

COUNCIL MEETING – 9 NOVEMBER 2022

**QUESTIONS FROM MEMBERS PURSUANT TO
COUNCIL PROCEDURE RULE 14.3**

Q1 Councillor Stanley to the Chair of the Environment Committee, Councillor Edwards

Q1 In response to a question from a member of the public regarding the Place St. Maur Councillor Edwards said "The number of water jets provided are more than in the approved scheme." However in a correspondence I have seen from the Fountain Workshop they say there was "a number of value engineering measures. This included significant reductions to the number of jets and lights, and reducing the specification of the lighting down to white only, rather than the coloured lighting proposed." Can he explain this please?

A1 During the detail design stage there was an aspiration to maximise the number of jets in the completed scheme. However, it was clear that the ultimate number that could be afforded was 45. This is more than the 39 water jets shown on the concept plan presented at and approved by Cabinet on 21 March 2021.

Q2 Councillor Stanley to the Chair of the Environment Committee, Councillor Edwards

Q2 In that same response Councillor Edwards went on to say "The project has been finished later than planned." If the project has now been finished, what happened to the proposed pergola running down the western side of the site and the three splash pools located at the southern end?

A2 The concept plan approved by Cabinet on 21 March 2021 did not include a pergola. The concept plan identified three splash pools at the southern end of the fountains. During the detail design stage these were incorporated as part of the fountain display and are seen when the water jets are functioning.

Q3 Councillor Stanley to the Chair of the Environment Committee, Councillor Edwards

Q3 I have been informed that the final surface for the Place St. Maur will not allow trailers or vehicles to be manoeuvred on it, can Councillor Edwards confirm if this is the case and if so how can events such as the recent TASTE! Food festival be repeated?

A3 I have to say that whoever informed you, I am not quite sure where they got that information from. The Place St Maur has been designed to facilitate events and we would welcome the return of the very successful TASTE! Food Festival. As part of any event vehicles will be able to access Place St Maur. It should be reminded that in the public interest that event organisers respect the newly constructed space and avoid any damage.

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Q With regard to the surface, that is what I had been informed. Apparently, there was an issue with anchor points which stopped marquees being erected. Can you please comment on this?

Supp

A Thank you for your supplementary. I do not have information to hand about anchor points and so I will have to come back to you on this and provide you with a written response.

Q4 Councillor Stanley to the Chair of the Environment Committee, Councillor Edwards

Q4 It has been reported that the Ice Rink will not be positioned on the Place St. Maur this year, it is suggested that the Ice Rink cannot now fit on the Place St Maur. Can Cllr Edwards confirm if this is the case, if not why the Ice Rink is on the London Road Car Park this year?

A4 Place St Maur has been designed to accommodate events including the ice rink, we have had the Levelling-Up Fund and anticipated doing some work on the Regis Centre area this particular winter and so and the reason that the ice-rink will be on London Road and associated with Hotham Park this year is because we wanted to host something much bigger and better for the town. It is going to be a huge event with lots of lighting, lots of fun and lots of stalls and I think that it will be a valuable asset in the run up to Christmas and a little bit after for the town.

Supp

Q I am sure that Councillor Edwards is aware that over the past 4/5 years, the ice rink providers have worked alongside the Bognor Regis Improvement District (BID) and Bognor Regis Town Council to develop a Christmas offering within the town centre. The Town Council has recently invested a significant amount of money on new Christmas lights. Neither the Town Council or the Bognor Regis BID were consulted about what was happening in Hotham Park/London Road and subsequently we have had a number of contacts from business owners who are disappointed over the impact this may have on their business trade. Do you have anything to say about this please?

Supp

A Thank you for your supplementary Councillor Stanley. Again, I do not have any further information, but I am quite happy to go away and discuss with stakeholders such as the Town Council and the Bognor Regis Regeneration Board as well to see what their comments may be on that. Again, I will report back to you in due course.

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Q5 Councillor Stanley to the Chair of the Planning Committee, Councillor Chapman

Q5 I have been dealing with an issue for a constituent for around 3 months now, the issue being that residents cannot access their properties without scraping the underside of their vehicles on the driveway leading to the site. This is a relatively new site and both District and County Council have informed me this is not their responsibility, so far declining a meeting. Would the Chair of Planning meet me on site and extend the invite to his County Council colleague the Cabinet Member for Highways to assist me in finding a resolution.

A5 Thank you for your question.

I am aware that the Council advised your constituent that there was no action this Council could take as there was no relevant breach of the planning permission which was allowed on appeal. Your constituent has subsequently raised this issue through the Council's complaint process which concluded that the Council's response was correct. Subsequently, the Local Government Ombudsman became involved but stated that the matter was outside its jurisdiction because it related to a decision by the Planning Inspectorate, on Appeal. Therefore, in light of this, I do not believe I can add any value by attending a site visit.

Supp

Q The site in question, the issue is with the angle from the highway going into the site into the drive. If you walk past it, you can actually see indentations on the highway and on the footpath where the underside of cars has taken junks out of it. My understanding is the reason there has been no planning breach is because no one asked about the pitch of the driveway whilst it was being constructed. My opinion is, that as the local planning authority, this is something that we have to look to resolve. I ask you with respect Councillor Chapman if you would be satisfied with that kind of access to your property?

Supp

A I did stress in my initial response that this planning application was allowed on appeal, that is by the Planning Inspector, not by Arun District Council. So, in terms of the angle of approach or the scraping of the underside of the car, this is a matter surely between the resident and the developer as Arun District Council did not permit this development the Planning Inspector did. The Ombudsman has already said that they cannot touch it because it was decided on appeal and so I stick by what I have said and in the light of this I do not believe that I can add any value by attending a site visit. At the end of his supplementary, Councillor Stanley asked me for my personal opinion and would I like it? The answer is no, I would not. But when it did happen to me in a house I bought 25 years ago, I went back to the people, through the agent that I had purchased it from and got them to sort it out. So, that was a pragmatic solution.

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My reading of this is that this planning application was not granted by Arun District Council it was granted on appeal by the Planning Inspector.

Q6 Councillor Coster to the Chair of the Policy & Finance Committee, Councillor Gunner

Q6 Can you confirm that you agree with Article 2 of our Constitution that it is sound policy for councillors to be asked to maintain the highest standards of conduct and ethics (Art 2, 3.0(vi)) and to have special responsibility towards the residents in their ward (Art 2, 3.0 (iii)).

A6 I will be delighted to provide a written response to Councillor Coster.

Q7 Councillor Oppler to the Chair of the Policy & Finance Committee, Councillor Gunner

Q7 Having viewed a large number of committee meetings held during this civic year, I have concluded that the standard of chairmanship is generally poor.

The implementation of rules varies considerably, and certain chairmen allow committee members to speak more than once on an item, while another permits councillors to speak only once.

I am also concerned that some chairmen appear confused about the running of the meetings and others do not demonstrate complete impartiality.

Therefore, as a matter of urgency, I call upon the leader to instigate additional training for all chairs and vice chairs of committees on Arun District council.

A7 Thank you Councillor Oppler for your statement.

Q8 Councillor Coster to the Chair of the Planning Committee, Councillor Chapman

Q8 Would you agree that (excluding appeals, judicial reviews or call-ins of course) in respect of planning applications which involve trees subject to Tree Preservation Orders your committee, as advised by our arboriculturist officer, is the ultimate decision-maker on what work should or should not be permitted to such trees? I appreciate that such decisions are often made by officers under delegated powers, but would you agree that your committee is the ultimate decision-maker?

A8 In principle, my answer to Councillor Coster's question is yes. However, the health warning on that is that I will seek further advice to ensure that my answer is correct. If necessary, I will respond further in writing.

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Q In view of your response, and I am not asking you to make any comment on any individual application, can I ask you to ensure that any application that involves work to a TPO tree, where it is of some considerable age and significance to the street scene, and is healthy and not causing a nuisance, that it comes before your committee for consideration? Can I also ask for your assurance that your committee will be fully briefed on the importance of treating such trees with the greatest of care as set out in the NPPF, paragraphs 131 174b and 180c, plus it also comments on irreplaceable habitats and the committee is briefed on our local plan policy VDM4 stating that development will only be permitted where it can be demonstrated that TPO trees will not be damaged or destroyed and that development works do not have a negative impact on existing trees. So, finally, in view of all of this, I am asking Councillor Chapman for an assurance that you and your committee will recognise that excessive pruning to important TPO trees to suit the convenience of developers completely undermines the purpose of a Tree Preservation Order (TPO). As also does the felling of such trees with the replacement of immature small trees which will take many years to mature.

Supp

A Of course, in principle, I agree with all of the points that Councillor Coster has made within his supplementary. It is plain common sense, and it should happen in that way. We do rely on expert advice from our Arboriculturist in these matters, and it does happen sometimes that developers and other interested parties may prune a tree to an excessive amount. We would always do our best to avoid that but in principle I would agree with the line that Councillor Coster has taken in his supplementary, it is good common sense, however, as I have said with my previous answer, I will take further advice from the expert planners to give a definitive answer.