested in the public realm.
- g. **ADC to retain valuable interests** in new commercial/leisure floor areas and car parking generating long term income.
- h. **Wider opportunity sites** identified for locating and/or funding: bowling alley, lido, indoor sports arena, cinema complex, moorings, new library, new day care centre, key worker housing, additional Affordable housing, ice rink, new health centre and aquarium.
- i. **Providing new housing (including 30% affordable and keyworker housing)** in sustainable town centre locations saves green fields throughout Arun.
- j. **Sustainable and accessible public movement strategy** including eco shuttle, cycle routes and improvements to pedestrian footways connecting all major sites.

Regent Re-Gen have provided space and funding capacity for all the items listed on the matrix published by ADC, except an artificial reef and a hotel. (There is space within the Hothamton Park mixed use development to provide alternative uses including a hotel or serviced apartments subject to demand).



Our Approach:

- Our proposals are initial ideas, prepared to start a conversation of what can be achieved – they are the starting point of the design process.
- All sites to have:
 - Eco shuttle hub
 - Bike hire stations
 - Children's play parks
 - Improved public realm with a sense of fun
 - Majority of parking underground with some also at ground floor level
 - Significant leisure and commercial on ground floors with residential above
 - Green roofs and PV cells

Page 8

Lion Road Car Park:

- Redevelopment of coach / lorry park & apartments
- Create a direct & strong connection to Hotham Park
- Formal public square, framed by new development funded by:
 - Underground / croft parking - 392 spaces
 - 180 apartments / 46 - live-work starter units
- Eco-shuttle could run through new development into Hotham Park



Regis Centre:

- Retaining & improving Regis Centre & Alexandra Theatre (as per ARUP / ADC report 2012)
- New flexible public space to The Esplanade
- Potentially covered glazed space over Place St Maur
- Connecting seafront to The Arcade & London Road shopping precinct
- Funded by mixed use development:
 - Secure under-ground / croft parking - 190 spaces
 - 2000sqm commercial / leisure; with sea-views
 - 100 apartments



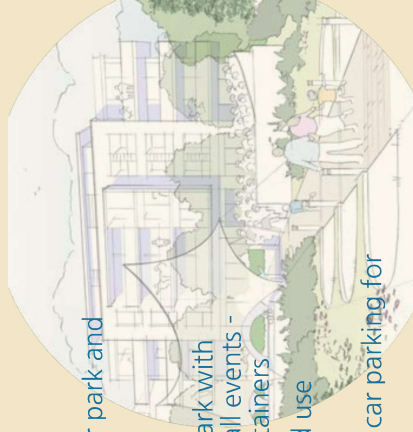
Hothamton Car Park - Bognor's "Central Park":

- Incorporating old Hothamton car park, the Sunken Gardens and Waterloo Square into a new Central Park, framed by trees with accessible, family friendly, traffic free open spaces
- Raised gardens above secure car parking to provide enhanced sea views
- Funded by mixed use development:
 - Secure parking underground & ground floor - 680 spaces
 - Ground floor - 1400sqm commercial / leisure overlooking new park
 - Upper floors - 280 apartments



Rock Gardens:

- Redevelopment of car park and existing flats
- Relocate skate park
- Re-establish former park with Amphytheatre for small events - buskers, artists, entertainers
- Funded by new mixed use development:
 - Under-ground car parking for 37 spaces
 - Ground floor - 1092sqm commercial / leisure with sea views
 - Upper floors - 50 apartments



Gloucester Road:

- Re-connect to waterfront with quality leisure space and focal point
- Funded by mixed use development:
 - Under-croft parking for 200 cars
 - Raised ground and 1st floors - 5600 sqm leisure, with sea views
 - Upper floors - 100 apartments



Wider Opportunities

In addition to the 5 identified sites, we have considered some wider opportunities we believe could significantly assist Bognor's regeneration:

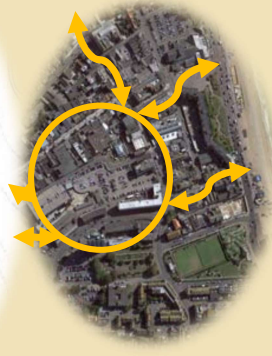
Marine Park: A new sheltered event space on the seafront, connecting the park to the sea and enhancements to boat pound. Created by funds from a mixed use development.

Covers: Enhancements to station approach, bike hub. Created by funds from mixed use development.

Sarajin Road: New library & day-care centre & access to Hotham Park. Created by funds from mixed use development.

High Street: New "Gateway to Bognor". Created by conversion & redevelopment of job centre & BT building.

Morrison's / Fitzleet: Movement & Parking Strategy to reduce dependence on the car & focus on people and place. Enables increased use of currently under-utilised car parks in central location.



Making it happen:

Regent Re-Gen (RR) have a vested interest in Bognor - we believe the best approach is for a Joint-Venture (JV) Partnership to be set up to deliver the proposals:

- Council contributes land; RR contribute expertise / construction costs - receipts split.
- Capital receipts from development - recycled into regeneration of Bognor Regis.
- Assets secured from development (eg parking / commercial) become a revenue stream for JV partners.
- Greater benefit than a pure sale of land assets (where ADC would be left to deliver regeneration)
- Precise terms to be agreed.
- Success of JV Partnerships - to ensure delivery - rely upon:
 - Objectives / interests being aligned
 - Simple governance focused on delivery - with appropriate checks & balances
 - Flexible approach to respond to market changes

Some of the proposals could include additional land not owned by ADC, which can be purchased, or CPO - but the bid is not dependent on this.

Site	Scheme	Retained Asset - Revenue	JV Capital Contribution to wider regeneration
Gloucester Rd Car Park	<ul style="list-style-type: none"> • 100 apartments • 5800sq commercial / leisure 	<ul style="list-style-type: none"> • 5800sq commercial • 200 parking spaces 	£ 3.9m
Regis Centre	<ul style="list-style-type: none"> • 100 apartments • 2000sqm commercial 	<ul style="list-style-type: none"> • 2000sqm commercial • 190 parking spaces 	£ 5m - Alexandra Theatre (Arup 2012) £ 3.1m - public realm
Hothampton Car Park	<ul style="list-style-type: none"> • 280 apartments • 1400sqm commercial / leisure • Parking 	<ul style="list-style-type: none"> • 1400sqm commercial / leisure • 680 parking spaces 	£ 6.85m
Rock Gardens	<ul style="list-style-type: none"> • 50 apartments • 1092sqm commercial / leisure 	<ul style="list-style-type: none"> • 1092sqm commercial / leisure • 37 parking spaces 	£ 4.92m
London Road Car Park	<ul style="list-style-type: none"> • 180 apartments • 46 live/work units • parking 	<ul style="list-style-type: none"> • 392 parking spaces 	£ 1.02m
TOTAL	<ul style="list-style-type: none"> • 756 dwellings • 226 affordable homes • 10,292 commercial / leisure 	<ul style="list-style-type: none"> • 10,292 of commercial / leisure • 1072 parking spaces 	£ 24.79m

BOGNOR RE-INVIGORATION GROUP

SUMMARY OF THE PRESENTATION GIVEN TO
ARUN DISTRICT COUNCIL ON WED 10TH FEBRUARY 2021.

Re-Invigoration is a small, mixed group of Bognor Regis residents who came together to produce a proposal to regenerate Bognor which focused on the Regis Centre and Hothamton sites.

It was decided early on that rather than come up with our own ideas we needed to find out what the wider population of Bognor Regis wanted, and to achieve this we needed to gather those ideas from as many people as possible. We created a Facebook page, an email address, a postal address, we had a drop-in centre and several volunteers took to the streets with clipboards.

We asked open questions, and from both locals and visitors we soon had information from nearly 1,000 individuals, many of them offering multiple ideas. We could have added to this except for severe time constraints put upon us. Our research showed that we had input from a balanced cross-section of ages, and one thing that became clear was that Bognor people care passionately about their town; there is a strong feeling of ownership by all and a healthy sense of civic pride.

* * * * *

Using the results a graph was created listing the things most and least wanted – see image at end - and using a framework from the 2004 Masterplan for Bognor Regis we pieced together all of the top suggestions and many of the lesser ideas into a cohesive design.

In order of preference these were...

A lido / splash pools	Cultural (art) gallery and space
A café / bar with seafront terrace	Restaurant with dance floor
Illuminated dancing fountains	Community space
Roller rink	Retail outlets
Open area with seating and grass	Surfing / water sports
Bowling alley	Pop-up seasonal concessions
Infants / soft play area with seating	Laser Quest
Open area theatre	Interactive educational themed visitor centre
Multi-use room	Climbing wall / Abseiling facility
Observation tower with restaurant / bar	

Less popular suggestions included a ‘quality hotel’, a large clothing store, ground floor parking, a trampoline park, a multiplex cinema and finally, flats.

oo

We worked within the scope of the masterplan remit found on page 5 of the 2014 masterplan planning policy paragraph 2: “Strengthening the physical and visual links between the promenade and town centre.”

In order to deliver this ambitious scheme the group understood that a financially viable offer is necessary. We therefore proposed a three-step pathway...

- i) Land currently known as the Hothamton site (now a car park) would be made available, purchase or leasehold, for commercial development. This is a town centre position and could accommodate ground floor parking and retail, with up to 250 flats and apartments on the first floor and above commanding views across the sunken gardens and bowling greens to the sea. These would offer a healthy return in current market conditions with the potential for council tax returns i.e.o. £480,000 p.a. based on £1,920 per unit (2014 prices). Cross-funding would

mitigate against any flats on the Regis Centre site – something that frequently came up in our consultation. An S106 agreement (for Hothamton) could fund other parts of the development such as a multi-purpose ice skating rink

- ii) A regenerative creep along the Queensway which would benefit from increased commercial opportunity. New residents would increase footfall for the businesses with obvious local authority drivers
- iii) Funds from this and other possible sites would facilitate a phased development of the seafront site as follows.

1: A re-design of the Esplanade into a one-way system using Clarence Road, Gloucester Road and the Esplanade, with chevron parking on the Esplanade between Clarence Road and Gloucester Road creating room for up to 360 vehicles, herring-bone style (the current car park has 217 spaces which include disabled and Shopmobility bays and some dedicated for Town Hall staff). This would allow visitors and local residents direct access to the beach, but also with easy access through a new Regis Centre site development, creating footfall going to and from the town for the new businesses.

2: The construction of a new promenade edge between Lennox Street and Clarence Road taking the form of waved and banked terraces down to sand level constructed in rubberised concrete / rubberised material with steps for seating and ramps to allow access for wheelchairs, buggies etc. Such a scheme has been implemented at Cleveleys, a few miles North of Blackpool as part of its sea defences – the steps are designed to progressively take the power out of the waves at high tide.

3: The construction of a seawater lido similar in size and scope to that at Bude in Cornwall, providing safe, accessible paddling and swimming with associated shower and changing facilities, and landscaping in context with the scheme.

4: The construction of integrated multi-use leisure and retail building(s), parts of which would be made available for operational lease including retail, cafes, bars, observation tower (possibly in the form of a ‘vertical pier’), restaurants, climbing wall, indoor soft-play in line with our survey.

5: Extensive landscaping to include an outdoor amphitheatre space for events and performances, fountains, splash park with planting appropriate to a seaside context, concession stands and pods, showers for bathers, beach huts, a Zip-line and public artwork in line with the town’s cultural narrative.

By keeping the front of the site open it would be welcoming for visitors with plenty to do and see while acting as a natural ‘funnel’ to direct visitors towards the town.

The main building would have roof access for walking, eating etc. with outdoor space on each level for restaurant diners. The main piazza would also retain enough space for a seasonal ice rink.

Vertical Wind turbines can be included to provide some necessary power for the attractions which would include appropriate lighting to complement the current seafront illuminations.

* * * * *

This development is forward looking and flexible:

There is beach access via the new sea wall/prom

There is room to accommodate attractions from other proposals such as a William Blake exhibition or hands-on science / educational facility.

Small retail units fronting Belmont Street allow for new businesses to start and develop.

There are concessionary opportunities large and small.

There are investment opportunities for national retailers and caterers.

We have left enough space on what is now Place St Maur for seasonal attractions, such as the ice rink
The development has both indoor and outdoor space for year-round use with the obvious advantages of Bognor's summer sun.

Builds on Bognor Regis' reputation for sun and sea as a destination, whether a day trip or longer, and enhances the links between the seafront and the town. It also offers a range of attractions for the increasing number of visitors staying at Butlins and the Royal Norfolk Hotel with the related spending power.

Retains a balance between raising the quality of the seafront without losing the appeal that has always brought visitors.

Provides real and long-term employment opportunities.

Comes from a real community aspiration and affection for the town.

Top-up funding could be available as with other seafront developments from agencies such as the Arts Council and Coastal Communities of which a £29 million fund (at 2016) is available for across the board projects (such as Margate's successful bid for £1.8 million for its Dreamland development).

UPDATES:

The above proposal is broadly what was presented to the council in 2014. We have since incorporated some changes such as the retention of the Esplanade road. We were told at the time that we could start with a blank sheet but we are able to include a re-designed Alexandra Theatre, hopefully to retain some line-of-sight view of the promenade from the Arcade, and a possible hotel on the north (at the expense of some of the retail outlets) or east side of the site. Of course, visitors who can stay overnight or longer will have increased spending power and this will also suit visitors to nearby events such as the Goodwood Festival of Speed.

If the prom is moved seaward, the lido could be incorporated onto the prom and the road could remain open

There has been no updates of costs as it was not envisaged that we would still be discussing our proposal in 2017, let alone 2021! All participating groups and individuals were informed in 2014, that building work was to start in early 2016...

* * * * *

This proposal is the way in which the team have envisioned the suggestions of the participants of our surveys.

From the way in which the Re-Invigoration team approached the subject, it is suggested that even if the scheme is not implemented as a whole, the 'bricks' with which to build have been offered to the council.

- IN CONCLUSION -

As a result of our research Re-Invigoration reached a number of conclusions regarding the development of the Regis Centre site, namely...

The preservation of the site, as implicit in the 2004 Masterplan, as the leisure hub of the town and the "Jewel in the Crown" of the seafront

Residential development to fund the scheme can be initiated on other sites

A viable three-fold path to genuine regeneration can be initiated to provide long-term local economic prosperity, opportunities for large and small commercial enterprises, increased council tax revenue for the

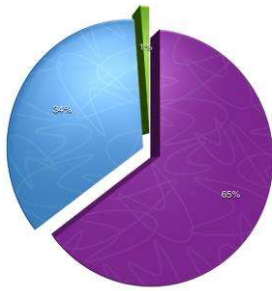
Arun district, and community involvement invested in the enhancement of the town's only central seafront location

A unique and sustainable day trip or holiday destination in the mainland UK's sunniest town.

FOR MORE DETAILED INFORMATION PLEASE VISIT OUR WEBSITE AT www.bognor-re-invigoration.co.uk

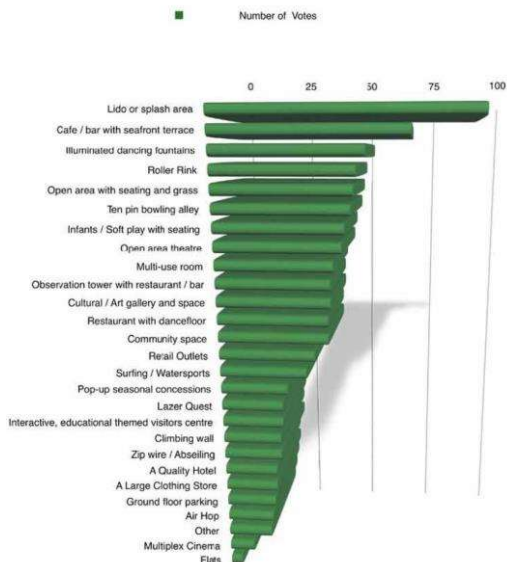
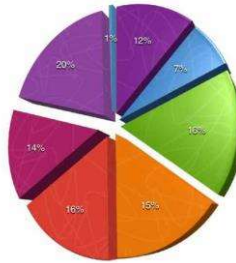
Type of regeneration:

Major Regeneration Low-level Regeneration No Regeneration



Age groups of participants:

Under 16 = 12% 19-24 = 7% 25-34 = 16% 35-44 = 15% 45-54 = 16% 55-64 = 14% 65+ = 20% Rather not say = 1%





*Established in 2007, the Board is an independent, non-profit organisation.
www.bognorregisregenerationboard.com*

Chairman: Raof Daud

Vice Chairman: District Cllr Francis Oppler

BUILD BACK BETTER – What does this mean for Bognor Regis Town Centre?

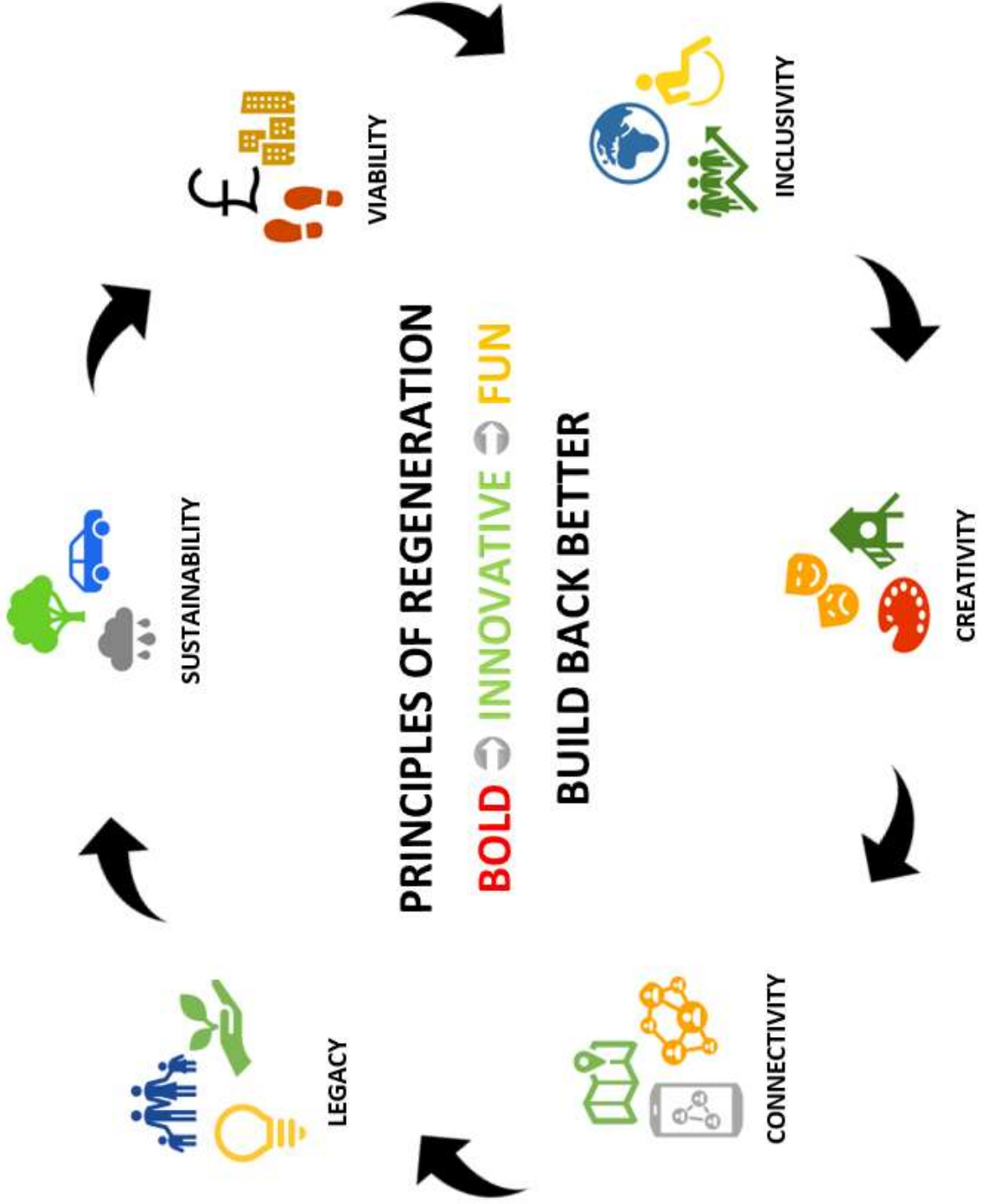
The 'Build Back Better' principle was developed in response to the increasing threat from climate change with the aim to share ambition, expertise and innovation to create fairer, greener and more resilient economies. As the world navigates the challenges brought by the coronavirus, there is a real opportunity to reconsider the possible and build bold, creative and enjoyable communities.


The Board summarises below what it considers to be important and relevant factors when assessing future improvement or regeneration opportunities for Bognor Regis Town Centre. The Board does not regard these as being definitive, rather it seeks to promote discussion and debate amongst policy makers and encourages the duly elected representatives of the local community together with officers to exercise their judgment and arrive at a consensus that reflects the community's wishes.



It is suggested that each of the factors below be considered in the light of the Hemingway place branding core values for Bognor Regis which have received widespread acceptance and endorsement from key stakeholders and the local community.




BOLD – A beacon for a bold future
INNOVATIVE – Blue sky thinking
FUN – Ready for fun

Thank you for considering the Board's approach to regeneration.



PRINCIPLE	CONSIDERATIONS
<p data-bbox="518 1765 544 1962">SUSTAINABILITY</p> 	<p data-bbox="518 1476 544 1659">Environmental:</p> <ul data-bbox="557 271 772 1615" style="list-style-type: none"> • Resilience to climate change events such as storm surge and surface water flooding through rainfall. • Use of sustainable materials during build and in operation. • Green energy technologies, smart systems which support green living & accessible green spaces. • Use of sustainable transport methods such as public transport, electric vehicles, pedestrian routes, cycle and scooter trails. • Parking systems which cater for electric charging, cycle & scooter storage and cashless technologies. <p data-bbox="815 1581 841 1659">Social:</p> <ul data-bbox="853 293 959 1615" style="list-style-type: none"> • Benefits of preferred schemes should clearly deliver identified local aspirations, needs & values. • Schemes must consider and support diversity, welfare and engagement through all stages. • Local employment and community networking opportunities should be present through build & operation. <p data-bbox="1002 1507 1027 1659">Governance:</p> <ul data-bbox="1040 215 1217 1615" style="list-style-type: none"> • Clear management structure with responsible employment policies. • Agreed reporting structure and intervals. • Transparent financial prospectus. • Transparency of proposals is key to ensure confidence and trust in the development and ongoing management of community assets. <p data-bbox="1260 293 1286 1659">The Board would encourage community leaders to consider the Ten Principles adopted by the UN Global Compact:</p> <p data-bbox="1299 882 1324 1659">https://www.unglobalcompact.org/what-is-gc/mission/principles</p>

<p>VIABILITY</p> 	<ul style="list-style-type: none"> • Is the vision clear with strong values that the community support? • Does the scheme meet the aspirations of the community? • Is the promoter/developer trusted and respected with a proven track record and a professional/experienced team behind them? • Does the scheme offer transparency throughout including de-risking measures? • Clarity should be established regarding funding during the planning, construction and operational phases and the developer's exit plan. • The availability and likelihood of funding through the public sector must be assessed. • Consideration should be given to mixed use schemes which include a higher proportion of residential or commercial activity than previously factored to ensure the long term viability of development and overall best value for the community.
<p>INCLUSIVITY</p> 	<p>Inclusivity covers a diverse spectrum of issues and in placemaking is often aligned with accessibility. But inclusion is more than access. An inclusive place ensures that all people – regardless of age, race, faith, ability, income, gender or sexual orientation – are catered to, and their rights respected. Schemes should consider:</p> <ul style="list-style-type: none"> • Flexible places which are safe, accessible and support health & wellbeing. • Affordable, walkable, accessible, mixed use trails and transport links. • Wheelchair and buggy-accessible public realm including flexible mixed use public seating. • Gender-neutral public toilets. • Visual and aural navigation for those who are blind and deaf or have dementia. • Mixed-tenure development, affordable housing, and community facilities that respond to a diversity of needs. • Design should encourage socialisation and support well-being and mental health. • Barriers to inclusivity should be identified and addressed through design, construction, implementation and curation. Consider local wealth creation, social mobility, skills development, entrepreneurship.

<p>CREATIVITY</p> 	<ul style="list-style-type: none"> • A creative scheme should offer a good mix of elements to attract the widest range of users. • Opportunities should include freely accessible leisure facilities such as play areas and activities for young people. • Commercial entertainment venues and places to eat and drink are key to successful year-round and night time economies. • Development of facilities should embrace future generations but recognise the importance of place and heritage. • Schemes should support the transformation of Bognor Regis as a destination for local residents, including its significant student population, as well as visitors.
<p>CONNECTIVITY</p> 	<ul style="list-style-type: none"> • Organised pedestrian, cyclist and traffic flows to ensure permeability and integration of site with surrounding areas. • Wayfinding and directional signage all improve the experience of place for the local resident and visitor, improving dwell times and repeat visits, discouraging anti-social behaviour through pedestrian flow. • Digital connectivity and smart technologies to support navigation, networking and cashless transactions. • Accessibility considerations should include ease of access, choice of travel modes, journey times, ease of parking (including park & ride) and ease of exit. • Connectivity also now needs to consider the ability to distance; to be able experience place in a safe and secure environment.
<p>LEGACY</p> 	<p>Legacy covers identity, character and consideration of the needs of future generations. How does Bognor Regis want to be known and remembered? How should it's heritage be referenced while providing a modern/contemporary experience delivered with friendly and human service? What would make the local community proud to say they come from Bognor Regis? It has never been more important to plan places that work for the future population as well as the current one. The way people use the spaces and places around them is changing. We can no longer rely purely on a retail-based, transactional economy; coronavirus has done much to accelerate changes that were already happening and it is likely that in the future, resilient local economies will be both service and experience led. Schemes should show how they have considered future proofing to provide resilient, adaptable spaces which meet the needs of future communities. And they should identify a clear legacy, one in which Bognor Regis is universally recognised as being bold, innovative and a place to have fun!</p>

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ARUN DISTRICT COUNCIL

REPORT TO FULL COUNCIL

Meeting on 17 March 2021

SUBJECT: Report on transition to Committee Style of Governance

REPORT AUTHOR: Solomon Agutu, Interim Monitoring Officer

DATE: February 2021

EXTN: 37432

PORTFOLIO AREA: Corporate Support

EXECUTIVE SUMMARY:

This is a status report on the progress of transition to the committee style constitution and associated matters. It explains that the revision and rewriting of the Constitution is complete and that the new constitutional document is almost ready for publication.

RECOMMENDATIONS:

Full Council is asked to:

1. Note the completion of the writing of the new Constitution;
2. Note the plans to Brief Members on the contents of the new Constitution;
3. Agree that on completion of the Briefing for Members the new Constitution will be submitted to Full Council on 12 May 2021 for publication; and
4. Note that the next meeting of the Constitution Working Party is scheduled for 28 June 2021.

2. BACKGROUND

The Full Council made a binding statutory resolution on 15 January 2020 (Minute 388) to change its form of governance to a Committee system effective from the Annual Council Meeting on 19 May 2021. The Constitution Working Party was convened to work through the necessary changes to the Council's Constitution and report back to the Full Council. The final report of Constitution Working Party is elsewhere on this agenda.

In preparation for implementation and publication the constitutional document is being rewritten and proof read and there is a programme of Briefings for Officers and Members. A calendar of meetings has already been agreed by Full Council for 2021/2022 Municipal Year. Preparations also need to commence on nominating Chairs and Vice-Chairs of Committees, nominating Committee Members and training for Members who are to be on the Regulatory Committees such as the Licensing, Licensing Sub-Committee and Planning Committee.

3. OPTIONS:		
N/A		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	NA	
Relevant District Ward Councillors	NA	
Other groups/persons (please specify)	NA	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		NO
Legal	yes	
Human Rights/Equality Impact Assessment		
Community Safety including Section 17 of Crime & Disorder Act		NO
Sustainability		NO
Asset Management/Property/Land		NO
Technology		
Other (please explain)		
6. IMPLICATIONS:		
<p>The Council must publish a new Constitution before the Annual Council Meeting on 19 May 2021 as this is the “relevant change time” (ie the effective date) for moving to a Committee system form of governance defined in the Council’s statutory resolution of 15 January 2020. Whilst the legislation allows the Council to delay the “relevant change time” for introducing its new arrangements, there is no provision to delay this once the date has been resolved. In addition, the Council cannot make a further change to its governance arrangements for a period of 5 years from the date of its statutory resolution, ie not before 15 January 2025, unless this decision is approved by a referendum.</p> <p>These provisions are set out in Sections 9L and 9KC of the Local Government Act 2000 (as amended by the Localism Act 2011).</p>		

7. REASON FOR THE DECISION:
To comply with the decision of Full council to move to a Committee style of governance

8. BACKGROUND PAPERS:
Previous meeting of Full Council since 15 January 2019.

Public Document Pack Agenda Item 16

Subject to approval at the next Development Control Committee meeting

333

DEVELOPMENT CONTROL COMMITTEE

6 January 2021 at 1.00 pm

Present: Councillors Bennett (Chairman), Ms Thurston (Vice-Chair), B Blanchard-Cooper, Bower, Charles, Coster, Edwards, Mrs Hamilton, Kelly, Lury, Mrs Pendleton, Roberts, Tilbrook, Mrs Warr and Mrs Yeates

Councillors Clayden, Cooper, Bicknell and Mrs Worne were also in attendance as Ward Members for all or part of the meeting.

Apologies: None

384. DECLARATIONS OF INTEREST

Councillor Bennett declared a personal interest in application R/197/20/OUT as a member of Rustington Parish Council.

385. MINUTES

The Minutes of the meetings held on 25 November 2020 and 2 December 2020 were approved by the Committee.

386. A/109/20/RES LAND SOUTH OF WATER LANE, ANGMERING

6 Public Speakers

CLlr Nikki Hamilton-Street – Angmering Parish Council
Michael Coates - Objector
Mr Geoff Gibbs - Objector
Jessica Sparkes – Applicant
Paul Bicknell – Ward Councillor
Andy Cooper – Ward Councillor

Approval of reserved matters following outline consent A/99/17/OUT for 175 No dwellings & associated infrastructure. This application may affect the setting of a listed building, may affect the character & appearance of the Angmering Conservation Area & falls within Strategic Site SD9, CIL Zone 1 (Zero Rated).

The Planning Officer presented his report including matters in the update report. This was followed by Public Speakers and a response was provided by the Planning Officer.

Members then took part in a full debate on the application where a number of concerns were raised including flooding, access concerns and that the Angmering

Development Control Committee - 6.01.21

Advisory Group briefing that was due to be held before Christmas 2020 had been cancelled and instead only a few Members had been in attendance at a separate briefing instead and that on this basis a deferral of the application was proposed and seconded.

The Planning Officer and Engineering Services Manager provided Members with answers to the issues raised regarding flooding and access. The Director of Place advised Members that they needed to provide specific reasoning and rationale in order to defer the application.

After further debate it was proposed that members defer the application so that there could be further consideration of the proposals by the Angmering Advisory Group. Committee members in their discussion made comments on drainage scheme, the construction management plan, density and the further consideration of views from the South Downs National Park.

Having been formally proposed and duly seconded, the Committee

RESOLVED

That the application be DEFERRED: -

- 1) to enable full consultation and a meeting with the advisory group to be held
- 2) to review the drainage concerns
- 3) to examine the landscaping and the south down national park review, and,
- 4) to examine the density and potential density decrease.

387. A/179/20/RES LAND SOUTH OF WATER LANE, ANGMERING

Approval of reserved matters (appearance, layout, scale and landscaping) following outline consent A/99/17/OUT, for a culverted embankment over the Black Ditch, providing a road crossing to the proposed residential development.

The Chairman raised a procedural matter which was responded to by the Director of Place and confirmed with the Council's Solicitor.

It was proposed and duly seconded that the application be deferred with public speaking to be had on its return to the Committee.

The Committee

RESOLVED

That the application be DEFFERED

388. AW/240/20/PL 17 NYEWOOD LANE, ALDWICK PO21 2QB

Change of use of former residential parenting unit (C2 Residential Institution) to 8 bed House in Multiple Occupation (C4 Sui Generis). This site is in CIL Zone 4 (Zero Rated) as other development.

The Planning Officer presented his report advising members that the Officer recommendation was for approval on this application.

Members then took part in a full debate on the application where a number of concerns were raised including toilet provision, adequate areas of open space, the number of Houses of Multiple Occupation (HMO's) in the area and parking spaces.

The Planning Officer and the Director of Place both provided members with answers to the issues raised.

In further consideration of the matter, it was highlighted that people who would be referred to the use this dwelling would be for a very specific reason and not because it was a HMO.

The Committee

RESOLVED

That the application be APPROVED as detailed in the report and subject to the conditions outlined.

389. FG/127/20/PL ONSLOW CARAVAN PARK, ONSLOW DRIVE, FERRING BN12 5RX

2 PUBLIC SPEAKERS

Nadine Phibbs – Ferring Parish Council
Jeremy Farrelly – Agent

Onslow Caravan Park, Onslow Drive, Ferring. Retrospective application for the demolition of 3 No. existing buildings & erection of replacement workshop & machinery store building (amended design & siting to FG/37/17/PL). This site is in CIL Zone 5 (Zero Rated) as other development.

The Planning Officer presented his report including matters in the update report, this was then followed by Public Speakers.

Having considered the matter, the Committee

Development Control Committee - 6.01.21

RESOLVED

That the application be APPROVED subject to conditions as detailed in the report and the officer report update.

390. FP/181/20/PL BEACHCROFT HOTEL, CLYDE ROAD, FELPHAM PO22 7AH

2 storey rear bedroom extension. This site is in CIL Zone 4 (Zero Rated) as other development Beachcroft Hotel, Clyde Road

The Planning Officer presented his report advising members that the Officer recommendation was for approval on this application.

Members then took part in a debate on the application where a number of supportive comments were raised.

Having considered the matter, the Committee

RESOLVED

That the application be APPROVED as detailed in the report, subject to the conditions outlined.

391. LU/294/20/PL BROOKFIELD PARK AT HONEYSUCKLE CLOSE, LITTLEHAMPTON

Erection of 6m high flagpole. This site is in CIL Zone 5 (Zero Rated) as other development. Brookfield Park at Honeysuckle Close

The Planning Officer presented his report advising members that the Officer recommendation was for approval on this application.

Having considered the matter, the Committee

RESOLVED

That the application be APPROVED as detailed in the report, subject to conditions.

392. R/197/20/PL CROFT WORKS, 52 MILL LANE, RUSTINGTON BN16 3JN

[The Chairman redeclared his personal interest as a member of Rustington Parish Council.]

3 PUBLIC SPEAKERS

Peter Warren – Rustington Parish Council
Mrs Rousell - Objector
Adam King - Agent

Croft Works, 52 Mill Lane, Rustington Outline application with some matters reserved for the demolition of existing dilapidated storage buildings & erection of 2 No. detached 3-bedroom chalet bungalows with associated car barns, gardens, car parking & landscaping (resubmission following R/117/20/OUT).

The Planning Officer then presented his report including matters in the update report. This was followed by the Public Speakers and a response was provided by the Planning Officer.

Members then took part in a full debate on the application, where a number of issues were raised including access concerns and pedestrian safety. Members were particularly concerned that West Sussex County Council (WSSCC) had only completed a desktop review of this application and that one member of the committee had completed his own site visit and could confirm that the measurements included in the report were inaccurate in his opinion. It was then proposed that a deferral of this application was needed so a site inspection could be completed to clarify the measurements of the access to the site.

The Director of Place provided members with advice on the logistics of a socially distanced site visit in order to comply with the current lockdown restrictions in place. He also confirmed that the applicant would have provided the measurements on their application and that the committee could defer on this basis to allow for the applicant to resolve the issues you have raised.

It was the proposed and duly seconded that, the Committee

RESOLVED

That the application be DEFERRED for clarification of site entrance measurements at the lane entrance

The Chairman then called an adjournment to the meeting from 16:05 – 16:15.

393. Y/99/20/PL BONHAMS FIELD, MAIN ROAD, YAPTON BN18 0DX

4 PUBLIC SPEAKERS

Angela Broughton - Objector
Sue Barnes - Objector
Ian Johnson – Agent
Amanda Worne – Ward Member

Development Control Committee - 6.01.21

Bonhams Field, Main Road, Yapton Variation of conditions following Y/1/17/OUT to reword conditions 12, 14 & 16 as set out in the application covering letter in order to allow for the proposed access works to be implemented separately to the rest of the planning permission.

The Planning Officer then presented his report including matters in the update report. This was followed by the Public Speakers and a response was provided by the Planning Officer.

Members then took part in a full debate on the application where a number of issues were raised including drainage and flooding concerns, consultation with local residents and members felt uncomfortable and conflicted with being asked to make a decision on this application without the full picture being in front of them.

The Director of Place, Planning Officer and the Council's Solicitor all provided members with answers to the issues raised and gave advice on the importance of considering this application on its planning merits alone.

At the conclusion of the debate the Director of Place provided further advice on the prospect of not following the technical advice that had been presented to them within the report and report update and that should members refuse this application the Council would be awarded with additional costs on appeal.

Having considered the matter fully, the Committee

RESOLVED

That the application be APPROVED subject to conditions as detailed in the report and the officer report update.

394. APPEALS

The Committee received and noted the appeals that had been received and the Director of Place provided members with a verbal update on the following appeals;

- Inglenook application
- 77 Aldwick Road application
- The Bowerys application
- 11 West Dean Way application

He also confirmed that a review was underway to change the way the Council deals with appeals.

(The meeting concluded at 5.34 pm)

Subject to approval at the next Development Control Committee meeting

339

Development Control Committee - 6.01.21

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Public Document Pack Agenda Item 17

Subject to approval at the next Cabinet meeting

339

CABINET

11 January 2021 at 5.00 pm

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

Councillors Bennett, Bicknell, Bower, Charles, Clayden, Mrs Cooper, Cooper, English, Gunner, Mrs Pendleton and Roberts were also in attendance for all or part of the meeting.

395. WELCOME

The Chairman welcomed Members, members of the public and Officers to what was the ninth virtual meeting of Cabinet and the first in the New Year. He provided a brief summary of how the meeting would be conducted and the protocol that would be followed and how any break in the proceedings due to technical difficulties would be managed.

396. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

397. QUESTION TIME

The Chairman confirmed that no questions had been submitted for this meeting.

398. URGENT BUSINESS

The Chairman confirmed that there were no urgent items for this meeting.

399. MINUTES

The minutes from the meeting of Cabinet held on 14 December 2020 were approved as a correct by Cabinet. The Chairman confirmed that these would be signed at the earliest opportunity to him.

400. BUDGET VARIATION REPORTS

There were no matters discussed.

Cabinet - 11.01.21

401. HOUSING REVENUE ACCOUNT BUSINESS PLAN UPDATE

The Chairman welcomed Mr Glenn Smith, Director, from Housing Finance Associates Ltd, the Council's external consultant, to the meeting as he would be providing a presentation on the Housing Revenue Account (HRA) Business Plan Update.

Firstly, the Cabinet Member for Residential Services, Councillor Mrs Gregory, introduced this item stating that the report provided the annual update on the Housing Revenue Account (HRA) Business Plan and that it set out the baseline position for the HRA Business Plan projections, planned forecast in terms of income, expenditure, investment and borrowing in respect of Council housing over a 30 year period. The key headlines were that £2m of HRA balances were to be retained during the 30-year period covered by the forecast and the inclusion of new build programme commencing in 2022/2023 to deliver 15 new homes annually and delivering the capital programme within available resources.

Mr Smith confirmed that each year an update was provided on the baseline position for the Housing Revenue Account Business Plan projections in respect of the provision of Council housing within the Arun District over a 30-year period. He explained that the underlying information was continually changing in terms of updated changes in inflation and borrowing rates but that it provided some continuity in terms of delivering the long-term plans that the Council set each year. Mr Smith then referred to the numerous charts set out in the report providing information on the health of the HRA as forecasted in terms of the level of balances; the HRA capital programme; the level of HRA debt; and the ability of the authority to repay debt within a reasonable timescale. This information had been produced using the Council's own data and budgets for the revenue and capital programme and in terms of stock condition works that needed to be conducted over the long-term and that use of the Council's projections had been made in terms of the development of projects and schemes which were either planned or where the Council had aspirations to deliver in future years.

The Cabinet Member for Residential Services, Councillor Mrs Gregory, responded to the presentation by thanking Mr Smith for providing such a detailed overview but in a way that was very easy to follow. It was great news that the HRA's finances allowed the Council to continue to purchase Council stock to a total of 230 properties between now and 2026. Despite this, it was still disappointing that the Right to Buy initiative, still resulted in the Council's valuable stock continuing to be eroded at a time when there were so many local families in housing need. The cost of providing the required temporary social housing was very high putting a further strain on budgets.

The Chairman also thanked Mr Smith for his detailed overview of the report and confirmed that he welcomed the information that it held in that the Council was able to provide more affordable lower cost to rent housing to those on the Council's waiting list and to obviate the need to put residents into temporary accommodation. He welcomed the medium-term commitment to continue to substantially increase and maintain the Council's building programme to make sure that the housing stock was maintained and increased in the long-term.

The Chairman then invited non-Cabinet Councillors if they had questions to ask. Questions were asked about the baseline revenue forecast and the use of balances.

The Cabinet, then

RECOMMEND TO FULL COUNCIL

That the updated Housing Revenue Account Business Plan for 2020/21 be noted.

The Cabinet confirmed its decision as per Decision Notice C/044/11012021, a copy of which is attached to the signed copy of the Minutes.

402. WEST SUSSEX JOURNEY TO WORK PROGRAMME - END OF YEAR REPORT - MIRIAM NICHOLLS

The Chairman introduced this report as the Leader of the Council and explained that over the past 7 years, the Journey to Work project and its successors had been well received by many of those who needed support to move towards employment. Its value had been recognised not only by those it has helped but also by local employers who had welcomed the opportunity to employ people who may have needed a little extra support but had been more than willing to take up the opportunity of work.

Many local residents had received support allowing them to take up part or full-time employment whilst others had moved along the road towards employability by volunteering or taking qualifications. The report provided an overview of the Journey to Work project covering the past year.

The Business Development Manager then provided further information explaining that this project had been a success largely due to the superb links that the Council had established with the District's business community. The report was not about physical transport to work, it was about the need to focus on each individual's employment journey and how they could tackle any barriers in place preventing them from moving from one point in their life to employment. The report emphasised the different and varied journeys that often had to be taken by individuals to reach their goals. To explain the unique successes of the project, some case studies were presented to the meeting. Arun had less budget as it had always used Job Centres or its own offices or met where suited to the client. As a result of this, Arun was able to use its budget wisely and was able to supply a lot of training. It used its regular email address to the business community to showcase clients to employers.

Cabinet - 11.01.21

In receiving the report, Cabinet praised the work undertaken and the benefits the project had provided. This was particularly relevant at this time due to the current unemployment crisis as a result of Covid-19 and so it was felt that anything that the Council could do in partnership with Government grants and other Local Authorities had to be welcomed.

Following some discussion, Cabinet praised all elements of the scheme and the opportunities that it provided. The case stories explained at the meeting had been truly uplifting and showed how successful the scheme was and its value to those taking part.

Having had a series of questions asked which were responded to at the meeting, the Cabinet

RESOLVED

That the contents of the report be noted

The Cabinet confirmed its decision as per Decision Notice C/045/11012021, a copy of which is attached to the signed copy of the Minutes.

403. SUPPLEMENTARY ESTIMATE TO COVER COSTS AWARDED AGAINST THE COUNCIL IN APPEALS - Y/103/18/PL AND EP/148/20/PL

The Cabinet Member for Planning, Councillor Lury, introduced this report explaining that a supplementary estimate was required to a maximum sum of £30,000 to settle the costs claimed against the Council as a result of two recent unsuccessful appeals. Councillor Lury urged Councillors to take note of the Planning Inspector's reasoning in awarding these costs in that the Council had previously been advised that it needed to be more risk adverse especially when objecting to an application on highways grounds, although he fully understood the frustration felt by Councillors in this regard. Councillor Lury explained that the two planning applications were Y/103/18/PL and EP/148/20/PL and he referred to the appendices that had been attached to the report containing the reasoning of the inspector regarding these two applications.

Much discussion took place in relation to this report. Councillor Stanley confirmed that this was a difficult situation and he stated that he did not envy those Councillors who sat on the Development Control Committee in terms of the number of different issues that they had to balance in determining applications. He agreed with the comments that had been made by Councillor Lury in that the Council needed to be more risk adverse with its decision making. He was of the view that the Committee had taken this viewpoint on board and had improved in discussing and communicating views where they could make a difference.

Other Cabinet Members agreed with the statements made and therefore highlighted the need for a Members' Seminar to be arranged so that collective discussion between Members and Officers could take place and the issues raised by the recent Planning Review report considered and a way forward confirmed.

Conflicting views were then raised by non-Cabinet Councillors who felt that Development Control Councillors should not base decision making solely in reaction to public representation. The Cabinet Member for Planning responded outlining that all decisions made by the Development Control Committee had been cross party and refusals had been based on genuine highway safety concerns, difficulties had arisen as the Highways Authority had opposing views, this was very relevant to these two planning applications.

Other points made were that decisions had been based on new standards for parking which had just been confirmed by the Planning Policy Team but this appeared to be in conflict with what the Planning Inspector had thought the Council should be doing and so there were Councillors who had difficulty in accepting the Inspector's decision on the appeals.

A further request was made for Member Planning training to resume and the need for the Council to engage better and more effectively with the Planning Advisory Groups.

The Cabinet

RECOMMEND TO FULL COUNCIL

That a supplementary estimate of a maximum of £33,000 be approved to settle the award of costs in respect of applications Y/103/18/PL and EP/148/20/PL. This equates to a Band D Council Tax equivalent of £0.53.

The Cabinet confirmed its decision as per Decision Notice C/046/11012021, a copy of which is attached to the signed copy of the Minutes.

404. VARIATION TO PARKING CHARGES

The Cabinet Member for Neighbourhood Services, Councillor Mrs Staniforth, presented this item explaining that this report looked at the parking charges in the Councils Off-Street Car Parks. This was because, the Council's Medium Financial Strategy required all discretionary charges to be reviewed and this included parking charges.

Councillor Mrs Staniforth reminded Councillors that a report had been submitted to a previous meeting of Cabinet in September 2020, but this had been withdrawn as it had been felt that it had not been the appropriate time to be looking to increase charges when businesses in the District needed all the support they could get due to the Covid-19 pandemic. This report was looking at increasing car parking charges for only the

Cabinet - 11.01.21

Council's seasonal car parks and not car parks situated in the Town Centres which were still suffering from the impacts of the pandemic. She explained that the Customer & Parking Services Manager, with the support of the Group Head for Neighbourhood Services, had written the report to provide the relevant information on Arun's car parks and that the Council should undertake a review of its parking charges. The report requested Cabinet approval to consult on varying the parking charges as outlined in Appendix A of the report. The report also provided the detail of other car parking initiatives and service improvements.

The Customer and Parking Services Manager expanded on the detail provided in the report emphasising that car parking increases had not been increased in the seasonal car parks since 2018. A survey of all car parks in the District had been undertaken to establish what works were required to enable a priority list of work to be confirmed. The survey covered the surface, signage, furniture and planting with car parks. A priority list was currently being agreed so that works could be planned over the next two years. Separate to this, works had been identified for the Fittleton multi-storey car park to include the refurbishments of lifts; a fire detection system as well as the painting and decorating of stairwells. Future developments included looking at providing more contactless terminals and virtual permits as well as reviewing all free car parks to see what opportunities there might be to generate future income. A further report would return to Cabinet setting out future plans in due course.

In discussing the report, Cabinet supported the proposals, subject to the outcome of the consultation as it made sense to target the increases to the seasonal car parks not affecting the day to day commercial life of the town centres and shopping parades. However, it was also recognised that there had not been an increase in car parking charges for some time.

Cabinet was also reminded that this report sought approval for the proposed charges which had been set out in Appendix A to be put out for consultation, a decision was not being made tonight. The future developments identified in the report such as the option for cashless parking and the selling of different types of parking permits were welcomed as it was recognised that the offer of contactless payments would sit alongside cash and other options in terms of payments – when this report was initially put forward there had been a comparison of charges proposed set against other nearby coastal towns, questions were asked as to why this information was missing from this report. It was explained that this information had been provided only when consideration was being given to increasing the charges for Town Centre sites which was no longer relevant.

Viewpoints were made that it was entirely sensible to slightly increase the seasonal car parks charges which were always constantly busy.

Having agreed all elements of the report, the Cabinet was asked by the Interim Monitoring Officer to consider slightly changing the wording to Recommendation (2) to read as follows – additions have been shown using **bold** with deletions shown using ~~strikethrough~~

(2) ~~Seek~~ **Give** delegated authority for ~~agreeing the increase via the Cabinet Member following consultation~~ **to the Cabinet Member for Neighbourhood Services to consider the results of the consultation and to take a decision.**

The Cabinet

RESOLVED – That

- (1) Approve that the proposed charges in Appendix A are put out for consultation; and
- (2) Give delegated authority delegated authority to the Cabinet Member for Neighbourhood Services to consider the results of the consultation and to take a decision.

The Cabinet confirmed its decision as per Decision Notice C/047/11012021, a copy of which is attached to the signed copy of the Minutes.

405. CORPORATE PLAN AND SERVICE DELIVERY PLAN

The Chairman presented this item as the Leader of the Council and outlined that the Corporate Plan formed a series of targets that were measurable and, ideally, in the control of the Council. These were the Corporate Plan indicators. Service targets (Service Delivery Plan indicators – SDP's) were positioned beneath these corporate priorities to provide more detail about how services were performing. Performance of these indicators was reported to the Corporate Management Team every quarter and to the Overview Select Committee and Cabinet every six months and at year end.

Further to a request made by the Overview Select Committee at its meeting held on 1 December 2020, the Quarter 2 data from 2019/20 had been provided in the attached Appendix A and Appendix B to give comparable data with the same point at the previous year (Q2).

The Chairman then invited the Group Head of Policy to provide a further overview of the report. It was explained that there were eleven Corporate Plan indicators and that six of these were measured at Quarter 2. A full commentary for each indicator had been set out within Appendix A. A summary was then provided on the performance of these targets which is set out below:

- Not achieving target – these were CP3, CP7 and CP11). The Overview Select Committee (on 1 December 2020) requested additional information for CP3 (not just % information) on the Council Tax Collected. This had been provided in Appendix A. The Director of Services would be monitoring these targets.
- Achieving target – these were CP6, CP8 and CP10.

Cabinet - 11.01.21

Turning to the Service Delivery Plan Indicators, the Group Head of Policy explained that there were twenty-three Service Delivery Plan (SDP) indicators and that thirteen were measured at Quarter 2. A full commentary for each indicator had been set out within Appendix B. A summary was then provided on the performance of these targets which is set out below:

- Not achieving target – were indicators (SDP17 and SDP18). These would be monitored by the Director of Services. Overview Select Committee (on 1 December 2020) requested additional information for SDP17 (not just % information) on Housing Benefit overpayments recovered. This has been provided in Appendix B.
- Behind Target – were indicators (SDP4 and SDP5) and it was highlighted that these were only just behind target and were both indicators that the Council could not directly control.
- Achieving target – were indicators (SDP10, SDP16 and SDP22). SDP10 would be monitored by the Corporate Management Team and SDP16 would be monitored by the Director of Services.
- Over-Achieving target – were indicators (SDP1, SDP2, SDP3, SDP9, SDP12 and SDP19).

In discussing the report, the following comments were made. Congratulations were passed on to the Council's staff in relation to Corporate Plan Indicators CP6 and 8 as it was recognised that to be able to continue to process Housing and Council Tax Benefit Claims in 2.8 days less than the target stipulated during the Pandemic and with all staff working from home was a real achievement. Similarly, praise was given in relation to the number of new council homes purchased which were on track for the 36 completions which would take place during this month.

Reference was made to the three targets that were not achieving and it was felt that this was completely understandable during the Pandemic. For CP11 [Household Waste sent for Recycling] it was acknowledged that this was a very ambitious target which would most likely be met when the Food Waste Trial was introduced.

Looking at SDP 9 [Licence Applications Determined within Statutory or Service Time Limits] congratulations were passed onto the Licensing Team for achieving and improving the target compared to last year's figures and considering the pressures placed on the team due to Covid-19. There had been much discussion on SDP5 [Occupied Retail Units in Bognor Regis] at the Overview Select Committee. It had to be accepted that numbers would reduce further but it equally important for Councillors to realise the Council's position was comparatively good compared to the vacancy rates of similar sized Towns in other Local Authorities.

The Cabinet

RESOLVED – That

- (1) The Council's Quarter 2 performance against the targets for the Corporate Plan indicators as set out in the report and Appendix A be noted;
- (2) The Council's Quarter 2 performance against the targets for the Service Delivery Plan indicators as set out in this report and Appendix B be noted; and
- (3) The minutes from the meeting of the Overview Select Committee on 1 December 2020 and associated comments and queries be noted.

The Cabinet confirmed its decision as per Decision Notice C/048/11012021, a copy of which is attached to the signed copy of the Minutes.

The Chairman then made an announcement confirming that he had consulted with the Chief Executive and the Group Head of Corporate Support and could confirm that the Council had decided to provide another three month rent holiday for its business tenants as had been the case at the start of the pandemic in March 2020. Hard pressed in addition to bus grants from cent gov huge help we can do extra little but by giving a rent holiday.

406. ENVIRONMENT & LEISURE WORKING GROUP - 10 DECEMBER 2020

The Chairman alerted Cabinet to the minutes from the meeting of the Environment & Leisure Working Group held on 10 December 2020 and confirmed that they contained recommendations for Cabinet to consider.

The Chairman firstly invited the Cabinet Member for Community Wellbeing, Councillor Mrs Yeates, to present the first set of recommendations at Minute 20 [Safer Arun Partnership] and it was explained that this was the annual report of the Safer Arun Partnership and that Chief Inspector Carter had attended the meeting to provide a further overview to the report and to respond to questions asked by Councillors.

The Cabinet

RESOLVED – That

- (1) The work of the Safer Arun Partnership be endorsed and the importance of partnership working in contributing to reducing anti-social behaviour and addressing crime and disorder in Arun is recognised; and
- (2) Recognition is given to the work of the Safer Arun Partnership in contributing to the delivery of the Council's strategic priority 'supporting you if you need help'.

Cabinet - 11.01.21

The Chairman then invited the Cabinet Member for Neighbourhood Services, Councillor Mrs Staniforth to present the recommendation at Minute 21 [Tree Planting Strategy]. Councillor Mrs Staniforth explained that the Tree Planting Strategy was a 10-year plan covering over 90 sites across the District. The Tree Planting Officer had attended the Working Group meeting to work through the detail of the report and the tree planting strategy. This was an exciting project for the Council as it would help to address some of the climate issues and the aims of the Council in tackling its Climate Emergency declared last year. The Plan detailed where trees would be planted and what species of plants and trees would be involved. Councillor Mrs Staniforth explained that the Council had a very experienced team of Officers working on this Strategy and that they had been working on planting initiatives for a very long time. It was highlighted that there had been a lot of debate on the content of the full plan resulting in the Working Group asking if this Strategy could go ahead and be progressed but that a Plan be formulated in terms of what should happen being returned to the Working Plan before the Strategy was approved. Councillor Mrs Staniforth confirmed that she would like to approve the Strategy with the understanding that it would come back to the Working Group when a Plan was in place for Members ' to comment on and to tweak if necessary and she asked if the Director of Services if Cabinet could approve this now rather than to support the full request from the Working Group.

The Director of Services provided some reassurance confirming that the Council's Tree Officers were all very experienced and had been involved in a massive range of successful tree planting schemes in the past. Once the Strategy had been worked up it could then be brought back to the Working Group or appropriate Committee and that this was the right way forward.

In view of the points raised, the Chairman then proposed a slight change to the wording in the recommendation – which is set out below:

“Arun endorses the principles outlined in the report which would form the basis of a Tree Planting Strategy 2021 to 2031 and an associated tree planting plan which would both be presented to the relevant committee ~~before being approved.~~”

Discussion then focused on this amendment and the Director of Services was asked by some Cabinet Members if she could provide further information. She provided further reassurance confirming that this type of work was the essence of what the Tree service was all about. The Council's Tree Officers had conducted Tree Planting Strategies before and could provide many examples of successful schemes. The team contained experts who would ensure that the tree planting scheme contained the correct species of native plants whilst at the same time promoting diversity and effectively working with a myriad of local groups that the Council then trained, this had been custom and practice for 25-30 years.

There were non-Cabinet Councillors who claimed that the report that had been submitted to the Working Group had contained insufficient detail and no plan of action which was unacceptable. Further information was required as there was widespread

nervousness about the report as it should be for Councillors to set the Tree Planting Strategy and develop ideas for further consideration by the Working Group to approve before the Strategy was implemented. As things stood, agreeing to principles outlined in the report was insufficient; there was not enough information to see to sign off the Strategy.

Having received further reassurance from the Director of Services that there was never any question of everything being delivered and not being brought back to the Working Group; that the tree planting work would be delivered by experts and professionals; and that an associated planting plan would be presented again or to the relevant Committee, the Cabinet

RESOLVED

That Arun endorses the principles outlined in the report which would form the basis of a Tree Planting Strategy 2021 to 2031 and an associated tree planting plan which would both be presented to the relevant Committee.

(The meeting concluded at 7.10 pm)

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ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE MEETING HELD ON MONDAY 11 JANUARY 2021

REF NO.	DECISION
C/044/11012021	Housing Revenue Account Business Plan Update
C/045/11012021	West Sussex Journey to Work Programme – End of Year Report
C/046/11012021	Supplementary Estimate to Cover costs Awarded Against the Council in Appeals – Y/103/18/PL and EP/148/20/PL
C/047/11012021	Variation to Car Parking Charges
C/048/11012021	Corporate Plan and Service Delivery Plan
C/049/11012021	Minutes and Recommendations from the Environment & Leisure Working Group – 10 December 2020

**PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00
A.M. ON 20 JANUARY 2021 UNLESS
THE CALL-IN PROCESS IS APPLIED**

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

They will need to:

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

REFERENCE NO: C/044/11012021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: HOUSING REVENUE ACCOUNT BUSINESS PLAN UPDATE -	
OFFICER CONTACT: Satnam Kaur – Group Head of Residential Services Tel: 01903 737718 Email: Satnam.Kaur@arun.gov.uk	

EXECUTIVE SUMMARY: The report provides the annual update on the baseline position for the Housing Revenue Account Business Plan (HRABP) projections. The HRABP forecasts income, expenditure, investment and borrowing in respect of Council housing over a 30 year period. The update has been produced by our retained expert consultant; Housing Finance Associates and is based entirely on inputs that have been provided by the Council.	
DECISION: The Cabinet RECOMMEND TO FULL COUNCIL That the updated Housing Revenue Account Business Plan 202/21 be noted.	
REASON FOR THE DECISION: To ensure that the Housing Revenue Account (HRA) is able to deliver the long-term investment requirements that have been identified through the updated HRA Business Plan, plan forecast.	
OPTIONS CONSIDERED BUT REJECTED: It is a requirement for Full Council to note this updated Business Plan.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/045/11012021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: WEST SUSSEX JOURNEY TO WORK PROGRAMME - END OF YEAR REPORT	
OFFICER CONTACT: Miriam Nicholls – Business Development Manager Tel: 01903 737845 Email: Miriam.Nicholls@arun.gov.uk	

EXECUTIVE SUMMARY: The report provided a background to The Journey to Work Project and summarises its achievements over the past year and its future.	
DECISION: The Cabinet RESOLVED That the contents of this report be noted.	
REASON FOR THE DECISION: This is an information report.	
OPTIONS CONSIDERED BUT REJECTED: There were no options for the Cabinet to consider as this was an information and update report.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/046/11012021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: SUPPLEMENTARY ESTIMATE TO COVER COSTS AWARDED AGAINST THE COUNCIL IN APPEALS - Y/103/18/PL AND EP/148/20/PL	
OFFICER CONTACT: Karl Roberts – Director of Place Tel: 01903 737760 Email: Karl.Roberts@arun.gov.uk	

EXECUTIVE SUMMARY:

Planning permission was refused for applications Y/103/18/PL and EP/148/20/PL. Both decisions were taken by the Development Control Committee (DCC) and were contrary to the advice of officers. In deciding the subsequent appeals, the Inspector has concluded that the Council acted unreasonably in refusing planning permission and has awarded costs against the Council.

This award follows an award of costs for BE/69/19/OUT in May 2020 (a decision also taken at DCC contrary to the officer recommendation). This award of costs (£11,400) was paid out of the Departments budget. A Supplementary Estimate is now sought to pay these further costs as the Department budget is unable to accommodate these significant additional payments.

DECISION:

The Cabinet

RECOMMEND TO FULL COUNCIL

To approve a supplementary estimate of a maximum of £33,000 to settle the awards of costs in respect of applications Y/103/18/PL and EP/148/20/PL. This equates to a band D equivalent Council Tax of £0.53.

REASON FOR THE DECISION:

The Council is required to settle the award of costs.

OPTIONS CONSIDERED BUT REJECTED:

To refuse the officer recommendation

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:

None

DISPENSATIONS GRANTED :

None

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

REFERENCE NO: C/047/11012021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: VARIATION TO PARKING CHARGES	
OFFICER CONTACT: Calvin Baylis – Customer and Parking Services Manager Tel: 01903 737649 Email: Calvin.Baylis@arun.gov.uk	

EXECUTIVE SUMMARY:

The Council's Medium Financial Strategy assumes that income from all charges should be reviewed. This therefore requires certain parking charges for 2021/22 to be varied to find the additional income. The purpose of this report is not to make the decision on the charges, but to ask for approval to commence the consultation.

In addition, this report reviews other car parks initiatives and services improvements.

DECISION:

The Cabinet

RESOLVED - That

- (1) To approve that the proposed charges in Appendix A are put out for consultation; and
- (2) Give delegated authority to the Cabinet Member for Neighbourhood Services to consider the results of the consultation and take a decision.

REASON FOR THE DECISION:

Financial – to meet the Council's financial strategy

Legal process required to increase parking charges

OPTIONS CONSIDERED BUT REJECTED:

To not approve the charges shown on Appendix A and accept that the value of income from the parking charges will not increase in line with the Council's financial strategy.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:

None

DISPENSATIONS GRANTED :

None

CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION:

N/A

REFERENCE NO: C/048/11012021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: CORPORATE PLAN AND SERVICE DELIVERY PLAN	
OFFICER CONTACT: Jackie Follis – Group Head of Policy Tel: 01903 737707 Email: Jackie.Follis@arun.gov.uk	

EXECUTIVE SUMMARY:

This report sets out the Q2 performance outturn for the Corporate Plan and Service Delivery Plan performance indicators for the period 1 July 2020 to 30 September 2020.

DECISION:

The Cabinet

RESOLVED – That

- (1) The Council's Q2 performance against the targets for the Corporate Plan indicators as set out in this report and Appendix A be noted;
- (2) The Council's Q2 performance against the targets for the Service Delivery Plan indicators as set out in this report and Appendix B be noted; and
- (3) The minutes from Overview Select Committee on 1 December 2020 and associated comments and queries be noted.

REASON FOR THE DECISION:

In order for Cabinet to be updated with the Q2 Performance Outturn for the Corporate Plan and Service Delivery Plan indicators for the period 1 July 2020 to 30 September 2020.

OPTIONS CONSIDERED BUT REJECTED:

To request further information and/or remedial actions be undertaken

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:

None

DISPENSATIONS GRANTED :

None

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

REFERENCE NO: C/049/11012021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: ENVIRONMENT & LEISURE WORKING GROUP - 10 DECEMBER 2020	
OFFICER CONTACT: Philippa Dart – Director of Place Tel: 01903 737811 Email: Philippa.Dart@arun.gov.uk	

EXECUTIVE SUMMARY:

Safer Arun Partnership Review

This report sets out progress of the Safer Arun Partnership (SAP) during 2019-20 in delivering the strategic priorities contained in its Partnership Plan (2018-2022). It provides information to enable Members to understand performance to date and provides a summary assessment of the future challenges and opportunities for SAP.

Tree Planting Strategy

A 10-year Tree Planting Strategy and associated planting plan 2021-2031 is being drafted in support of the Council’s declaration of a climate emergency. The planting plan will be developed in full consideration of ‘best practice’ principles, local management knowledge and required resource. This will ensure future tree planting undertaken by the Council is carried out in a sustainable and considered way.

DECISION:

Cabinet considered the minutes from the meeting of the Environment & Leisure Working Group held on 10 December 2020 and approved the recommendations at:

Minute 20 – Safer Arun Partnership Review

The Cabinet

RESOLVED – That

- (1) The work of the Safer Arun Partnership is endorsed and the importance of partnership working in contributing to reducing anti-social behaviour and addressing crime and disorder in Arun is recognised; and
- (2) Recognition is given to the work of the Safer Arun Partnership in contributing to the delivery of the Council’s strategic priority ‘Supporting you if you need Help’

Minute 21 – Tree Planting Strategy

The Cabinet

RESOLVED

To endorse the principles outlined in the report which would form the basis of the Tree Planting Strategy 2021 to 2031 and an associated planting plan which would both be presented to the relevant Committee.

REASON FOR THE DECISION:

Safer Arun Partnership Annual Review – 2019-20

To support the work of the Safer Arun Partnership and recognise the importance of its statutory function in addressing community safety concerns across the district.

Tree Planting Strategy – 2021-2031

To ensure that future tree planting carried out by Arun District Council is done in a coordinated and considered way, in order to ensure the best chance of successful establishment and future maturity of trees.

OPTIONS CONSIDERED BUT REJECTED:

No other options were considered.

CABINET MEMBER(S):

**DECLARATION OF INTEREST BY CABINET MEMBER(S)
RESPONSIBLE FOR DECISION:**

None

DISPENSATIONS GRANTED :

None

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

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Public Document Pack Agenda Item 18

Subject to approval at the next Overview Select Committee meeting

371

OVERVIEW SELECT COMMITTEE

26 January 2021 at 6.00 pm

Present: Councillors Northeast (Chairman), English (Vice-Chair), Bennett, Bicknell, B Blanchard-Cooper, Mrs Cooper, Dixon, Elkins, Gunner, Huntley and Tilbrook

Councillors Coster, Mrs Gregory, Lury, Roberts, Mrs Staniforth, Stanley and Dr Walsh were also in attendance for all or part of the meeting.

Apologies: Councillors Mrs Catterson, Dendle, Miss Needs and Miss Seex

433. DECLARATIONS OF INTEREST

Councillor Blanchard-Cooper declared a Personal Interest in Agenda Item 5 – [Leisure Operating Contract Covid 19 Review] in his capacity as President of the Littlehampton Musical Comedy Society which was one of the users of the Windmill Centre that Freedom Leisure operated.

Councillor Northeast also declared a Personal Interest in this item in case any debate focused on Arun District Council staff, as he was married to a member of Council staff.

434. MINUTES

The Committee approved as a correct record the minutes of the meeting held on 1 December 2020 and agreed that the Chairman would sign these as soon as practicably possible.

Having approved the minutes, Councillor Mrs Yeates then confirmed that the word 'radio' had been omitted in Minute 334 [Cabinet Member Questions & Updates] new digital shop radios – the word 'radios' was missing, this was noted by the Committee.

435. LEISURE OPERATING CONTRACT COVID-19 REVIEW

The Group Head of Community Wellbeing presented his report where he provided members with a summary of the support that had been delivered by the Council during the pandemic and the effect that lockdowns and other restrictions had, had on the leisure services. He and Mr Ivan Horsfall-Tuner the Managing Director from Freedom Leisure then took questions from members.

Members had asked several questions in advance of the meeting these were;

- Could an update on the current financial position, including reserves be provided?

Overview Select Committee - 26.01.21

- Do they estimate that they would need further financial support from the Council? If yes, how much and over what timeline?
- What would the consequences be for them if the Council offered no further financial support?
- How long can they survive without further support?
- What would happen if other Councils withdrew their financial support? (i.e. if one or two withdraw support does the pack of cards fall?)
- Was there any possibility of further government support?
- Are they in any danger of going into administration?
- What else can we do (excluding finance) to support them?
- Going forward would Freedom Leisure endeavour to ensure that they are able to get enough funding to maintain and upkeep a good quality of disabled facilities in their leisure centres?

In answering the above questions, the Managing Director from Freedom Leisure advised the Committee that there had been a good level of support from other local authority partners, although not all of their costs had been covered. At the end of November 2020, a loss of £1.1 million across the business had been recorded, this meant that the impact on the reserves had been much greater as they could not be reliant on customer receipts. He went on to explain that while the business was not about to fail, it was facing significant challenge and that the only way to recover and survive would be to be open and operate at full capacity, however he did not expect that to be until after the end of the financial year now. He confirmed that the Council had made an application for a government grant of £310,000, that would cover from December 2020 to end of March 2021 and he was hopeful² for a further grant scheme to be made available from April 2021 onwards.

In terms of support he stated that, the support had been great so far, but he would be looking for support from members in getting the message of reopening out across the District and to engage all demographics to use the services available as soon as restrictions allowed.

Further questions were asked at the meeting where the following issues were raised;

- What work would be done to support the Windmill entertainment centre and would the closure time be used to complete redecoration work as well as consideration to be given to use the venue in other ways. It would be good to see the council apply for an Arts Grant to help this side of the business.

- Had comparisons been investigated in terms of both building's running costs (Arun Leisure Centre and The Littlehampton Wave)? Had any differences been highlighted where further costs could be saved?
- Recovery of lost fees

The Group Head of Community Wellbeing/ and the Managing Director from Freedom Leisure gave detailed and positive answers to all issues raised.

The Committee noted the report update.

436. COUNCIL BUDGET - 2022 - 2023

The Financial Services Manager presented her report to members and confirmed that a balanced budget had been achieved for 2021/22, chiefly due to additional government grant funding that was announced as part of the Settlement on 17 December 2020. She also highlighted the following key areas of her report;

- New Homes Bonus dropped by £1.2 million as predicted
- 3 new grants totalling £1.7 million announced in December 2020
- Council Tax Band D to increase by 2.65%
- HRA 1.5% rent increase in accordance with the provision of the rent standard
- Capital Budget table 8.4 showed enhanced capital programme
- Covid uncertainty adds significant risk to the budgets in the General Fund, which had been mitigated by the income compensation scheme for Q1 2021/22 and the contingency budget.

The Committee noted the report update.

437. COUNCILS RESPONSE TO THE COVID-19 PANDEMIC

The Chief Executive presented his report to members, he advised that a new version of a member briefing update had been circulated to Members with more accurate detail as this report had been written on 15 January 2020.

Members then asked the Chief Executive a number of questions on the following topics;

- Has there been a further update as to when lockdown restrictions may be eased?
- Accessibility to the two vaccine centres in Angmering and Rustington and should people have difficulties in getting to one of these centres for their vaccine, they should be advised to contact Community hub for help. The contact number for the community hub is on the Council website.

Overview Select Committee - 26.01.21

- Staff and public welfare were a priority for the Council; however, a concern was raised that one member had received complaints from residents regarding campaign leaflets that had been posted out

The Chief Executive provided answers to all issues raised and the Committee noted the report update.

438. UPDATE FROM THE RESIDENTS SURVEY WORKING PARTY

The Chairman of the Residents Survey Working Party gave a brief introduction to members advising that working party had hoped to change some of the questions contained within the survey, however due to the short timeframe and that the questions were tied into the Corporate Performance Indicators which have already been set and agreed, they had focused on how to obtain broader engagement and how to achieve a more successful survey response rate across the District.

The Group Head of Policy then thanked the members of the Working Party for the work they had completed in a tight timeframe. She then went on to provide the Committee with key highlights from her report and referred members to the recommendations that had been put forward by the Working Party.

Members then took part in a debate where the following issues were raised;

- Questions around the budget for this work, it was agreed that an answer would be provided outside of the meeting
- It was felt that the issue surrounding the western side of the District having a lower up take on completing the surveys had not been addressed, it was advised that different approaches would be looked into in an attempt to address this issue, however there was no guarantee that it would produce results of rectifying the issue we are currently facing with a lack of up take from the Western side of the District

The Committee

RESOLVED

1. That the Council carries out its 2021 Residents Satisfaction Survey using methods identified by the Working Party to improve participation across age groups, which can be implemented within budget, these are:
 - a) Increase number of surveys, potentially offsetting this cost by not sending out follow up letters, numbers to be determined with the survey provider
 - b) Carry out an open online survey alongside the targeted survey
 - c) Explore options for incentives for survey completion to be vouchers for local businesses

- d) Explore options for invitations to participate being sent in a more appealing format.
 - e) Carry out an additional sample geographically targeted survey to target younger respondents
2. That delegated authority be given to the Group Head of Policy to work with our chosen provider to deliver the most representative survey for 2021, within existing budgets based on the recommendations of the Residents Satisfaction Survey Working Party and in consultation with the Chairman of the Working Party
 3. That the effectiveness of the changed methodology be reviewed in the 2021 survey report and developed for future years

439. FEEDBACK FROM MEETINGS OF THE HEALTH AND ADULT SOCIAL CARE SELECT COMMITTEE HELD ON 13 JANUARY 2021

The Chairman advised that the report had been circulated with the agenda and asked the Committee if they had any questions for the Council's nominated representative, Councillor Bennett.

Councillor Bennett referred members to the last paragraph of his report where he reported the proposed cut to the West Sussex County Council (WSSCC) budget, estimated at £5.4 million and that most of it would come from reductions made to care packages for adults who were still in their own homes. It was felt that this did not fit with the aim of helping people to remain in their own homes.

The Committee noted the update.

440. CABINET MEMBER QUESTIONS AND UPDATES

The Chairman invited members of the Cabinet who had not provided a written update to the Committee to provide a verbal update on any matters.

The Cabinet Member for Economy and Leader of the Council advised that he had attended a meeting with Greater Brighton Economic Board (GBEB) where they agreed in principal that Officers look at the wholesale decarbonisation of housing stock. The board meeting also detailed the ambition for Greater Brighton areas to become a hydrogen powered economy for England. Furthermore, a small update was received by the Board on the city fibre expansion and I.T roll out across some of the GBEB area. He also confirmed that he had made a plea for a report covering the Network Rail contribution, specifically relevant to the importance of the Arundel Chord

The Cabinet Member for Community Wellbeing advised that today a press release had been published that confirmed that Arun had been successful in being awarded funds to increase outreach engagement and communication with residents who were disproportionately likely to be impacted by Covid-19, particularly those with disabilities and from the Black And Minority Ethnic community relating to the mis-information regarding the Covid-19 vaccinations that was currently in circulation. The

Wellbeing team have continued to offer services which can be found on the Councils website and have a number of support projects running currently that residents could benefit from. She also advised that a workplace wellbeing project had also been rolled out to offer support to Council staff with a particular focus on emotional support due to the difficult last 12 months. Community safety update was that a community warden project was due to commence in March 2021 that would focus on anti-social behaviour hotspots across the District. She concluded her update with a request to the voluntary sector voluntary action Arun and Chichester for all their work and support.

The Cabinet Member for Technical services provided members with an update on his attendance at last month's Local Government Association Coastal Special Interest Group meeting, where Beach Safety and Coastal suicide prevention was discussed. He advised members that he would provide them with a link to the report in relation to beach safety. In summing up he thanked that Licensing Team manager and her team for the work they completed in collecting and rehoming 44 stray dogs.

The Chairman then thanked Cabinet Members who had provided written updates to the Committee ahead of the meeting and then invited members of the Committee to ask any questions. These have been summarised below;

- A question to the Cabinet Member for Technical Services in relation to his comments made at the Cabinet Meeting held on 11 January 2020. regarding Members of the Development Control Committee having a tough job when voting on applications because they did so based on representation from local residents and as he was the Chairman of the Planning Working Party did he feel that this was the best way of determining planning applications? In response the Cabinet Member explained that the intention behind his comments at that meeting was about how difficult it was for members to balance the comments and feeling made by residents against the planning reasons.
- A question to the Cabinet Member for Commercial and Business Development was that as he had now been in post for 8 months, how many of his ideas had made it into the budget? In response the Cabinet Member advised that there would be a report going to Cabinet shortly. Interviews had also taken place for the position of commercial consultant; however, a suitable candidate had not yet been found as it was a difficult time to recruit during the pandemic. Due to the same reasons that vacancies in the Property and Estates and the Monitoring Officer post had not been filled yet. He advised that until a team was in place to complete the work, the work could not be completed. The Chief Executive confirmed that a report had already been drafted for Cabinet to receive in March.
- A question to the Cabinet Member of Economy and Leader of the Council in relation to Highways England having misrepresented the views of this Council and when would he be confirming that he had addressed this issue. In response the Leader of the Council advised that there had been 5 or 6 responses given on this matter. The Chief Executive also confirmed that the next opportunity to address this would now be when

the proper consultation comes through as Full Council voted not to discuss the A27 matter at its meeting on 13 January 2021.

- A question to the Cabinet Member of Economy and Leader of the Council in relation to the 3D art in Littlehampton having been confirmed by the Director of Place as being jointly funded by Arun District Council and Littlehampton Town Council and not the Restoring Highstreets Fund and would he like to correct his previous comments made at the last OSC meeting held on 1 December 2020? In response the Leader of the Council apologised if he had incorrectly advised where the monies had come from. He also explained that whilst in this instance the artwork had not had the desired impact, he believed that it was the right thing to pursue in order to try and attract people to Littlehampton Town.
- A final question to the Cabinet Member for Economy and Leader of the Council was asked in relation to leafletting of Liberal Democrat literature at this current time. It was confirmed that the guidance from government had only been put in place on Saturday 23 January 2021 where previously there had been none.

441. WORK PROGRAMME 2019/2020

The Group Head of Policy advised members that there would be a presentation to members on the Voluntary Action Arun and Chichester (VAAC) and the Citizens Advice Bureau (CAB) in March 2021.

(The meeting concluded at 7.56 pm)

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Public Document Pack Agenda Item 19

Subject to approval at the next Constitution Working Party meeting

1

CONSTITUTION WORKING PARTY

27 January 2021 at 4.30 pm

Present: Councillors Mrs Yeates (Chairman), Mrs Gregory (Vice-Chairman), Bennett, Bower, Mrs Catterson, Mrs Haywood and Roberts.

32. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Cooper.

33. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

34. MINUTES

The minutes of the meeting of the Working Party held on 30 November 2020 were approved by the Working Party as a correct record with the Chairman confirming that these would be signed at the first opportunity available to her.

35. THE NEW 2021 CONSTITUTION - CONTENTS PAGE - UPDATE

The Working Party received a verbal update from the Interim Monitoring Officer covering the content page of the Constitution to show what had been covered to date and where there were outstanding issue requiring action.

The points raised have been summarised below:-

- Part 1 – Summary and Explanation – this might need to be redrafted once the entire Constitution had been signed off.
- Part 2 – Articles – Article 10 – Area Committees had been highlighted because the Council was giving itself the power to set Area Committees [if it wanted to].
- Part 3 – Responsibility for Functions – consequential amendments would be made to the Section numbering to make it flow as Section 1 had been removed. Looking at Part 3 – Functions of the Licensing Committee – this Committee needed to be moved to Section 5 as it was a regulatory Committee
- Part 5 – was self-explanatory having had all references to Cabinet removed

Constitution Working Party - 27.01.21

- Part 7 – Management Structure – should be featured but was not a constitutional document. It was there for transparency so that the public could see the structure.
- Part 8 – this had a Section 1 and 2 dealing with the Member Code of Conduct – this would be dealt with in one section. It was outlined that the Standards Committee at its next meeting would be considering a revised code – and so changes could be made awaiting the outcome of that meeting. Planning Protocol had been highlighted in red only because its adoption was awaited – this had now been adopted by Full Council.
- Petitions – had been adopted by Full Council.
- Part 9 – Members’ Allowances was not a function of this Working Party and now been approved by Full Council.

The Working Party noted the verbal update provided.

36. THE NEW 2021 CONSTITUTION - UPDATE REPORT

The Working Party received an update report from the Interim Monitoring Officer outlining some outstanding issues that needed to be addressed before the entire new 2021 Constitution could be adopted and before the Council moved to its new governance structure of working to a Committee system.

Firstly, the Working Party, as part of the last item, were asked to note that the Licensing Sub-Committee functions would be moved from Part 4 – Section 4 of the Constitution to Part 3, Section 5.

The next issue was that of the Revised Financial Procedure Rules in terms of the revisions to Part 6, Section 6 of the Constitution which had been considered and referred back to this Working Party by Full Council on 26 November 2020. It was explained that the problems encountered were because the financial procedure rules made reference to the fact that Committees could spend earmarked reserves which was a concern. The Interim Monitoring Officer explained that this wording in the financial procedure rules had always been there the only difference/changes that had been made to the Constitution had been to remove any reference to the Cabinet which had been replaced with Committees. In view of this, the changes proposed and originally recommended by the Working Party were recommended again for approval by Full Council at its next meeting.

This was agreed by the Working Party.

The next section for the Working Party to consider was to clarify the duties of a Chairman under the Committee style of governance. The Interim Monitoring Officer asked the Working Party if it wished to consider whether it wanted to specifically identify the duties of the Chairman in the Constitution or whether it would wish to accept the role of Chairman was governed by common law and other elements of the Constitution. It was possible to document these common law rules and put them in one place however this was proposed with an air of caution in that there was the risk that the

Council could be left with something that was not developed in line with core procedures – it could be better to codify the role and duties in the form of a separate protocol which would be easier to update or change.

In debating this, mixed views were expressed. Some Councillors believed the role of Chairman should stick to common law rules which should not be detailed in the Constitution as this would make updating or amending difficult and time consuming. There were Councillors who liked the idea of developing a protocol that could sit alongside the Constitution and could set out the role of the Chairman. The Interim Monitoring Officer outlined that if Members wanted clarity about what the powers of a Chairman were this being either the Chairman of the Council or the Chairman of a Committee, it would be worth developing them in this way. Although they would not be part of the formal Constitution, they were part of common law and part of the common law powers used to run the meeting. Other rulings such as how to deal with Points of Order, Points of Clarification and other Motions without Notice would remain set out in the Constitution.

Following this, Councillor Bower stated that he believed there had been a misunderstanding following his request to consider the role of the Chairman as his concerns had been in relation to the Chairman of the Council not Committee Chairman which sat differently. He firmly believed that the role of the Chairman of the Council needed to be codified separately as the range of issues of concern were very important and contributed to the good conduct of Council meetings. This was a very different issue to looking at the role of a Committee Chairman as under law they held no power to do anything under a Committee system and could not have any comparison with the role of Cabinet Member. They had no responsibility other than to Chair meetings.

This debate turned to Chairmanship training and the need to ensure that the Chairman and Vice-Chairman of the new Service Committees should receive the appropriate training before taking up their appointments.

The Chief Executive outlined that he held some support for the points raised and proposed a way forward. His suggestion was for Officers to draft up a Job Description for the Chairman of the Council that could sit as an appendix to the Constitution. This would set out bullet points describing the key features of the role from being the first citizen of the District and what this meant to explaining the civic and ceremonial side of being Chairman of the Council.

The meeting then discussed how the Chairman uses their vote and casting vote and that a protocol could clearly define what was and was not acceptable.

Following further lengthy debate, the Working Party confirmed that it would be happy for Officers to email a draft protocol that could sit alongside the Constitution outlining the full role of the Chairman of the Council. As this would not form a formal part of the Constitution this could be accepted by the Working Party without the need to be approved by Full Council.

Constitution Working Party - 27.01.21

The next issue for discussion by the Working Party was to clarify the procedure for moving “closure motions” as the current Constitution (nor the newly adopted Council and Committee Procedure Rules) did not provide details of when and how a Motion Without Notice could be moved or Motions moved during a debate. Concerns had been raised with the Interim Monitoring Officer following the 13 January 2021 Full Council meeting as to what should happen if a Councillor wished to propose “that the question now be put”. This was because with this closure motion, it would be impractical for that Member to wait their turn to propose this Motion if this meant they had a long time to wait for their turn to speak. Questions had been asked as to whether it was appropriate for a Member wishing to propose such a motion to interrupt the debate immediately. In view of the concerns raised and in the absence of detailed provision in the Constitution it was proposed that provision now be made for the current and proposed Constitution to cater for and agree to how someone wishing to move a closure motion would be recognised if they wished to move the motion “out of turn”.

The logical solution was to find a way that such a motion could be raised separately to a normal Point of Order, but how. It was felt that the Member should detail the reason why debate should be adjourned, such as lateness of the hour or if debate had become inconclusive or if there was the need for further information. The Interim Monitoring Officer confirmed the need to not over complicate this issue. The issue was when and how to raise such a Motion. He referred Members to the Appendix to the report which set out a proposed solution. This was that:

“Closure Motions may be moved during discussion of another motion (“the original motion”). They shall be moved (without speaking to the motion), seconded (without speaking to the motion) and put without discussion. A second closure motion in relation to the same question shall not be moved within 30 minutes of the rejection of a previous motion”.

Following much discussion on this proposal, the Working Party could not agree on the wording proposed. Councillor Bower stated that the wording needed extra clarity such as the reason why which could help inform the Chairman’s decision and inform the public. Others argued that if a Councillor was to provide a reason, a request could be made to have this issue debated which would not be appropriate as it was a point of closure motion that had been moved.

Following further discussion, it was agreed that the Interim Mentoring would rethink his wording and would email the Working Party options for them to approve.

The last matter for the Working Party to consider was variation of Order of Business. The current Constitution and the proposed Constitution did not make clear provision to allow the Chairman to vary the order of business of a meeting. It was proposed that provision be made for this in the new Constitution and the Working Party was alerted to the proposed wording set out below:

“The Order of Business other than business relating to (a) choosing a person to preside if the chair and vice-chair are absent b) apologies for absence c) declarations of interest shall not be varied but, subject thereto, the order of business may be varied: a) by the chair in consultation with the monitoring officer or representative b) by a resolution passed on a motion which shall be put without debate”.

This was agreed.

The Chief Executive then raised the following discussion points:

- Training – it was proposed that Member training on the new Committee structure be organised for March 2021. This would consist of a two-hour session covering all things relating to the new structure and how the new Committees would operate and function. This would be held in conjunction with training for Officers.
- Discussions had taken place with Group Leaders in terms of training for the Chairman and Vice-Chairman of the new Service Committees – but this was dependent upon Group Leaders providing an early steer as to who would fill these roles as there would be insufficient time between the Annual Meeting of the Council and the first meetings in the new Municipal Year to conduct this training.
- The whole of the 2021 Constitution would be reported to Full Council in March 2021 for final sign off. Councillors would be provided with a hard copy on request. The aim was not to work through the new Constitution line by line but an opportunity to raise any major concerns accepting the fact that the Constitution had already been reported, in sections, to numerous Council meetings.
- How to address Chairman in the future – it was explained that this had been an issue raised at the last meeting of the Audit & Governance Committee. Historically, “Chairman” was used to address the person holding that position and discussion focused on this being changed to “Chair” in the future.
In debating this, most Members agreed that Chair should be used and as this addressed equality issues. Other views expressed were why was there the need to consider any change and that it would be very difficult to get all Councillors to subscribe to this.
- The Working Party also agreed that titles such as Miss, Mrs, Ms and Dr should be dispensed with. This was agreed.
- That under the new structure, for the Environment and Neighbourhood Services Committee, the service area Biodiversity be added. This was agreed.
- Date of next meeting. There was potential need for a further meeting to be held in March to consider governance issues relating to the Community Infrastructure Levy following the last Full Council meeting held on 25 January 2021.
- It was agreed that the Committee Manager would consult with Members on a suitable date.

Constitution Working Party - 27.01.21

The Working Party

RECOMMEND TO FULL COUNCIL – That

- (1) The progress and update provided in respect of the new 2021 Constitution be noted;
- (2) It be noted that the Licensing Sub-Committee functions be moved from Part 4, Section 4 to Part 3, Section 5 (Regulatory Committees);
- (3) The proposed changes to Part 6, Section 6, of the Constitution (Financial procedure Rules) deferred by the Council on 26 November 2020 be approved to become Part 6, Section 3 of the new Constitution;
- (4) Provision be made for the business of a meeting to be varied by the Chairman or by the meeting – as set out below:

“The Order of Business other than business relating to (a) choosing a person to preside if the chair and vice-chair are absent b) apologies for absence c) declarations of interest shall not be varied but, subject thereto, the order of business may be varied: a) by the chair in consultation with the monitoring officer or representative b) by a resolution passed on a motion which shall be put without debate”.
- (5) All references to Chairman and Vice-Chairman in the Constitution be replaced with Chair and Vice-Chair; and
- (6) All titles, Miss, Mrs, Ms and Dr be discontinued.

The Working Party also

RESOLVED

That the provisions for clarifying the procedure for closure motions in the current Constitution and proposed Constitution be approved by the Working Party separately to this meeting and reported for approval to the next Full Council meeting.

(The meeting concluded at 6.23 pm)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF THE CONSTITUTION WORKING PARTY ON 27 JANUARY 2021

SUBJECT: The New 2021 Constitution – Update Report

REPORT AUTHOR: Solomon Agutu, Interim Monitoring Officer

DATE: 25 January 2021

EXTN: 37432

PORTFOLIO AREA: Corporate Support

EXECUTIVE SUMMARY:

This is a status report on the progress of writing the Committee style Constitution and associated matters.

RECOMMENDATIONS:

The Working Party is asked to ask Full Council to:

- (1) Note the progress and update provided in respect of the new 2021 Constitution;
- (2) Note that the Licensing Sub-Committee functions are to be moved from Part 4 Section 4 to Part 3 Section 5 (Regulatory Committees);
- (3) Approve the proposed changes to Part 6 Section 6 of the Constitution (Financial Procedure Rules) deferred by Full Council on 26 November 2020 to become Part 6 Section 3 in the new Constitution;
- (4) Provision be made for clarifying the procedure for closure motions in the current Constitution and proposed Constitution (see appendix); and
- (5) Provision be made for the Business of a meeting to be varied by the Chairman or by the meeting. (see appendix)

2. BACKGROUND

The Full Council made a binding statutory resolution on 15 January 2020 (Minute 388) to change its form of governance to a Committee system effective from the Annual Council Meeting on 19 May 2021. This Working Party was convened to work through the necessary changes to the Council's Constitution and report back to the Full Council, with the aim of this work being concluded by January 2021.

The Working Party duly reported changes to Parts 1-5 of the Constitution on 16 September 2020 and changes to Parts 6-8 on 11 November 2020, 18 November 2020, 26 November 2020 and 13 January 2021. The meeting of 11 November 2020 was adjourned several times and the report of the Working Party was not fully considered until 13 January 2021.

The work of the CWP in relation to the Council resolution of 15 January 2020 is now substantially complete and this report identifies what remains to be resolved. The work of the CWP has consisted essentially of “shift and drop” and removing references to the Executive model. However, along the way new provisions have been introduced and accepted by Full Council dealing with for instance PQT at Committees and applying a Guillotine to meetings was deemed necessary. In principle therefore CWP and Full Council has not been averse to making improvements. The proposals on closure motions and the power to vary the order of Business should be seen in this context.

Revised Financial Procedure Rules

The revision to Part 6 Section 6 (Financial Procedure Rules) was reported to and considered by Council on 18 and 26 November 2020 and referred back to the CWP. The specific issue was whether a change had been made to the existing arrangement which does not allow a Committee to make decision on reserves. The concern was that it appeared as if each of the new Service Committees would have the authority to make expenditure decisions to the sum of £100k and would also be able to take a similar sum from its reserves. Following a review of the wording it can be confirmed that the existing arrangement has not been changed and that the procedure for dealing with reserves remains the same.

To clarify the duties of a Chairman under the Committee style of governance.

CWP is asked to discuss this and give a steer to Officers.

To clarify the procedure for moving “closure motions”.

The current Constitution (nor the newly adopted Council and Committee Procedure Rules) do not provide details of when and how a Motion without Notice can be moved (Paragraph 15) or motions moved during debate (16.11). A comparison with a Point of Order(16.13) or Point of Personal Explanation(16.14) shows that these may be raised “at any time” whereas the procedure for moving a closure motion during debate(16.11) is not as detailed for each of the seven categories.

In relation to closure motions (16.12) there is an express requirement that the motions are moved at the end of a speech of another Member but not whether you can interrupt and move the Motion before it is your turn to speak or what words to use for the interruption. The nature of the closure motion it is not one where you can wait your turn to be called as you may be so far down the line and yet you want to end the debate immediately. This suggests that you can move the motion “out of turn”.

In the absence of detailed provisions in the Constitution it is proposed that provision is now made for the current and proposed Constitution. The Constitution provides that it is for the Chairman to determine if the matter has been sufficiently debated etc to rule whether to accept the motion.

The program/app we are using is not tailored(yet) to local government constitutions and so there is no convention for which button to press when you might want be recognised when moving a closure motion, unlike a point of order where the convention is now established about which button to press. Arun needs to agree how someone wishing to move a closure motion will be recognised if they want to move the motion “out of turn”.

To clarify the power of a Chairman to vary the order of business of a meeting.

The current Constitution and the proposed Constitution does not make clear provision to allow the Chairman to vary the order of business of a meeting. It is proposed that provision is made for this in the new Constitution.

3. OPTIONS:

N/A

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	NA	
Relevant District Ward Councillors	NA	
Other groups/persons (please specify)	NA	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		NO
Legal	yes	
Human Rights/Equality Impact Assessment		
Community Safety including Section 17 of Crime & Disorder Act		NO
Sustainability		NO
Asset Management/Property/Land		NO
Technology		
Other (please explain)		

6. IMPLICATIONS:

The Council must approve a new Constitution before the Annual Council Meeting on 19 May 2021 as this is the “relevant change time” (ie the effective date) for moving to a Committee system form of governance defined in the Council’s statutory resolution of 15 January 2020.

Whilst the legislation allows the Council to delay the “relevant change time” for introducing its new arrangements, there is no provision to delay this once the date has been resolved. In addition, the Council cannot make a further change to its governance arrangements for a period of 5 years from the date of its statutory resolution, ie not before 15 January 2025, unless this decision is approved by a referendum.

These provisions are set out in Sections 9L and 9KC of the Local Government Act 2000 (as amended by the Localism Act 2011)

7. REASON FOR THE DECISION:

To provide a full position statement on the production of a new 2021 Constitution.

8. BACKGROUND PAPERS:

Full Council papers – 16 September, 11 November and 13 January 2021

Appendix

Variation of Order of Business

The Order of Business relating to choosing a person to preside if the chair and vice-chair are absent b) apologies for absence c) declarations of interest shall not be varied but, subject thereto, the order of business may be varied: a) by the chair in consultation with the monitoring officer or representative b) by a resolution passed on a motion which shall be put without debate

Closure Motions

Closure Motions may be moved during discussion of another motion (“the original motion”). They shall be moved (without speaking to the motion), seconded (without speaking to the motion) and put without discussion. A second closure motion in relation to the same question shall not be moved within 30 minutes of the rejection of a previous motion.

(this is an in principle only)

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**PART 6 – PROCEDURE RULES (OTHER)
(SECTION 5 – FINANCIAL RULES)**

~~Part 6 is set out in eight sections as follows:~~

~~Section 1 — Decision Notices~~

~~Section 2 — Scrutiny~~

~~Section 3 — Budget and Policy Framework~~

~~Section 4 — Access to Information~~

~~Section 5 — Financial Rules~~

~~Section 6 — Standing Orders — Purchasing, —
— Procurement, Contracts and Disposals~~

~~Section 7 — Officer Employment~~

~~Section 8 — Corporate Complaints~~

Contents

1. INTRODUCTION	5
2. FINANCIAL PLANNING	6
3. FINANCIAL MANAGEMENT	9
4. RISK MANAGEMENT AND CONTROL OF RESOURCES.....	1847
5. FINANCIAL SYSTEMS AND PROCEDURES	25
6. EXTERNAL ARRANGEMENTS	3029
7. GRANTS TO EXTERNAL ORGANISATIONS (INCLUDING RATE RELIEF).....	3130
APPENDIX 1: SCHEME OF VIREMENT AT A GLANCE (SECTION 3.2)	32

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

INDEX

- 1. INTRODUCTION**
- 2. FINANCIAL PLANNING**
 - 2.1 FORMAT OF THE BUDGET**
 - 2.2 BUDGETS AND MEDIUM-TERM PLANNING**
 - 2.3 CAPITAL PROGRAMME**
 - 2.4 MAINTENANCE OF RESERVES**
- 3. FINANCIAL MANAGEMENT**
 - 3.1. BUDGETARY CONTROL**
 - 3.2. SCHEME OF VIREMENT**
 - 3.2.1. GENERAL VIREMENT**
 - 3.2.2. VIREMENTS RELATING TO S106 CONTRIBUTIONS**
 - 3.2.3. VIREMENTS RELATING TO CONTINGENCY BUDGETS**
 - 3.2.4. VIREMENTS RELATING TO RESERVES**
 - 3.2.5. SUPPLEMENTARY ESTIMATE**
 - 3.3. ACCOUNTING POLICIES**
 - 3.4. ACCOUNTING RECORDS AND RETURNS**
 - 3.5. THE ANNUAL STATEMENT OF ACCOUNTS**
- 4. RISK MANAGEMENT & CONTROL OF RESOURCES**
 - 4.1. RISK MANAGEMENT AND INSURANCE**
 - 4.2. AUDIT REQUIREMENTS**
 - 4.3. PREVENTING FRAUD AND CORRUPTION**
 - 4.4. ASSETS – (LAND, BUILDINGS, FURNITURE, EQUIPMENT ETC.)**
 - 4.5. TREASURY MANAGEMENT**
 - 4.6. WORKFORCE**
- 5. FINANCIAL SYSTEMS & PROCEDURES**
 - 5.1. GENERAL**
 - 5.2. INCOME**
 - 5.3. EXPENDITURE**
 - 5.4. TAXATION**
- 6. EXTERNAL ARRANGEMENTS**
 - 6.1. EXTERNAL FUNDING**

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

1. INTRODUCTION

Financial Regulations provide the internal framework for managing the Council's financial affairs. These regulations apply to every Member and officer of Arun District Council and anyone in the public or private sector who acts on behalf of the Council. It is imperative that the Council has a strong and usable set of Financial Regulations that are accessible to all who are dealing with its financial matters.

Under Section 151 of the Local Government Act 1972, ~~each local authority~~ the Council is required to make arrangements for the proper administration of its financial affairs and arrange for one of ~~their~~ its officers to be responsible for the administration of those affairs. ~~For Arun District Council~~ It this officer is the Group Head of Corporate Support.

Throughout these Financial Regulations, the title Group Head of Corporate Support will be used to denote the designated Section 151 Officer of the Council; in the case of absence or non-availability, the Financial Services Manager will be the deputy Section 151 Officer.

The Group Head of Corporate Support is responsible for maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Council for approval. He/she is also responsible, where appropriate, for reporting breaches of the Financial Regulations to the Audit and Governance Committee.

It is the responsibility of Corporate Management Team (CMT)/Group Heads to ensure that all officers in their service are aware of the existence and content of ~~these~~ Council's Financial Regulations, as well as other internal regulatory documents, and also to confirm that they comply with them.

It is the responsibility of the Group Head of Corporate Support to provide advice and guidance regarding the Financial Regulations that Members, officers and others acting on behalf of the Council are required to follow.

STATUTORY REFERENCES

- Local Government Act 1972
- Local Government Act 1999
- Local Government Act 2003
- Local Audit and Accountability Act 2014
- Accounts and Audit Regulations 2015

CODES OF PRACTICE

- Code of Practice on Local Authority Accounting in the United Kingdom
- Prudential Code for Capital Finance in Local Authorities
- Service Reporting Code of Practice for Local Authorities (CIPFA)
- Treasury Management Code of Practice (CIPFA)
- United Kingdom Public Sector Internal Audit Standards (PSIAS) as interpreted by CIPFA's Local Government Application Note

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

2. FINANCIAL PLANNING

2.1 FORMAT OF THE BUDGET

Why is this important?

The format of the budget determines the level of detail to which financial control and management will be exercised. The format shapes how the rules around virement operate, the operation of cash limits and sets the level at which funds may be reallocated within budgets.

Responsibilities of the Group Head of Corporate Support

- To advise the Cabinet-committee and sub-committees on the format of the budget that is approved by the Council.

Responsibilities of CMT/Group Heads

- To comply with accounting guidance provided by the Group Head of Corporate Support.
-

Key controls

The key controls for the budget format are: -

- a) That the format complies with all legal requirements;
- b) That the format reflects the accountabilities of service delivery; and
- c) That, in published statements where it is required, the format complies with CIPFA's *Service Reporting Code of Practice for Local Authorities*.

2.2 BUDGETS AND MEDIUM-TERM PLANNING

Why is this important?

The Council needs to plan effectively and develop systems to enable limited resources to be allocated in accordance with priorities. The budget is the financial statement of the Council's plans and policies.

The revenue and capital budgets must be constructed to ensure that resource allocation properly reflects the Council's strategic priorities and objectives as set out in the Corporate Plan and ~~service plans and corporate priorities of the Council.~~

Budgets are needed so that the Council can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for the Council to budget for a deficit.

CMT/Group Heads shall prepare annually (normally for submission to Cabinet-the relevant committee each December/January), draft estimates of income and expenditure in a form agreed with the Group Head of Corporate Support together with any necessary explanations.

Responsibilities of the Group Head of Corporate Support

- To prepare and submit reports on budget prospects for Cabinet-relevant committee and CPPC in accordance with the Constitution, including resource constraints set by the Government. Reports should take account of medium-term prospects and review where appropriate.
- To determine the detailed form of revenue estimates and the methods for their preparation, consistent with the budget approved by the Council, and

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

following consultation with the ~~Cabinet Member for Corporate Support~~ CPPC and CMT/Group Heads.

- To prepare and submit reports to the ~~Cabinet Member for Corporate Support~~ CPPC on the overall position, and ~~to the Cabinet~~ on the aggregate spending plans of departments and resources available, identifying, where appropriate, the implications for the level of council tax to be levied.
- To advise on the medium-term implications of spending decisions.
- To encourage the best use of resources and value for money by working with CMT/Group Heads to identify opportunities to improve economy, efficiency and effectiveness, and by encouraging good practice in conducting financial appraisals of development or savings options, and in developing financial aspects of service planning.
- To advise the Council on the ~~Cabinet's~~ CPPC's proposals on the robustness of the budget set and the adequacy of reserves in accordance with the Local Government Act 2003.

Commented [JC1]: Need to determine the appropriate committee.

Responsibilities of CMT/Group Heads

- To prepare estimates of income and expenditure, in consultation with the Group Head of Corporate Support to be submitted to the Cabinet appropriate committee.
- To prepare budgets consistent with any relevant cash limits, with the Council's annual budget cycle and with guidelines issued by the ~~Cabinet~~ CPPC. The format will be prescribed by the Group Head of Corporate Support in accordance with the ~~Cabinet's~~ CPPC's general directions.
- To integrate financial and budget plans into service planning.
- To ensure that budget proposals underpin the Council's strategic priorities and objectives as set out in the Corporate Plan.

Key controls

The key controls for budgets and medium-term planning are: -

- a) specific budget approval is given for all expenditure;
- b) budget managers are consulted in the preparation of the budgets for which they will be held responsible and accept accountability within delegations set by the Cabinet appropriate committee for their budgets and the level of service to be delivered; and
- c) a monitoring process is in place to regularly review the effectiveness and operation of budget preparation and to ensure that any corrective action is taken.

2.3 CAPITAL PROGRAMME

Why is this important?

Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Council, such as land, buildings, and major items of plant, equipment or vehicles.

Capital assets can shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs. Capital expenditure can also result in the creation of an intangible asset, for items such as software licenses which have no physical substance.

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

The Council is required to set its Capital Programme having regard to the [CIPFA](#) Prudential Code, ensuring that it is affordable, prudent and sustainable. This means that capital expenditure forms part of an investment strategy that is carefully prioritised in order to maximise the benefit of limited resources. The Council must also approve its Prudential Indicators which are used to monitor performance throughout the year.

Responsibilities of the Group Head of Corporate Support

To prepare a capital programme covering at least two future financial years. If an urgent and unforeseen need arises to undertake a project in excess of the current approved capital programme or to accelerate the preparation, commencement or completion of a scheme, the proposal will be considered by the Corporate Management Team and if agreed will then be reported to ~~Cabinet~~ [the relevant committee](#) (and Full Council if a supplementary estimate is required) for final approval.

- To prepare and submit regular reports to the ~~Cabinet~~ [relevant committee](#) on the projected income, expenditure and resources compared with the approved estimates. Also, to inform ~~Cabinet~~ [the relevant committee](#) where estimated expenditure on any scheme exceeds the capital programme provision by more than 10% or £50,000 whichever is lower, unless the amount is not material.
- The definition of 'capital' will be determined by the Group Head of Corporate Support, having regard to government regulations and accounting requirements.

Responsibilities of CMT/Group Heads

- To comply with guidance concerning capital schemes and controls issued by the Group Head of Corporate Support.
- To ensure that all estimates and programmes prepared in connection with capital expenditure shall include reference to the estimated revenue implications in each of the development years and in a full cost year as agreed with the Group Head of Corporate Support.
- To review the capital programme provisions for their services and the estimated final costs of schemes in the approved capital programme.
- To ensure that adequate records are maintained for all capital contracts.
- To proceed with projects / contracts only when there is adequate provision in the capital programme and guarantees of any external funding are in place.
- To notify the Group Head of Corporate Support immediately if the total value of a contract or its annual sum is likely to be different from the original figure by more than the approved limits (the lower of 10% or £50,000 subject to materiality) ~~and Cabinet Member decision~~.

Key controls

The key controls for capital programmes are: -

- a) specific approval by the ~~Cabinet~~ [Council](#) for the planned programme of capital expenditure;
- b) each capital project must be subject to a project appraisal in line with Programme and Project Management procedures and assessed against the

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

Council's strategic objectives, prior to approval by the relevant ~~Cabinet Member; committee, sub-committee or officer;~~

- c) proposals for improvements and alterations to buildings and land must be approved by the appropriate Director/Group Head;
- d) monitoring of progress in conjunction with expenditure and comparison with approved budget; and
- e) monitoring of Prudential Indicators throughout the year.

2.4 MAINTENANCE OF RESERVES

Why are these important?

The Council holds reserves for one of three purposes:

- working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing (general reserve);
- a contingency to cushion the impact of unexpected events or emergencies (general reserve); and
- a means of building up funds (earmarked reserve) to meet known or predicted liabilities.

It is the responsibility of the Section 151 Officer to advise the Council as to the level of general reserves.

Responsibilities of the Group Head of Corporate Support

- To advise the ~~Cabinet CPPC~~ and/or the Council on prudent levels of reserves for the Council, having regard to advice from the external auditor.

Responsibilities of CMT/Group Heads

- To ensure that reserves are used only for the purposes for which they were intended.

Key controls

To maintain reserves in accordance with the *CIPFA Code of Practice on Local Authority Accounting in the United Kingdom* and agreed accounting policies.

For each reserve established the following must be provided:

- The reason for / purpose of the reserve
- How and when the reserve can be used
- Procedures for the reserve management and control
- A process and timescale for review of the reserve to ensure continuing relevance and adequacy.

Authorisation and expenditure from reserves by the relevant Director/Group Head in consultation with the Group Head of Corporate Support.

3. FINANCIAL MANAGEMENT

3.1 BUDGETARY CONTROL

Why is this important?

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PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

Budgetary control is the means by which the Council manages its finances and ensures their effective use in accordance with the approved budget. It is a continuous process, enabling the Council to monitor and review its financial performance during the financial year.

By continuously identifying and explaining variances against budgetary targets, the Council can identify changes in trends and resource requirements at the earliest opportunity.

To ensure that the Council in total does not overspend, each service is required to manage its own expenditure within the cash-limited budget allocated to it.

For the purposes of budgetary control by managers, a budget will normally be the planned income and expenditure for a service area or cost centre.

Responsibilities of the Group Head of Corporate Support

- To administer an appropriate framework of budgetary management and control that ensures:
 - a) Budget management is exercised within annual cash limits
 - b) Each Director has available timely information on receipts and payments on each budget;
 - c) Expenditure is only committed against an approved budget
 - d) All officers responsible for committing expenditure comply with relevant guidance, and these Financial Regulations
 - e) Each budget heading has a single named manager, determined by the relevant Director/Group Head. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making processes that commit expenditure
 - f) Significant variances from approved budgets are investigated and reported by budget managers regularly

- To administer the Council's Scheme of Virement (see 3.2.).
- To submit reports to the Cabinet-relevant committee and to the Council, in consultation with the relevant Director/Group Head, where it is not possible to balance expenditure and resources within existing approved budgets under his/her control (see 3.2.5 supplementary estimates).
- To prepare and submit regular monitoring reports to Cabinet-relevant committee on the Council's projected income and expenditure compared with the budget.

Commented [JC2]: Should this include an overall budget report to CPPC?

Responsibilities of CMT/Group Heads

- To maintain budgetary control within their departments-services and to ensure that all income and expenditure is recorded and accounted for properly.
- To ensure that an accountable budget manager is identified for each item of income and expenditure.
- To ensure that spending remains within the service's overall cash limit, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.
- To prepare and submit to the Cabinet-relevant committee, reports on the service's projected expenditure compared with its budget, in consultation with the Group Head of Corporate Support.
- To ensure compliance with the Scheme of Virement (see 3.2).

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- To agree with the relevant Director/Group Head where it appears that a budget proposal, including a virement proposal, may impact materially on another service area.

Key controls

The key controls for managing and controlling the revenue budget are: -

- a) budget managers should be responsible only for income and expenditure that they can influence;
- b) there is a nominated budget manager for each budget heading;
- c) budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities;
- d) all budgets are appropriately profiled through the financial year;
- e) budget managers follow an approved certification process for all expenditure;
- f) income and expenditure are recorded and accounted for properly.

3.2 SCHEME OF VIREMENT

A summary of the limits relating to virement as set out in the sections below is provided in Appendix 1 to these Rules.

3.2.1. General Virement

Why is this important?

Virement is the transfer of budget from one specific area to another. This can either be a transfer within revenue budgets or capital budgets. Restrictions may apply to transfers between capital and revenue budgets. Virement can be a temporary (in-year) or permanent transfer of budget.

The Scheme of Virement is intended to enable ~~Cabinet Members committees, sub-committees, together with~~ CMT/Group Heads and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Council, and, therefore, to optimise the use of resources. Budget Variation reports form a standing item on ~~Cabinet committee~~ Agendas. They can be used to group together requests for virements or supplementary estimates and for urgent items, subject to consultation with the Group Head of Corporate Support.

Responsibilities of the Group Head of Corporate Support

- To submit a report to the Corporate Management Team and ~~Cabinet CPPC~~ where virements are proposed between directorate areas;
- To approve all virements between £50,001 and £100,000.
- To ensure that all virements over £100,000 are approved by the relevant ~~Cabinet Member committee~~.

Responsibilities of CMT/Group Heads

- CMT/Group Heads may exercise virement on budgets under their control of up to a maximum of £50,000, provided the Group Head of Corporate Support has ~~been notified given their approval~~.
- To submit a report to the relevant ~~Cabinet Member committee~~ for virements over £100,000, provided that the Group Head of Corporate Support has been notified.

Commented [JC3]: Should this be "consulted" rather than just "notified"?

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- Salary budgets represent the Council's approved establishment. As such the salary budgets cannot be vired to other areas of the budget. A favourable salary budget variance may be used to cover the additional temporary staffing costs incurred due to the vacant post subject to the corporate vacancy target.
- Virements against future anticipated fees and charges or other uncertain sources of income will not be allowed.
- Savings of a non-recurring nature (temporary) cannot be used to justify the incurring of expenditure with a continuing commitment into later years (permanent).
- Virement that is likely to impact on the level of service activity of another ~~department~~ service should be implemented only after agreement with the relevant Director/Group Head.

Key controls

Key controls for the Scheme of Virement are: -

- a) it is administered by the Group Head of Corporate Support within guidelines set by the Council. Any variation to the scheme requires the approval of the ~~Cabinet~~ the Council;
- b) the overall budget is recommended by the ~~Cabinet~~ CPPC and approved by the Council. CMT/Group Heads are authorised to incur expenditure in accordance with the estimates that make up the budget.
- c) virement does not create a net increase in budget. CMT/Group Heads are expected to exercise their discretion in managing their budgets responsibly and prudently.

3.2.2 Virements Relating To S106 and Community Infrastructure Levy ("CIL" Contributions

Why is this important?

Section 106 agreements are legal agreements negotiated as part of the planning process and are in relation to matters that are deemed to be necessary to allow a planning application that would otherwise be unacceptable to be acceptable as they mitigate the impact of the development, a condition of planning consent.

They provide an important source of additional funding towards a range of infrastructure and services such as community facilities, public open spaces, transport improvement and or affordable housing.

The purposes for which they can be used are set out in the agreements and this can only be varied with consent.

CIL contributions are determined in accordance with the CIL Regulations and the Council's Charging Schedule

Responsibilities of the Group Head of Corporate Support

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- ~~To ensure that virements relating to s106 funding over £25,000 and up to a maximum of £100,000 are approved by the relevant Cabinet Member committee and in accordance with the s.106 agreement and that virements of £100,001 and over are approved by the Cabinet.~~

Responsibilities of CMT/Group Heads

- CMT/Group Heads may exercise virements relating to s106 funded expenditure under their control up to a maximum of £25,000 provided that the Group Head of Corporate Support has ~~been notified given their approval.~~
- To submit a report to the relevant ~~Cabinet Member committee~~ for expenditure over £25,000 ~~and up to £100,000 and to the Cabinet for expenditure of £100,001 and above~~ at the earliest opportunity with details of how the funding is to be applied.

Key controls

Key controls for s106 funded expenditure are:

- a) it is administered by the Group Head of Corporate Support within guidelines set by the Council; and
- b) virement does not create a net increase in budget. CMT/Group Heads are expected to ensure that funds are spent within the terms of the agreement including any time limits that may apply.

3.2.3 Virements Relating To Contingency Budgets

Why is this important?

The Contingencies and Special Items budget is assessed annually as a provision for known possible service changes that have not been sufficiently developed to fully cost into the budget.

Responsibilities of the Group Head of Corporate Support

- To ensure that virements relating to contingency budgets have been fully costed before budgets are vired to service areas. Virements are noted in budget monitoring reports.

Responsibilities of CMT/Group Heads

- To submit fully developed spending plans to the Group Head of Corporate Support at the earliest opportunity.

Key controls

Key controls for virements from Contingency budgets:

- a) it is administered by the Group Head of Corporate Support within guidelines set by the Council ; and
- b) virement does not create a net increase in budget. CMT/Group Heads are expected to ensure that the use of these budgets follow the Council's priorities.

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PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

3.2.4 Virements Relating To Reserves

Why is this important?

Earmarked reserves should only be used for the purpose that they are intended. Unrequired earmarked reserves should be returned to the General Fund. Capital reserves should only be applied in line with statutory approvals

Responsibilities of the Group Head of Corporate Support

- To ensure that all virements from Earmarked Reserves up to £100,000 are approved by the relevant member of the CMT or Group Head. To ensure that all virements relating to the use of Earmarked Reserves over £100,000 are approved by the relevant ~~Cabinet Member/committee~~. ~~To ensure that all virements over £200,000 are approved by the Cabinet.~~
- To ensure that all proposals to the use of capital receipts complies with statutory guidance, the Property Investment Strategy and have a viable business case. To ensure that purchase of commercial property up to £750,000 has been approved by the Director of Place and that purchases of commercial property over £750,000 has been approved by the Property Investment Board.

Responsibilities of CMT/Group Heads

- To ensure that earmarked reserves are used only for the purpose for which they were intended.
- That unrequired earmarked reserves are returned to the General Fund.
- To submit proposals to the Group Head of Corporate Support as soon as practicable.
- It is the responsibility of the Director of Place to ensure that a viable business case is submitted and approved for the acquisition of commercial property of up to £750,000.
- It is the Director of Place's responsibility to seek approval from the Property Investment Board for the acquisitions of commercial property in excess of £750,000, subject to the approval of a satisfactory business case. Commercial property acquisitions are subject to the availability of sufficient capital receipts as identified in the Property Investment Strategy.

Key controls

Key controls for virements from reserves:

- a) It is administered by the Group Head of Corporate Support within guidelines set by the Council.
- b) Virement does not create a net increase in budget. CMT/Group Heads are expected to ensure that the use of these budgets follow the Council's priorities.

3.2.5 SUPPLEMENTARY ESTIMATES

Why is this important?

Supplementary estimates are requests for additional resources (capital or revenue) over and above the approved budget. The Council has limited financial resources so expenditure needs to be carefully monitored. When a need to incur unavoidable or

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

non-controllable expenditure is identified and the amount required cannot be met by virement, a request for a supplementary estimate shall be submitted to ~~Cabinet~~ the relevant committee and Full Council.. Supplementary estimates can, in exceptional circumstances and with the approval of the Group Head of Corporate Services, be considered by Full Council when referral via Cabinet ~~the relevant committee~~ would cause unreasonable delay, ~~with the approval of the Group Head of Corporate Support~~.

Responsibilities of the Group Head of Corporate Support

- To ensure that all supplementary estimates (where net expenditure cannot be contained within existing budget provision) are approved by ~~Cabinet and~~ Full Council. The only exception to this rule is on the grounds of urgency.

Responsibilities of CMT/Group Heads

- To submit estimates to the Group Head of Central Support at the earliest opportunity where unavoidable expenditure is likely and a specific source of funding cannot be identified.
- To submit a report to ~~Cabinet~~ the relevant committee or, where appropriate Full Council, when a supplementary estimate is proposed ~~and net expenditure cannot be contained within existing budget provision~~.

Key controls

Key controls for supplementary estimates are:

- (a) It is administered by the Group Head of Corporate Support with a view to affordability, impact on the Councils overall financial position and existing and anticipated level of balances;
- (b) the overall budget is recommended to ~~Cabinet~~ CPPC and approved by the Council. Any additional expenditure incurred must also be recommended to ~~Cabinet~~ the relevant committee (unless this is not practical) and approved by the Council; and
- (c) supplementary estimates create a net increase in budget. CMT/Group Heads are expected to exercise their discretion in managing their budgets responsibly and prudently and wherever possible meeting additional cost pressures by virement from within existing budgets. Supplementary estimates should only be requested under exceptional circumstances.

3.3 ACCOUNTING POLICIES

Why are these important?

The Council is required to follow proper practices in preparing its Statement of Accounts. The Council's Accounting Policies are a key part in ensuring that this is done and these are detailed in the Statement of Accounts.

Responsibilities of the Group Head of Corporate Support

- To establish suitable accounting policies and to ensure that they are applied consistently.

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- To ensure that the accounting policies are consistent with proper practices as set out in the Code of Practice on Local Authority Accounting in the United Kingdom, for each financial year.

Responsibilities of CMT/Group Heads

- To adhere to the accounting policies and guidelines approved by the Group Head of Corporate Support.

Key controls

The key controls for accounting policies are:

- a) Systems of internal control are in place to ensure that financial transactions are lawful;
- b) Suitable accounting policies are established and applied consistently;
- c) Proper accounting records are maintained;
- d) Financial statements are prepared which present fairly the financial position of the Council and its expenditure and income; and
- e) Accounting policies are set out in the Statement of Accounts and are subject to external audit.

3.4 ACCOUNTING RECORDS AND RETURNS

Why are these important?

Maintaining proper accounting records is one way in which the Council discharges its responsibility for stewardship of public resources. The Council has a statutory responsibility to prepare annual accounts that present its operations during the financial year fairly. These annual accounts are subject to external audit. This audit provides assurance that the accounts are prepared properly, that proper accounting practices have been followed and that quality arrangements have been made for securing economy, efficiency and effectiveness in the use of the Council's resources.

Responsibilities of the Group Head of Corporate Support

- To determine the accounting policies, procedures and the method for recording transactions for the Council.
- To arrange for the compilation of all accounts and accounting records under his/her direction.
- To comply with the following principles when allocating accounting duties: -
 - a) Employees responsible for the calculation, checking and recording of income and expenditure should not be responsible for the collection and disbursement of such income and expenditure; and
 - b) Employees with the duty of examining or checking the accounts of cash transactions must not be engaged in those transactions.
- To make proper arrangements for the audit of the Council's annual accounts in accordance with the Accounts and Audit Regulations 2015.
- To ensure that all claims for funds (including grants) are made accurately and by the due date.
- To prepare and publish the audited annual accounts of the Council for each financial year, in accordance with the statutory timetable.

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- To ensure the proper security and retention of financial documents in accordance with the requirements set out in the Council's Document Retention Policy.
- To ensure that an asset register is maintained and assets are appropriately revalued and categorised in accordance with *Code of Practice on Local Authority Accounting in the United Kingdom*.

Responsibilities of CMT/Group Heads

- To ensure that a copy of any approved funding from a third party, including government grant, is immediately passed to the Group Head of Corporate Support.
- To ensure that all necessary service related information is available to support all claims for funds, including government grants.
- To maintain adequate records to provide a management/audit trail leading from the source of income/expenditure through to the accounting statements.
- To supply information required to enable the statement of accounts to be completed and published in accordance with the timetable and guidelines issued by the Group Head of Corporate Support.

Key controls

The key controls for accounting records and returns are:

- a) All ~~Cabinet Members committees~~, finance employees and budget managers operate within the required accounting standards and timetables;
- b) All the Council's transactions, material commitments, contracts and other essential accounting information are recorded completely, accurately and on a timely basis;
- c) Procedures are in place to enable accounting records to be reconstituted in the event of systems failure;
- d) Reconciliation procedures are carried out to ensure transactions are correctly recorded;
- e) Prime documents are retained in accordance with legislative and other requirements, as set out in the Council's Document Retention Policy; and
- f) The central accounting system of the Council, administered by the Group Head of Corporate Support, is the prime system upon which the financial position of the council, or any part of the Council, will be assessed.

3.5 THE ANNUAL STATEMENT OF ACCOUNTS

Why is this important?

The Council has a statutory responsibility to prepare its own accounts to present its operations during the financial year in a fair manner. The Council is responsible for approving the statutory annual statement of accounts, through delegation to the Audit & Governance Committee.

Responsibilities of the Group Head of Corporate Support

- To establish suitable accounting policies and to apply them consistently.
- To make judgements and estimates that are reasonable and prudent.

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- To comply with the *Code of Practice on Local Authority Accounting in the United Kingdom*.
- To sign and date the statement of accounts, stating that it presents fairly the financial position of the Council at the accounting date and its income and expenditure for the financial year.
- To draw up the timetable and requirements for final accounts preparation and to advise employees and the external auditor accordingly.

Responsibilities of CMT/Group Heads

- To comply with accounting guidance provided by the Group Head of Corporate Support and to supply the Group Head of Corporate Support with information when required.

Key controls

The key controls for the annual statement of accounts are: -

- a) The Council is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of these affairs. In this Council, that officer is the Group Head of Corporate Support; and
- b) The Council's statement of accounts must be prepared in accordance with proper practices as set out in the *Code of Practice on Local Authority Accounting in the United Kingdom*.

4. RISK MANAGEMENT AND CONTROL OF RESOURCES

4.1 RISK MANAGEMENT AND INSURANCE

Why is this important?

Risk management is a planned and systematic approach to identifying, evaluating and controlling risk. Its objectives are to secure the assets of the organisation and to ensure the continued financial and organisational wellbeing of the Council. It is, therefore, an integral and essential part of good business practice. Risk management is concerned with evaluating the measures an organisation already has in place to manage identified risks and then recommending the action needed to control these risks effectively.

It is the overall responsibility of the Audit & Governance Committee to approve the Council's Risk Management Strategy, and to promote a culture of risk management awareness throughout the Council.

Responsibilities of the Group Head of Corporate Support

- To prepare and promote the Council's Risk Management Strategy.
- To effect corporate insurance cover, through external insurance and internal funding, and to negotiate all claims, in consultation with other officers where necessary.

Responsibilities of CMT/Group Heads

- To notify the Group Head of Corporate Support immediately of any injury, loss, liability or damage that may lead to a claim against the Council, together

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

with any information or explanation required by the Group Head of Corporate Support or the Council's insurers.

- To take responsibility for risk management and minimising exposure to loss, having regard to advice from the Group Head of Corporate Support and other specialist advisers (e.g. health and safety, emergency planning).
- To ensure that there are regular reviews of Corporate and Departmental risk registers to identify and evaluate risk and to determine the ways risk can be managed. The risks and the mitigating actions should be recorded and monitored.
- To notify the Group Head of Corporate Support promptly of all new risks, properties or vehicles that require insurance and of any alterations affecting existing insurances.
- To consult the Group Head of Corporate Support on the terms of any indemnity that the Council is requested to give.

Key controls

The key controls for risk management are:

- a) Procedures are in place to identify risks, to evaluate their likely impact and probability of occurring, and to determine suitable risk reduction strategies. The risk management process operates continually to ensure that changes in circumstances and new risks are identified, evaluated and managed;
- b) Corporate and Departmental Risk Registers are produced and are regularly reviewed and action taken when appropriate;
- c) Risk management procedures are communicated effectively throughout the Council. Managers know that they are responsible for managing risks in their areas and are provided with relevant information on risk management initiatives;
- d) Acceptable levels of risk are determined and insured against where appropriate; and provision is made through balances or reserves for losses where insurance is not appropriate;
- e) The Council has identified business continuity plans for implementation in the event of disaster that results in significant loss or damage to its resources.

4.2 AUDIT REQUIREMENTS

Internal Audit

The requirement for an internal audit function is implied by the Accounts & Audit Regulations 2015 which requires that the Council must each financial year conduct a review of the effectiveness of the system of internal control and prepare an annual governance statement.

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

It will act in accordance with the internal audit charter and *UK Public Sector Internal Audit Standards (PSIAS)* and will undertake reviews that focus on areas of greatest risk to the Council, as agreed annually in consultation with CMT and approved by the

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

Audit & Governance Committee. However, it is the responsibility of every manager to establish and maintain an effective system of internal control.

Internal audit shall have the authority to have unrestricted access to all records, assets, personnel and premises deemed necessary to review the activities of the Council and (where appropriate, subject to contractual arrangements) its contractors and operating partners. It also has authority to obtain from all employees and members such information and explanations as are considered necessary and direct access and freedom to report to CMT and Council committees (although its primary responsibility is to the Audit & Governance Committee).

Key controls

The key controls for Internal Audit are:

- a) That it is independent in its planning and operation;
- b) the Chief Internal Auditor has direct access to the Chief Executive, all levels of management and directly to elected members; and
- c) The internal auditors comply with the United Kingdom Internal Audit Standards as interpreted by CIPFA's Local Government Application Note.

4.3 PREVENTING FRAUD AND CORRUPTION

The Council takes the prevention of fraud, corruption and maladministration very seriously and has the following policies in place, which aim to prevent or deal with such occurrences:-

- Anti-Fraud, Corruption & Bribery Policy
- Whistleblowing Policy (in respect of the Public Interest Disclosure Act 1998)
- Anti-money laundering procedures
- HR policies regarding discipline of staff
- Registers of Interests for Members and staff
- Robust processes for the procurement of goods and services

The Council expects all Members and employees to act with propriety and accountability and also expects that individuals and organisations with whom the Council comes into contact (for example, suppliers, contractors and service providers) will act towards the Council with integrity and without thought or actions involving fraud and corruption.

Where financial or other impropriety is discovered or suspected it must immediately be reported to the Group Head of Corporate Support and/or the Chief Internal Auditor for appropriate investigation and action.

4.4 ASSETS – (LAND, BUILDINGS, FURNITURE, EQUIPMENT ETC.)

Acquisitions

Why are these important?

The Council is publicly accountable for the way that it spends its money. Value for money must be demonstrated. Therefore, the Council has to exercise control over its purchasing activity, including asset acquisition (e.g. property, vehicles, plant and equipment, furniture).

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

Responsibilities of the Group Head of Corporate Support

- To issue guidelines on the best practice in respect of asset acquisition.
- To periodically review all guidelines to ensure that they still reflect best practice.
- To ensure that all expenditure is properly recorded in the Council's accounts and records.

Responsibilities of CMT/Group Heads

- To ensure that the Council's policies and procedures are complied with.
- To ensure that the necessary separation of duties is observed.
- To ensure that assets purchased are necessary.

Key controls

The key controls for asset acquisition are:

- a) Council policies in respect of the acquisition of assets are complied with at all times. This includes compliance with Contract Regulations for all asset acquisitions.
- b) There are at least two employees involved in the process of acquisition, with a separation of duties between employees involved in the different parts of the process.
- c) Procedures protect employees involved in the acquisition of assets from accusations of impropriety.

Asset disposal and transfer

Why is this important?

It would be uneconomic and inefficient for the cost of maintaining assets to outweigh their benefits. Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and the Council's policies and procedures.

Assets are sometimes used by or transferred to an external party, for example as part of an outsourced contract or partnership arrangement. It is important that the legal and financial basis for the transfer is determined and properly documented, so that the interests of the Council are protected.

Responsibilities of the Group Head of Corporate Support

- To issue guidelines representing best practice for disposal of assets.
- To ensure appropriate accounting entries are made to remove the value of disposed or transferred assets from the Council's records and to include the sale proceeds, if appropriate.

Responsibilities of Directors/Group Heads

- To seek advice from the Group Head of Corporate Support on the disposal of surplus or obsolete materials, equipment and vehicles.
- To seek advice from the Group Head of Corporate Support where assets are to be transferred or predominantly used by an external party.
- To ensure that income received for the disposal of an asset is properly banked and coded.
- To authorise the write off and disposal of obsolete or surplus materials and equipment.

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- To ensure that the disposal of obsolete or surplus materials and equipment, is by competitive quotation or auction, unless, following consultation with the Group Head of Corporate Support, the Cabinet-relevant committee decides otherwise.

Specifically relating to the disposal or acquisition of land and buildings: -

To ensure that all disposals of land and buildings are in accordance with the Council's land sale policy current at the time. Where disposal of land and buildings is allowed, it shall be conducted in accordance with the provisions detailed in (a) (i) – (vi) below.

- (a) Approved methods of disposal shall be by:-
- i. Private Treaty;
 - ii. Auction;
 - iii. Tender
 - iv. Sealed Offer;
 - v. Exchanges of land; or
 - vi. Compulsory Purchase Order
- (b) To ensure that where land is to be disposed of by the Council, the Group Head of Corporate Support shall ensure compliance with Financial Regulations and S123 of the Local Government Act 1972.

Key controls

- (a) assets for disposal or transfer are identified and are disposed of or transferred at the most appropriate time, and only when it is in the best interests of the Council, and the best price or contract terms are obtained, bearing in mind other factors, such as environmental issues.
- (b) for items of significant value, disposal should be by competitive tender or public auction; and
- (c) procedures protect employees involved in the disposal of assets from accusations of personal gain.

Security (Including Inventories)

Why is this important?

The Council holds assets in the form of property, vehicles, equipment and other items worth many millions of pounds. Information held by the Council is also a key asset. It is important that assets are safeguarded and used efficiently in service delivery, and that there are arrangements for the security of assets. An up-to-date asset register is a prerequisite for proper fixed asset accounting and sound asset management.

Responsibilities of the Group Head of Corporate Support

- To ensure that an asset register is maintained in accordance with good practice for all assets with a value in excess of £25,000. The function of the asset register is to provide the Council with information about fixed assets so that they are: -
 - safeguarded;
 - used efficiently and effectively;
 - adequately maintained; and

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- accounted for.
- To receive the information required for accounting, costing and financial records from each director/group head.
- To ensure that assets are valued in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom.
- To maintain a central register of IT equipment.

Responsibilities of CMT/Group Heads

- To ensure the proper security of all employees, buildings and other assets under their control.
- To pass title deeds to the Group Head of Corporate Support who is responsible for custody of all title deeds.
- To ensure the safe custody of vehicles, equipment, furniture, and other property belonging to the Council.
- To ensure that assets are identified, their location recorded and that they are appropriately marked and insured.
- To ensure cash holdings on premises are kept to a minimum and that maximum limits are agreed by the Group Head of Corporate Support.
- To ensure that keys to safes and similar secure containers/cupboards are carried on the person of those responsible at all times; loss of any such keys must be reported to the Group Head of Corporate Support as soon as possible.
- To arrange for the valuation of assets for accounting purposes to meet requirements specified by the Group Head of Corporate Support.
- To carry out an annual check of all items on the inventory in order to verify location, to review condition and to take action in relation to surpluses or deficiencies, annotating the inventory accordingly.
- To make sure that property is only used in the course of the Council's business, unless the Director/Group Head concerned has given permission otherwise.

Key controls

- (a) assets registers are accurately maintained and all assets are accounted for; and
- (b) assets are valued in accordance with approved policies and appropriate values included in the Council's annual Accounts.

4.5 TREASURY MANAGEMENT

Why is this important?

Many millions of pounds pass through the Council's accounts each year. The scale of the local authority treasury activity and issues such as the Icelandic banking collapse has led to the development of CIPFA's *Code of Practice on Treasury Management and Prudential Code for Capital Finance in Local Authorities (Prudential Code)*. These aim to provide assurances that the Council's money is properly managed in a way that balances risk with return, but with the overriding consideration being given to the security of the Council's capital sum.

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

Responsibilities of Group Head of Corporate Support

To arrange the borrowing and investments of the Council, including bank overdrafts, in such a manner as to comply with the CIPFA Code of Practice on Treasury Management, the Prudential Code, the Council's Treasury Management Strategy and the Council's Treasury Management Practices.

- To report on treasury activities to the Audit & Governance Committee, with recommendations (including adoption of the Treasury Management Strategy Statement & Annual Investment Strategy) referred for approval by Full Council.
- To operate bank accounts as are considered necessary. All arrangements with the Council's approved bankers regarding the Council's bank accounts, and the terms on which they are conducted shall be made by the Group Head of Corporate Support.
- To ensure that detailed arrangements are made regarding the Council's bank accounts and for the issue of cheques and cards. All cheques or cards shall be ordered only on the authority of the Group Head of Corporate Support who shall advise on proper arrangements for their safe custody.
- All of the Council's bank accounts must be in the name of "Arun District Council".
- To ensure that all investments or utilisation of monies and other accumulations and the sale or realisation of investments are made in the name of the Council or in the name of nominees approved by the [Cabinetrelevant committee](#).
- To effect all borrowings in the name of the Council.
- To act as the Council's registrar of stocks, bonds and mortgages and to maintain records of all borrowing of money and investment by the Council.
- To ensure that in circumstances where the Council has decided to finance capital expenditure by way of leasing, deferred purchase, or similar arrangements, the Group Head of Corporate Support or his/her authorised representative shall so far as possible, obtain competitive quotations from relevant funding sources and such arrangements shall be subject to approval by the relevant [Cabinet Membercommittee](#).

Responsibilities of CMT/Group Heads

- To follow the instructions on banking issued by the Group Head of Corporate Support.
- To ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the [Cabinetrelevant committee](#), following consultation with the [GHCSGroup Head of Corporate Support](#).
- To ensure that CMT/Group Heads advise the Group Head of Corporate Support of the disposal of any vehicle or item of equipment that is subject to a lease.

Key controls

- (a) the Treasury Management Strategy Statement & Annual Investment Strategy must be approved by Full Council by 31st March for the next financial year;

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- (b) Council investments are only placed with approved institutions in line with the agreed strategies;
- (c) investment performance is monitored and reported to officers and Members;
- (d) funds transfers (e.g. by CHAPS) require dual authorisation by designated officers; and
- (e) investment and borrowing requirements are identified and planned for in short-term cashflow forecasting and longer-term financial strategies.

4.6 WORKFORCE

Why is this important?

The Council sees its employees as a valuable asset to running its business to provide the highest level of service, it is essential that the Council recruits and retains high calibre, knowledgeable employees, who are qualified to an appropriate level.

Responsibilities of the Group Head of Corporate Support

- To ensure that CMT/Group Heads have identified budget provision for all existing and new employees.
- To act as an advisor to CMT/Group Heads on areas such as National Insurance and pension contributions, as appropriate.
- To develop a workforce strategy, policy and procedures and ensure they are disseminated and enforced.

Responsibilities of CMT/Group Heads

- To produce an annual workforce budget.
- To ensure that the workforce budget is an accurate forecast of workforce levels and is equated to an appropriate revenue budget provision (including on-costs and overheads).
- To ensure that the workforce budget is not exceeded without due authority and that it is managed to enable the agreed level of service to be provided.
- To comply with, and ensure employees comply with, the Council's Human Resource policies (for example: recruitment, training and flexible working policies).

Key controls

The key controls for employees are: -

- (a) an appropriate workforce strategy and policy exists, in which employee requirements and budget allocation are matched;
- (b) procedures are in place for forecasting workforce requirements and cost;
- (c) controls are implemented that ensure that employee time is used efficiently and to the benefit of the Council; and
- (d) checks are undertaken prior to appointing new employees to ensure that they are appropriately qualified, experienced and trustworthy.

5. FINANCIAL SYSTEMS AND PROCEDURES

5.1 GENERAL

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

Introduction

The Council is governed by laws requiring that it makes proper arrangements for the administration, reporting and safeguarding of those funds and act in a way that is open and accountable as to how those funds are used.

Whilst all Council Officers and Members have a general financial responsibility, Section 151 of the Local Government Act 1972 requires that a suitably qualified officer must be responsible for the financial administration of the organisation. This officer is the Group Head of Corporate Support.

Group Head of Corporate Support

The Group Head of Corporate Support is responsible for the proper administration of the Council's financial affairs, prescribe appropriate financial systems, protocols, procedures and policies, maintain an internal audit service and report to the Council in the event of any decision or action leading to, or may lead to, unlawful expenditure, loss, deficiency or accounting entry and;

- (a) will be responsible for ensuring the final accounts are completed and published in accordance with statute and accepted public sector accounting requirements and the reporting to Members of any material amendments specified by external audit,
- (b) will have unrestricted access to all Council assets, systems, documents, information, data, employees and Members held by the Council,
- (c) issue guidance, advice or instruction on the application of these financial systems and procedures as appropriate,
- (d) recommend to the Council the addition, alteration or deletion of any financial regulation.

CMT/Group Heads (Senior Management Team)

CMT and Group Heads being the Senior Management Team of the Council;

- a) will manage budgets and financial activity within their area of responsibility including the planning and control of budgets and prevention of fraud and corruption to ensure efficient and effective use of resources,
- b) shall consult with the Group Head of Corporate Support and obtain approval on any matter that may have a material effect, advantageous or detrimental, on the Council's financial position or financial strategy,
- c) Comply with any instruction given by the Group Head of Corporate Support regarding the form and method of financial record keeping or the operation of any financial procedures.

~~Cabinet, Committees and Sub-Committees~~

All ~~Members of Cabinet, any~~ Committee or Sub-Committee will ensure that decisions taken are within their remit and relevant budgets, are compliant with adopted policies, and consistent with achievement of the Council's service or corporate plans

Council

The Council will;

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- determine the Medium Term Financial Strategy (MTFS)
- approve and annual budget and determine the level of local taxation and other statutory charges
- approve the Treasury Management Strategy (TMS) and prudential indicators
- approve changes to these financial procedures

Officers and Members

All Officers and Members will contribute to the general stewardship of the Council's financial affairs in compliance with this code and any systems, procedures, policies prescribed by law or the Group Head of Corporate Support relating to the Council's financial management. They will bring to the attention of the Group Head of Corporate Support any matter that is contrary to the provisions of this code or the high standard of financial probity expected of the Council or may bring the Council into dispute or legal challenge.

5.2 INCOME

All employees receiving money or cashable instruments (including cash, cheques, credit/debit card payments, direct credits, etc.) or making arrangements for the collection of income must comply with the relevant procedures and instructions issued by the Group Head of Corporate Support to ensure that sums are properly recorded, receipted, and banked, and correct accounting entries made.

Cash, in coin or bank note, is only to be accepted in exceptional circumstances and every effort should be made to promote cashless payments.

Budget Holders

All officers with budget management responsibility are required to ensure that;

- invoices and credit notes are raised promptly,
- all enquiries relating to invoices raised and answered promptly,
- any matters that may affect recovery of an invoiced debt is made known to Accounts Receivable,
- any debts considered appropriate for write-off are notified to the Group Head of Corporate Support,
- income is regularly monitored and any irregularities are promptly notified to the Group Head of Corporate Support,
- a review of fees, charges and other income is undertaken at least annually and also as part of the budget setting cycle.

Write-off of irrecoverable debt

Once levied, debt may not be cancelled, except by full payment or by its formal writing off. A credit note to replace a debt must only be issued to correct a factual inaccuracy or administrative error in the calculation or billing of the original debt.

Disposal of Assets

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

CMT or Group Heads will notify the Group Head of Corporate Support of any proposal to dispose of any surplus assets within their control or responsibility. The Group Head of Corporate Support will assess in consultation with the Director or Group Head the value of the asset(s) and determine the most appropriate route for disposal. The prior approval of the ~~Cabinet Member for Corporate Support~~relevant committee is sought for the disposal of any asset with a current value of more than £5,000 in the Asset Register.

The Group Head of Corporate Support is approved to write-off a debt (or combination of debts) due from any individual debtor in any one financial year of not more than £2,000 in aggregate.

Debts greater than £2,000 may only be written-off with relevant ~~Cabinet Member~~committee approval.

5.3 EXPENDITURE

General

All purchases of goods and services are to be made in compliance with procedures in the Contract Standing Orders, as set out at Part 6 of this Constitution, or as otherwise instructed by the Group Head of Corporate Support. All Council purchases (other than those made by credit card) must be made and authorised by raising an Official Order in the Council's financial management system or property management system.

Purchases made using a Council credit card must be supported by a Payment Requisition signed by the purchasing employee and counter-signed by an authorised officer and forwarded promptly to the Group Head of Corporate Support.

The Group Head of Corporate Support will determine the authorised purchasing limits for all officers in consultation with the relevant Director or Group Head.

All purchases of goods and services must be supported by a valid invoice (in electronic or hard copy) that meets the requirements of the HM Revenue & Customs to support VAT recovery where appropriate.

Payments for goods and services will be only be made where it can be referenced to an Official Order and will be by bank automated clearing system (BACS) or such other alternative method as may be approved by the Group Head of Corporate Support.

Acquisition of Assets

Assets purchased at a cost of more than £25,000 must be notified to the Group Head of Corporate Support for inclusion in a register of assets maintained to comply with public sector accounting requirements and best practice.

Employees and Members

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

All payments to employees and Members will be made through the Council's payroll or as otherwise authorised by the Group Head of Corporate Support in order that all statutory and regulatory requirements are met.

No payment will be made unless approved by a duly authorised officer. The Group Head of Corporate Support will determine the limit of authority for any officer in consultation with the relevant Director or Group Head.

5.4 TAXATION

The Council has a statutory duty for the proper administration of its tax affairs in pursuance of various United Kingdom and European Union legislation and directives.

All employees and Members will comply promptly with any request made by the Group Head of Corporate Support for information or documentation in relation to any direct or indirect tax matters that may impact upon the proper administration of such matters including;

- Pay As You Earn income tax (PAYE)
- National Insurance Contributions (NIC)
- Value Added Tax (VAT)
- Construction Industry Tax (CIS)
- Corporation Tax

5.5 INSURANCE

The Group Head of Corporate Support will arrange for all insurance covers and negotiate settlement of all claims made through such insurances in consultation with relevant officers of the Council.

CMT and Group Heads will ensure prompt notification to the Group Head of Corporate Support:

- of any incidents that may give rise to a claim against the Council the costs of which may be indemnified by the Council's insurances,
- of loss of or damage to any Council property or asset under its ownership, responsibility, custody or control,
- of any change in risk or ownership of or responsibility for any asset or property.

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

6. EXTERNAL ARRANGEMENTS

6.1 EXTERNAL FUNDING

Why is this important?

External funding is a very important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the Council. Local authorities are increasingly encouraged to provide seamless service delivery through working closely with other agencies and private service providers. Funds from external agencies provide additional resources to enable the Council to deliver services to the local community. However, in some instances, such funding is linked to tight specifications and may not link to the Council's aims and objectives.

Responsibilities of the Group Head of Corporate Support

- To ensure that all funding notified by external bodies is received and properly recorded in the Council's accounts.
- To ensure that the match-funding requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements or an exit strategy is agreed.
- To ensure that audit requirements are met.
- To ensure that all claims are submitted by the due date.
- To action virements in relation to approved bids.
- To include progress updates on significant approved bids as part of the regular reporting process as and when required.

Responsibilities of CMT/Group Heads

- To ensure that the Group Head of Corporate Support is advised, at the earliest possible time, of all applications for external funding.
- To submit reports to the relevant Committee ~~or Cabinet~~ which are sufficiently developed to enable the use of the funds without any further reporting requirement.
- To give the Group Head of Corporate Support a copy of all approvals received from government departments or other sources of external funds.
- To ensure that all supporting information is kept to support claims for funds.
- To ensure that the project progresses in accordance with the agreed conditions and that all expenditure is properly incurred and recorded.

Key controls

The key controls for external funding are: -

- (a) To ensure that key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood;
- (b) To ensure that funds are acquired only to meet the priorities approved in the policy framework by the Council;
- (c) To ensure that any match-funding requirements are given due consideration prior to entering into long-term agreements and that future revenue budgets reflect these requirements or an exit strategy is agreed;

PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)

- (d) To ensure risks are identified, within acceptable limits and are capable of being managed;
- (e) To ensure monitoring and reporting frameworks are established and followed; and
- (f) To ensure adequate controls and governance arrangements are in place and are followed.

7. GRANTS TO EXTERNAL ORGANISATIONS (INCLUDING RATE RELIEF)

Why is this important

Local groups and organisations make a significant contribution to the local community. However, this contribution is difficult to quantify in financial terms and it is therefore particularly important that any financial support the Council provides to these groups follows a clear and transparent process.

Responsibility of CMT/Group Heads

- To ensure that any grant payments and any awards of discretionary business rate relief are made in accordance with the procedure set out below, and can be met from within existing budgetary provision. In addition, for any award of discretionary business rate relief, regard must be had for the implications for West Sussex County Council in respect of their share of Business Rate income.
- To ensure that an up to date Grants Register is maintained on the website to include;
 - Source of funding
 - Grants awarded
 - Any declaration of interest by Members and Officers

Procedure for making Grant payment and awarding discretionary business rate relief

Grant allocation to be based on criteria agreed in advance by relevant [Cabinet Member](#). [committee](#)

[Grant criteria must always allow for a degree of discretion to ensure that the decision makers has not had their discretion fettered.](#)

Subject to these criteria allocations to be made on the following basis:-

- | | |
|-----------------------------------|---|
| • Up to £5,000 (per organisation) | - Relevant Director, Chief Executive or Group Head |
| • Over £5,000 | - Relevant Cabinet Member committee |

**PART 6 – PROCEDURE RULES (OTHER)
SECTION 5 – FINANCIAL PROCEDURES RULES (REGULATIONS)**

APPENDIX 1: SCHEME OF VIREMENT AT A GLANCE (SECTION 3.2)

Type of Virement Delegation Limit	General (3.2.1)	S106 (3.2.2)	Contingency (3.2.3)	Reserves (3.2.4)	Supplementary Estimates (3.2.5)
SMT	£50k	£25k	n/a	£100k	
Group Head of Corporate Support (s151 Officer)	£50k+		Technical virement (s151 Officer) allowed when fully costed and compliance with policy		S151 Officer may determine that an amount <£50k requires Council approval due to policy and or on going resource implications
Cabinet Member Relevant Committee	£100k+	£25k+		£100k+	All
Cabinet		£100k+		£200k+	All
Full Council					All

Note:

It is essential that these limits are read in conjunction with the Financial Rules as contained in Part 6 of the Constitution as there are certain circumstances where virement is restricted or not permitted.

The following reports are available when reporting to ~~Cabinet~~ the relevant committee:

- *Individual Item (~~Cabinet Report or Individual Cabinet Member committee Report~~)*
- *Budget Variation Report (Standard item on ~~Cabinet committee~~ Agendas for single or grouped requests - this can be a verbal update)*
- *Budget Monitoring Report*

All virements and reports with financial implications require the notification of Financial Services at the earliest opportunity to allow assessment of the feasibility of savings and for compliance with the Financial Rules and Statutes.

Public Document Pack Agenda Item 20

Subject to approval at the next Electoral Review Sub-Committee meeting

1

ELECTORAL REVIEW SUB-COMMITTEE

28 January 2021 at 6.00 pm

Present: Councillors Oppler (Chairman), Jones (Vice-Chair), Bower, Goodheart, Roberts (Substitute for Mrs Cooper) and Tilbrook

Apologies: Councillor Mrs Cooper

1. DECLARATIONS OF INTEREST

There were no declarations made.

2. MINUTES

The minutes of the meeting held on 11 February 2020 were approved by the Sub-Committee as a correct record and it was agreed that these would be signed by the Chairman as soon as practicably possible.

3. CANVASS REPORT 2020

The Group Head of Policy provided members with an overview of the outcomes from her report that resulted from the 2019 Canvass Reform Regulations. She explained that 50,000 fewer responses had been received as electors were no longer required to make a return under certain circumstances. This helped with the overall reduction in cost (30% less this year) as well as a reduction in the amount of time spent processing returns.

She went on to explain that at the start it was a complicated process, which was time consuming in terms of ensuring that the changes had been fully understood by the team. This was also executed alongside the preparation and execution of the snap general election in 2019 and the, now, postponed elections that were due to be held in 2020 but were delayed due to the pandemic. Another success was that 90% of the responses came in via our automated systems, where people were preferring to complete transaction online in a bid to reduce the amount of post they were handling during the pandemic. The process did not work well for Care homes and Nursing homes understandably this has not been a priority for them over the last 12 months.

The Chairman thanked the Group Head of Policy and the Elections team for the hard work that had gone into completing this work. Members sought clarification from the Group Head of Policy in reference to the 90% automated systems response rate documented within the report and what did that equate to in numbers opposed to a percentage, it was clarified that in Appendix 1 it showed that the percentage was equal to 13/14,000 responses.

Electoral Review Sub-Committee - 28.01.21

The Sub-Committee noted the report and

RESOLVED

That the Electoral Registration Officer continues to implement changes as necessary to the 2021 Canvass process for Arun District Council

4. ELECTIONS UPDATE FOR MAY 2021

The Chief Executive provided members of the Sub-Committee with an overview of his report. He explained that Coronavirus had been the biggest challenge whilst preparing for the up-coming election. Furthermore, it had, had an impact on the number of staff who had now declined to work the election this year. He advised that ensuring all staff had the correct Personal Protective Equipment (PPE) was vital to safety of staff and those using the Polling Stations to vote. To ensure that the Polling stations and the equipment used remained safe throughout the day of the election there would be additional cleaning of each Polling Station that would need to be completed by the polling staff which would be a challenge on the day. The Council had seen an increase in the number of voters requesting a postal vote, which was encouraging to see as this would be the safest way to vote this year. Another challenge was that a number of Polling stations that would usually be used, did not meet the Covid compliance criteria and therefore could not be used, reducing the number of overall Polling Stations available.

Members then took part in a debate where the following points were made:

- A member was opposed to any further delay with the Election, albeit understood the restrictions and challenges that Covid-19 presented.
- It was also advised that there had been a possible date of mid-February that a decision would be made by Central Government on if the Elections would be going ahead and it was suggested that it might be ideal to wait until then before spending any further money on this.
- Postal Voting was deemed by another member as the safest way to hold the Election and was there any discussion being had about moving the Election to an all-electronic process

The Chief Executive responded to all points raised and gave detailed answers to the questions that were asked based on the latest Government information he had at the time of this meeting.

The Sub-Committee then noted the report.

5. PARLIAMENTARY BOUNDARY REVIEW

The Group Head of Policy confirmed to members that the Parliamentary Boundary Review had been delayed and then referred members to the update that had been circulated with the agenda from the Boundary Commission for England.

Subject to approval at the next Electoral Review Sub-Committee meeting

3

Electoral Review Sub-Committee - 28.01.21

(The meeting concluded at 6.34 pm)

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Public Document Pack Agenda Item 21

Subject to approval at the next Licensing Committee meeting

379

LICENSING COMMITTEE

29 January 2021 at 9.30 am

Present: Councillors B Blanchard-Cooper (Chairman), Brooks (Vice-Chair), Buckland, Mrs Catterson, Charles, Clayden, Goodheart, Mrs Gregory, Kelly, Mrs Madeley, Northeast and Oliver-Redgate

Apologies: Councillors Mrs Cooper

442. DECLARATIONS OF INTEREST

There were no declarations of interest made.

443. MINUTES

[Councillor Goodheart arrived during this item]

The minutes of the last meeting of the Committee held on 24 January 2020 were approved.

444. MINUTES OF LICENSING SUB-COMMITTEE - 24 JANUARY 2020, 24 FEBRUARY 2020, 26 JUNE 2020 AND 5 AUGUST 2020

The minutes of the Licensing Sub-Committee meetings held on 24 January 2020, 24 February 2020, 26 June 2020 and 5 August 2020 were received and noted by the Committee.

445. LICENSING FEE SETTING

[Councillor Oliver-Redgate joined the meeting during the introduction of this item]

The Chairman thanked the Licensing Manager and her team for their hard work over the last year in managing an enormous amount of change in legislation during the pandemic.

The Committee received a report from the Licensing Manager which set out the proposed licence fees structure for specified licensing regimes to take effect on 1 April 2021. She provided an explanation as to how the figures had been arrived at and emphasised that the Council sought only to recover its costs rather than achieving a surplus. She confirmed that the fees would be reviewed on a regular basis.

In considering the matter and, following a brief discussion where members sought and received clarification on a number of points, the Committee.

RESOLVED

Subject to approval at the next Licensing Committee meeting

380

Licensing Committee - 29.01.21

That the licensing fees as set out in Appendix 1 be agreed

The Licensing Manager then provided members with a brief update on other areas of business that she and the team had been focused on throughout the pandemic.

(The meeting concluded at 10.08 am)

Public Document Pack Agenda Item 22

Subject to approval at the next Development Control Committee meeting

381

DEVELOPMENT CONTROL COMMITTEE

3 February 2021 at 2.30 pm

Present: Councillors Bennett (Chairman), Ms Thurston (Vice-Chair), B Blanchard-Cooper, Bower, Charles, Coster, Edwards, Mrs Hamilton, Kelly, Lury, Mrs Pendleton, Roberts, Tilbrook and Mrs Yeates

Councillors Clayden and Cooper were also in attendance observing for all or part of the meeting.

Apologies: None

446. WELCOME

The Chairman welcomed everyone to the meeting and offered his and the Committees condolences to the family of Captain Sir Tom Moore who passed away yesterday he stated that he had been an inspiration to many over the last year.

447. DECLARATIONS OF INTEREST

Councillor Bennett (Chairman) declared a personal interest in item 8 application R/197/20/OUT as member of Rustington Parish Council.

448. MINUTES

The Minutes of the meeting held on 6 January 2021 were approved by the Committee.

449. A/109/20/RES - LAND SOUTH OF WATER LANE, ANGMERING

Approval of reserved matters following outline consent A/99/17/OUT for 175 No dwellings & associated infrastructure. This application may affect the setting of a listed building, may affect the character & appearance of the Angmering Conservation Area & falls within Strategic Site SD9, CIL Zone 1 (Zero Rated).

The Planning Officer was asked by the Committee to summarise the update reports that had been received for this item prior ahead of the meeting. The Planning Officer then provided members with a verbal summary of the updates that had been shared.

Members then took part in a full debate on the application where a number of points were raised including landscaping plans, consultation with the Angmering advisory groups regarding drainage and concerns with the fast turnaround timeframe that was being followed.

Development Control Committee - 3.02.21

The Planning Officer, Engineering Services Manager and the Landscaping Officer provided members with answers to all points raised. The Group Head of Planning advised members that if they were considering further deferment of this item on the basis that the applicant would make further changes to the application, this would not be the case as the applicant had declined to take on board the comments raised at the last meeting. The Planning Officer then confirmed that the applicant had made fundamental changes since the application was first presented to the Council in June/July 2020.

The Committee

RESOLVED

That the application be APPROVED as detailed in the report and report update subject to conditions outlined.

450. A/179/20/RES - LAND SOUTH OF WATER LANE, ANGMERING

4 Public Speakers

Councillor John Oldfield – Angmering Parish Council
Mr Gibbs – Objector
Jessica Sparkes – Applicant
Councillor Paul Bicknell – Ward Member

Approval of reserved matters (appearance, layout, scale and landscaping) following outline consent A/99/17/OUT, for a culverted embankment over the Black Ditch, providing a road crossing to the proposed residential development.

The Planning Officer presented his report including matters detailed in the update report. This was followed by Public Speakers and a response was provided by the Planning Officer and the Engineering Services Manager.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update, subject to conditions outlined.

451. R/197/20/OUT - CROFT WORKS, 52 MILL LANE, RUSTINGTON

[The Chairman, Councillor Bennett, redeclared his personal interest in this item as a member of Rustington Parish Council.]

Outline application with some matters reserved for the demolition of existing dilapidated storage buildings & erection of 2 No. detached 3-bedroom chalet

bungalows with associated car barns, gardens, car parking & landscaping (resubmission following R/117/20/OUT).

The Planning Officer presented his report including matters in the update report.

Members then took part in a full debate on the application where a number of concerns were raised including access for emergency services vehicles mitigations given and road safety.

The Committee

RESOLVED

That the application be REFUSED and the reasons for refusal was due to the proposal by virtue of its narrow access lane would endanger pedestrian safety and prevent access by emergency vehicles contrary to policy T SP1 of the Arun Local Plan and paragraph 110 b), c) & d) of the National Planning Policy Framework.

452. FG/123/20/PL - LAND AT FORMER MCINTYRE NURSERY, LITTLEHAMPTON ROAD, FERRING BN12 6PG

2 Public Speakers

Councillor Stephen Abbott – Ferring Parish Council
Ed Miller - Objector

Demolition of a polytunnel, storage building & scaffolders' shelters & racking, use of land for Class B8 container self-storage & the siting of 79 No. single-stacked storage containers, part regrading of the ground, new fencing, CCTV & lighting. This site is in CIL Zone 3 (Zero Rated) as other development & is a Departure from the Development Plan.

The Planning Officer presented his report including matters in the update report. This was followed by Public Speakers and a response was provided by the Planning Officer.

Members then took part in a full debate on the application where a number of concerns were raised including overdevelopment of the area, inappropriate development for the area, surface water drainage and traffic access.

The Planning Officer and Group Head of Planning provided detailed answers to all concerns raised as well as advising that refusal of this application could be appealed, and if so, could be successful.

Development Control Committee - 3.02.21

The Committee

RESOLVED

That the application be REFUSED and the reasons for refusal was that the proposal represents an undesirable intensification of storage use on the site which would have an unacceptable impact on the character and appearance of the area and serve to unacceptably erode the gap between Angmering and Worthing contrary to policies C SP1, D DM1 and SD SP3 of the Arun Local Plan and policy 7 of the Ferring Neighbourhood Plan.

The Chairman adjourned the meeting at 16:55 until 17:05

453. BR/286/20/HH - 17 SHELLEY ROAD, BOGNOR REGIS PO21 2SL

Removal of existing garage and erection of single storey side and rear extension

The Planning Officer presented his report to the Committee.

Members took part in a full debate on the application where a number of concerns were raised including the extension wall only leaving a small gap to the boundary line, impact on the street scene and the loss of off-street parking.

The Group Head of Planning asked the Planning Officer to explain what would be acceptable in terms of permitted development, namely. what could be built without a planning application. The Planning Officer then gave a detailed explanation to the Committee.

Further discussion was had by Members regarding the detail of permitted development, confirmation was sought if guttering was to be added to the extension and would this need to be inside of the boundary. As discussion moved to detail outside of matters that the Committee could consider the Solicitor for the Council reminded members that any building control matters were not part of the decision and referred them back to the Planning Officer's advice given specifically to the smaller area at the back of the site, that would not be allowed to be built without this application.

The Committee

RESOLVED

That the application be APPROVED subject to the conditions outlined within the report.

454. AB/109/20/HH - WHITE COTTAGE, 32 KING STREET, ARUNDEL BN18 9BW

Rear single storey extension for new kitchen and living area, internal alterations, new and adjusted windows and doors, part replacement roof structure with 2 x conservation roof lights to the main building, re-covering of main roof and partial re-build of the detached garage with replacement pitched roof. This application affects the character & appearance of the Arundel Conservation Area & may affect the setting of listed buildings.

The Chairman advised that new plans had been submitted by the applicant for this application, of which were still subject to a public consultation period, he therefore proposed that this item be deferred before any public speakers were heard. This was duly seconded, and was agreed that this item would be brought back to the next meeting of the Committee on 3 March 2021

The Committee

RESOLVED

That the application be DEFERRED to allow the public consultation period to end on the new plans that had been submitted by the applicant.

455. APPEALS

The Committee received and noted the appeals list within the agenda.

456. SD8 - FORD STRATEGIC SITE ALLOCATION, MASTERPLAN DOCUMENT ENDORSEMENT REPORT

The Planning Officer presented his report including matters in the update report.

Members then took part in a full debate on the masterplan report where a number of points were raised including commendation of the consultation process followed, support for the housing development, plans had not addressed the highways concerns within the area in particular, that, there was no north-south route secured for traffic between the A259 and A27, concerns relating to the secondary school were also raised.

The Planning officer provided answers to the points raised and the Group Head of Planning provided members with advice, specifically reminding members of the Local Plan and to think more strategically.

Further discussion took place around the broad stretch of land at the southern end of the development that had been left for trees and vegetation that could be adapted should there be a need for a road from Horsemere Road going east. The Group Head of Planning advised that this would change the viability of the entire plan as it had been modelled on the current road plan detailed.

Development Control Committee - 3.02.21

The Committee

RESOLVED

That subject to the receipt of a substitute plan for Figure 23 that clearly demonstrates improved provision for pedestrians, cyclists and equestrians, it is recommended that "The Landings" Masterplan Document November 2020 be endorsed.

457. APPEALS PERFORMANCE AND COST 2020

The Group Head of planning presented his report and referred members to sections 8 to 10 of his report where it had outlined that significant costs that had been awarded throughout 2020.

Members had a short discussion in relation to the learning and training opportunities that it highlighted, and that the Committee needed to fully understand its planning powers that are delegated by central government whilst balancing that with what was right for their communities.

The Group Head of Planning advised that he would be able to confirm dates for the planned formal training sessions with the committee and all other members shortly.

The Committee noted the report.

(The meeting concluded at 6.27 pm)

Public Document Pack Agenda Item 23

Subject to approval at the next Housing & Customer Services Working Group meeting

11

HOUSING & CUSTOMER SERVICES WORKING GROUP

4 February 2021 at 6.00 pm

Present: Councillors Bennett (Chairman), Mrs Pendleton (Vice-Chair), Bicknell, Mrs Catterson, Mrs Haywood, Hughes, Ms Thurston and Edwards (Substitute for Mrs Cooper)

Councillors Mrs Gregory, Cabinet Member for Residential Services was also in attendance for all or part of the meeting.

Apologies: Councillor Mrs Cooper

18. DECLARATIONS OF INTEREST

There were no declarations of interest made.

19. MINUTES

The minutes of the Housing and Customer Working Group meeting held on 5 November 2020 were approved and it was agreed that the Chairman would sign these as soon as practicably possible.

20. SOCIAL HOUSING WHITE PAPER

The Group Head of Residential Services presented her report to members, she explained that it had come from the green paper published in 2019. She summarised that this paper was to incorporate more responsibilities onto the Landlords and to ensure that accountability was held when needed. Homes would be inspected at least once every four years. The complaints process would have changes made to ensure that these would be dealt with properly, fairly and respectfully. The designated person role was to be removed and complaints would instead go to the ombudsman at this stage of the process. She explained that it was to ensure that the Council complied with its health and safety responsibilities.

Members took part in a full debate, where the following points were raised;

- Did the Group Head of Residential Services believe that the current procedure/process was up to scratch in terms of consultation with tenants
- Would there be an impact on the Council's housing stock

The Group Head of Residential Services provided full answers to the points raised, she explained that there was a review currently underway specifically looking at how resident engagement could be improved and that she did not believe that there would be a direct impact on the Council's housing stock.

The Cabinet Member for Residential Services highlighted to the Working Group that in section 1.4 of the report, that many of the required improvements were already being carried out by the Council. She further explained that it would be much easier to manage with the new IT system once implemented.

The Working Group noted the report and white paper.

21. GAINING ACCESS TO RESIDENTS HOMES POLICY

The Group Head of Residential Services presented her report to members where she explained that the policy set out exactly what legal remedies the Council would take should access be refused by tenants and that the detail of this had been set out at section 1.2 in her report and 2.1 in the policy.

Members took part in a full debate, where the following points were raised, were there a lot of instances where the Council had been refused access, how many times would the Council seek to gain entry before injunctions would be enforced and members welcomed the policy as it was very much needed for the safety of all the Councils tenants.

The Group Head of Residential Services provided full and detailed answers to all points raised.

The Working Party

RECOMMEND to CABINET that

- 1) the Access Policy be adopted; and
- 2) delegated authority be given to the Group Head of Residential Services in consultation with the Cabinet Member for Residential Services to make changes to the policy

22. REPORT BACK FROM CABINET/FULL COUNCIL

The recommendations made to Cabinet on 5 November 2020 were noted by members.

23. WORK PROGRAMME 2020/2021

The Group Head of Residential Services advised members what would be covered at the next meeting of the Working Group.

There was a request for a report from Stone Pillow of which the Chairman advised that this would be better being received at the first meeting of the new committee under the new committee structure starting in May 2021, the Vice-Chairman

Subject to approval at the next Housing & Customer Services Working Group meeting

13

Housing & Customer Services Working Group - 4.02.21

also made comment that a presentation from Stone Pillow and other charities would be gratefully received

The Working Group noted the work programme update.

(The meeting concluded at 6.30 pm)

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Public Document Pack Agenda Item 24

Subject to approval at the next Cabinet meeting

387

CABINET

8 February 2021 at 5.00 pm

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

Councillors Bicknell, Bower, Charles, Clayden, Mrs Cooper, Cooper, Edwards, English, Gunner, Mrs Pendleton and Roberts were also in attendance for all or part of the meeting.

458. WELCOME

The Chairman welcomed Members, members of the public and Officers to what was the tenth virtual meeting of Cabinet. He provided a brief summary of how the meeting would be conducted and the protocol that would be followed and how any break in the proceedings due to technical difficulties would be managed.

459. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

460. QUESTION TIME

The Chairman confirmed that no questions had been submitted for this meeting.

461. URGENT BUSINESS

The Chairman confirmed that there were two urgent items for this meeting.

The first was a verbal update from himself as Leader of the Council confirming that the Government had confirmed on 5 February 2021 that the May 2021 Elections would be going ahead. That same day the 'May 2021 Polls Delivery Plan' had been published setting out how the Government would be supporting the elections.

The Plan set out how the elections would be run because of the Coronavirus pandemic safely, not just for the voter, but also for candidates and staff. Households within the District had been written to in January 2021 to explain how the elections would be different this year and were being encouraged to consider voting by post or proxy. All details could be found on the Council's web site and further and regular updates would be made closer to the election date in May 2021.

Cabinet - 8.02.21

The Chairman also announced that a second supplement pack had been uploaded to the Cabinet web pages earlier on in the day. This urgent item was to provide a facility on request for commercial tenants meeting the criteria of small and medium enterprises in the retail, leisure and hospitality industry sectors to defer rents invoiced in January, February or March 2021, provided a repayment was agreed, due to the Coronavirus pandemic. The Chairman explained that the reason this was an urgent item was that this was the first available opportunity (since the last Cabinet meeting held in January 2021) to bring the associated paperwork before Cabinet. The Chairman outlined that Cabinet was being asked to note and endorse the action that had been taken to allow the deferral of rent to be paid from qualifying business tenants.

Having had some points raised by a non-Cabinet Councillor questioning the urgent nature of this item, the Chief Executive explained that, in future, he would hope such urgent items would not be necessary.

The Cabinet

RESOLVED

The Cabinet noted and endorsed the actions taken by Officers.

The Cabinet confirmed its decision as per Decision Notice C/050/08022021, a copy of which is attached to the signed copy of the Minutes.

462. MINUTES

The minutes from the meeting of Cabinet held on 11 January 2021 were approved as a correct by Cabinet. The Chairman confirmed that these would be signed at the earliest opportunity to him.

463. BUDGET VARIATION REPORTS

There were no matters discussed.

464. BUDGET MONITORING REPORT TO 31 DECEMBER 2020

The Deputy Leader of the Council and Cabinet Member for Corporate Support, Councillor Oppler, introduced this item confirming that financial performance was monitored on a regular basis to ensure that spending was in line with Council policies and that net expenditure was contained within overall budget limits. The original budget for 2020/21 had been significantly affected by the Covid pandemic, detail of which had been set out in the report.

Councillor Oppler explained that this report had a close link to the next agenda item being the Budget 2021/22 as it provided the latest General Fund Balance forecast for March 2021 and provided an indication of the level of likely capital carry forward.

The Financial Services Manager then addressed the key highlights in the report covering Budget Monitoring for the third quarter. It was emphasised that this year had been subject to significant uncertainty due to the Covid-19 pandemic which had also resulted in significant additional expenditure and loss of income. To mitigate this, expenditure has been reviewed and controlled tightly. The Council had also been in receipt of significant additional government support which had been set out in the report at Page 15 showing that the General Fund (GF) variation against expected current budget was (£1.124m) favourable which was an improvement of (£278k) from the previous month.

The Council had been awarded £2.373m of non-ringfenced Covid-19 support and this had been detailed in Paragraph 2.3.1 of the report with the variation included (£723k) from the Sales Fees and Charges Compensation scheme, which had been claimed to the end of December 2020. It was this sound financial management that allowed the Council to be prudent and earmark the Council Tax and Business Rate in year losses to match the anticipated drop in income for next year as set out at Paragraph 6.2.

It was explained that the £7.865m s31 grants received for the retail hospitality and leisure needed to be earmarked to be available for the corresponding loss of income next year. The estimated outturn General Fund balance as at the end of December 2020 was approximately £6.9m. No further update was provided in relation to the Housing Revenue Account (HRA).

Finally, looking at Capital budget, it was pointed out that there would be significant carry forward into next year to enable the capital programme to catch up. The delays were again mainly due to the Covid-19 pandemic.

In discussing the report, the Cabinet Member for Residential Services, Councillor Mrs Gregory, asked a question in relation to the nightly paid monitoring in December 2020, the Covid expenditure was £333k. Was the Council likely to receive any of this money back from Government? The Financial Services Manager responded confirming that it was unlikely that the Council would receive any specific grant and that it would be included as part of the non-specific general grant that the Council received.

The Cabinet

RESOLVED - That

- (1) The report in Appendix 1 be noted;
- (2) A transfer to earmarked reserves of £7.865 m for s31 Grant received in 2020/21 and £1.326m for in year Collection Fund losses be approved; and
- (3) The action taken to mitigate the Council's net expenditure due to the Covid-19 pandemic be noted.

Cabinet - 8.02.21

The Cabinet confirmed its decision as per Decision Notice C/051/08022021, a copy of which is attached to the signed copy of the Minutes.

465. ARUN DISTRICT COUNCIL BUDGET - 2021/22

Before inviting the Cabinet Member to introduce this item, the Chairman made a statement about an item that had become entangled with the Budget and had made press headlines leading to speculation and some ill-informed comments to do with beach patrols in Littlehampton and Bognor Regis. Councillor Dr Walsh confirmed that the proposals did not appear in the Budget and were still under review. The situation last year was that the Council only had beach inspectors in place for a very short time due to the Coronavirus pandemic which began in March 2020. Due to Covid-19, the Council was not able to recruit these posts at the current time and that no recruitment would commence until the Covid-19 emergency was over and the decision was taken by Officers and the Cabinet to proceed.

The Deputy Leader of the Council and Cabinet Member for Corporate Support, Councillor Oppler, explained that the annual Budget provided the financial parameters and direction for the year ahead. It was excellent that the Council had managed to achieve a balanced budget for 2021/22. The pandemic had meant that the Budget process had been even more challenging than in recent years and so he wished to take this opportunity to thank the whole of the Finance Team and all Arun staff for their hard work during these exceptionally challenging times.

The Group Head of Corporate Support then provided a strategic overview of the Budget and the main highlights explained in his presentation have been summarised below:

- It was excellent news that the Council had not had to use its reserves to balance the Budget this had been clearly set out on the General Fund Revenue Budget Summary
- Another good news item was that the Council had been able to set aside around £0.5 m in contingency savings that could be used against any further Covid-19 emergencies should there be any
- The most significant variable was funding from Central Government. The New Homes Bonus (NHB) had been introduced in 2011/12 to create an incentive rewarding local authorities that delivered sustainable housing growth in their areas. This scheme had undergone major review and continued to be reduced and would likely receive a payment of zero in two years' time. This would be partly offset by a lower tier Service Grant, but it was assumed that this grant would be a one-off grant and not a replacement of the NHB.
- It had previously been flagged a number of times that the Government was planning a funding review of funding streams through the Fair Funding Review which could result in reset of business rates which would effectively mean that the Council would lose all the growth it had accumulated since the inception of the scheme in 2013. Although this had been further delayed due

to Covid-19, it was anticipated that the Government would still be carrying out these changes [the Fair Funding Review]. It was worth noting that although the Council had done well out of some of these schemes, there were other Councils elsewhere in the country that had not done so well and so were asking for this sort of funding to be shared more evenly.

- Given the balanced budget, it was anticipated that the Council's balances would remain at around £6.7m. The major variation to the Budget had been set out at the Table in Paragraph 4.6 of the report.
- On the General Fund, a Council Tax increase of £4.95 was proposed to £191.52 for a Band D Council Tax. 2.65%
- On the HRA, this reflected the priorities of the Business Plan as presented to the last meeting of Cabinet on 11 January 2021 and included a significant investment in affordable homes. For 2021/22 HRA rents would be increased by 1.5% in accordance with the provisions of the rent standard.
- Finally, on Capital and Asset Management and other projects, the report set out the significant investment in essential infrastructure. Cabinet was asked to note that in addition to what was outlined in the report, funding had been approved at the last Full Council meeting for funding for the enhancement of the Sunken Gardens and Place St Maur projects in Bognor Regis.

Questions were asked by Non-Cabinet Councillors in relation to the Council's proposed increase in Council Tax which was proposed to be increased by the maximum amount allowed. The Leader of the Council was asked if a threshold was not in place, would his administration be proposing a much higher percentage rise. Councillor Dr Walsh confirmed that the 2.65% increase proposed was the right amount as the Council had produced a balanced budget and so did not need to raise its Council Tax any more or less than what was proposed which represented a fair amount for the District's tax payers.

Other questions asked were around the number of new dwellings built against targets set. The Cabinet Member for Residential Services responded confirming that to date 90 properties were being purchased, 24 had been handed over with one existing 5 bedrooomed house being refurbished into two 2-bedrrom flats for temporary accommodation. Councillor Mrs Gregory confirmed that she had to hand all the dates for the handovers with last being in early 2022 which she would be happy to share. Councillor Mrs Gregory stated that with the 70/30 monies from properties sold from the Right to Buy Scheme, it was hoped to be able to push those figures further.

Further clarification was sought from Non-Cabinet Councillors in relation to the Foreshores Team. The Chairman confirmed that it was not part of the budget proposals to alter the situation or to either increase or decrease the budget.

The Cabinet Member for Community Wellbeing, Councillor Mrs Yeates, confirmed that she had not been made aware of this situation.

Suggestions were made for the foreshore team to be recruited now in readiness for the start of the new season. Councillor Mrs Yeates confirmed that she needed to check on the exact status of the personnel.

Cabinet - 8.02.21

The Director of Services was asked to expand on this issue. She reminded Councillors that the foreshore staff employed were temporary staff and she explained the reasoning for the reduced service last year reminding Councillors that this service was supported by the important service of lifeguarding which had also been reduced last year as the RNLI had prioritised Littlehampton over Bognor Regis, due to the fast flowing River Arun.

Statements were made that the answers being provided were not clear in terms of when Foreshore staff operated. The Director of Services reconfirmed that no recruitment had yet been undertaken for this season for the reasons she had already provided.

Following further debate, the Chairman confirmed that this situation was under review in line with the pandemic and that when it was appropriate to review the situation, this would occur.

The Cabinet

RECOMMEND TO FULL COUNCIL – That

- (1) The General Fund Revenue budget as set out in Appendix 1 is approved;
- (2) Arun's Band D Council Tax for 2021/22 is set at £191.52, an increase of 2.65%;
- (3) Arun's Council Tax Requirement for 2021/22, based on a Band D Council Tax of £191.52, is set at £11,994,514 plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;
- (4) The HRA Budget as set out in Appendix 2 is approved;
- (5) The HRA rents for 2021/22 are increased by 1.5% (CPI plus 1%) in accordance with the provisions of the new rent standard;
- (6) HRA garage rents are increased by 5% to give a standard charge of £12.93 per week (excluding VAT), and heating and water/sewerage charges increased on a scheme by scheme basis, with a view to balancing costs with income; and
- (7) The Capital budget as set out in Appendix 3 is approved.

The Cabinet also noted

- (1) that the Group Head of Corporate Support, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Support, has approved a Council Tax base of 62,628 for 2021/22; and
- (2) the budget report in **Appendix A, 1,2 and 3**;

The Cabinet confirmed its decision as per Decision Notice C/052/0802021, a copy of which is attached to the signed copy of the Minutes.

466. ELECTRICITY SUPPLY CONTRACT FOR CORPORATE AND RESIDENTIAL SITES

The Chairman invited the Cabinet Member for Technical Services, Councillor Stanley, to introduce this item. Councillor Stanley explained that when the current electricity supply contract was entered into last spring, it was the first time that Arun District Council had obtained its electricity supply from renewable sources via a Renewable Energy Guarantees of Origin (REGO) certified contract. It was an important step in reducing the carbon emissions from the Council's activities, in support of its resolution on 15 January 2020, to work towards making the activities of the Council carbon neutral by 2030.

In identifying a successor supply contract, the Council was committed to ensuring it obtained value for money, but also retained a REGO certified renewable supply. The Group Head of Technical Services then briefly expanded on what was proposed.

Having responded to a range of questions where reassurance was provided that this was the greenest product available to the Council, the Cabinet

RESOLVED – That

- (1) it approves the appointment of LASER for a new electricity supplier by running a Mini Competition from an existing Framework Agreement;
- (2) it approves LASER for the managing of the resulting contract with the supplier on behalf of the Council;
- (3) following the initial contract set up with a new supplier of 12 month fixed period, to approve the continued appointment of LASER to negotiate an Evergreen contract for the year on year supply of electric rather than repeating the tender and appointment process ever few years;

Cabinet - 8.02.21

- (4) approve the supply contract for an Evergreen Period via LASER; renewable every 12 months following the initial 12 month fixed rate agreement period; and
- (5) give delegated authority to the Group Head of Corporate Support to enter into the necessary contracts.

The Cabinet confirmed its decision as per Decision Notice C/053/08022021, a copy of which is attached to the signed copy of the Minutes.

467. THE COUNCIL'S RESPONSE TO THE COVID-19 PANDEMIC SITUATION

The Chairman, as Leader of the Council, introduced this report explaining that it provided the most recent collation of issues around the Council and the District's position on the Coronavirus pandemic. It related particularly to the 4 January 2021 Lockdown and since the last Cabinet meeting on 11 January 2021.

It was reported that Officers had again set up a weekly Emergency Management Team to oversee issues that arose quickly, and thanks were extended to the sterling work of that team of Officers, who were working over and above their normal duties. The Chairman outlined that he and the Chief Executive had continued with the weekly briefings to all Members and the Council's partner organisations, which he hoped were still helpful. Any feedback on how to improve the briefings would be most welcome. At this point and in view of some emails received from Councillors, the Chairman provided some further information on the Community Champions Fund.

Finally, the Chairman confirmed that locally, Arun's Covid prevalence remained high, but it was slowly improving, and he thanked the public for their diligence. The Chief Executive then added some additional points – these were that:

- The Council had had to change its position on skateparks when the guidance changed overnight;
- It continued to look after rough sleepers, who were very vulnerable anyway, and that the Council would be proactively working with them to assist them;
- Environmental Health had been working with businesses that remained open to ensure the safety of their staff and customers;
- That the report included an update on the numerous grants that the Council continued to administer for the Government; and
- To re-emphasise that pressure on staff remained very high as they managed the demands of Covid-19 whilst undertaking the day to day job.

A range of questions were asked. Firstly, in providing some feedback, a request was made for the report to provide more information on Covid Marshalls in terms of where they operated, which was provided by the Chief Executive. Looking at Appendix A, and the grants received by the Council, it would be helpful to know how much had been paid out on top of what had been received. It was felt that this might urge those

who were entitled to grants to apply for them when perhaps they had not claimed in the past to avoid missed opportunities.

The Chairman responded confirming that the weekly report issued to all Councillors jointly from him and the Chief Executive did indicate how much had been paid out by each grant headline. Councillors were reminded that the rules on closing dates for entitlement were not set by the Council but by Central Government and so flexibility could not be applied if a deadline had been missed. The Chief Executive confirmed that on the issue of grants, he would look to see if any changes could be made in terms of showing the most accurate picture. On the issue of Covid Marshalls, an update was provided by the Group Head of Technical Services. Returning to the Covid grants [Appendix A] a request was made to provide more commentary and for those that contained no details. The Chairman confirmed that he would liaise with the Chief Executive to ensure that information would be provided.

Following some further questions regarding the 3D street art at Littlehampton and where the funding for this project had come from, the Cabinet

RESOLVED

That the report and actions to date be noted.

The Cabinet confirmed its decision as per Decision Notice C/054/0802021, a copy of which is attached to the signed copy of the Minutes.

468. OVERVIEW SELECT COMMITTEE - 26 JANUARY 2021

The Deputy Leader of the Council and Cabinet Member for Corporate Support, Councillor Oppler referred Cabinet's attention to Minute 438 [Update from the Residents' Survey Working Party] which set out a range of recommendations for Cabinet Members to consider.

The Cabinet

RESOLVED – That

(1) the Council carries out its 2021 Residents Satisfaction Survey using methods identified by the Working Party to improve participation across age groups, which can be implemented within budget, these are:

- a) Increase number of surveys, potentially offsetting this cost by not sending out follow up letters, numbers to be determined with the survey provider
- b) Carry out an open online survey alongside the targeted survey
- c) Explore options for incentives for survey completion to be vouchers for local businesses

Cabinet - 8.02.21

- d) Explore options for invitations to participate being sent in a more appealing format.
- e) Carry out an additional sample geographically targeted survey to target younger respondents

(2) delegated authority be given to the Group Head of Policy to work with our chosen provider to deliver the most representative survey for 2021, within existing budgets based on the recommendations of the Residents Satisfaction Survey Working Party and in consultation with the Chairman of the Working Party; and

(3) the effectiveness of the changed methodology be reviewed in the 2021 survey report and developed for future years.

The Cabinet confirmed its decision as per Decision Notice C/055/0802021, a copy of which is attached to the signed copy of the Minutes.

(The meeting concluded at 6.32 pm)

ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE MEETING HELD ON MONDAY 8 FEBRUARY 2021

REF NO.	DECISION
C/050/08022021	Urgent Business – Officer Decision Taken During the Coronavirus Emergency – Deferral of Rent from Qualifying Business Tenants
C/051/08022021	Budget Monitoring Report to 31 December 2020
C/052/08022021	Arun District Council Budget – 2021/22
C/053/08022021	Electricity Supply Contract for Corporate and Residential Sites
C/054/08022021	The Council's Response to the Covid-19 Pandemic Situation
C/055/08022021	Overview Select Committee – 26 January 2021 – Consideration of the Recommendations in Minute 438 – Update from the Residents' Satisfaction Survey Working Party

**PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00
A.M. ON 17 FEBRUARY 2021 UNLESS
THE CALL-IN PROCESS IS APPLIED**

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

They will need to:

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

REFERENCE NO: C/050/08022021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	YES
SUBJECT: URGENT BUSINESS – OFFICER DECISION TAKEN DURING THE CORONAVIRUS EMERGENCY – DEFERRAL OF RENT FROM QUALIFYING BUSINESS TENANTS	
OFFICER CONTACT: Nigel Lynn – Chief Executive Tel: 01903 737600 Email: nigel.lynn@arun.gov.uk	

EXECUTIVE SUMMARY:

In accordance with the provisions of the Officer Scheme of Delegation in the Council's Constitution, this report updates the Cabinet on a decision taken by Officers to incur expenditure or take urgent action in response to the Coronavirus emergency.

This has been included as an urgent item as the report was not prepared ahead of the agenda preparation timetable and this is the first opportunity to report the decision taken in line with the Council's Constitution.

To make available upon request a rent deferral scheme, in line with my delegated authority in connection with the peacetime emergency of the Covid 19 pandemic.

For SMEs* within the retail, leisure and hospitality sectors that rent premises from Arun District Council, we will upon request make available a facility to defer the payments of rent invoiced during January, February and March 2021. Acceptance of the offer would entail agreeing to a repayment plan with repayments at quarterly intervals between July 2021 and March 2022.

* We are to use a definition of small and medium-sized enterprises, (SMEs) for this purpose are defined as enterprises which: have fewer than 250 employees, and have either, an annual turnover not exceeding EUR 40 million, or an annual balance-sheet total not exceeding EUR 27 million (reference COMMISSION REGULATION (EC) No 70/2001 (Annex I)).

It does not extend to invoices sent in or prior to December 2020. The scope of this decision does not extend to collection of service charges which will continue as normal.

If all eligible businesses were to exercise the facility it would delay income of approx. £120K.

There is a risk of businesses failing before they are able to make the repayments. The risk of businesses failing would also exist, and may be increased, if no rent deferral facility were made available.

Note – this decision is not subject to Call-In.

DECISION:

The Cabinet

RESOLVED

The report be noted and the actions taken by Officers supported.

REASON FOR THE DECISION: To meet the requirements of the Council's Constitution and Section 138(1) of the Local Government Act 1972 confirms that "Where an emergency or disaster involving destruction or danger to life or property occurs or is imminent of there is reasonable ground for apprehending such an emergency or disaster, and a principle Council are of the opinion that it is likely to affect the whole or part of their area or all or some of its inhabitants, the Council may ... (a) incur such expenditure as they consider necessary in taking action themselves (either alone or jointly with any other person or body and either in their area or elsewhere in or outside the UK) which is calculated to avert, alleviate or eradicate in their area or among its inhabitants the effects or potential effects of the event;"

The Chief Executive has exercised his delegated authority at Part 4, Section 2, Paragraph 4.8 of the Officer Scheme of Delegation which confirms that he can incur this expenditure for meeting the purposes of the Local Government Act 1972, S 138 when it is in connection with peacetime emergencies and disasters.

This action has been reported to Cabinet at the first opportunity in line with the Constitution.

OPTIONS CONSIDERED BUT REJECTED: None

CABINET MEMBER(S):

**DECLARATION OF INTEREST BY CABINET MEMBER(S)
RESPONSIBLE FOR DECISION:**

None

DISPENSATIONS GRANTED :

**CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN
RESPECT OF THIS DECISION:**

None

REFERENCE NO: C/051/08022021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: BUDGET MONITORING REPORT TO 31 DECEMBER 2020	
OFFICER CONTACT: Carolin Martlew – Financial Services Manager Tel: 01903 737568 Email: carolin.martlew@arun.gov.uk	

EXECUTIVE SUMMARY: The Budget Monitoring Report sets out the Capital, Housing Revenue and General Fund Revenue Budget performance to the end of December 2020.	
DECISION: The Cabinet RESOLVED – That (1) The report in Appendix 1 be noted; (2) A transfer to earmarked reserves of £7.865 m for s31 Grant received in 2020/21 and £1.326m for in year Collection Fund losses be approved; and (3) The action taken to mitigate the Council’s net expenditure due to the Covid-19 pandemic be noted.	
REASON FOR THE DECISION: To ensure that spending is in line with approved Council policies and that it is contained within overall budget limits.	
OPTIONS CONSIDERED BUT REJECTED: There were no other options to consider.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/052/08022021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: ARUN DISTRICT COUNCIL BUDGET - 2021/22	
OFFICER CONTACT: Alan Peach – Group Head of Corporate Support Tel: 01903 737558 Email: alan.peach@arun.gov.uk	

EXECUTIVE SUMMARY:

The report sets out the Revenue and Capital Budgets for 2021/22 for both the General Fund and the Housing Revenue Account.

DECISION:

The Cabinet

RECOMMEND TO FULL COUNCIL – That

- (1) The General Fund Revenue budget as set out in Appendix 1 is approved;
- (2) Arun's Band D Council Tax for 2021/22 is set at £191.52, an increase of 2.65%;
- (3) Arun's Council Tax Requirement for 2021/22, based on a Band D Council Tax of £191.52, is set at £11,994,514 plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;
- (4) The HRA Budget as set out in Appendix 2 is approved;
- (5) The HRA rents for 2021/22 are increased by 1.5% (CPI plus 1%) in accordance with the provisions of the new rent standard;
- (6) HRA garage rents are increased by 5% to give a standard charge of £12.93 per week (excluding VAT), and heating and water/sewerage charges increased on a scheme by scheme basis, with a view to balancing costs with income; and
- (7) The Capital budget as set out in Appendix 3 is approved.

The Cabinet also

RESOLVED – That

- (1) It be noted that the Group Head of Corporate Support, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Support, has approved a Council Tax base of 62,628 for 2021/22;
- (2) the budget report in **Appendix A, 1,2 and 3** be noted.

REASON FOR THE DECISION:

To ensure that the Council has a firm financial basis for conducting its business in 2021/22.

OPTIONS CONSIDERED BUT REJECTED:

There were no other options to consider.

CABINET MEMBER(S):**DECLARATION OF INTEREST BY CABINET MEMBER(S)
RESPONSIBLE FOR DECISION:**

None

DISPENSATIONS GRANTED :

None

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

REFERENCE NO: C/053/08022021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: ELECTRICITY SUPPLY CONTRACT FOR CORPORATE AND RESIDENTIAL SITES	
OFFICER CONTACT: Nat Slade – Group Head of Technical Services Tel: 01903 737683 Email: nat.slade@arun.gov.uk	

EXECUTIVE SUMMARY:

To authorise entering into a contract with LASER Framework Agreement for the procurement and managed service of electricity to the Council's corporate and residential sites.

DECISION:

The Cabinet

RESOLVED – That

- (1) The appointment of LASER for a new electricity supplier by running a Mini-Competition from an existing Framework Agreement be approved;
- (2) LASER be approved for the managing of the resulting contract with the supplier on behalf of the Council;
- (3) Following the initial contract, set up with a new supplier of 12 month fixed period, and to approve the continued appointment of LASER to negotiate an Evergreen contract for the year on year supply of electric rather than repeating the tender and appointment process every few years;
- (4) Approve the supply contract for an Evergreen Period via LASER; renewable energy 12 months following the initial 12 month fixed rate agreement period; and
- (5) Delegated authority be given to the Group Head of Corporate Support to enter into the necessary contracts.

REASON FOR THE DECISION:

To ensure the Council continues to pay the most advantageous unit price for its electric supply to corporate and housing sites. To contribute to the Council's resolution on 15 January 2020, alongside the declaration of a climate emergency, to work towards making the activities of the Council carbon neutral by 2030. If the contract is not renewed, the Council will also pay additional charges for billing and standing charges.

OPTIONS CONSIDERED BUT REJECTED:

- (1) Procure a new contract directly with electrical supplier. This was not pursued as Arun has less purchasing power acting alone than if it procures via a Framework which is expected to provide better rates.
- (2) To take no action and run the risk of variable rate supply which will be more expensive than an agreed contract rate.

CABINET MEMBER(S):

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/054/08022021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: THE COUNCIL'S RESPONSE TO THE COVID-19 PANDEMIC SITUATION	
OFFICER CONTACT: Nigel Lynn – Chief Executive Tel: 01903 737600 Email: nigel.lynn@arun.gov.uk	

EXECUTIVE SUMMARY: This report updated Cabinet on the Council's response to the Covid-19 pandemic situation and outlined possible proposals for economic recovery.	
DECISION: Cabinet RESOLVED That the actions taken to date be noted.	
REASON FOR THE DECISION: For Cabinet to note the Council's response to the Covid-19 pandemic.	
OPTIONS CONSIDERED BUT REJECTED: To request further information.	
CABINET MEMBER(S):	
DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:	None
DISPENSATIONS GRANTED :	None
CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: None	

REFERENCE NO: C/055/08022021

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: OVERVIEW SELECT COMMITTEE - 26 JANUARY 2021	
OFFICER CONTACT: Jackie Follis – Group Head of Policy Tel: 01903 737600 Email: Jackie.follis@arun.gov.uk	

EXECUTIVE SUMMARY:

The Overview Select Committee on 6 October 2021 was presented with the 2020 Residents' Satisfaction Survey report. Following debate, a Member Working Party was established to review the method used for carrying out the survey and in particular how a wider response rate could be achieved. This report set out the background to the survey; the issues discussed by the Working Party; and recommendations to the Overview Select Committee on 26 January 2021.

The recommendation from the Overview Select Committee from its meeting held on 26 January 2021 – Minute 438 – were presented to Cabinet for approval.

DECISION:

The Cabinet

RESOLVED – That

- (1) The Council carries out its 2021 Residents' Satisfaction Survey using methods identified by the Working Party to improve participation across age groups which can be implemented within budget, these being:
 - a) Increase number of surveys, potentially offsetting this cost by not sending out follow up letters, numbers to be determined with the survey provider;
 - b) Carry out an open online survey alongside the targeted survey;
 - c) Explore options for incentives for survey completion to be vouchers for local businesses;
 - d) Explore options for invitations to participate being sent in a more appealing format;
 - e) Carry out an additional sample geographically targeted survey to target younger respondents
- (2) Delegated authority be given to the Group Head of Policy to work with the Council's chosen provider to deliver the most representative survey for 2021, within existing budgets based on the recommendations of the Residents' Satisfaction Survey Working Party and in consultation with the Chairman of the Working Party; and
- (3) The effectiveness of the changed methodology be reviewed in the 2021 survey report and developed for future years.

REASON FOR THE DECISION:

To improve the response rate amongst younger households for the annual Residents' Satisfaction Survey.

OPTIONS CONSIDERED BUT REJECTED:

To discuss any further changes to the survey methodology – not listed in the report.

CABINET MEMBER(S):

**DECLARATION OF INTEREST BY CABINET MEMBER(S)
RESPONSIBLE FOR DECISION:**

None

DISPENSATIONS GRANTED :

None

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

Public Document Pack Agenda Item 25

Subject to approval at the next Standards meeting

413

STANDARDS COMMITTEE

18 February 2021 at 6.00 pm

Present: Councillors Edwards (Chairman), Bennett (Vice-Chairman), Bower, Coster, English, Kelly and Mrs Warr [Substituting for Councillor Blanchard-Cooper].

Councillor Dixon was also present at the meeting.

Also presented were Independent Persons Mr J Thompson, MBE, Mr B Green, Mrs S Prail and Mr J Cooke.

[Note: The following Councillors were absent from the meeting during the consideration of the following matters set out in Minutes indicated: Councillor Mrs Warr – Minute 483 [Part] to Minute 492; and Councillor English – Minute 492.

479. WELCOME

The Chairman welcomed Members and Officers to this virtual meeting of the Standards Committee.

Having explained, the virtual meeting procedure rules in place, the following introductions were made by the Committee Services Manager:

Mr S Agutu – Interim Monitoring Officer
Mr P Hoey – Hoey Ainscough Associates Ltd

480. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Blanchard-Cooper and Tilbrook.

481. DECLARATIONS OF INTEREST

No Declarations of Interest were made.

482. MINUTES

The Minutes of the meeting held on 3 December 2020 were approved by the Committee as a correct record and would be signed by the Chairman as soon as possible following the Council's resumption of normal working.

483. LOCAL ASSESSMENT (CASE AND HEARINGS) PROCEDURE REVIEW

The Interim Monitoring Officer introduced this report following a review of the Local Assessment Procedure which had been undertaken as part of the review of the Code of Conduct.

The Interim Monitoring Officer explained that the review of the procedure undertaken formed two parts, the hearing process and the case handling process. Also, to be noted in reviewing this matter was that the Appendices to the report contained tracked changes to highlight points raised by the Council's Officer team in reviewing the procedure and those raised by Hoey Ainscough Associates (HAA) who had conducted this review. The purpose was for the Committee to consider the changes and to confirm if these could be accepted.

In view of HAA's role in this review, Mr Hoey was then invited to explain the detail of the draft document produced and to respond to any questions or queries from Members. He explained that both appendices had been drafted to be used as internal documents and so once approved there would be the need to draft a simplified procedure for public viewing.

The Committee worked through the Appendices to the report section by section with many issues being raised which have been set out below:

Appendix 1 – Case Handling Procedure

- On the Initial Assessment – Paragraph 2 - the wording “This will be completed within 28 working days” had been struck out. Since it had been proposed to reduce this to ten days further on in the documents, the question asked was if this was workable and would this place undue stress onto Officers in terms of meeting this deadline? Mr Hoey provided clarification in that the 10 days referred to and the 28 days referred to were two completely different elements of the process. The 28 days was saying that when a complaint was submitted, the Monitoring Officer (MO) had 28 days to complete the process, to decide if any action should or should not be taken. The 10 days referred to later formed part of the process where the Subject Member (SM) would be invited to comment on the complaint before them – it was at that time that the SM had 10 days, within the 28 day timeframe to provide their views.
- Concerns were expressed on this and reassurance was requested that the timeframe for complaints would not be extended to 38 days as this would make it too stressful for those involved. Mr Hoey confirmed that the 28 days was an absolute and that the 10 days were a sub-set within those 28 days. He then reminded Members of the process and the timeline in place for processing and dealing with complaints. There were Councillors who were not happy with the wording in this section stating that it was not clear. It was agreed that this would be looked at again and that the

wording “This will be completed within 28 working days” should be reinstated in this paragraph.

- Paragraph 3 stated that anonymous complaints would not be accepted unless the MO concluded that there was a compelling public interest. The rationale behind this was questioned as some Councils did allow these and some didn't. Mr Hoey outlined that some Councils had dealt with anonymous complaints as they had sufficient evidence and seriousness that they should and could be investigated as the evidence was sufficient. In most cases, it was not possible to pursue these types of complaints without knowing who the complainant was.
- A suggestion was made that a simple flowchart be inserted to illustrate the process more simply. Mr Hoey responded stating that once the procedure was in its final form; this would be a great approach to use with the public facing document.
- Paragraph 7 – An Independent Person (IP) thought that it might be helpful to set out how and with whom the IP's confidence in this part of the process was shared in terms of transparency so that it was clear whether the IP's part in the process was being shared with just the MO or with a wider audience and/or the complainant. Mr Hoey outlined that there were some Information Commissioner cases around this in terms of at what stage could the IP's views be disclosed. He presented his views confirming at this stage in the process (Initial Assessment) it be kept simple with the complainant being told that an IP had been consulted and had agreed with their views but not disclosing these as they were confidential but later in the process, when an IP was giving views at a hearing, then those views would be public views and needed to be published as part of the decision notice. Mr Hoey confirmed that he would be happy to reflect this in the process, but caution needed to be raised in terms of it being too open and transparent at this stage in the process.
- Concerns were expressed on the fact that the Council had no authority to deal with complaints which related solely to a Councillor's private life or things they did which were not related to their role as a Councillor. Clarification was sought. Mr Hoey confirmed that the law [the Localism Act 2011] was very clear in that the Code of Conduct could only apply when acting as a Councillor – the law did not allow for investigation into Code of Conduct complaints when these were about a Councillor's private life or what they may have placed onto social media as an individual rather than a Councillor. This explanation generated many questions and queries in terms of examples and instances where it had been seen that this was not the case.
- Lengthy discussion then took place on this matter and it was felt that the final sentence to Paragraph 5 [The Council has no authority to deal with complaints which relate solely to a Councillor's private life Should be deleted. This was because in the examples discussed, there was no opportunity for such cases to be then investigated further by the MO which was felt to be dangerous and would prevent people from reporting instances and having them heard and then having the judgement made to

determine if a breach of the Code had taken place or that the matter was personal and could not be investigated further.

- On Paragraph 7 – when an IP was invited to take part in an investigation, then that the same IP would be used for all steps in the case handling and hearing parts of the investigation. Mr Hoey agreed that it should be the same IP throughout the process and that this should be made clear in the procedure – he would review and check that this was the case.
- On Paragraph 10(k) and the additional discretionary factor incorporated around misconduct at formal Council meetings, did this really add anything in terms of picking up additional points and if retained, should it not be made clear that this should apply just as much to Committee meetings not just Council meetings and that it also should apply to Town and Parish Councils, being fairly applied across all tiers of local government. Discussion on this was expanded because this mentioned that the view of the Chairman would be required. What would happen if it was the Chairman of the meeting that was being attacked? Mr Hoey confirmed that this paragraph had been added at the request of Officers. The Interim MO outlined that he had been trying to strengthen the role of the Chairman of a meeting [Council or Committee] to make them aware of the sanctions that role had and that they could refer some misconduct to the Standards Committee for investigation. It was hoped that this might encourage better behaviour and would strengthen the authority of the Chairman of a Committee or Council meeting. The Interim MO stated that this had been left open for discussion by the Committee.
- This generated wide discussion with many Members of the Committee not being sure if this should or needed to be included. It was pointed out that there were many differences between being Chairman of the Council and Chairman of a Committee and that these differences needed to be recognised and enforced.
- Other Members of the Committee were against this being included because in the case of any breach taking place, the process to be followed was clearly set out.
- Following further discussion, it was agreed that the Interim MO would take another look at this paragraph for the Committee to consider.

Informal Resolution

No comments were raised.

Investigation

- Paragraph 21 - On the role of IP it was felt by an IP that it should set out exactly what the Subject Member (SM) could seek more from the IP, the role of the IP should be very clearly defined setting out what views the SM could or should be able to consult the IP on and if these should be shared with the MO to reflect good practice. More clarity on the role and the process for recording such views was thought to be needed.

- This point was agreed by some Members of the Committee.
- On Paragraph 22, there were concerns that the SM and the Complainant could speak to the IP – how easy did it then make it for the IP to remain independent? It was therefore felt that some clarity needed to be applied to Paragraphs 21 and 22 to confirm when a SM or complainant might not have the ability to consult an IP.
- John Thompson confirmed that this had not at any time been an issue for him during his time as an IP.
- Mr Hoey confirmed that Paragraph 21 was a statutory requirement and for during the investigation stage. With regard to what the IP could or could not say, he would not wish to write this into the process, however, it was important that there be in place desk instructions that would underline this process; a piece of work to be actioned to ensure that the IP would be aware of what they could and could not say to each party; that it be made clear in any correspondence with the SM that they could consult with the IP.
- Paragraph 22 was not a statutory requirement meaning that the Council could choose to include this into its processes or not.
- Arun had four IPs and so it was felt that there was even greater need to fully set out the consistency of the role in relation to Paragraphs 21 and 22 so that it underlined exactly what the IP role was.

Hearings Panel

- Paragraph 32 – there was concern from one Member that the word ‘public’ had been crossed out and been replaced with ‘private’. This was queried as it was this Member’s recollection that hearings in the future should be held in public. Clarity was requested. Mr Hoey stated that in his view the law was very clear in that hearings had to be held in public unless there were lawful reasons why a matter needed to be confidential.
- The Interim MO explained why ‘public’ had been crossed out. He stated that if a hearing was public and papers had been placed into the public domain, if during the course of the hearing there was a need for it to be heard in private session, those papers had already become publicly available. Whereas, if the hearing started in private session, and it was then decided that it could be heard in public, then it could become a public hearing without having put confidential information in the public arena.
- This response had mixed views and it was felt that perhaps the way the procedure had been written needed to change – it was one Councillor’s view that the hearings should be public.
- The Interim MO explained the difference at Arun which was the status of the Sub-Committee had been changed to a Panel. The law required Committees to be open to the public, but Panels could be private bodies. There were some cases when it was clear that the hearing had to be either public or private.

Standards - 18.02.21

- An IP was of the view that it should be public subject to the normal rules being able to be put into place to cover exemption. On Paragraphs 33 [the view of the IP be sought and made public] it needed to be clear in terms of what was meant by 'public' – what was the process for this? On Paragraph 36 'Sub-Committee' needed to be changed to 'Hearings Panel' to be compatible with the rest of the procedure. Steps for the IPs views to be shared before the Panel retired, also needed to be built into the procedure. This had been built into the procedure later on but not at this point. It was felt that under the procedure for hearings at Paragraph 14 – the IP retiring again to consider what if any sanctions be imposed, needed to be looked at again.
- Other Committee Members felt uneasy about hearings being held in public. The minutes which were part of the adjudication process were public documents and this should suffice. Also, a private hearing could become public if it needed to be. The consequences of a holding a hearing in public and the possibility of legal challenge needed to be properly thought through.
- A very lengthy discussion followed with the Committee ending up being in the position where it could not agree whether a hearing should be public or private.
- It was felt that Paragraph 32 be reworded to reflect the views of the Committee – but the Committee could not agree what its view should be.
- Paragraph 33 – it was felt that the IP should retire with the Hearings Panel as the IP had a vital input to the entire process.
- It was felt that it should not be for the Hearings Panel to determine if a Panel should be held in public or private session – this should be for the MO to determine.
- The draft procedure written made it sound that it was for the Hearings Panel to determine if the hearing should be private or public and there were Members who could not agree to this – referring it to the MO to make that decision.
- Mr Hoey to assist explained his understanding of the law and Interim MO explained his.
- This left the Committee split in terms of how it should proceed.

Following further debate, a consensus decision could still not be reached. Councillor Bennett then proposed:

“Agendas for Hearing Panels shall be published and held in public unless the exemptions set out under the procedure for hearings before a Hearings Panel of the Standards Committee at Paragraph 4 – a) and b) could be applied”

Councillor Mrs Warr seconded this proposal.

In discussing this amendment, Councillor Bower confirmed that he could not support this and that this would not work and then proposed a further amendment to read:

“That the wording as set out at Paragraph 32 under Hearings Panel be accepted, this being that the Hearings Panel will meet in private subject to the normal rules on exempt and confidential information”.

Mr Hoey provided further advice and following further debate on Councillor Bennett’s proposal being put to the vote it was declared LOST.

The Chairman then returned to Councillor Bower’s counter proposal which he reconfirmed. Having reconfirmed the wording, the Chairman outlined that this almost duplicated the wording at Paragraph 32, but that with the Committee’s permission, that the wording as follows be added **in bold**:

“The Hearings Panel will meet in private subject to the normal rules on exempt and confidential information **being met at Paragraph 4 (a) and (b) of the procedure for hearings**. This was agreed by Councillor Bower.

Having got to this stage, Mr Hoey asked if he could provide some further clarity on the views of the Independent Person – as raised by an IP earlier on in the meeting in relation to Paragraph 33. Mr Hoey confirmed that the IP’s views would be given as part of the full session of the Hearing. It was accepted that this did need to be clarified in more detail. He referred to case law confirming that the IP could not then retire with the Hearings Panel.

In response, an IP stated that in Paragraph 14 on the procedure for hearings, this stated that the IP would retire again with the Hearings Panel to consider what any sanction it wished would be imposed. Mr Hoey outlined that this appeared to be an error and should have read WITHOUT the IP.

The Committee then moved on to discuss Annexe 2 – the procedure for hearings and the sanctions available to a Hearings Panel.

A query was raised as to whether the SM should remain in the hearing at all times as this had not been listed clearly in the procedure. Mr Hoey confirmed that the SM should be present throughout the hearing so that they could hear the evidence against them. It was agreed that the procedure rules needed to be checked to ensure that this requirement was accurately included.

The Chairman made an observation and it was agreed that under Paragraph 35 (j) “if relevant recommend to the Secretary or appropriate official of the Group that the Member be removed as Group Leader of other position of responsibility” should have been carried over to be included in the list of sanctions available to a Hearings Panel”. This was noted and agreed.

The Chairman then returned to the options that were available to the Committee in reviewing the Local Assessment (Case and Hearings) Procedure.

Standards - 18.02.21

The Committee

RESOLVED

To adopt the Local Assessment (Case and Hearings) Procedure Review as conducted by Hoey Ainscough Associated Ltd to include the amendments discussed and approved at the meeting.

484. REVIEW AND REVISION OF THE MEMBER CODE OF CONDUCT

The Interim Monitoring Officer introduced this report, outlining the Model Code of Conduct that was produced by the Local Government Association. It was open to the Council to adopt this Code in whole, or with amendments. Alternatively, the Council could amend its existing Member Code of Conduct.

It was explained that the LGA Model Code used slightly different terminology for declaring interests. The Interim Monitoring Officer had taken the view that the current Arun scheme for declaring interests was clearer than the LGA Model Code and so it was being recommended to the Committee that Appendix B of the LGA Model Code be substituted with the Arun Scheme of declarations of interest.

In discussing the new Code, it was emphasised how important it was to ensure that as much as possible the Town and Parish Councils would also sign up and adopt this new code.

The Committee

RECOMMENDED TO FULL COUNCIL - That

- 1) It notes that the adoption of a Code of Conduct for Members is merely one aspect of the overriding duty to promote and maintain high standards of conduct my Members;
- 2) The Local Government Association's New Model Member Code of Conduct 2020 be adapted with the substitution of the Arun Appendix B for the LGA Appendix B and adopted in principle as the proposed Statutory Arun Member Code of Conduct; and
- 3) Where Committee agrees to 2 above, the Interim Monitoring Officer consult with the County Council and the ADC Parish Councils with a view to adopting a consistent code across Arun District.

485. REVIEW OF INDEPENDENT PERSONS TO THE STANDARDS COMMITTEE

The Interim Monitoring Officer presented this report, which referred to the continuation of the appointment of two Independent Persons, in line with the terms of their original appointment.

The Committee

RESOLVED – That

- (1) The appointment of John Cooke and Sandra Prail as Independent Persons to the Standards Committee be confirmed for the remainder of their term of office; and
- (2) The Interim Monitoring Officer be given authority to confirm the continuation of these appointments with the Independent Persons, as set out in the report.

486. RECRUITMENT OF A REPLACEMENT INDEPENDENT PERSON TO THE STANDARDS COMMITTEE

The Interim Monitoring Officer presented this report which informed the Committee that an existing Independent Person had resigned from the role, effective from 31 March 2021. The Committee was asked to consider whether it wished to recruit a replacement in order to maintain the 'pool' of four Independent Persons.

The Committee was reminded that the Localism Act 2011 (Section 28) required local authorities to appoint at least one Independent Person to its Standards Committee. The Council's Constitution at Part 3, Paragraph 4.5 required the Committee to have access to three Independent Persons.

The Committee was advised that, should it agree to pursue a recruitment drive to fill the fourth post, any appointment of a successful candidate would be recommended to Full Council in line with the Constitution at Part 3; Para 4.5[7]).

In debating this item, the Committee thanked Mr Green for his long service as an Independent Person and for the dedication he had given to this role.

The Committee had mixed views in terms of whether the recruitment of a replacement IP was needed. One Councillor supported the proposal to recruit a further IP in view of the number of Code of Conduct complaints that had been submitted recently as this would allow the workload of IPs to be more fairly distributed.

Other IPs spoke and confirmed that they felt the additional person was not needed as to have three IPs was adequate with the current workload not being overwhelming in any way at all. It was also important for each IP to experience consistency of work which with another IP would become less frequent.

Standards - 18.02.21

Following discussion, Councillor Bennett proposed an amendment to Recommendations (1) and (2) in that they be replaced with a new Recommendation (1) to read “that the decision to recruit a replacement Independent Person to the Standards Committee at this time be deferred for twelve months to allow time to assess the workload for the Independent Persons with an update report being brought back to the Committee”

Councillor Edwards seconded this amendment. On this being put to the vote it was declared CARRIED.

The Committee then returned to the substantive recommendations and

RESOLVED – That

(1) the decision to recruit a replacement Independent Person to the Standards Committee be deferred for twelve months to allow time to assess the workload for the Independent Persons with an update report being brought back to the Committee”; and

(2) a vote of thanks be recorded in the minutes to Brian Green for his service to the community in his role as an Independent Person.

487. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS

In presenting this report, the Committee were advised of any updates on Code of Conduct complaints received or completed since the last meeting.

The Committee then

RESOLVED

That the Register of Complaints against Councillors and progress of any outstanding complaints be noted.

488. EXEMPT INFORMATION

The Committee

RESOLVED

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

489. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS
[EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO INDIVIDUALS]

The Interim Monitoring Officer presented this report and provided verbal updates on several the cases included in the register.

Following a brief discussion, the Committee

RESOLVED

That the Register of Complaints against Councillors be noted.

490. CHANGE TO THE ORDER OF THE AGENDA

The Chairman requested and the Committee agreed to a change in the order of the agenda to bring forward Item 13 [Data Protection Breach – Referral from the Audit & Governance Committee] to be considered next.

491. DATA PROTECTION BREACH - REFERRAL FROM THE AUDIT &
GOVERNANCE COMMITTEE [EXEMPT - PARAGRAPH 1 - INFORMATION
RELATING TO INDIVIDUALS]

The Committee received a report from the Interim Monitoring Officer outlining that the Council was responsible for protecting personal data that was collected, processed, stored and disposed of in accordance with the Data Protection Act 2018.

Following a data protection breach the Council had become aware of in July 2020, the Information Commissioners (ICO) recommended that the Council minimised the risk of future data protection breach by raising awareness of the importance of Members and Officers being familiar with Council policies and completing mandatory training.

As a result of the data breach, the Audit & Governance Committee, at its meeting held on 19 November 2020, had considered the matter as a governance issue and had recommended that this Committee also be made aware of the matter to consider any needed Member Conduct issues.

The Standards Committee was therefore asked to consider the matter and whether any further action should be taken.

The Committee

RESOLVED

That the referral from the Audit & Governance Committee be noted and that no further action be taken.

Standards - 18.02.21

492. REQUEST FOR A REVIEW OF A PANEL DECISION [EXEMPT - PARAGRAPH 1- INFORMATION RELATING TO INDIVIDUALS]

(Prior to the consideration of this matter, Councillor English declared a Personal Interest in this matter and chose to leave the meeting as he was a complainant involved in this complaint).

The Committee received a report from the Interim Monitoring Officer who reported that a Subject Member had requested a review of the decision made against them. In line with the Council's Local Assessment Process the Subject Member had submitted an appeal request which the Committee now needed to consider

Following discussion, the Committee

RESOLVED

That the request for a review of the Panel decision be refused.

(The meeting concluded at 9.30 pm)

Public Document Pack Agenda Item 26

Subject to approval at the next Planning Policy Sub-Committee meeting

1

PLANNING POLICY SUB-COMMITTEE

23 February 2021 at 6.00 pm

Present: Councillors Mrs Yeates (Chairman), Bennett, Bower, Dixon, Elkins, Hughes, Lury, Ms Thurston, Tilbrook and Coster (Substitute for Huntley)

[Note: Councillor Hughes was absent during consideration of the matters referred to in the following minutes – Minute 32 to Minute 35 (Part)].

32. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Chapman, Charles, Mrs Daniells, Huntley and Jones.

33. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

34. MINUTES

The Minutes of the Sub-Committee meeting held on 15 December 2020 were approved by the Sub-Committee as a correct record and would be signed by the Chairman at the earliest opportunity.

35. LOCAL PLAN UPDATE - VISION AND OBJECTIVES

The Sub-Committee received a report from the Principal Planning Policy Team Leader which set out the background as to why the Council was formulating the proposed Vision and Objectives and it set out the process followed to get to this point. The Council was updating the Arun Local Plan 2018 following a Full Council decision made on 15 January 2020. This had been triggered due to issues surrounding housing delivery performance and as the Council had declared a climate change emergency and had identified its key sustainability priorities which had driven this process forward. Also, In July 2020, the Council had adopted the Local Development Scheme which set out the plan making programme and the timescale by which the Council would adopt a new updated plan by 2023 identifying that development management policies and environmental standards would be looked at but also strategic policies in reviewing the update to the Local Plan.

It was explained that the Vision and Objectives was a very important step in the process where the Council came to a view about the direction of travel it wanted to take in undertaking its Local Plan update. It also set out the overall direction of travel and the scope of the Plan in terms of the work that needed to be undertaken and so was a critical step.

The Sub-Committee was reminded that three Member workshops had been held in December 2020 and January 2021 as well as a question and answer session; presentation and further background information and a feedback form to steer the work and collate Member input. The draft Vision and Objectives, which had been attached to the report as Appendix 1, had accommodated a range of Member views that were important to include and reflected emerging best practice and national policy. However, in doing so, to make the Vision and Objectives read concisely, Officers had streamlined it to make sure that it still covered the key points raised but at a general level in order to allow more detailed policies to emerge that would address the more detailed considerations raised.

The Planning Policy Team Leader then worked through the Vision and Objectives document explaining its key themes and stated that the Sub-Committee was being asked to consider it and hopefully agree its content so that it could then be recommended onto Full Council on 17 March 2021 for adoption.

The Chairman then invited debate on this item. In view of the detail and number of queries and points raised, these have been summarised in the bullet points below:

- On the Vision it was felt that this did not put enough emphasis onto the economic activity that was necessary to support the District.
- There were also some areas that were beyond the scope of the Council that needed to be taken up with third parties under the Economic and Infrastructure section such as high quality education and the prospects of schools. It was felt that these would only be achieved if the Council got buy in from West Sussex County Council (WSSCC) or other parties that should be involved and so it was vital to ensure that these third parties be consulted and should agree to what the Council was stating.
- It was felt that there needed to be a minimum 15-year period from adoption and clarification was sought as the NPPF stated that strategic policies should look ahead over a minimum 15-year period from adoption to anticipate and respond to long term requirements and opportunities. Another point raised was what implications there would be for the Local Plan with the Government dropping the algorithm as this would bring the Council's housing number per annum down from 2,000 to 1,300. It was felt that the 5-year extension approved in January 2020 was a mistake as this would mean that it would be out of date before it was even adopted as the process would take 3-5 years.
- In response to this, the Planning Policy Team Leader confirmed that the reference made to the NPPF was correct and that it did state that strategic policies should look ahead to 15 years. The Council had taken its decision to review its plan to 2036 on the basis that it had some priorities in terms of the climate change issues and the policy standards in the Local Plan. There were precedents for plans being adopted with 13 year (Arun's adopted Local Plan) and 10 year (Bedford Borough Council's

Local Plan trajectories – but Inspectors would need to understand the reasons and would be expected to require immediate/early plan reviews.

- Discussion then looked at how this might affect evidence base work. It was explained that the next agenda item described the work undertaken to date and what was planned. There was flexibility on the timing which would help to prioritise and avoid abortive work should national guidance change. The first stages of work were already underway on updating the transport model. Looking at scenarios would be the next phase; followed by the active travel study, whilst progress was underway on the Active Travel Study. Briefs for the next phase of studies were being prepared so these could be built into those timescales ensuring that the evidence required covered the right time period.
- Discussing the plan period 2036 and 2040 – one thing to bear in mind was the Council’s declaration of a climate emergency and the Council’s need to reach net zero by 2030 which was a commitment for District Council operations but not for the whole District and so caution needed to be applied when using the date of 2036 for that purpose.
- On the wording for the Economy and Infrastructure – alternative wording to the introduction was suggested that “Arun District will be progressing towards zero carbon targets” and this should be added onto the end of the Vision in view of its importance.
- Under Economy and Infrastructure on the introduction and the points listed, none of the items listed would achieve zero carbon emissions by 2030 and so this was not clearly worded enough. Alternative wording proposed was “Arun will develop a thriving economy **by** but the zero carbon emissions point could not be used to identify how the Council would achieve this. It was felt that this needed to be moved up to the Vision section and then add the following wording to the end of the Vision **“Arun District will be progressing towards its zero carbon target commitments”**, as it was difficult to agree on a date. The importance of working with partners to achieve these targets was emphasised as it was impossible for the Council to achieve this in isolation. It was agreed that this had been a difficult task to bring all the comments together, although progress had been made. Points were made that the appendix needed more editing before it could be finally adopted.
- There were three mentions of flooding in three different places and three mentions of skills in the Economy section and so another request for rewording the document was made.
- It was felt that the layout needed to also be changed as the Sustainable Communities section should be combined with the Place Making section. It was also pointed out that some sections had an introduction, and some didn’t and that the document needed to be consistent with more standardisation and less repetition and more focus on climate change.

Planning Policy Sub-Committee - 23.02.21

- In terms of education it was pointed out that the Council had no control but did encourage collaborative partnerships and so this was one of the most important things that the Council needed to do.
- It was vital to improve waste levels as well and also important to acknowledge the points made earlier i.e. if it had already been decided to spend a large amount of money on this, it was not logical to do that for just a 5 year extension which could be out of date by the time it was introduced. Would it cost more to have a 10-year extension and not a 5-year extension?
- On the Vision, there were things that had been left out. One was comfortable unobstructed convenient and independent transport facilities for all age groups – this could be electric cars or buses. This was because the Council was heading towards increasing congestion and so there was need to make sure that there would be independent transport facilities for all age groups – this had to be included in the Vision.
- There was also the need to include prompt and easily accessible health facilities for all types – although this had been referenced it was not very specific.
- Also, that residents should be able to live in easy reach of open and rural environments – this had a lot of implications in terms of what the Council was going to build and where it was planning to build it.
- It was felt that the wording “focussed in centres” should be removed from the Vision – should the Council bind itself to this as it may not be able to achieve this.
- On Place Making and the second bullet point on flooding, it was felt that this did not make sense and needed to be reworded to “Existing and proposed communities should be protected through flood prevention and by avoiding development in areas that were known to be at risk of flooding” to make it more succinct and to the point.
- The fourth bullet point under Place Making – the words places and spaces were too vague and the word buildings needed to be added.
- On bullet point 6 – that the words “that through new development – be deleted as this was not logical
- On the Environment concern was expressed on bullet point 2 and the words “high quality farmland” – it was felt that the Council was not doing this now and was allowing consents on high quality farmland now so was this a change of approach?

In view of the number of points raised, the Group Head of Planning interjected wishing to clarify what the purpose of the Vision and Objectives document was. He stated that many of the comments made were almost ‘pseudo policies’ as opposed to overarching aims. This document set out what this Council’s aspirations would be, it was not stating that this was what the Council would categorically do.

Debate recommenced on the Appendix:

- Grammatical changes were requested.
- Under Vision – should the word ‘urban’ be added to focussed in centres.
- On Economy and Infrastructure and the introduction – did this relate to zero targets for the District or the Council – this was because the Council had little control over the whole district.
- On the first bullet point for Economy and Infrastructure, clarity was sought on the wording “attracts inwards investment and quality new employers to increase wealth and earnings”. It was felt that this needed to include existing employers as well and be reworded to include higher quality better paid employment.
- The mention of SUDS in place making was not accepted as it was felt that SUDS did not work well in this area with such a high water table and the Lidsey Surface Water Management Plan confirmed this.
- The last bullet point on Place Making – the word construction needed to be removed and replaced with new buildings.
- It was important that local identity was protected. In the Environment section the Council did have an element of outstanding landscape, coastal gaps and historic character that needed to be protected. A unique situation was highlighted by Councillor Elkins where up to the Worthing Borough boundary there was land within the gap which was contiguous with Arun. Worthing Borough Council in its Local Plan also had this gap protected but had it strengthened by having it classed as a local green space which was within their proposal. Their studies had been completed in conjunction with both Councils giving evidence to the benefits of including this area within a local green space. Councillor Elkins stated that he was looking to strengthen this for this area where there was a unique setting between adjacent authorities and asked that this area be protected by use of local green space and guidance was sought.

The Chairman asked for an opinion from the Sub-Committee how this document could be moved forward in view of the many points raised and requests for changes made.

The Group Head of Planning assisted stating that what was needed was a resolution from the Sub-Committee providing a steer in terms of what it wanted Officers to do. Was this to defer the item and request Officers to go away and work up a revised Aims and Objectives document as all that had been achieved so far was a long list of individual Member comments. Did the Sub-Committee agree with these changes and suggestions or did it wish for Officers to rework up a revised document. A suggestion was made as to whether the changes discussed could be listed and agreed through an exchange of emails or whether it was possible to convene a further meeting of the Sub-Committee to work through the revisions suggested. The consequences of not being able to finalise the Aims and Objectives document were explained to the Sub-Committee by the Planning Policy Team Leader. The view of the Sub-Committee was

Planning Policy Sub-Committee - 23.02.21

that this needed to be finalised and forwarded to Full Council on 17 March 2021 for final adoption.

Councillor Elkins requested to receive a response to the point he had raised under the Environment heading with regard to making a local green space. The Group Head of Planning stated that this was referring to a specific site whereas the Visions and Objectives were not site specific and should not be site specific. What Worthing Borough Council had done within its Borough had been following evidence and consultation to allocate a piece of land through a policy not via a vision and objectives document. For Arun to do this, it would need to apply the same process if this was where the Council wished to end up, which was to consider allocating a piece of land as a local green space or a protected area designating some description. That would be a site-specific matter for a policy.

The Chairman then proceeded to raise each of the amendments made to the Aims and Objectives document one by one to see if these could be approved stating that coastal and rural gaps should be included within the Aims and Objectives document.

The Chairman invited further comment from the Sub-Committee.

It was the view of one Member that having heard the discussion there were other points that needed to be made. For the Council to potentially look forward in terms of the length of the local plan, the less certain the evidence base became and so needed to be considered with some caution. It was hoped and believed that Government would change the rules for local plans in terms of making them 5-year spans meaning that the view of setting a goal for 2036, 2038 or 2040 was somewhat pointless. This suggested that the Aims and Objectives looking that far ahead would not be achievable because so much would change. It was also felt that to set goals for the whole of the District in terms of climate change was not achievable either as the Council could not apply legislation onto companies and residents. It was essential that this reflected all of the discussion that had taken place and that all of the Sub-Committee was in agreement with the wording in the document before it went to Full Council for final approval.

There were Members of the Sub-Committee who agreed that the Aims and Objectives document needed to be resolved so that it could be debated at Full Council somehow but that the document needed to be revised and edited and agreed before Full Council debate. It was agreed that the document needed to be rewritten and edited. Suggestions were made to convene a further meeting of the Sub-Committee to complete this task, but there was insufficient time to do this in view of Full Council deadlines. The Chairman asked if she could make the consequential changes requested.

The Planning Policy Team Leader provided input and advice reminding Members that the Vision and Objective document represented the Council's aspirations at this point. It was accepted that this was always going to be a difficult task, but this was why the various Member workshops and presentations had been held earlier to cover the viewpoints raised. It was important to finalise this document as it would become the

corporate vision for the authority to help engage with all other stakeholders to help align respective plan making and strategies for example WSCC on education and partnerships.

The Chairman proposed that all of the issues raised be voted upon so that the document could be revised and presented to Full Council. In attempting to action this, it proved too difficult to achieve.

The Planning Policy Team Leader was asked to confirm what the implications would be if the document was deferred for further consideration. Members were advised that if this route was approved, then the document would be reported to the first meeting of the new Planning Policy Committee on 1 June 2021 and so would impact the Local Plan Review and the update on the evidence base which would delay the engagement process with other Local Authorities; infrastructure providers and agencies, causing a consequential domino effect on the Local Plan timetable.

Further discussion took place and suggestions were made as to whether it was possible to finalise the document outside of the meeting with all Members of the Sub-Committee being involved. This suggestion was not recommended as a sensible way forward.

Following further debate, and having discussed how this matter could be progressed to allow the document to be finalised and recommended onto Full Council it was suggested that the Sub-Committee could give delegated authority to the Chairman; Vice-Chairman; the Cabinet Member for Planning in consultation with the Group Head of Planning to finalise the document and in full consultation with the Sub-Committee to allow it to be presented to Full Council on 17 March 2021.

Following further lengthy debate, Councillor Bennett put forward this proposal and this was seconded by Councillor Ms Thurston.

Debate on this proposal then took place and it was suggested that the Shadow Cabinet Member for Planning, Councillor Charles, be included in those that would be given delegated authority. A suggestion was then made that Councillor Charles be replaced with Councillor Bower. A suggestion was then made that Councillor Dixon be included and a further suggestion was then made that Councillor Ms Thurston be included. As no consensus agreement could be reached, Councillor Bennett requested that his proposal be put to the vote.

A recorded vote was requested.

Those voting for Councillor Bennett's proposal were Councillors Bennett, Lury, Ms Thurston, Tilbrook and Mrs Yeates (5). Those voting against were Councillor Bower (1). Councillors Coster, Dixon, Elkins and Hughes abstained from voting (4).

This amendment was therefore CARRIED.

Planning Policy Sub-Committee - 23.02.21

The Chairman stated that this was the only way that would allow for the Aims and Objectives document to be finalised and recommended onto Full Council for approval.

Following further discussion,

The Sub-Committee

RESOLVED

That delegated authority be given to the Chairman and Vice-Chairman of the Planning Policy Sub-Committee; the Cabinet Member for Planning, in consultation with the Group Head of Planning to finalise the Vision and Objectives document, in consultation with the Sub-Committee, based on the comments and suggestions raised during the meeting so that it could be recommended onto Full Council on 17 March 2021 for adoption.

36. LOCAL PLAN EVIDENCE UPDATE

The Sub-Committee received a report from the Planning Policy Team Leader which provided an update on the current and pending evidence studies being progressed to inform the update of the Arun Local Plan 2018. The Sub-Committee was being asked to note this update report.

The Planning Policy Team Leader explained that the Council had updated its Local Development Scheme in July 2020 which had set the overall plan making timetable and reflected the Council's priorities for urgently updating the Development Management policies. The current and future programme of work and studies had been set out within the report and these were briefly explained.

In discussing the report, support was given to updating the Arun Transport Model as this had last been completed in 2015. It was also recognised that it was desperately important to undertake this work in light of all that was going on with highways and transport. As this subject was so key to the development of the revised plan, Councillors were interested to learn what opportunity there would be for them to have input into developing these studies as it was important for Councillors to begin to understand what would be proposed and what was going to happen with Arun transport as this was a developing issue now and would be one that would continue to become an even bigger issue in the future. Similarly, this also applied to the issue of climate change and sustainable design standards. Looking at the 20-minute communities' study, it was hoped that this study would reflect on the realities of life accepting that everyone had different needs, and this then impacted transport modes.

In response it was explained that as the evidence studies were prepared, they would follow the normal reporting route through Committee, and this would apply in terms of the new Committee structure that would commence in May 2021. This meant that as and when evidence reports were completed or draft reports prepared, then these would be brought to the new Planning Policy Committee to update Members in

terms of progress and to allow for proper scrutiny. The Group Head of Planning explained how this had taken place before via holding informal briefings with all Members outside of the Committee on all evidence based documents.

The inclusion of the Biodiversity Study was very much welcomed, and it was felt that with the evidence outlined, the Council would have an excellent plan in place.

Looking at the various studies to be undertaken, clarification was sought regarding local green spaces to establish which studies would materially address this issue; the development strategy or an environmental assessment and in view of the Worthing Borough Council Local Plan and would a study be undertaken for the particular two gaps associated with each authority on the eastern boundary. It was explained that this matter would become clearer through the 20 minute community study together with the landscaping study. The strategic gaps in Arun in terms of supporting the current adopted Local Plan did have evidence base behind them in terms of the quality of the landscape and the impact of the landscape and so this would be a key study that would address this issue. Councillor Elkins asked how the landscaping of the area that he was referring to would be moved forward? It was explained that this would take place at the appropriate time and it would be necessary to work out what the Council's development strategy might be which would then be tested by the landscape study. Councillor Elkins asked that it be included in the minutes that the Council would also seek the evidence that Worthing Borough Council had used to help define its local plan. The last item on the agenda was referred to by the Planning Policy Team Leader as this touched upon the cross-boundary duty to co-operate relationship with neighbouring authorities and, in particular, Worthing.

An observation was made about the cost of reviewing the Local Plan at £1m and that not all of the studies listed had a cost attributed to them. It was hoped that if a study was not a statutory requirement then it would not then be progressed to save money. It was also pointed out that there might be the need to add further studies and so Officers were asked to keep a close eye on this and to look at opportunities where money could be saved. It was explained that all of the studies had been budgeted for and that their nature was very typical of what was needed for a Local Plan, they all had a reason behind them to ensure a successful examination and sound evidence led approach to plan making, proving that it was deliverable and achievable was essential.

Following further discussion,

The Sub-Committee

RESOLVED

That the Arun Local Plan Update – Evidence Base be noted.

37. INTERIM HOUSING STATEMENT

The Sub-Committee received a report from the Planning Policy Team Leader confirming that the Council had prepared an Interim Housing Statement because it had been unable to demonstrate a 5-year Housing Land Supply. It was explained that this document provided the Council with a mechanism for inviting landowners, developers and promoters to submit planning applications in the right locations at the right scale by providing a high level tick list and RAG rating of the existing Development Plan and National Policy Guidance matters, which if addressed by applicants, would help speed up decision making. If approved, the interim Housing Statement would operate until a 5-year housing land supply could be demonstrated.

A range of issues were raised in considering this report. With the HELAA sites it did feel like a dangerous road to go down as it seemed that if a site made it onto the HELAA, then it tended to progress onto full blown planning consent eventually. Was this dangerous in terms of how it fitted in with the Local Plan in that it was not cohesive. It was explained that in reality the Council was unable to demonstrate a 5 year land supply and so proposals for development that might conflict with the policies of the Local Plan could come forward and have the risk of being determined favourably at appeal if the Council wanted to refuse them. It was also about giving some guidance to landowners in terms of where we would prefer them to look, as the HEELA was not meant to apply down to a level of decision making for planning applications. Its purpose was to help the Council to look for the most suitable land available. All sites still had to go through a level of evidence gathering through the plan making process which they might not survive. The key point was whether the Council should provide guidance to potential applicants about where the authority saw where any proposals should come forward.

Another issue of concern around land supply was that of land banking and the question was asked as to whether this contributed to the figures being so low in Arun. There was a significant level of unimplemented planning consents to a figure of around 4,000 dwellings and that there were different reasons for this. If the implementation of 4,000 homes that had planning permission already, would it bring the Council back up to the 5-years and if it did, then this meant that the Council was in the position it was in due to developers. In response, it was confirmed that the 4,000 was already in the Council's 5-year classed as commitments.

Another point raised was that the Council's position with regard to housing delivery was presumably measured against the phasing in the Local Plan and was this established or could it be changed. Also, if the Council was doing a review of the Local Plan then the phasing needed to be changed and adjusted to avoid the Council being penalised. The Group Head of Planning confirmed that the Council could amend the trajectory but could not manipulate it.

It was clear that the 5-year land supply was something that was beyond the Council's control and a matter for developers to deal with. In view of this, a report was requested to outline what developers were responsible for the 4,000 figure and what the delays were on these sites. It was felt that this information was needed before Councillors could provide a view on the interim housing statement.

The Group Head of Planning confirmed that this work was underway to an extent, but a lack of staff resource made it difficult to contact the promoters of the committed sites.

It was pointed out that the Council had written to the Housing Minister questioning these targets with little success and so the targets needed to be challenged nationally as this was an issue that affected so many other Councils. The RAG system introduced was thought to be helpful but appeared to set higher targets than what was currently requested. The concern was that this approach might not yield the developments that the Council was looking for and that it would not be a quick process. The Group Head of Planning pointed out that this was existing policy and that not all criteria would necessarily apply depending on relevance.

Councillor Dixon confirmed that he had received a representation from a member of the public which he read out to the Sub-Committee. The question asked was whether Option 1 in the report, which was to agree the interim Housing Statement, was this a lawful option. The Group Head of Planning responded stating that there were two elements of housing land supply and delivery which would ensure that a Policy afforded full development plan status. One of those was the 5-Year Land Supply and the other was the Housing Delivery Test which were national policies which operated with the statutory development plan and required authorities to act in to address delivery. The Sub-Committee therefore needed to satisfy both measures in relation to housing delivery in order for the titled 'presumption' not to apply. He confirmed that Option 1 was therefore a lawful option.

Following further discussion, the Sub-Committee

The Sub-Committee

RECOMMEND TO FULL COUNCIL

That the Housing Interim Statement is recommended to Full Council on 17 March 2021 for approval.

38. WALBERTON VILLAGE AND VILLAGE GREEN CONSERVATION AREA CHARACTER APPRAISALS

The Sub-Committee received a report from the Principal Conservation Officer outlining that the Council had 29 Conservation Areas within its Local Planning Authority Area (LPAA). In order to be able to fully preserve and enhance its Conservation Areas, the Council proposed to prepare individual Conservation Area Character Appraisals which would define what was special, and worthy of protection. They would also review

Planning Policy Sub-Committee - 23.02.21

the existing boundaries of the Conservation Areas and would recommend whether there was potential for them to be amended.

It was explained that two separate Conservation Area Character Appraisals had been prepared for the Walberton Village and Walberton Green Conservation Area and this report sought agreement to publish them for public consultation.

The Sub-Committee

RESOLVED – That

- (1) It be agreed that the Walberton Village and Walberton Green Conservation Area Character Appraisals be published for a six-week period of consultation; and
- (2) The Cabinet Member for Planning in consultation with the Chairman of the Planning Policy Sub-Committee and the Group Head of Planning be given delegated authority to agree minor editorial changes prior to publication.

39. WORTHING AND CRAWLEY LOCAL PLAN REGULATION 19 - PRE-SUBMISSION CONSULTATIONS

The Sub-Committee received a report from the Planning Policy Team Leader advising Members on Worthing Borough Council's and Crawley Borough Council's 'Pre-Submission' Local Plan (Regulation 19) public consultations.

The Sub-Committee was being asked to agree to the suggested responses to these consultations as outlined in the report. In looking at Crawley Borough Council's pre-submission Local Plan first, the response was that the Council was satisfied with the approach to the Crawley Publication (Regulation 19) Local Plan and Duty to Co-operate based on the fact that Crawley be urged to secure a Statement of Common Ground with Arun in order to clarify its approach to securing unmet need within the North Sussex Housing Market Area (HMA) before submitting its Plan.

Looking at the situation for Worthing Borough Council, Councillors were referred to Paragraph 1.4 of the report setting out the background to the Worthing Local Plan. Arun had objected to the original Plan and since making that objection, several Duty to Co-operate meetings had taken place to overcome the objection including through progressing the Plan's supporting evidence base and approach. The points covered were explained by the Planning Policy Team Leader.

It was explained that Worthing was facing a significant housing shortfall and was only meeting around 26% of its overall Plan requirement and there was no plan in place to overcome the issue. In view of this, the report was proposing that whilst they had addressed the concerns over evidence base, the level of unmet need was still an issue and no resolution had been reached in terms of which and how Local Authorities would

assist with that number. The Council had been asked if it could help to accommodate that unmet need. The Council's proposed response was that it would remove the objection originally lodged on the evidence base but that Worthing Borough Council be urged to pause its plan timetable in order to progress Statements of Common Ground and joint progress working other authorities within its HMA to look at potential development options.

Debate on this item raised questions about the delay to the Local Strategic Statement 3 process (LSS3) and the issues surrounding this were explained. Other observations made were what the responses were made by other local authorities as it would have been useful to have seen their comments. It was explained that the consultation deadline was 23 March 2021 and so other Local Authorities still had not made their consultation response. Officers were asked what discussions they had had with other authorities and if they were in a position to meet that need. It was explained that discussions had taken place with Horsham and the South Downs National Park on the basis of Duty to Co-Operate and the issue about unmet need across the sub-region.

Following further discussion, the Sub-Committee

RESOLVED – That

(1) That the Council's outstanding objection to the Worthing Local Plan is resolved, however, Worthing Borough Council is urged to pause its plan timetable in order to progress Statement of Common Ground and joint working with neighbouring authorities within its Housing Market Area, in order to address the significant level of unmet housing need; and

(2) Arun is satisfied with the approach to the Crawley publication (Regulation 19_ Local Plan and the Duty to Co-Operate, however, the authority is urged to secure a Statement of Common Ground with Arun in order to clarify its approach to securing unmet need within the North Sussex HMA before submitting its Plan.

(The meeting concluded at 9.30 pm)

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Public Document Pack Agenda Item 27

Subject to approval at the next Audit & Governance Committee meeting

425

AUDIT & GOVERNANCE COMMITTEE

25 February 2021 at 6.00 pm

Present: Councillors Mrs Haywood (Vice-Chair, in the Chair), Bennett, Bicknell, Bower, Brooks, Clayden, Roberts, Ms Thurston and Tilbrook

Councillor Coster was also in attendance for all or part of the meeting.

Apologies: Councillors Mrs Erskine

493. DECLARATIONS OF INTEREST

There were no declarations interest made.

494. MINUTES

The minutes of the meeting held on 19 November 2020 were approved as a correct record and it was agreed that these would be signed as soon as practicably possible.

495. ERNST AND YOUNG - ANNUAL AUDIT LETTER

The Associate Partner Kevin Suter, from Ernst & Young LLP presented the annual audit letter to the Committee. He clarified the reason behind why an annual audit letter was required for the Council as well as drawing members attention to key aspects of the audit, in particular the impact that the Covid-19 pandemic had, had. He confirmed that following the Committees meeting held on 19 November 2020 the accounts had been signed off on 20 November 2020 and confirmed that page 16 of the audit letter confirmed that the audit for 2019/20 had been finalised. He then drew members attention to page 34, where it outlined the proposed final fee for 2019/20, he explained that the fee had been impacted by a range of factors which had resulted in additional work that had to be done and was completed as reported in the Audit Results report.

Members then took part in a full debate where the following points were raised:

- Was the Group Head of Corporate Support and the Finance team happy with the increase in the fees detailed? It was confirmed by the Group Head of Corporate Support that the Council did not agree with the increase in fee.
- Clarification was sought as to why the fee was being presented to Members if the Council was unhappy with it. The Associate Partner from Ernst & Young LLP explained that part of the finalisation process was for the Annual Audit Letter to be presented to members and the public by way of the agenda.
- Members also sought clarification regarding at what point would an agreement on the fee need to be reached. The Group Head of Corporate Support explained

Audit & Governance Committee - 25.02.21

that the Public Sector Audit Appointments (PSAA) would be the deciding body on the fee amount.

Members had further discussion on the Audit Fees that had been presented to them, it was clear that they were significantly concerned at the level of increase. It was then proposed and duly seconded that the Committee requested a letter of representation to be sent by the Chairman to the PSAA stating that they were extremely unhappy with the uplift in the Audit Fee.

The Committee then noted the Annual Audit Letter

The Vice-Chairman in the Chair thanked the Associate Partner from Ernst & Young for his attendance at the meeting.

496. ACCOUNTING POLICIES FOR 2020/21 ACCOUNTS

The Capital Accountant presented her report to the Committee outlining the purpose of her report and explained that at the time of writing the report the key deadlines had not yet been confirmed, currently they were working to a deadline of 30 September 2021 which would mean there would be a requirement for a special meeting of the Committee to approve the accounts. She advised that it had been a quite year within the Chartered Institute of Public Finance and Accountancy (CIPFA) practice and therefore only one addition that could be found on page 48 of her report, the addition to the Accounting Policies was as a result of the Council from 1 April 2020 charging Community Infrastructure Levy (CIL) on new build development.

The Committee

RESOLVED

- 1) that the accounting policies that will be applied to the statement of accounts 2020/21 be approved.

497. CAPITAL STRATEGY

The Financial Services Manager provided members with an overview of her report, where she highlighted that the capital strategy formed the framework for the budget decisions over the next 3 years. She referred members to the diagram on page 60 of her report that summarised the Council's other key strategies. She explained that the Capital Strategy was an over-arching document and its aim was to balance capital expenditure needs against the resource of the Council

Members then took part in a full debate where the following points were raised:

- Clarification was sought regarding the difference between Capital Expenditure and Revenue. The Financial Services Manager explained that Capital Expenditure was defined by statute in Local Government and was to cover the lifetime of the asset.

- A high-level overview on the 'right-to-buy' was requested and clarification to be given in reference to the percentages documented.
- A question was asked in regarding the expenditure on the Council's existing Housing Stock. It was advised that a written answer would be provided.

The Chairman thanked the Financial Services Manager and her team for the work completed.

The Committee

RECOMMEND TO FULL COUNCIL that:

- 1) the Capital Strategy 2021/22 to 2023/24 be approved.

498. TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY

In presenting her report the Senior Accountant (Treasury) advised that there had been no fundamental changes from the 2020/21 strategy, and then drew members attention to the following areas of her report;

- Part of Treasury Management was to ensure cash flow was adequately planned and with the pandemic this had been challenging at times.
- Large amounts of funding had been received due to the pandemic and many grants had been paid to support those who needed it.
- Training for members by Link, the Council's Treasury Advisors was hoped to take place in July 2021 (probably virtually).
- Page 78 of the report showed the Council's current investments as at 31 December 2020, where it was reported an increase of approximately £15 million from 31 March 2020.
- Page 81 point 3.3 explained the Link interest rate forecast, which was expected to stay at 0.10% with no increase, therefore the rate on investment would remain low until at least March 2024.
- Page 88 point 4.3 in the last paragraph it detailed the limits for non-UK banks, the Council was now using Qatar, DBS & Svenska Handelsbanken more regularly
- Page 89 point 4.4 detailed that the market value had exceeded investment (£2m) in the Diversified fund and both this fund and the Property fund had enhanced the returns as the best achieved in cash currently is between .01 and 0.50%.

It was then asked if there were any implications of the estimated gross debt exceeding the Capital Financing Requirement (CFR) in 2020/23 and 2023/24. It was advised that a written answer would be provided for this question. It was also noted by the Committee that some investments were doing better than expected at this current time.

Audit & Governance Committee - 25.02.21

The Committee

RECOMMEND TO FULL COUNCIL that:

- 1) the Treasury Management Strategy for 2021/22 be approved;
- 2) the Annual Investment Strategy for 2021/22; and
- 3) the Prudential Indicators for 2021/22, 2022/23 and 2023/24 as contained in appendix 1 and the body of the report be approved.

499. ANNUAL INTERNAL AUDIT PLAN

The Internal Audit Manager presented the Annual Internal Audit Plan to members where he explained that this was an initial outline plan and a further update would be provided at the next meeting of the Committee.

The Committee then agreed and noted the outline Annual Internal Audit Plan.

500. PROGRESS AGAINST THE AUDIT PLAN

The Internal Audit Manager advised members that since mid-March 2020 the work of the team had been impacted by the changes implemented by the Council in its response to the global pandemic and that this work would be continuing for some time moving forward.

A question was asked in relation to Fraud management within the Social Housing and were there any indications as to what the levels were currently. The Internal Audit Manager advised that this was not within his area but that the Housing Fraud Investigator for the Council had moved post recently and that the question maybe better asked of the Housing & Customer Services Working Group.

The Committee noted the report provided.

501. INFORMATION / ADVISORY DOCUMENTS RECEIVED

None.

502. WORK PLAN REVIEW 2021/22

The Internal Audit Manager provided members with an update on the Committees rolling work plan for the year 2021/22. He explained that there would be possible further date changes in terms of audit deadlines for the Accounts and that he would circulate an updated work plan to the Committee once these dates had been confirmed.

It was then asked if this Committee was the right forum to raise that the Council had been without a Housing Fraud Officer for over a year. The Internal Audit Manager advised that there was an ongoing restructure being completed within residential services, he understood that if queries or concerns were raised that they would be investigated and that

he felt that the Housing & Customer Services Working Group would be the better forum to raise this.

Thanks' was then expressed to the Financial Services Team for their work over the last year.

Members then returned to the topic of the Housing Fraud Officer and their concerns at the risk this was to the Council. The Internal Audit Manager advised that his understanding was that the role had not been removed, however the recruitment of this role had been delayed due to the Pandemic.

A proposal was then made and duly seconded that the Director of Services should provide a report on the situation, to update to the Committee at its next meeting. Further debate then took place where general support for this proposal was gained. It was felt by members that all possible action was taken as soon as possible to remedy this vacancy. A suggestion was made that the Housing and Customer Services Working Group were meeting in March and that the Group Head of Residential Services could provide an update at that meeting. This suggestion was not endorsed and the proposal on the table was not withdrawn.

The proposal was then strengthened by the Proposer and Secunder and what was put to the vote was that the Director of Services provide the Committee with a report that will provide an update on the recruitment of a Housing Fraud Officer and to provide quantitative detail so that the Committee can review and assess the fraud checks that have been completed over the last 4 years and also attend the next meeting of the Committee to answer any questions the Committee might have on the report.

The Committee

RESOLVED that:

- 1) the Director of Services provide a report that will provide an update on the recruitment of a Housing Fraud Officer and to provide quantitative detail so that the Committee can review and assess the fraud checks that have been completed over the last 4 years and also attend the next meeting of the Committee.

(The meeting concluded at 7.13 pm)

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Public Document Pack Agenda Item 28

Subject to approval at the next Constitution Working Party meeting

1

CONSTITUTION WORKING PARTY

2 March 2021 at 4.30 pm

Present: Councillors Mrs Yeates (Chairman), Mrs Gregory (Vice-Chairman), Bennett, Bower, Cooper, Mrs Haywood and Roberts

Note: Councillor Bennett was absent from the meeting during consideration of the items in the following minute – Minute 37 to 40 (Part)].

37. APOLOGY FOR ABSENCE

An Apology for Absence had been received from Councillor Mrs Catterson.

38. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

39. MINUTES

The minutes of the meeting of the Working Party held on 27 January 2021 were approved by the Working Party as a correct record with the Chairman confirming that these would be signed at the first opportunity available to her.

40. AUTHORITY TO MAKE PAYMENTS FROM COMMUNITY INFRASTRUCTURE LEVY FUND

The Interim Monitoring Officer explained that following the meeting of the Local Plan Sub-Committee held on 15 December 2020, it had been agreed that a report be prepared for this meeting to consider with the intention of changing the Council's Constitution to give delegated authority to the Planning Policy Committee and to the Group Head of Planning for certain aspects of the CIL governance process. Since that time, he and the Principal Planning Officer had talked through this process and the result of these discussions was that an outcome could be obtained through the process of preparing the new Constitution, rather than making amendments to the current Constitution. The approach that would be taken was that at the first meeting of the new Planning Policy Committee a report would be submitted asking that Committee to note its terms of reference as approved by Full Council but to make delegations to Officers under matters reserved. This was where matters not reserved to the Committee would be delegated to Officers. Appendix 2 of that report listed the reserved matters/matters reserved.

The Principal Planning Officer was then invited to provide further explanation. She explained that on 25 January 2021, Full Council had approved the recommendations from the Planning Policy Sub-Committee of 15 December 2020 in terms of the governance process for CIL spending. This had been clearly set out and

Constitution Working Party - 2.03.21

centred around an infrastructure investment plan (IIP) which would go to Full Council to set up a 3 year spending process for CIL money that the Council received. The IIP process was starting now based on the approval of Full Council and the aim was to have the IIP published and approved by end of this year to set out a 3 year spending plan from 2022 to 2025. One of the extra elements of that process was that there might be some infrastructure providers who had not engaged with the Council through this year and may want to request CIL funding during the three year IIP period. Therefore, to ensure that it was made possible for bids to be made for CIL (outside of the IIP process), a plan B approach was needed. To overcome this through the Planning Policy Committee a process had been set up where infrastructure providers could submit a project bid to the Council as long as this was under £25k and as long as the Council had a certain amount of budget available. It was necessary to be sure that the Constitution would allow the Planning Policy Committee to have the delegated authority to deal with this request and without the need for a decision to be made by Full Council. Members were reassured that for any bid that was higher than £25k, then this would need to be referred by the Committee and then to Full Council for decision, subject to Officer's recommendations being in line with the CIL regulations. The other element that was being put forward to be noted in the Constitution was where any project applied for money during that 3 year period of the IIP and where that money had been approved through the IIP and if any infrastructure provider stated they were on the IIP and had a master contract with the Council to spend that money that had been agreed then that should be delegated to the Group Head of Planning to allow that payment to be made. The same applied to anything off the IIP; that it had been agreed by the Planning Policy Committee or Full Council, then a master contract would be set up, allowing the Group Head of Planning to have delegated authority to authorise payment, upon request. These were the changes and processes that needed to fit into the Constitution an applied to the Planning Policy Committee.

The Interim Monitoring Officer referred Members to Appendix 2 of the report which provided the detail of the matters that were reserved to the Committee to determine. At the start of the new Municipal Year, similar reports would be submitted to each of the Committees so that it was clear what decisions each Committee would be making.

The Working Party then noted:

- (1) The format and intent of the draft matters reserved report at Appendix 2;
- (2) The matters reserved report would reserve to the Planning Policy Committee the decision to agree infrastructure funding of schemes not in the CIL Infrastructure Investment Plan (IIP) which would be under £25,000 if at least £50,00 was available within a designated CIL budget; and
- (3) The Planning Policy Committee would delegate to Officers, in consultation with the Group Head of Corporate Support, authority to pass CIL funding to service providers where they had entered into a CIL spending contract with the Council within the CIL master contract.

41. FINAL REPORT - REVIEW OF THE CONSTITUTION FOR TRANSITION TO COMMITTEE STYLE OF GOVERNANCE

The Working Party received an update report from the Interim Monitoring Officer providing some background to the work that had been undertaken to date in formulating a new Constitution to use in changing its form of governance to a Committee system which would be effective from the Annual Meeting of the Council on 19 May 2021. The report reminded the Working Party of the Parts of the Constitution that had already been approved by various meetings of Full Council and it reminded Members what remained to be resolved. The Working Party was being asked to note the completion of the writing of the new Constitution.

It was outlined that the Council needed to approve a new Constitution before the Annual Meeting of the Council and so a full version of the 2021 Constitution would be sent to all Members of the Council in hard copy so that at the next Full Council meeting this could be accepted as being complete.

The Interim Monitoring then worked through the recommendations outlined in the report.

The first recommendation to be discussed was Recommendation (3) which proposed a revised procedure in Part 5, Section 1 at Council Procedure Rule 16.1 and 16.2 requiring that three working days' notice be given to the Section 151 Officer where an alternative budget/amendment to Council Tax motion was moved without notice. This had been drafted to overcome the difficulties that had been experienced at the Special Meeting of the Council held on 17 February 2021. The reason for this change was to ensure that the Section 151 Officer would be given adequate time to look at any alternative proposal and time to make a judgement in confirming whether that proposal was robust.

The precise change to the Constitution was shared to the meeting but had been set out below:

16.2 A motion to amend the statutory Council Tax resolution or to propose an alternative budget may only be moved without notice where notice of the motion has been submitted to the section 151 Officer three working days before the meeting in order to allow the section 151 officer to form an opinion on the robustness of the estimates supporting the amendment to the motion.

The following queries and questions were raised:

- More information on the timescales was requested in that should the actual day be mentioned, presuming that the three working days meant that any amendment needed to be with the Section 151 Officer by 9.00 am the Friday before the meeting or did this mean 9.00 am on the Monday the same week of the meeting.
- It was felt that the wording, except the day of the meeting needed to be added to make the precise deadline clear.

Constitution Working Party - 2.03.21

- Did this mean that no amendment could be made at the meeting?
- Clarification was sought in terms of whether any amendment had to be shared with any other part other than the Section 151 Officer. It was confirmed that it was only the Section 151 Officer – no other party, this allowed the Section 151 Officer to undertake his due diligence.
- Did wording need to be added to confirm that the Section 151 Officer would have to sign off and confirm that any change submitted in this way was approved and deemed viable.
- Scenarios were presented – for example on the night, would the Section 151 have to confirm his approval to the amendment?
- On the issue of the Section 151 officer signing things off during the course of the debate, clarification was sought that if the items were agreed upon, it needed to be the whole amendment that would be debated, not then just parts of the amendment cleared through the Section 151 Officer.
- Was 3 working days sufficient enough time for the Section 151 Officer and had he been consulted?
- The Interim Monitoring Officer explained that the 3 working days could not logistically be extended beyond 5 days otherwise the agenda papers would not have been published. By law, agendas only had to be published 5 working days in advance of the day of the meeting.
- Other authorities did successfully practice this.
- Budget preparation and the new Committee system needed to be taken into account.
- If a budget was defeated, then it had to be redrawn and so an amendment to the defeated budget before it was defeated was effectively a redrawing budget anyway on this basis was the proposed change really needed? In this situation the meeting would have to be suspended for a new budget to be fixed.

The next change to be discussed was at Council Procedure Rule 17.12 [Closure Motions] and the proposed changes are as set out below:

Closure Motions

- a) **Any Member who has not already spoken on the motion** may move, without comment, the following motions at the end of a speech of another Member:
 - i. to proceed to the next business;
 - ii. that the question be now put;
 - iii. to adjourn a debate; or
 - iv. to adjourn a meeting.

- b) If a motion “to proceed to next business” is seconded and the Chairman thinks the item has been sufficiently discussed, the Chair will give the mover of the original motion a right of reply and then put the procedural motion to the vote. **If the motion is carried the question which was under consideration shall be dropped and deemed not approved.**

- c) If a motion that “the question be now put” is seconded and the Chairman thinks the item has been sufficiently discussed, they will put the procedural motion to the vote **(without discussion)**. If it is passed, the Chairman will give:
- i. the seconder the right to speak (if they reserved their right earlier);
 - ii. the relevant Committee Chairman the right of reply; and
 - iii. the mover of the original motion the right of reply before putting their motion to the vote.
- d) If a motion “to adjourn the debate” is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply. **If a motion to adjourn the debate is carried, the discussion shall be resumed as adjourned business at the next ordinary meeting or such other day and hour as shall have been specified in the motion, and the meeting shall proceed to the next business on the agenda**

The Interim Monitoring Officer confirmed that this was to clarify process and procedure and explained how a Councillor could propose “to move to the next business”. The differences between these closure motions was also explained and the need to define a process without a special icon that could be used in virtual meetings.

Discussion focused on:

- The problem had been identified from previous meetings, but some Councillors were not sure whether this proposal would work.
- Why could a Point of Order not be used to raise a closure motion then quoting the relevant Procedure Rule or by just saying “Closure Motion”.
- If this method was used, then the Member then lost their right to speak on the item if the closure motion then failed – was this right or wrong?
- If a closure motion failed, then it could not be raised again by any other Member during that item or for a period of time such as 20-30 minutes. Some authorities did have this in their Constitution.
- There was concern that if raised as a Point of Order – a seconder was not needed but it was still down to the Chairman’s discretion and might not succeed – on this basis raising this as a Point of Order was a good idea

Following lengthy discussion, the Working Party came to the conclusion that to raise a Closure Motion, especially in virtual meetings, a Point of Order should be raised, the Councillor should then state Closure Motion and which one this was, and then confirm the seconder. The Chairman would then decide in the normal way if this was passed or not.

Constitution Working Party - 2.03.21

The Interim Monitoring Officer agreed that he would create a form of words for the Appendices ready for Full Council as requested by the Working Party above and to include that once that Member had raised the Closure Motion, this then prevented them from speaking in the debate if that Closure Motion was not successful and also confirming that if a Member had already spoken on the debate, they could then not raise a Closure Motion on that item.

A request was made for the Interim Monitoring Officer to make a consequential amendment to Council Procedure Rule 17.13 [Point of Order] to replace the word 'The Chairman may allow a reasonable time for the Member to clarify the relevant Rule or point of law to 'will'. This was approved by the Working Party.

The Working Party then moved to discussing Recommendation (4) which was the corresponding Closure Motion procedure relating to the Committee Procedure Rules which should reflect what had just been agreed for the Council Procedure Rules. This was agreed.

The draft Protocol for the Chairman and Vice-Chairman of the Council was then discussed. It was emphasised that this would sit as a separate protocol and would not form part of the Constitution and so this was why it was not forming a recommendation to Full Council. The aim of the protocol was to outline good practice in what the Chairman's role and functions were.

The Working Party then turned to the recommendations listed as (1) to (6) on the agenda. A separate vote had been requested on Recommendation (3).

Before moving to the vote, debate again returned to Recommendation (3) where a Member of the Working Party stated that he wished to receive advice from the Section 151 Officer before he could vote on this matter. Other Councillors confirmed that they would prefer to have the Section 151 Officer's views first.

Officers were asked if a further meeting of the Working Party could be convened before the end of the week to discuss Recommendation (3) and to have the opportunity to question the Section 151 Officer. Councillors were reminded that in view of working to the timescales for publishing the Full Council agenda for 17 March 2021, this would not be possible.

Questions were then asked about how the whole Constitution would be debated at Full Council on 17 March 2021 in terms of what sections of the Constitution already approved by Full Council were covered by the six month rule. How would Councillors know what they could potentially revisit or change?

Discussion then turned to whether Recommendation (3) could be deferred to the next meeting of the Working Party on 28 June 2021. Following lengthy discussion this was agreed.

The Working Party then

RESOLVED

That the revised procedure in Part 5, Section 1, Rule 16.1 and Rule 16.2 requiring that three working days' notice be given to the Section 151 Officer where an alternative budget/amendment to Council Tax motion is to be moved without notice be deferred for further discussion to include the attendance by the Section 151 Officer at the next meeting of the Working Party on 28 June 2021.

The Working Party, then

RECOMMEND TO FULL COUNCIL – That

- (1) The completion of the writing of the new Constitution be noted;
- (2) The proposed changes to Part 6, Section 6, of the Constitution (Financial Procedure Rules) deferred by Full Council on 26 November 2020 be approved to become Part 6, Section 3 of the new Constitution;
- (3) The revised procedure in Part 5, Section 1, Rule 17 made for clarifying the procedure for closure motions in the proposed Constitution be approved as set out in the Appendix attached to these minutes;
- (4) The revised procedure in Part 5, Section 12, Rule 13 made for clarifying the procedure for closure motions in the proposed Constitution be approved as set out in the Appendix attached to these minutes; and
- (5) Delegated authority be given to the Interim Monitoring Officer to make consequential amendments to the Constitution following this meeting.

(The meeting concluded at 18.28 pm)

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ARUN DISTRICT COUNCIL
REPORT FOR THE CONSTITUTION WORKING PARTY ON
2 MARCH 2021 AND
DRAFT REPORT TO FULL COUNCIL
ON 17 MARCH 2021

SUBJECT: Final Report - Review of the Constitution for transition to Committee Style of Governance

REPORT AUTHOR: Solomon Agutu, Interim Monitoring Officer
DATE: February 2021
EXTN: 37432
PORTFOLIO AREA: Corporate Support

EXECUTIVE SUMMARY:

The Working Party is asked to agree this as the report that will be presented to Full Council on the review of the Constitution. This is a status report on the progress of writing the Committee style Constitution and associated matters. It explains that the revision and re-writing is complete and that the new Constitution is ready for adoption at the Annual Meeting of the Council on 19 May 2021.

RECOMMENDATIONS:

The Working Party is asked to recommend to Full Council to:

1. Note the completion of the writing of the new Constitution;
2. Agree the Proposed changes to Part 6, Section 6 of the Constitution (Financial Procedure Rules) deferred by Full Council on 26 November 2020 be approved to become Part 6 Section 3 in the new Constitution.
3. Agree the revised procedure in Part 5, Section 1, Rule 16.1 and 16.2 requiring that three working days' notice be given to the Section 151 Officer where an alternative budget/amendment to Council Tax motion is to be moved without notice;
4. Agree the revised provisions Part 5 Section 1 Rule 17 made for clarifying the procedure for closure motions in the proposed constitution;
5. Agree the revised provisions Part 5 Section 12 Rule 13 made for clarifying the procedure for closure motions in the proposed constitution; and
6. Delegate the Interim Monitoring Officer authority to make consequential amendments to the Constitution following this meeting.

2. BACKGROUND

The Full Council made a binding statutory resolution on 15 January 2020 (Minute 388) to change its form of governance to a Committee system effective from the Annual Council Meeting on 19 May 2021. This Constitution Working Party was convened to work through the necessary changes to the Council's Constitution and report back to the Full Council, with the aim of this work being concluded by January 2021.

The Working Party duly reported changes to Parts 1-5 of the Constitution to Full Council on 16 September 2020 and changes to Parts 6-8 to Full Council on 11 November 2020, 18 November 2020, 26 November 2020 and 13 January 2021. The Full Council meeting of 11 November 2020 was adjourned several times and the recommendations from the Working Party were not fully considered until 13 January 2021.

The work of the Working Party in relation to the Council resolution of 15 January 2020 is now substantially complete and this report identifies what remains to be resolved. The work of the Working Party has consisted essentially of "shift and drop" and removing references to the Executive model. However, along the way new provisions have been introduced and accepted by Full Council dealing with, for instance Public Question Time (PQT) at Committees and the 'guillotine' of meetings as was deemed necessary. In principle, therefore, the Working Party and Full Council has not been averse to making improvements. The proposals on closure motions and the power to vary the order of Business should be seen in this context.

Protocol Clarifying the Duties of the Chairman of the Council

In line with a request made at the last meeting of the Working Party held on 27 January 2021, a draft Protocol is attached for the Committee to note.

To clarify the procedure for moving "closure motions".

The current Constitution (nor the newly adopted Council and Committee Procedure Rules) do not provide details of when and how a motion without notice can be moved (paragraph 15) or motions moved during debate (16.11). A comparison with a Point of Order(16.13) of Point of Personal Explanation(16.14) shows that these may be raised "at any time" whereas the procedure for moving a closure motion during debate(16.11) is not as detailed for each of the seven categories.

In relation to closure motions (16.12) there is an express requirement that the motions are moved at the end of a speech of another Member but not whether you can interrupt and move the motion before it is your turn to speak or what words to use for the interruption. The nature of the closure motion it is not one where you can wait your turn to be called as you may be so far down the line and yet you want to end the debate immediately. This suggests that you can move the motion "out of turn".

In the absence of detailed provisions in the Constitution it is proposed that provision is now made for the current and proposed Constitution. The Constitution provides that it is for the Chairman to determine if the matter has been sufficiently debated etc to rule whether to accept the Motion.

The program/app we are using is not tailored(yet) to local government Constitutions and so there is no convention for which button to press when you might want be recognised when moving a closure motion, unlike a point of order where the convention is now established about which button to press. Arun needs to agree how someone wishing to move a closure motion will be recognised if they want to move the motion “out of turn”.

To clarify the power of the Chair to vary the order of business of a Committee meeting.

The current constitution and the proposed constitution do not make clear provision to allow the Chairman to vary the order of business of a committee meeting. It is proposed that provision is made for this in the new constitution.

3. OPTIONS:

N/A

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	NA	
Relevant District Ward Councillors	NA	
Other groups/persons (please specify)	NA	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		NO
Legal	yes	
Human Rights/Equality Impact Assessment		
Community Safety including Section 17 of Crime & Disorder Act		NO
Sustainability		NO
Asset Management/Property/Land		NO
Technology		
Other (please explain)		

6. IMPLICATIONS:

The Council must approve a new Constitution before the Annual Council Meeting on 19 May 2021 as this is the “relevant change time” (ie the effective date) for moving to a Committee system form of governance defined in the Council’s statutory resolution of 15 January 2020. Whilst the legislation allows the Council to delay the “relevant change time” for introducing its new arrangements, there is no provision to delay this once the date has been resolved. In addition, the Council cannot make a further change to its governance arrangements for

a period of 5 years from the date of its statutory resolution, ie not before 15 January 2025, unless this decision is approved by a referendum.

These provisions are set out in Sections 9L and 9KC of the Local Government Act 2000 (as amended by the Localism Act 2011).

7. REASON FOR THE DECISION:

To comply with the decision of Full Council to move to a Committee style of governance

8. BACKGROUND PAPERS:

Previous meetings of Full Council as listed in the report.

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**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

**PART 5 – MEETING PROCEDURE RULES
(SECTION 1 – COUNCIL PROCEDURE RULES)**

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

Contents

1. SCOPE.....	3
2. ANNUAL MEETING OF THE COUNCIL	3
3. ORDINARY MEETINGS OF THE COUNCIL.....	4
4. SPECIAL MEETINGS OF THE COUNCIL	4
5. EXTRAORDINARY MEETINGS.....	6
6. TIME AND PLACE OF MEETINGS.....	6
7. NOTICE OF AND SUMMONS TO MEETING	6
8. CANCELLATION, POSTPONEMENT OR ADJOURNMENT OF MEETINGS..	7
9. CHAIRMAN CHAIR OF MEETING	7
10. QUORUM	7
11. QUESTIONS BY MEMBERS OF THE PUBLIC.....	7
12. QUESTIONS BY MEMBERS WITH PREJUDICIAL INTERESTS	9
13. QUESTIONS/STATEMENTS BY MEMBERS.....	9
14. NOTICES OF MOTION	11
15. MOTIONS WITHOUT NOTICE.....	12
16. RULES OF DEBATE	13
17. PREVIOUS DECISIONS AND MOTIONS	2049
18. VOTING.....	2049
19. MINUTES	21
20. RECORD OF ATTENDANCE.....	2224
21. EXCLUSION OF THE PUBLIC.....	2224
22. PHOTOGRAPHY, BROADCASTING AND RECORDING OF MEETINGS	2224
23. MEMBERS CONDUCT	22
24. DISTURBANCE BY THE PUBLIC.....	2322
25. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES....	23
26. MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES, WORKING PARTIES, WORKING GROUPS AND PANELS.....	2423
27. SUBSTITUTION	2524
28. REPRESENTATION ON OUTSIDE BODIES	2524
29. SUBSTITUTION OF THE CHIEF EXECUTIVE	25

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

1. SCOPE

These rules apply to meetings of the Council.

2. ANNUAL MEETING OF THE COUNCIL

2.1 Timing and Business

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will be held in April or May.

The annual meeting will:

- (i) appoint a person to preside if the [ChairmanChair](#) of the Council is not present;
- (ii) appoint the [ChairmanChair](#) of the Council in accordance with Part 3 of this Constitution;
- (iii) appoint the Vice-[ChairmanChair](#) of the Council in accordance with Part 3 of this Constitution;
- (iv) approve the minutes of the last meeting;
- (v) receive any declarations of interest from Members in accordance with the Members' Code of Conduct;
- (vi) receive any announcements from the [ChairmanChair](#);
- (vii) consider any business not otherwise specified in the Council summons which, in the opinion of the [ChairmanChair](#) of the Council, in consultation with the Chief Executive, is business of such urgency as to require immediate attention by the Council;
- (viii) appoint the Leader and Deputy Leader of the Council in accordance with Article 6;
- (ix) appoint members to the Service Committees, Regulatory Committees, other Sub-Committees, Working Parties and Panels;
- (x) appoint the [ChairmanChair](#) and Vice-[ChairmanChair](#) of all Service Committees, Regulatory Committees, Sub-Committees, Working Parties and Panels;
- (xi) approve the list of Members to be appointed to outside bodies, as submitted by the Leader of the Council;
- (xii) appoint the substantive and Councillor directors of the Council owned property company; and
- (xiii) consider any other business set out in the notice convening the meeting in the order which it appears in the Council summons, however that order may be varied at the discretion of the [ChairmanChair](#) or by resolution of the Council.

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

3. ORDINARY MEETINGS OF THE COUNCIL

3.1 Timing and Business

Ordinary meetings of the Council will take place in accordance with the annual calendar of meetings. Ordinary meetings will:

- (i) appoint a person to preside if the [ChairmanChair](#) or Vice-[ChairmanChair](#) are not present;
- (ii) receive any declarations of interest from Members in accordance with the Members' Code of Conduct;
- (iii) receive questions from members of the public;
- (iv) receive questions from Members with prejudicial interests in accordance with Council Procedure Rule 13;
- (v) consider and debate petitions received in accordance with the Petition's Scheme at Part 8 of this Constitution;
- (vi) approve the minutes of the last meeting;
- (vii) receive any announcements from the [ChairmanChair](#);
- (viii) consider any business not otherwise specified in the Council summons which, in the opinion of the [ChairmanChair](#) of the Council, in consultation with the Chief Executive, is business of such urgency as to require immediate attention by the Council;
- (ix) receive reports from Service Committees, Regulatory Committees, Working Parties of the Full Council and Panels; and consider any recommendations contained therein;
- (x) consider motions;
- (xi) consider general questions from Members in accordance with Council Procedure Rule 14;
- (xii) receive and consider reports from officers of the Council; and
- (xiii) consider any other business set out in the notice convening the meeting in the order in which it appears in the Council summons, however that order may be varied at the discretion of the [ChairmanChair](#) or by resolution of the Council.

4. SPECIAL MEETINGS OF THE COUNCIL

4.1 Calling Special Meetings

Special meetings of the Council may be called by the Chief Executive, in consultation with the [ChairmanChair](#) of the Council and Political Group Leaders.

4.2 Business at Special Meetings

Special meetings will:

- (i) appoint a person to preside if the [ChairmanChair](#) or Vice-[ChairmanChair](#) are not present:

2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- (ii) receive any declarations of interest from Members in accordance with the Members' Code of Conduct;
- (iii) receive questions from members of the public;
- (iv) receive questions from Members with prejudicial interests in accordance with Rule 13;
- (v) approve the minutes of the last meeting;
- (vi) receive any announcements from the [Chairman/Chair](#);
- (vii) consider any business not otherwise specified in the Council summons which, in the opinion of the [Chairman/Chair](#) of the Council, in consultation with the Chief Executive, is business of such urgency as to require immediate attention by the Council;
- (viii) consider motions; and
- (ix) consider any other business set out in the notice convening the meeting in the order which it appears in the Council summons, however that order may be varied at the discretion of the [Chairman/Chair](#) or by resolution of the Council.

4.3 Procedure for Debates at Special Meetings

Where the meeting has been called to debate a specific topic or issue, the following procedure will apply:

- (i) Introduction by the [Chairman/Chair](#)
- (ii) Presentation by invited speaker(s) and/or officers
- (iii) Questions to be responded to by invited speaker(s) and/or officers from:
 - a. Members and
 - b. any other persons permitted by the [Chairman/Chair](#)
- (iv) Statements may then be made by:
 - a. Members and
 - b. any other persons permitted by the [Chairman/Chair](#)
- (v) Debate upon any motions received in accordance with Council Procedure Rule 17 or based on a recommendation from an officer
- (vi) [Chairman/Chair](#) to conclude the debate

The procedure may be varied by a resolution of the Council.

4.4 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/Chair](#) 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:

2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- (i) appoint a person to preside if the [ChairmanChair](#) or Vice-[ChairmanChair](#) are not present;
- (ii) receive any declarations of interest from Members in accordance with the Members' Code of Conduct; and
- (iii) consider 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.

5. EXTRAORDINARY MEETINGS

5.1 Calling Extraordinary Meetings

Those listed below may request the Chief Executive to call an extraordinary Council meeting:

- (i) The Full Council by resolution;
- (ii) the [ChairmanChair](#) of the Council;
- (iii) the Monitoring Officer; and
- (iv) any five members of the Council if they have signed a requisition presented to the [ChairmanChair](#) of the Council and they have refused to call a meeting or have failed to call a meeting within seven days of the presentation of the requisition.

5.2 Business at Extraordinary Meetings

The summons to an extraordinary meeting of the Council shall set out the business to be considered and no business other than that set out in the summons shall be considered at that meeting.

6. TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the Chief Executive and notified in the summons.

7. NOTICE OF AND SUMMONS TO MEETING

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules at Part 6 of this Constitution. At least five clear days before a meeting, the Chief Executive will send a summons to every Member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

8. CANCELLATION, POSTPONEMENT OR ADJOURNMENT OF MEETINGS
The decision to cancel, postpone or adjourn any meeting of the Council shall be made by the [ChairmanChair](#), in consultation with the Chief Executive or their representative.

9. CHAIRMANCHAIR OF MEETING
The person presiding at the meeting may exercise any power or duty of the [ChairmanChair](#).

10. QUORUM
The quorum of a meeting will be one quarter of the whole number of Members. During any meeting, if the [ChairmanChair](#) counts the number of Members present and declares that there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the [ChairmanChair](#). If they do not fix a date, the remaining business will be considered at the next ordinary meeting of the Council.

11. DURATION OF MEETING
11.1 Each unfinished meeting will adjourn at 10.30pm unless a majority of Councillors present vote to extend the meeting to 11pm at which time the meeting will stand adjourned.
11.2 The time and date of the continuation of the adjourned meeting will be decided by a majority of those Councillors present, or if no decision is reached, by the Chief Executive in consultation with the [ChairmanChair](#) and Group Leaders, and where it is urgent and cannot wait until the next scheduled meeting it should normally take place within 10 working days of the meeting.

12. QUESTIONS BY MEMBERS OF THE PUBLIC
12.1 Submitting Questions
Members of the public may ask questions of the Chairmen of Committees, or the Vice-Chairmen in their absence, at meetings of the Council, subject to written notice of the question being submitted to the Monitoring Officer 5 working days prior to the meeting.

- a) All questions:
- must confirm to whom the question is addressed;
 - must be relevant to matters for which the Council has powers or duties;
 - should be limited to obtaining information or pressing for action; and
 - must not exceed one minute in duration.

2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- b) Questions may be rejected by the Chief Executive/[ChairmanChair](#) if they:
- are not relevant to matters for which the Council has responsibility, or which affect the District; or
 - may be defamatory, frivolous or offensive; or
 - are substantially the same as a question put at a meeting in the past six months; or
 - would divulge, or require to be divulged, confidential or exempt information.

12.2 Time Limit for Questions

The time limit for questions by the public will be 15 minutes, although the [ChairmanChair](#) has discretion to extend this period.

12.3 Asking Questions at the Meeting

The [ChairmanChair](#) will invite questioners to put their questions in the order in which they are received. The questioner may ask only one question at a time. Where they have submitted multiple questions, they will only be able to ask subsequent questions if there is sufficient time remaining.

The [ChairmanChair](#) will have discretion to:

- a) group together similar questions to be put to the relevant Committee [ChairmanChair](#); and
- b) respond to the questioner where the same or similar question has been asked before and explain a written answer will be sent to them.

Where the questioner is unable to be present, the [ChairmanChair](#) has discretion to:

- ask the Monitoring Officer to ask the question on their behalf;
- explain that a written reply will be given to the questioner; or
- decide that the question will not be dealt with.

Any question which cannot be dealt with during the period allowed for public question time will be responded to by written answer.

12.4 Supplementary Questions

If time permits, a questioner who has put a question in person may ask one supplementary question without notice to the **Member** who replied to their original question. The supplementary question must arise directly out of the original question or the reply and shall be limited to one minute's duration.

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

12.5 Responses

Members will seek to respond to questions as fully as possible but shall not be required to divulge confidential or exempt information. Where a reply cannot be given at the meeting, a written answer will be provided with 10 working days of the meeting and published to the Council's website.

12.6 Records of Questions

A schedule of questions and answers will be maintained and published to the Council's website within 10 working days of the meeting. The minutes of the meeting will record a summary of the questions and answers.

13. QUESTIONS BY MEMBERS WITH PREJUDICIAL INTERESTS

In line with the Members' Code of Conduct at Part 8 of this Constitution, a Member with a prejudicial interest may ask a question of the [ChairmanChair](#) of a Committee at meetings of the Council as long as this is submitted and asked under the same rules that apply to the public, as set out in Council Procedure Rule [12](#).

14. QUESTIONS/STATEMENTS BY MEMBERS

14.1 Oral Questions on Reports of Committees, Sub-Committees, Working Parties and Panels

A Member of the Council may ask the [ChairmanChair](#) of a Committee, Sub-Committee, Working Party or Panel any question, without notice, under an item of report of a Committee, Sub-Committee, Working Party or Panel when that item is being received or under consideration by the Council.

Each question shall be put and answered without discussion. The Member will have the right to ask a supplementary question which must arise directly out of the original question or the reply. A written answer will be provided if requested by the Member.

14.2 Statements by Members on Reports to Committees, Sub-Committees, Working Parties and Panels

A Member of the Council may make a statement, without notice, under an item of report of a Committee, Sub-Committee, Working Party or Panel when that item is being received or under consideration by the Council. The [ChairmanChair](#) of the relevant Committee, Sub-Committee, Working Party or Panel will have the right of reply. No statement or reply shall exceed 5 minutes in duration, except at the discretion of the [ChairmanChair](#).

2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

In the case of statement made by the [ChairmanChair](#) of a Committee, Sub-Committee, Working Party or Panel, at the discretion of the [ChairmanChair](#), a debate may ensue.

14.3 General Questions

Thirty minutes will be allocated at each ordinary meeting of the Council for general questions by Members. The [ChairmanChair](#) has discretion to extend the time allowed to sixty minutes if there is a need.

A Member of the Council may ask the [ChairmanChair](#) of any Committee, Sub-Committee, Working Party or Panel a question, in writing, on any matter in relation to which the Council has powers or duties or which affects the District.

A Member may only ask a question under this Council Procedure Rule if, either:

- (a) they have given notice in writing of the question to the Monitoring Officer by 12 noon two days before the date of the meeting; or
- (b) where a question relates to a matter of urgency, a Member must seek the agreement of the [ChairmanChair](#) of the Council that they are prepared to accept the question. If agreement is forthcoming, the content of the question must be given in writing to the Monitoring Officer not later than 11am on the day of the meeting.

Questions will be considered in the order they have been received. A Member may ask one question at a time. Where they have submitted multiple questions, they will only be able to ask subsequent questions if there is sufficient time remaining.

Each question will be put and answered without discussion. The question and the written reply by the Member concerned shall be made available to Members of the Council and to the public at the meeting.

The Member will have the right to ask a supplementary question against each question put which must arise directly out of the original question or the reply. This may be responded to by the relevant Member.

Where a reply cannot be given at the meeting to a question put, a written answer will be provided within 10 working days to the Member and any other Members who request it.

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

15. NOTICES OF MOTION

15.1 Notice

Except for motions which can be moved without notice under Rule 16, written notice of every motion, signed by the Member(s) moving and seconding it, must be delivered to the Chief Executive at least eight clear days prior to the meeting. Clear days means days on which the Council offices are open for business and excludes both the day on which the motion is received and the day of the meeting at which the motion is to be presented.

Once received by the Chief Executive, notices of motion will be dated, numbered in the order in which they were received and published to the Council's website in the agenda for the meeting or in an addendum to the agenda.

15.2 Motions set out in agenda

The Chief Executive shall set out in the summons for every meeting of the Council all motions of which notice has been duly given in the order in which they have been received, unless the Member giving such notice intimated in writing when giving it, that they proposed to move it at some later meeting, or subsequently had withdrawn it in writing.

If notice is given of a motion which, in the opinion of the Chief Executive is out of order, illegal, irregular or inappropriate, they shall submit it to the [ChairmanChair](#), and shall not insert it in the summons without their agreement. In the event of the motion being considered unacceptable, the Chief Executive shall so inform the Member(s) giving the notice and their ruling on this matter will be final.

If notice is given of a motion for a particular meeting and in the opinion of the Chief Executive the agenda for that meeting is already full, or the agenda for the meeting is subject specific and the motion received is not in his view urgent or related to that specific business, the Chief Executive shall submit it to the [ChairmanChair](#) and shall not insert it in the summons without the [ChairmanChair](#)'s agreement. The [ChairmanChair](#)'s ruling on this matter will be final.

In the event of the [ChairmanChair](#) deciding that the motion shall not be inserted in the summons for which it was submitted, the Chief Executive shall so inform the Member(s) who submitted the motion on notice of the date of the meeting to which their motion will be presented. For the avoidance of doubt any decision

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

under this paragraph and the previous paragraph shall be made by the [ChairmanChair](#) and their ruling will be final.

15.3 Scope

Every Motion shall be relevant to some matter of major significance in relation to which the Council has powers or duties or which affects the District.

15.4 Failure to Move

If a motion set out in the summons is not moved either by the Member who gave notice or by some other Member on their behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

15.5 How motions will be dealt with

Upon a motion being moved and seconded:

(a) **Motions to be considered by Council**

If the subject of the motion is a matter that is in the province of the Council, is an urgent matter, or it relates to a district wide issue or multi-ward matter, it shall be dealt with by Council at that Full Council meeting.

(b) **Motions to be referred to a Committee**

If the subject of the motion comes within the province of a Service or Regulatory Committee, it shall stand deferred without discussion to:

- the relevant Committee; or
- to such other Committee, Sub-Committee or Working Party as the Council may determine for consideration and report. In the case of doubt, the Corporate Policy and Performance Committee shall consider the motion.

16. MOTIONS WITHOUT NOTICE

[Subject to 16.2 below](#) the following motions may be moved without notice:

- a) to appoint a [ChairmanChair](#) of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a Committee or Member arising from an item on the summons for the meeting;
- f) to receive reports or adopt recommendations of Committees, Working Parties, Panels, or officers and any subsequent motions and amendments arising;

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to suspend a particular Council Procedure Rule;
- n) to amend the procedure for debate at Special Council meetings as set out in Council Procedure Rule 4;
- o) to exclude the public and press in accordance with the Access to Information Rules set out in Part 6 of this Constitution;
- p) to not hear further a Member named under Council Procedure Rule 25; and
- q) to give the consent of the Council where its consent is required by this Constitution.

~~16.2 A motion to amend the statutory Council Tax resolution or to propose an alternative budget at may only be moved without notice where notice of the motion has been submitted to the section 151 Officer three working days before the meeting in order to allow the section 151 officer to form an opinion on the robustness of the estimates supporting the amendment to the motion.~~

17. RULES OF DEBATE

17.1 Standing to Speak

When a Member, officer or guest speaks at Full Council, where they are able they must stand and address the meeting through the [ChairmanChair](#), unless alternative arrangements have been agreed with the [ChairmanChair](#). If more than one person stands, the [ChairmanChair](#) will ask one person to speak and the other must sit. Other Members must remain seated whilst another person is speaking unless they wish to make a point of order or a point of personal explanation.

17.2 [ChairmanChair](#) Calling Order

When the [ChairmanChair](#) raises their hand during a debate any Members, officers or guests speaking at the time must stop and sit down. This meeting must be silent.

17.3 Right to Require Motion in Writing

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

Unless notice of the motion has already been given, the [ChairmanChair](#) may require it to be written down and handed to them before it is discussed.

17.4 Secunder's Speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

17.5 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes in length without the consent of the [ChairmanChair](#).

This Rule shall not apply when:

- (i) the relevant Committee [ChairmanChair](#) is presenting the annual budget statement and statutory and non-statutory plans to the Council; or
- (ii) the mover of a motion or amendment is making their speech which shall not exceed 10 minutes.

17.6 When a Member May Speak Again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another Member;
- b) to move a further amendment if the motion has been amended since they last spoke;
- c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- d) on a point of order; and
- e) by way of personal explanation.

17.7 Amendments to Motions

- a) An amendment to a motion must be relevant to a motion and will either be:-

2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- i. to refer a subject of debate to the relevant Committee for consideration or reconsideration where Council Procedure Rule 19 (Previous Decisions and Motions) does not apply;
- ii. to leave out words;
- iii. to leave out words and insert or add others; or
- iv. to insert or add words.

as long as such omission, insertion or addition of words does not have the effect of negating the motion or recommendation before the Council.

- b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- c) If an amendment is not carried, other amendments to the original motion may be moved.
- d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- e) Any amendment, made without notice, which involves a variation in approved expenditure for which no financial report is available shall, at the discretion of the [Chairman/Chair](#), in consultation with the Chief Executive, stand referred to the Corporate Policy and Performance Committee for consideration.

17.8 Alteration of Motion

- a) A Member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

17.9 Withdrawal of Motion

A Member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

17.10 Right of Reply

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

- a) The relevant Committee ~~Chairman~~Chair has a right of reply at the end of the debate in respect of a matter referred to the Council by a Committee.
- b) The relevant Sub-Committee, Working Party or Panel ~~Chairman~~Chair has a right of reply at the end of the debate in respect of a matter referred to the Council by a Sub-Committee, Working Party or Panel.
- c) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- d) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment but may not otherwise speak on it.
- e) The mover of the amendment has no right of reply to the debate on their amendment.

17.11 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) to adjourn a meeting;
- g) to exclude the public and press in accordance with the Access to Information Rules set out in Part 6 of this Constitution; and
- h) to not hear further a Member named or to exclude them from the meeting under Council Procedure Rule 25.

17.12 Closure Motions

- a) A Any Member who has not already spoken on the motion Member may move, without comment, the following motions at the end of a speech of another Member:
 - i. to proceed to the next business;
 - ii. that the question be now put;
 - iii. to adjourn a debate; or
 - iv. _____ to adjourn a meeting.

iv. the Member moving the motion will make themselves known by way of a "Point of Order" at the end if a speech of another Member but will then explain that it they wish to move a closure motion.

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2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- b) If a motion “to proceed to next business” is seconded and the ChairmanChair thinks the item has been sufficiently discussed, the Chair y will give the mover of the original motion a right of reply and then put the procedural motion to the vote. If the motion is carried the question which was under consideration shall be dropped and deemed not approved.
- c) If a motion that “the question be now put” is seconded and the ChairmanChair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote (without discussion). If it is passed, the ChairmanChair will give:
- i. the seconder the right to speak (if they reserved their right earlier);
 - ii. the relevant Committee ChairmanChair the right of reply; and
 - iii. the mover of the original motion the right of reply before putting their motion to the vote.
- d) If a motion “to adjourn the debate” is seconded and the ChairmanChair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply. If a motion to adjourn the debate is carried, the discussion shall be resumed as adjourned business at the next ordinary meeting or such other day and hour as shall have been specified in the motion, and the meeting shall proceed to the next business on the agenda
- e) If a motion “to adjourn the meeting” is seconded and the ChairmanChair thinks that the remaining business before the meeting cannot be sufficiently discussed on that occasion they shall put the adjournment motion to the vote without giving the mover to any motion under discussion their right of reply. If the motion for the adjournment is carried, the remaining business shall stand adjourned to a time fixed by the ChairmanChair at the time the meeting is adjourned, or otherwise, to the next ordinary meeting of the Council.
- e)f) Where a closure motion (b) (c) and (d) is not agreed by the Chair or not agreed by the meeting then the mover of the closure motion may not speak further on the subject under discussion

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17.13 Point of Order

A Member may raise a point of order at any time. The ChairmanChair will hear them immediately. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law. The Member must indicate the Rule or law and the way in which they consider it has been broken. The ChairmanChair may will allow a reasonable time for the Member to identify the

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

relevant Rule or point of law The ruling of the [ChairmanChair](#) on the matter will be final.

17.14 Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by a Member which may appear to have been misunderstood in the present debate. The ruling of the [ChairmanChair](#) on the admissibility of a personal explanation will be final.

18. REFERRAL AND RECOVERY

18.1 Referral

- (i) Referral should only be used where Members of the Council, after due deliberation, consider that it is in the interests of the community of the district that a pending decision should be made at a meeting of the Full Council rather than by a Committee or Sub-Committee.
- (ii) If, during the referral period, referral of a pending decision is requested by any twenty eight (28) Members of the Council then, notwithstanding anything in Part 3 (Responsibility for Functions) of this Constitution, no Committee or Sub-Committee may exercise any delegated authority to make that decision, but may instead make a recommendation to a meeting of the Full Council.
- (iii) In this rule “pending decision” means any decision that would otherwise be taken by a Committee or Sub-Committee of the Council except:
 - a. a decision to make a recommendation to a meeting of the Full Council or to any Committee or Sub-Committee of the Council (including a Joint Committee;
 - b. a decision relating to the determining of any approval, consent, licence, permission or registration; and
 - c. a decision in respect of which the Chief Executive, following consultation with the Leader of the Council, has, before the decision is referred, certified that any delay likely to be caused by the referral process would seriously prejudice the Council’s or the public interest.
- (iv) In this rule “referral period” means in relation to a pending decision, the period commencing with the publication on the Council’s website of the Committee or Sub-Committee agenda at which it would be considered and ending at 4pm on the day before the meeting.

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18.2 Recovery

2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- (i) Recovery should only be used where Members of the Council, after due deliberation, consider that a recoverable decision is not in the interests of the community of the district and ought to be reconsidered.
- (ii) During the recovery period, the Chief Executive shall recover a decision for consideration at a meeting of the Council if so requested by any twenty eight (28) members of the Council. They shall arrange for the decision to be placed on the agenda of the next available meeting of the Council.
- (iii) Notwithstanding anything in Part 3 (Responsibility for Functions) of this Constitution or elsewhere in this Constitution:
 - a. a recoverable decision may not be implemented during the recovery period; and
 - b. a decision that has been recovered under this Council Procedure Rule will be treated for all purposes as though the decision has been a recommendation to a meeting of the Full Council to take that decision.
- (iv) In this rule, the “next available” meeting means the first meeting falling more than ten working days after the Chief Executive receives the request for recovery, unless it is practicable to include the decision as an agenda item at an earlier meeting, in which case it means the earlier meeting.
- (v) In this rule “recoverable decision” means any decision taken by a Committee or Sub-Committee of the Council except:
 - a. a decision to make a recommendation to a meeting of the Full Council or to any Committee or Sub-Committee of the Council (including a Joint Committee);
 - b. a decision relating to the determining of any approval, consent, licence, permission or registration;
 - c. a decision relating to conduct or procedure at the meeting at which it was taken; and
 - d. a decision in respect of which the Chief Executive, following consultation with the Leader of the Council, has, before the decision is recovered, certified that any delay likely to be caused by the recovery process would seriously prejudice the Council’s or the public interest.
- (v) In this rule “recovery period” means, in relation to a decision, the period of six working days commencing with the day when the draft minutes of the meeting are posted on the Council’s website. This means that if the minutes were posted on a Monday, the request for recovery would need to be made no later than 4.30pm the Tuesday of the following week, unless there was a Bank Holiday in between.

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**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

19. PREVIOUS DECISIONS AND MOTIONS

19.1 Motion to Rescind a Previous Decision

With the exception of the Recovery arrangements at Council Procedure Rule 18.2, a motion or amendment to rescind a decision made at a meeting of the Council within the previous six months cannot be moved unless a notice of motion is submitted in accordance with Council Procedure Rule 15 and signed by at least 14 Members of the Council.

19.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of the Council in the previous 6 months cannot be moved within a further period of 6 months.

20. VOTING

20.1 Voting on Motions/Recommendations in Part

Whilst it shall be normal practice to vote on a motion or recommendation in its entirety, the [ChairmanChair](#) may use their discretion to allow a vote to be taken on each constituent part separately if a request is received from a Member.

20.2 Majority

All matters will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

20.3 [ChairmanChair](#)'s Casting Vote

If there are equal numbers of votes for and against, the [ChairmanChair](#) shall have a second or casting vote.

20.4 Show of Hands

Unless a recorded vote is demanded by legislation or a Member requests a recorded vote, the [ChairmanChair](#) will take the vote by a show of hands.

20.5 Recorded Vote

A Member may ask for the vote on a particular matter to be recorded before the vote is taken. The names for and against the motion or amendment or those who abstained from voting will be taken down and entered into the minutes.

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

Such a request will be allowed unless the [ChairmanChair](#) considers the request frivolous or vexatious.

20.6 Recorded Vote at Council Budget Setting Meetings

At the Budget meeting(s) each year, voting on any motion or amendment relating to the Budget or setting of the Council Tax will be recorded to show whether each Member present voted for or against the motion or amendment or abstained from voting, and entered into the minutes.

20.7 Right to Require Individual Vote to be Recorded

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

20.8 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

20.9 Voting on Appointing the [ChairmanChair](#) and Vice-[ChairmanChair](#) of the Council

The vote to appoint the [ChairmanChair](#) and Vice-[ChairmanChair](#) of the Council shall be by ballot.

21. MINUTES

21.1 Signing the Minutes

The [ChairmanChair](#) will sign the minutes of the proceedings at the next meeting. The [ChairmanChair](#) will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

21.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

treated as a suitable meeting for the purpose of paragraphs 41 (1) and (2) of Schedule 12 relating to the signing of minutes.

21.3 Form of Minutes

Minutes will contain all motions and amendments in the exact form and order the [ChairmanChair](#) put them.

21.4 Minutes included in the Council Agenda

Once the Council agenda has been circulated, any minutes produced after this date will be presented to the next meeting of the Council, with the exception of matters which have been considered by Service and Regulatory Committees, Sub-Committees, or Working Parties and Panels that are considered urgent and cannot wait until the next meeting of the Council.

22. RECORD OF ATTENDANCE

All Members present during any official Council meeting shall sign their name in the Attendance Book before the conclusion of the meeting. The Committee Manager will also record attendance in the minutes of the meeting.

23. EXCLUSION OF THE PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 6 of this Constitution or Council Procedure Rule 26.

24 PHOTOGRAPHY, BROADCASTING AND RECORDING OF MEETINGS

The Council supports the principles of openness and transparency in its decision making and allows recording, filming and broadcasting at its meetings that are open to the public. These arrangements will operate in accordance with the Council's Protocol on Filming and Recording of Council Meetings set out in Part 8 of this Constitution.

25 MEMBERS CONDUCT

25.1 General Disturbance

If there is a general disturbance making orderly business impossible, the [ChairmanChair](#) may adjourn the meeting for a long as they think necessary. The [ChairmanChair](#)'s decision is final.

25.2 A Member shall comply with the adopted Members' Code of Conduct set out in Part 8 of this Constitution. Further to the Code of Conduct, a Member must withdraw from a meeting room during the consideration of any item of business in which they have a disclosable pecuniary interest.

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

25.3 Member not to be heard further

If a Member persistently disregards the ruling of the [ChairmanChair](#) by behaving improperly or offensively or deliberately obstructs business, the [ChairmanChair](#) may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

25.4 Member to leave the Meeting

If the Member continues to behave improperly after such a motion is carried, the [ChairmanChair](#) may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

26. DISTURBANCE BY THE PUBLIC

If there is a general disturbance making orderly business impossible, the [ChairmanChair](#) may adjourn the meeting for as long as they think necessary. The [ChairmanChair](#)'s decision is final.

26.1 Removal of Member of the Public

If a member of the public interrupts proceedings, the [ChairmanChair](#) will warn the person concerned. If they continue to interrupt, the [ChairmanChair](#) may adjourn the meeting for as long as they think necessary and will order their removal from the meeting room. The [ChairmanChair](#)'s decision is final.

26.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the [ChairmanChair](#) may call for that part to be cleared. The [ChairmanChair](#) may adjourn the meeting for as long as they think necessary while the room is cleared. The [ChairmanChair](#)'s decision is final.

27 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

27.1 Suspension

All of these Council Procedure Rules except Rules 20.3 ([ChairmanChair](#)'s Casting Vote) 20.6 (Recorded Vote at Council Budget Setting Meetings) and 21 (Minutes) may be suspended by motion on notice, or without notice, if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

**2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

27.2 Amendment

Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

28. MEMBERSHIP OF COMMITTEES AND SUB-COMMITTEES

28.1 Allocation of Seats

In accordance with the provisions of the Local Government and Housing Act 1989 or any regulations made thereunder, the Chief Executive shall **calculate** ~~determine~~ the number of seats to be allocated to each Political Group on Committees and Sub-Committees. A schedule confirming this allocation of seats will be reported to each Annual Council Meeting and retained by the Monitoring Officer.

The Leader of each Political Group shall at least 14 days before the Annual Council Meeting (or as soon as practicable in an election year) supply a list of their Group's membership of each Committee and Sub-Committee. Appointments will then be confirmed by the Annual Council Meeting.

28.2 Changes to Memberships

If at any time following an election there is a change to the number of Members in each Political Group, the Chief Executive shall review the allocation of seats and inform the Leader of each Political Group of any changes required.

Permanent changes in the membership of Committees and Sub-Committees must be notified by the relevant Group Leader or their deputy, in writing, to the Monitoring Officer at least 24 hours before the relevant meeting. Such changes will take immediate effect and then be reported to the next Full Council meeting for information.

28.3 Changes to Membership from a Vacancy on the Council

Where a vacancy occurs on the Council during the four-year term of office, that seat shall not be filled by a substitute Member until an election has been held for the vacancy and any changes to the allocation of seats have been agreed.

Once the allocation of seats has been reviewed by the Chief Executive, any changes to memberships notified by the relevant Group Leader will take immediate effect and will then be reported to the next Full Council meeting for information.

2021 CONSTITUTION
PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

29. SUBSTITUTION

Where a Member of a Committee, Sub-Committee, Working Party or Panel is unable to attend a meeting, then the relevant Group Leader, or their deputy, may nominate a substitute Member provided that notice, in writing, is made to the Monitoring Officer and relevant Committee Manager by 10am on the day of the meeting. The substitute Member will cover that meeting only.

Where a Committee operates designated substitute arrangements, then the deadline for written notification by the relevant Group Leader or their deputy is prior to the start of the meeting.

Any substitution by a Group Leader on the Development Control Committee will replace a relevant Group Member.

These substitution rules will not apply to the Licensing Committee or Licensing Sub-Committee.

30. REPRESENTATION ON OUTSIDE BODIES

30.1 Nominations to Outside Bodies

The Council acts as a representative on a number of outside bodies and each year the Chief Executive will provide a list of vacancies to the Leaders of all Political Groups so they can seek the views of their Members on which body they would wish to be nominated. All nominations received will be reported to the Leader of the Council.

The Leader of the Council shall, after consulting with the Leaders of all other Political Groups, be responsible for nominating Members to fill any vacancies on outside bodies. A list of the Members nominated shall be submitted to the [relevant committee Annual Council Meeting](#) for approval.

30.2 Casual Vacancies on Outside Bodies

Any vacancies that occur during the municipal year will be reported to the Leader of the Council to make a nomination to the next [ordinary](#) meeting of the [committees Full Council](#), following consultation with the Leaders of all other Political Groups.

31. SUBSTITUTION OF THE CHIEF EXECUTIVE

If the Chief Executive is unavailable or unable to act for the purpose of any of these Council Procedure Rules, then the Director of Services or Director of Place may substitute for them.

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**2021 CONSTITUTION
PART 5 – MEETING PROCEDURE RULES
SECTION 2 – COMMITTEE PROCEDURE RULES**

**PART 5 – MEETING PROCEDURE RULES
(SECTION 2 – COMMITTEE PROCEDURE RULES)**

Contents

1. SCOPE..... 43

2. MEETINGS OF COMMITTEES..... 43

3. BUSINESS AT MEETINGS..... 43

4. NOTICE OF MEETINGS..... 54

5. COMMITTEE AGENDA ITEMS..... 54

6. THE [CHAIRMAN](#) AND VICE [CHAIRMAN](#) OF COMMITTEES..... 54

7. QUORUM..... 54

8. DURATION OF MEETING..... 65

9. MINUTES..... 65

10. QUESTIONS BY MEMBERS OF THE PUBLIC..... 65

11. QUESTIONS BY MEMBERS WITH PREJUDICIAL INTERESTS..... 87

12. ATTENDANCE BY OTHER MEMBERS OF THE COUNCIL..... 87

13. RULES OF DEBATE..... 98

14. VOTING..... 1240

15. MEMBERS CONDUCT..... 1344

16. DISTURBANCE BY THE PUBLIC..... 1344

17. PREVIOUS DECISIONS..... 1442

18. RECORD OF ATTENDANCES..... 1442

19. SUBSTITUTION..... 1442

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES

1. SCOPE

- 1.1. These rules apply to meetings of the:
- Service Committees
 - Regulatory Committees
 - Sub-Committees
 - Joint Area Committees
- 1.2. These rules will also apply to a Working Party that has agreed that its meetings should be held in public, as confirmed in Part 3 of this Constitution.
- 1.3. All references to 'Committee' throughout these rules will apply to the relevant Committee, Sub-Committee, Joint Area Committee or Working Party.

2. MEETINGS OF COMMITTEES

- 2.1. Meetings of Committees shall be held on the dates set out in the annual calendar of meetings approved by the Council or on a date fixed by the [ChairmanChair](#).
- 2.2. If the [ChairmanChair](#) of the Committee considers that the day fixed for a meeting is no longer suitable for that purpose or if there is insufficient business to justify the holding of the meeting, they shall, after consultation with the relevant lead officer, cancel that meeting and, if appropriate, fix an alternative day for the next meeting.
- 2.3. The [ChairmanChair](#) of a Committee may call a special or extraordinary meeting of their Committee at any time.

3. BUSINESS AT MEETINGS

- 3.1. The order of business at meetings will be as follows:
- (i) appoint a person to preside if the [ChairmanChair](#) or Vice-[ChairmanChair](#) are not present;
 - (ii) receive apologies for absence and note any substitutions;
 - (iii) receive any declarations of interest from Members in accordance with the Members' Code of Conduct;
 - (iv) approve the minutes of the last meeting;
 - (v) receive questions from members of the public
 - (vi) receive questions for any Member with a pecuniary interest;
 - (vii) receive any items which the [ChairmanChair](#) of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstance;
 - (viii) receive the [ChairmanChair](#)'s report of any consultations undertaken with officers since the last meeting; and
 - (ix) receive and consider officer reports in connection with the items on the agenda for the meeting, including any supplementary items, and taking decisions in line with the Committee's responsibilities as set out in Part 3 of this Constitution.

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES

4. NOTICE OF MEETINGS

- 4.1. The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules at Part 6 of this Constitution. The summons will be accompanied by such reports as are available.
- 4.2. Where a special or extraordinary meeting is convened at shorter notice, the summons will be issued at the time the meeting is convened.
- 4.3. No business other than that specified in the summons and the agenda shall be transacted at the meeting of the Committee except urgent items.

5. COMMITTEE AGENDA ITEMS

- 5.1. Any Member of the Council wishing to have an item placed on an agenda for a meeting of a Committee (other than by way of a Notice of Motion in accordance with Council Procedure Rule 15) shall contact the relevant [ChairmanChair](#) requesting that an item be placed on the next available agenda and the decision of the [ChairmanChair](#), in consultation with the relevant Director/Group Head, shall be final as to whether that item falls within the terms of reference of the Committee and whether the item should be included on the agenda for a future meeting.

6. THE [CHAIRMANCHAIR](#) AND VICE [CHAIRMANCHAIR](#) OF COMMITTEES

- 6.1. The [ChairmanChair](#) of a Committee shall preside over meetings of that Committee.
- 6.2. Any powers and duties assigned to the [ChairmanChair](#) under these Committee Procedure Rules shall, in the absence of the [ChairmanChair](#), be undertaken by the Vice-[ChairmanChair](#).

7. QUORUM

- 7.1. The quorum of a meeting will be 3 for a membership of 9; 4 for a membership of 11; or one third of the whole number of Members of the Committee in all other membership sizes.
- 7.2. During any meeting, if the [ChairmanChair](#) counts the number of Members present and declares that there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at the time and date fixed by the [ChairmanChair](#). If they do not fix a date, the remaining business will be considered at the next ordinary meeting of the Committee.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES**

8. DURATION OF MEETING

- 8.1. Each unfinished meeting will adjourn after four and a half hours unless a majority of Councillors present vote to extend the meeting for a further 30 minutes at which time the meeting will stand adjourned.
- 8.2. The time and date of the continuation of the adjourned meeting will be decided by a majority of those Councillors present, or if no decision is reached, by the Chief Executive in consultation with the [ChairmanChair](#), and where it is urgent and cannot wait until the next scheduled meeting it should normally take place within 10 working days of the meeting.

9. MINUTES

9.1. Signing the Minutes

The [ChairmanChair](#) will sign the minutes of the proceedings at the next meeting. The [ChairmanChair](#) will move that the minutes of the previous meeting be signed as a correct record. The only part of the Minutes that can be discussed is their accuracy.

9.2. No requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting.

Where in relation to any meeting, the next meeting for the purpose of signing the Minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following suitable meeting (being called otherwise than under that paragraph) will be treated as a suitable meeting for the purpose of paragraphs 41 (1) and (2) of Schedule 12 relating to the signing of Minutes.

9.3. Form of Minutes

Minutes will contain all motions and amendments in the exact form and order the [ChairmanChair](#) put them in.

10. QUESTIONS BY MEMBERS OF THE PUBLIC

10.1. Submitting Questions

Members of the public may ask questions of the [ChairmanChair](#) of a Committee, or the Vice-Chairmen in their absence, subject to written notice of the question being submitted to the Monitoring Officer 5 working days prior to the meeting.

a) All questions:

- must confirm to whom the question is addressed;
- must be relevant to matters for which the Committee has powers or duties;
- should be limited to obtaining information or pressing for action; and
- must not exceed one minute in duration.

b) Questions may be rejected by the Chief Executive/[ChairmanChair](#) if they:

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES

- are not relevant to matters for which the Committee has responsibility; or
- may be defamatory, frivolous or offensive; or
- are substantially the same as a question put at a meeting in the past six months; or
- would divulge, or require to be divulged, confidential or exempt information.

10.2. Time Limit for Questions

The time limit for questions by the public will be 15 minutes, although the [ChairmanChair](#) has discretion to extend this period.

10.3. Asking Questions at the Meeting

The [ChairmanChair](#) will invite questioners to put their questions in the order in which they are received. The questioner may ask only one question at a time. Where they have submitted multiple questions, they will only be able to ask subsequent questions if there is sufficient time remaining.

The [ChairmanChair](#) will have discretion to:

- (a) group together similar questions; and
- (b) respond to the questioner where the same or similar question has been asked before and explain a written answer will be sent to them.

Where the questioner is unable to be present, the [ChairmanChair](#) has discretion to:

- ask the Committee Manager to ask the question on their behalf;
- explain that a written reply will be given to the questioner; or
- decide that the question will not be dealt with.

Any question which cannot be dealt with during the period allowed for public question time will be responded to by written answer.

10.4. Supplementary Questions

If time permits, a questioner who has put a question in person may ask one supplementary question without notice to the [ChairmanChair](#) of the Committee. The supplementary question must arise directly out of the original question or the reply and shall be limited to one minute's duration.

10.5. Responses

The [ChairmanChair](#) will seek to respond to questions as fully as possible but shall not be required to divulge confidential or exempt information. Where a reply cannot be given at the meeting, a written answer will be provided within 10 working days of the meeting and published to the Council's website.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES**

10.6. Records of Questions

A schedule of questions and answers will be maintained and published to the Council's website within 10 working days of the meeting. The minutes of the meeting will record a summary of the questions and answers.

11. QUESTIONS BY MEMBERS WITH PREJUDICIAL INTERESTS

11.1. In line with the Members' Code of Conduct at Part 8 of this Constitution, a Member with a prejudicial interest may ask a question of the [ChairmanChair](#) of a Committee. as long as this is submitted and asked under the same rules that apply to the public, as set out in Committee Procedure Rule 10.

12. ATTENDANCE BY OTHER MEMBERS OF THE COUNCIL

12.1. Addressing a Committee

A Member of the Council shall have the right to attend a meeting of any Committee of the Council(except Standards Committee) of which they are not a member but they shall not be entitled to take part in any discussion or vote on any matter under consideration. They may, however, address a meeting of a Committee on a specified item or items of business with the permission of the Committee.

12.2. Acting as a Consultee

A Committee may invite any Member of the Council who is not a member of the Committee to attend one or more of its meetings as a consultee to:

- provide verbal or written answers to the Committee's questions; and/or
- make a verbal statement to the Committee; and/or
- provide a written statement to the Committee.

A Member attending a Committee as a consultee shall not be entitled to take part in any discussion or vote on any matter under consideration. They may, however, address the meeting with the permission of the Committee.

12.3. Acting as a Proposer of a Motion

A Member of Council who has proposed a motion under Council Procedure Rule 15 (Notices of Motion) which has been referred by the Full Council to a Committee shall receive notice of the meeting at which it is proposed to consider the motion. They shall have the right to attend the meeting and, if they attend, shall have an opportunity of speaking to the motion.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES**

13. RULES OF DEBATE

13.1. The rules of debate in this Committee Procedure Rule shall apply to all the meetings of Committees and the references in the Committee Procedure Rule to “Member” shall also include co-opted Members.

13.2. Speaking at Committee Meetings

A Member wishing to speak will raise their hand. If two or more Members indicate that they wish to speak, the [ChairmanChair](#) will call them in turn to speak.

13.3. Content and Length of Speeches

A Member shall speak on the question under discussion or a personal explanation or to a point of order. No speech may exceed 5 minutes in length without the consent of the [ChairmanChair](#).

13.4. Motions and Amendments

A motion or amendment shall not be discussed unless it has been proposed and seconded. Unless notice has already been given, the [ChairmanChair](#) may require it to be written down and handed to them before it is discussed.

13.5. Secunder’s Speech

A Member when seconding a motion or amendment may reserve their speech until a later period of the debate.

13.6. Amendments to Motions

Every amendment shall be relevant to the motion on which it is moved and shall be:

- i. to leave out words; or
- ii. to leave out words and insert and add others; or
- iii. to insert or add words;

but such omission, insertion or addition or words shall not have the effect of negating the motion before the Committee.

13.7. Two or More Amendments

Only one amendment may be moved and discussed at a time and no further amendments shall be moved until the amendment under discussion has been disposed of.

13.8. Position if an Amendment is Lost or Carried

If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

13.9. Withdrawal of the Motion

A motion or an amendment may be withdrawn by the mover with the consent of their seconder and no Member may speak upon it after it has been withdrawn.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES**

13.10. Alteration of Motion

A Member may, with the consent of both the meeting and their seconder, alter a motion or amendment which they proposed or of which notice had been given. Only alterations which could have been moved as an amendment may be made.

13.11. Motions Which May be Moved During Debate

When a motion is under debate, no other motion shall be moved except the following procedural motions:

- i. to withdraw a motion
- ii. to amend a motion
- iii. to proceed to the next business
- iv. that the question be now put
- v. to adjourn a debate
- vi. to adjourn a meeting
- vii. to exclude the public and press in accordance with the Access to Information Rules set out in Part 6 of this Constitution; and
- viii. to not hear further a Member named or to exclude them from the meeting under Committee Procedure Rule 15.

13.12. Closure Motions

a) ~~A Member~~ Any Member who has not already spoken on a motion may move, without comment, the following motions at the end of a speech of another Member:

- i. to proceed to the next business;
- ii. that the question be now put;
- iii. to adjourn a debate; or
- iv. to adjourn a meeting.

the Member moving the motion will make themselves known by way of a "Point of Order" at the end of a speech of another Member but will then explain that it they wish to move a closure motion.

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b) If a motion "to proceed to next business" is seconded and the ChairmanChair thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote. If the motion is carried the question which was under consideration shall be dropped and deemed not approved

c) If a motion that "the question be now put" is seconded and the ChairmanChair thinks the item has been sufficiently discussed, the ChairmanChair will put the procedural motion to the vote (without discussion). If it is passed the ChairmanChair will give the mover of the original motion the right of reply before putting their motion to the vote.

d) If a motion "to adjourn the debate" or "to adjourn the meeting" is seconded and the ChairmanChair thinks the item has not been

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES

sufficiently discussed and cannot reasonably be so discussed on that occasion they will put the procedural motion to the vote without giving the mover of the original motion the right of reply. Where the motion to adjourn the debate is carried, the discussion shall be resumed as adjourned business at the next meeting or such other day and hour as shall have been specified in the motion and the meeting shall proceed to the next business on the agenda

e) Where a closure motion (a.i or a.ii or a.iii above is not agreed by the Chair or not agreed by the meeting then the mover of the closure motion may not speak further on the subject under discussion

e/f)

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**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES**

e)g) If a motion to adjourn the meeting is seconded and the [ChairmanChair](#) thinks that the remaining business before the meeting cannot be sufficiently discussed on that occasion they shall put the adjournment motion to the vote without giving the mover to any motion under discussion their right of reply. If a motion for the adjournment is carried, the remaining business shall stand adjourned to a time fixed by the [ChairmanChair](#) at the time the meeting is adjourned, or otherwise, to the next ordinary meeting of the Committee.

13.13. Resumption after Adjournment

On resumption of an adjourned debate the Member who moved the adjournment is entitled to speak first.

13.14. Point of Order

A Member may raise a point of order at any time. The [ChairmanChair](#) will hear them immediately. A point of order may only relate to an alleged breach of these Committee Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The [ChairmanChair](#) may allow a reasonable time for the Member to identify the relevant Rule or point of law. The ruling of the [ChairmanChair](#) on the matter will be final.

13.15. Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by a Member which may appear to have been misunderstood in the present debate. The ruling of the [ChairmanChair](#) on the admissibility of a personal explanation will be final.

13.16. Officers of the Council

At the request of the [ChairmanChair](#), an officer of the Council may speak during a debate at the Committee meetings to respond to questions asked and statements made.

14. VOTING

14.1. Any question at any meeting of any Committee shall be determined by a show of hands by a majority of the Members present and voting.

14.2. A Member may ask for the vote on a particular matter to be recorded before the vote is taken. The names for and against the motion or amendment or those who abstained from voting will be taken down and entered into the minutes. Such a request will be allowed unless the [ChairmanChair](#) considers the request frivolous or vexatious.

14.3. Where any Member requests it immediately after a vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or recommendation or abstained from voting.

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES

14.4. If there are equal numbers of votes for and against, the [ChairmanChair](#) shall have a second or casting vote.

14.5. **Voting at [Planning Development Control](#) Committee**
Voting on an officer recommendation at the [Planning Development Control](#) Committee will follow the procedure set out in the Planning Protocol included at Part 8 of this Constitution. However, Committee Procedure Rules 14.2 to 14.4 relating to recorded votes and equality of voting will still apply.

15. MEMBERS CONDUCT

15.1. **General Disturbance**
If there is a general disturbance making orderly business impossible, the [ChairmanChair](#) may adjourn the meeting for as long as they think necessary. The [ChairmanChair](#)'s decision is final.

A Member shall comply with the Members' Code of Conduct as set out in Part 8 of this Constitution. Further to the Code of Conduct, a Member must withdraw from a meeting room during the consideration of any item of business in which they have a disclosable pecuniary interest.

15.2. **Member not to be heard further**
If a Member persistently disregards the ruling of the [ChairmanChair](#) by behaving improperly or offensively or deliberately obstructs business, the [ChairmanChair](#) may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

15.3. **Member to leave the Meeting**
If the Member continues to behave improperly after such a motion is carried, the [ChairmanChair](#) may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

16. DISTURBANCE BY THE PUBLIC

16.1. If there is a general disturbance making orderly business impossible, the [ChairmanChair](#) may adjourn the meeting for as long as they think necessary. The [ChairmanChair](#)'s decision is final.

16.2. If a member of the public interrupts proceedings, the [ChairmanChair](#) will warn the person concerned. If they continue to interrupt, the [ChairmanChair](#) may adjourn the meeting for as long as they think necessary and will order their removal from the meeting room. The [ChairmanChair](#)'s decision is final.

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 2 COMMITTEE PROCEDURE RULES

16.3. If there is a general disturbance in any part of the meeting room open to the public, the [ChairmanChair](#) may call for that part to be cleared. The [ChairmanChair](#) may adjourn the meeting for as long as they think necessary while the room is cleared. The [ChairmanChair](#)'s decision is final.

17. PREVIOUS DECISIONS

With the exception of the Recovery arrangements at Council Procedure Rule 18.2, no resolution taken at a previous meeting of a Committee shall be rescinded or varied within six months unless notice has been given through a motion submitted in accordance with Council Procedure Rule 19 (Previous Decisions and Motions).

18. RECORD OF ATTENDANCES

Members of the Committee and any Co-opted Members shall sign their name in the Attendance Book to confirm their attendance at the meeting. The Committee Manager will also record attendance in the minutes of the meeting.

19. SUBSTITUTION

Where a Member is unable to attend a meeting, substitution arrangements will work to the requirements of Council Procedure Rule 29 (Substitution).

Public Document Pack Agenda Item 30

Subject to approval at the next Bognor Regis Regeneration Sub-Committee meeting

11

BOGNOR REGIS REGENERATION SUB-COMMITTEE

4 March 2021 at 6.00 pm

Present: Councillors Stanley (Chairman), Brooks (Vice-Chair), Mrs Daniells, Dixon, Edwards (Substitute for Mrs Madeley), English, Oppler, Roberts (Substitute for Mrs Stainton) and Mrs Warr

Councillor Goodheart was also in attendance for all or part of the meeting.

Apologies: Councillors Mrs Madeley and Mrs Stainton

14. CHAIRMAN ANNOUNCEMENT

The Chairman announced that this meeting was the Senior Regeneration Officer's last due to her retirement later on in the month. He thanked her for her hard work and dedication over her many years of service with the Council.

15. DECLARATIONS OF INTEREST

There were no declarations of interest made.

16. MINUTES

The minutes of the meeting held on 21 October 2020 were approved and it was agreed that the Chairman would sign these as soon as practicably possible.

17. BOGNOR REGIS BUSINESS IMPROVEMENT DISTRICT (BID) - UPDATE

The Chairman of Bognor Regis BID extended his thanks the Senior Regeneration Officer for her hard work over the years and wished her well on her retirement.

He then provided members with an update on the work that had been undertaken by the team since the last meeting of the Sub-Committee. The key highlights were;

- Reduction in Crime rates
- The Annual General Meeting (AGM) of the BID was confirmed and invitations had been sent on 11 March 2021
- Partnership working over the Christmas period with the 'light up' light installations across the Bognor Town Centre had been well received
- General Market confirmed as returning shortly, restrictions dependant
- Work with Bognor place branding team, with clear objectives to make Bognor a welcoming Town

Bognor Regis Regeneration Sub-Committee - 4.03.21

- New oversized planters had injected colour into the town centre and had been received well by business owners and the public
- A bright colourful artwork installation in Norfolk Road had been completed by a local artist which incorporates subliminal messaging to direct people up through the Highstreet
- A living wall had been established near the Bedford Toilets, it was confirmed that this was doing well and would look beautiful in full bloom.
- Wooden Planters had been placed in the far east end of the Highstreet

He also confirmed that the team were working to a re-opening date of 8 April 2021, however this date was subject to review dependant on restrictions and national Government guidelines.

Members then took part in a question and answer session and the Chairman of the Bognor Regis BID and the Bognor Regis BID Co-Ordinator provided answers to all questions raised.

The Chairman thanked the Chairman of the Bognor Regis BID and his team for their hard work and the support they provide to the town.

18. PRESENTATION FROM THE BOGNOR REGIS REGENERATION BOARD

The Chairman of Bognor Regeneration Board thanked the Senior Regeneration Officer for her hard work over the years and wished her well on her retirement. He then invited the Advisor to the Bognor Regeneration Board to deliver the presentation from the board to Members.

After the presentation members then took part in a question and answer session where the Advisor to, the Chairman of the Bognor Regeneration Board and the Bognor Regis BID Co-Ordinator provided answers to all questions asked.

The Sub-Committee noted the presentation that had been received and the Chairman thanked the Advisor and the Chairman of the Bognor Regis Regeneration for their work and attendance at the meeting.

19. BOGNOR REGIS PLACE BRANDING

(Councillor Goodheart joined the meeting at the start of this item)

The Senior Regeneration Officer provided members with an overview of her report and then invited the Bognor Regis BID Co-Ordinator to provide a more detailed summary of the work that had been completed, she highlighted that;

- It could not be a more appropriate time to grab hold of this and embrace it fully to help Bognor Regis recover from the Pandemic

- Changing the narrative on perception of Bognor Regis was within the control of all stakeholders and members
- The new shared narrative detailed in the Core Values of the place brand provided a common framework and consistent message for all stakeholders to reference when delivering initiatives for Bognor Regis

The Chairman then invited the Advisor to the Bognor Regis Regeneration Board to make any further comment.

Members then took part in a question and answer session and answers to all questions raised were provided by the Senior Regeneration Officer. It was clear from the comments made and questions asked that members were not all in agreement with the detail of the core values as some found them to be too simplistic. Members were reminded during the discussion that all of the detail before them had been driven from consultation with the community of Bognor Regis and not an external company. A further concern was raised that it was felt that all stakeholders involved may not have an equal say in the final actions delivered and it was unclear as to how some of the stakeholders involved had been agreed upon.

Discussion then turned to specific events and celebration of Bognor Regis heritage being something that members wanted more involvement in. The following events were mentioned as they had been particularly successful in the past;

- The Clown Convention
- The South Downs Folk Festival
- The Rox
- The Birdman
- Bognor Pride

The comments in reference to Butlins were felt to be unfair and it was stated by one member that, they had worked really hard for Bognor Regis and that they should be promoted in a good light. As discussion drew to an end it was highlighted that the survey that had been used to collate all of the feedback for this report may not be accurate as the survey was still showing as 'live' and this caused concern for one member.

On turning to the vote, it was requested and agreed that the recommendation be split, on conclusion of the vote the second part of the recommendation to adopt the place branding core values and brand filter for all Council activity in Bognor Regis was voted against and therefore;

The Sub-Committee

RECOMMEND TO FULL COUNCIL that;

- 1) the findings of the place branding perception study be noted as a reflection on community perceptions following the public consultation exercise.

20. BOGNOR REGIS REGENERATION POSITION STATEMENT

The Senior Regeneration Officer advised members that they had received the updated position statement in the agenda and that if there were any questions that members had she would answer where she could, but in the absence of the Group Head of Economy and the Director of Place some answer may require a written answer where she or the Chief Executive could not provide the detail needed.

The following points were raised;

- When would the planning application for the A29 be being brought before the Development Control Committee, the current date has been advised as 'Spring 2021'? It was confirmed that not specific date could be provided, only that the Planning Team are currently processing the application and that the Senior Regeneration Officer had seen is as part of the consultation process.
- Questions regarding Place St Maur and Sunken Gardens were asked, and answers were provided by the Chairman, the Chief Executive and the Leader of the Independent Group.
- Would the public toilets on Bognor Regis seafront be open for the Summer as confirmed by the notice that had been placed on them? It was confirmed they would be open for the Summer season.
- Had the Council matched the £50k funding that had been received for the Bandstand and how was this decision made? It was confirmed that the Council had matched the £50k grant that had been received, but that an answer to how and who made that decision would need to be provided outside of the meeting.
- It was asked was the application for Butlins to move their check in desk, likely to be presented to the Development Control Committee. It was confirmed that the application was in process at the current time.

It was confirmed by a member that the organiser of the Birdman event had been in touch as they had been watching the meeting via the website and they wanted to confirm that it was the intention to run the Birdman event and Bognor Pride, but that this was dependant on sponsorship.

The Chairman thanked all attendees for their participation in the meeting and then drew the meeting to a close.

Subject to approval at the next Bognor Regis Regeneration Sub-Committee meeting

15

Bognor Regis Regeneration Sub-Committee - 4.03.21

(The meeting concluded at 8.04 pm)

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