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MINUTES OF A MEETING OF THE ARUN DISTRICT COUNCIL HELD IN THE ARUN CIVIC CENTRE ON 15 MARCH 2023 AT 6.00 PM

Present: Councillors Staniforth (Chair), Mrs Cooper (Vice-Chair), Batley, Bicknell, Blanchard-Cooper, Bower, Brooks, Caffyn, Chapman, Chace, Clayden, Cooper, Coster, Dendle, Dixon, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Haywood, Hughes, Huntley, Kelly, Lury, Madeley, McAuliffe, Oliver-Redgate, Oppler, Pendleton, Purchase, Stainton, Stanley, Thurston, Wallsgrove, Walsh, Warr, Worne and Yeates.

759. WELCOME

The Chair welcomed Councillors, representatives of the public, press and officers to the meeting.

760. FORMER COUNCILLOR TONY WILLIAMSON AND FORMER COUNCILLOR AND HONORARY ALDERMAN PAT STINCHCOMBE

The Chair stated that sadly she had to commence this meeting by announcing the deaths of two former Councillors.

Firstly, the Chair confirmed that it had just been brought to the Council's attention that former Councillor and Chair of the Council, Tony Williamson, had passed away at the end of February 2023. Tony Williamson had been Chair of the Council from 1998 to 1999 having first joined the Council on 3 May 1979 representing the Rustington Ward.

The Chair then confirmed that Alderman Mrs Pat Stinchcombe had passed away towards the end of last week following a period of illness. Mrs Stinchcombe had been elected to the Council on 6 May 1976 and had represented the Bognor Regis East Ward until May 1987 when she represented the Hotham Ward until she stood down. Alderman Mrs Stinchcombe had become an Honorary Alderman in 2000 in recognition of her great service to the district of Arun.

The Chair invited tributes from Members.

Many tributes were made to honour the work and commitment of Alderman Mrs Stinchcombe and former Councillor Williamson.

The Council then undertook a minute's silence to respect both of their passings.

761. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Bennett, Buckland, Jones, Needs, Northeast, Rhodes, Roberts and Tilbrook and from Honorary Alderman, Mr Dingemans.

762. DECLARATIONS OF INTEREST

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.

The following Councillors all declared their Personal Interest in Agenda Item 9 [Use of Urgent Powers by the Chief Executive – Littlehampton Harbour Board]:

- Councillor Walsh [As Vice-Chair of the Littlehampton Harbour Board]
- Councillors Haywood, Bicknell and Pendleton all as Members of the Littlehampton Harbour Board

Councillor Stanley declared a Personal Interest in Agenda Item 16 [Audit & Governance Committee – 28 February 2023 – Minute 729 (Treasury Management – Strategy Statement and Annual Investment Strategy 2023/24)] in view of his employment.

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 David Chace	Littlehampton
Councillor Mike Clayden	Rustington
Councillor Andy Cooper	Rustington
Councillor Alison Cooper	Rustington and WSSC
Councillor Sandra Daniells	Bognor Regis
Councillor Roger Elkins	Ferring and WSSC
Councillor Paul English	Felpham
Councillor Steve Goodheart	Bognor Regis
Councillor Pauline Gregory	Rustington
Councillor June Hamilton	Pagham

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Councillor Shirley Haywood	Middleton-on-Sea
Councillor David Huntley	Pagham
Councillor Henry Jones	Bognor Regis
Councillor Martin Lury	Bersted
Councillor Stephen McAuliffe	Walberton
Councillor Claire Needs	Bognor Regis
Councillor Mike Northeast	Littlehampton
Councillor Francis Oppler	WSCC
Councillor Jacky Pendleton	Middleton-on-Sea and WSCC
Councillor Vicky Rhodes	Littlehampton
Councillor Emily Seex	Littlehampton
Councillor Martin Smith	Aldwick
Councillor Samantha Staniforth	Bognor Regis
Councillor Matt Stanley	Bognor Regis
Councillor Will Tilbrook	Littlehampton
Councillor Isabel Thurston	Barnham & Eastergate
Councillor James Walsh	Littlehampton and WSCC
Councillor Sue Wallsgrove	Barnham
Councillor Jeanette Warr	Bognor Regis
Councillor Amanda Worne	Yapton
Councillor Gillian Yeates	Bersted

763. PUBLIC QUESTION TIME

The Chair confirmed that six public questions had been submitted for the meeting. The questions have been very briefly summarised below:

- (1) From Mr Cosgrove to the Chair of the Policy & Finance Committee, Councillor Gunner, asking for a review of Parish arrangements.
- (2) From Mr Cosgrove to the Chair of the Policy & Finance Committee, Councillor Gunner, regarding joint arrangements and restoring joint meetings with West Sussex County Council.
- (3) From Mr Cosgrove to the Chair of the Constitution Working Party, Councillor Bower regarding the functions of the Economy Committee and the Policy & Finance Committee.
- (4) From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman, regarding 'Land West of Fontwell Avenue'.
- (5) From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman, regarding 'Land West of Fontwell Avenue'.
- (6) From Mrs Smith to the Chair of the Planning Committee, Councillor Chapman regarding 'Land West of Fontwell Avenue'.

The Chair then drew Public Question to a close.

(A schedule of the full questions asked, and the responses provided can be found on the Public Question Web page at: [Arun District Council](#))

764. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

No questions were asked.

765. PETITIONS

The Chair confirmed that no petitions had been received.

766. MINUTES

The Minutes of the Special Meetings of the Council held on 1 and 9 March 2023 were presented separately to the Council for approval. The Chair confirmed that these minutes had been circulated separately to the agenda and could be found in the supplement pack issued to Members on 14 March 2023.

In respect of the Special Council Meeting held on 1 March 2023, these minutes were approved as a correct record.

In respect of the Special Council Meeting held on 9 March 2023, several Councillors indicated that they wished to speak on the minutes.

Councillor Dixon stated that whilst the minutes were an accurate record of the meeting, he wished to challenge them. His view was that the minutes beyond the bottom of Page 22 were ultra-vires and were therefore unlawful. This was because the Council had no means by which it could rescind a decision. He strongly felt that the Council should not legitimise an unlawful action. Councillor Coster supported this statement.

A recorded vote was requested in terms of the voting to approve the minutes from the Special Meeting of the Council held on 9 March 2023.

Those voting for were Councillors Bicknell, Bower, Caffyn, Chace, Chapman, Clayden, Mrs Cooper, Cooper, Dendle, Elkins, Mrs English, English, Goodheart, Hughes, Oliver-Redgate and Pendleton (16). Those voting against were Councillors Brooks, Coster, Dixon, Gunner, Hamilton, Haywood, Huntley, Lury, Oppler, Purchase, Stanley, Walsh, Warr and Yeates (14). Councillors Batley, Blanchard-Cooper, Edwards, Gregory, Kelly, Madeley, McAuliffe, Stainton, Staniforth, Thurston, Wallsgrove and Worne abstained from voting (12).

This confirmed that the Minutes from the Special Meeting of the Council held on 9 March were approved as a correct record.

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The Chair confirmed that she would sign both sets of minutes at the conclusion of the meeting.

767. CHAIR'S ANNOUNCEMENTS

The Chair confirmed that she had no announcements to make.

768. URGENT MATTERS

The Chair confirmed that there were no items for this meeting.

769. USE OF URGENT POWERS BY THE CHIEF EXECUTIVE - LITTLEHAMPTON HARBOUR BOARD FUNDING

(Prior to the commencement of this item, Councillor Walsh redeclared his Personal Interest made at the start of the meeting).

The Council received and noted an information report from the Chief Executive detailing the use made of his urgent powers on 2 February 2023 [in accordance with the Constitution] so that match funding of £262,500 could be provided to the Littlehampton Harbour Board.

In noting the report, a statement was made by Councillor Walsh. He highlighted that there were likely to be further updates from the Littlehampton Harbour Board and requests for finance to this authority and West Sussex County Council (WSSCC). It was therefore important for Councillors to be kept up to date by the Chief Executive, particularly as this was the last Council meeting before the May 2023 elections.

770. CALENDAR OF MEETINGS FOR 2023/2024

The Group Head of Law & Governance and Monitoring Officer presented the Calendar of Meetings for 2023-24 to Members for approval.

Councillor Pendleton then proposed that the calendar of meetings for 2023-24 be approved and this was seconded by Councillor Bower

The Council

RESOLVED

That in accordance with Council Procedure Rule 3.1 in the Council's Constitution, the Calendar of Meetings for 2023-24 be approved.

771. CORPORATE SUPPORT COMMITTEE - 19 JANUARY 2023

The Chair of the Corporate Support Committee, Councillor Dendle, presented recommendations from the meeting of the Corporate Support Committee held on 19 January 2023.

Councillor Dendle formally proposed the recommendations which were at Minute 594 [Pay Policy Statement 2022]. These recommendations were seconded by Councillor Cooper.

The Council

RESOLVED – That

- (1) The contents of the Pay Policy Statement 2023/24, as set out in Appendix 1 of the report, be noted;
- (2) The Pay Policy Statement 2023/2024 for publication on the Arun website by 1 April 2023 be approved; and
- (3) Delegated authority be given to the Group Head of Organisational Excellence to make changes to the Pay Policy Statement should the need arise because of new legislation being introduced or changes to the pay structure resulting from national pay negotiations during the forthcoming year.

772. HOUSING & WELLBEING COMMITTEE - 25 JANUARY 2023

The Chair of the Housing & Wellbeing Committee, Councillor Pendleton, presented a recommendation from the meeting of the Housing & Wellbeing Committee held on 25 January 2023.

Councillor Pendleton formally proposed the recommendation which was at Minute 606 [Housing Revenue Account Business Plan]. This recommendation was seconded by Councillor Mrs Cooper.

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On behalf of Councillor Bennett, who was absent from the meeting, Councillor Walsh asked if the information and questions asked by Councillor Bennett, which he had not received a response to, regarding the Housing Revenue Account budget could be sent to him. In response, Councillor Pendleton provided her assurance that she would follow this up on behalf of Councillor Bennett.

The Council

RESOLVED

That the annual update of the Housing Revenue Account Business Plan 2022/23 be noted.

773. PLANNING POLICY COMMITTEE - 26 JANUARY 2023

The Chair of the Planning Policy Committee, Councillor Bower, presented a recommendation from the meeting of the Planning Policy Committee held on 26 January 2023.

Councillor Bower formally proposed the recommendation which was at Minute 625 [Local Development Scheme (LDS) Update]. This recommendation was seconded by Councillor Hughes.

The Council

RESOLVED

That the draft Local Development Scheme January 2023 for the period 2023-2025 as amended be adopted.

774. POLICY & FINANCE COMMITTEE - 9 FEBRUARY 2023

The Chair of the Policy & Finance Committee, Councillor Gunner, presented a recommendation from the meeting of the Policy & Finance Committee held on 9 February 2023.

Councillor Gunner formally proposed the recommendation which was at Minute 677 [Anti-Slavery Pledge]. This recommendation was seconded by Councillor Cooper.

Following brief debate, the Council

RESOLVED

That the Anti-Modern Slavery Pledge be adopted.

775. STANDARDS COMMITTEE - 23 FEBRUARY 2023

The Chair of the Standards Committee, Councillor English, presented the first of two sets of recommendations from the meeting of the Standards Committee held on 23 February 2023.

Councillor English drew Members' attention to and formally proposed the recommendation which was at Minute 699 [Review of Local Assessment Procedure and Assessment Panel Procedure]. This recommendation was seconded by Councillor Kelly.

Having received a couple of questions which were responded to by the Monitoring Officer, the Council

RESOLVED

That the revised Local Assessment Procedure and Assessment Panel Procedure be adopted.

Councillor English then alerted Members to the next recommendation at Minute 700 [Review of Social Media Guidance] which he formally proposed. This recommendation was then seconded by Councillor Kelly.

The Council

RESOLVED

That the revised Social Media Guidance be adopted.

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776. AUDIT & GOVERNANCE COMMITTEE - 28 FEBRUARY 2023

The Chair of the Audit & Governance Committee, Councillor Clayden, presented recommendations from the meeting of the Audit & Governance Committee held on 28 February 2023.

Councillor Clayden referred Members to the recommendations at Minute 729 [Treasury Management – Strategy Statement and Annual Investment Strategy 2023-2024]. In formally proposing these recommendations, Councillor Clayden confirmed that there was one slight correction that needed to be made which was that Recommendation (4) should have been resolved by the Committee and should not have formed a recommendation to this meeting. Councillor Clayden confirmed that the minutes would be corrected to reflect this for presentation to the next meeting of the Audit & Governance Committee in the new municipal year. Councillor Chapman seconded the recommendations, as amended.

The Chair then invited debate. Those that spoke expressed concern over Environmental, Social and Governance (ESG) issues and the importance that the Council placed on these when placing any investment. There was concern that the Council valued security, liquidity and yields as a priority over the ethical element of an investment. It was appreciated that the Council had many things to consider in looking at its investments, but the idea of yield versus the ethical side of investments were a concern. There was also concern over banks and their investments into fossil fuels and as banks were accelerating those investments in the fossil fuel industry despite making claims and aspirations that they were looking to achieve net zero targets. Although the Council approved the removal of the Banks of Abu Dhabi and Qatar National Bank from its counterparty listings, the Council still had investments with banks that fell within these concerns which was holding the ethical importance part of the investment below the yield. It was felt that the Council should be looking at investments adopting a more equal footing and so a request was made that the voting on Recommendation (1) be taken separately.

Other Councillors spoke in support of the statements made. This was because some of the banks that the Council had investments with were still making considerable investments in fossil fuel industries and this contradicted the current ESG guidance for investments. It was hoped that an ethical policy could be developed to investigate this more thoroughly.

Those speaking against the statements made confirmed that it was critical for the Council to protect its investments by looking at the safety of banks and the quality of returns. It was acknowledged that protecting the environment was very important but so were the Council's investments, decisions to change investment strategies should not be rushed.

As seconder of the recommendations, Councillor Chapman referred Councillors to the wording in the report looking at ESG. This made it clear that in decision making for future investments, ethics would be a prime consideration. Councillor Chapman urged Councillors to support the recommendations and he stated that they should not be voted on separately.

The Group Head of Finance and Section 151 Officer echoed the comments made by Councillor Chapman and Councillor Gunner who had explained that this was a difficult balancing act for Officers to take. Officers had to comply with the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management (CIPFA). Members were urged to take this into consideration when considering the recommendations.

Councillor Clayden, as proposer of the recommendations, urged Councillors to support them and confirmed that a strategy would be presented to a future meeting of the Audit & Governance Committee. He asked that all the recommendations be taken together.

The Council

RESOLVED – That

- (1) The Treasury Management Strategy Statement for 2023/24 to 2025/26 be approved and adopted;
- (2) The Annual Investment Strategy for 2023/24 to 2025/26, including the addition of two new counterparties and removal of two, be approved and adopted:

Additions:

Australia and New Zealand Banking Group (ANZ)
National Bank of Canada

Removal:

Qatar National Bank
Abu Dhabi

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(3) The Prudential Indicators within the TMSS and AIS for 2023/24 to 2025/26 as contained in Appendix 1 and the body of the report, be approved;

(During the debate held on this item, Councillor Stanley redeclared his Personal Interest made at the start of the meeting).

777. POLICY & FINANCE COMMITTEE - 7 MARCH 2023

The Chair of the Policy & Finance Committee, Councillor Gunner, presented a recommendation from the meeting of the Policy & Finance Committee held on 7 March 2023. The minutes from this meeting had been circulated separately to the agenda in the supplement pack provided to Members on 14 March 2023.

Councillor Pendleton formally proposed the recommendation which was at Minute 606 [Housing Revenue Account Business Plan]. This recommendation was seconded by Councillor Mrs Cooper.

The Council

RESOLVED

That the Capital Strategy 2023/24 to 2027/28 be approved.

778. MOTIONS

The Chair confirmed that no Motions had been received for this meeting.

779. QUESTIONS FROM MEMBERS [WITH ADVANCE NOTICE - 30 MINUTES]

The Chair referred Councillors to the Questions from Members that had been submitted in line with Council Procedure Rule 14.3 and the schedule of questions that had been circulated to the meeting. This confirmed that six questions had been received, as bullet pointed below:

- (1) From Councillor Walsh to the Chair of the Planning Committee, Councillor Chapman regarding housing development in Littlehampton and the East of Arun since the closure of the Littlehampton Hospital in 2005
- (2) From Councillor Walsh to the Chair of the Planning Committee, Councillor Chapman, regarding developer contributions in the Littlehampton and East of Arun since 2005 for primary health care facilities
- (3) From Councillor Walsh to the Chair of the Planning Committee, Councillor Chapman regarding what additional primary health care facilities had been provided within the East of Arun via the planning process as a result of housing development since the closure of the Littlehampton Hospital
- (4) From Councillor Walsh to the Chair of the Planning Committee, Councillor Chapman regarding holding the NHS to account regarding their broken promises to reopen the Littlehampton Hospital
- (5) From Councillor Chace to the Chair of the Economy Committee, Councillor Cooper asking what that Committee had achieved over the last two years
- (6) From Councillor Chace to the Chair of the Policy & Finance Committee, Councillor Gunner asking what that Committee had achieved over the last two years.

780. COMMITTEE MEMBERSHIPS

The Chair confirmed that there were no changes to Committee Memberships to report to the meeting.

781. REPRESENTATION ON OUTSIDE BODIES

The Chair confirmed that there were no changes to representation on Outside Bodies for the meeting to consider.

(The meeting concluded at 7.44 pm)