

ARUN DISTRICT COUNCIL

**DECISION NOTICES FROM THE SPECIAL CABINET MEETING HELD ON
11 APRIL 2019**

REF NO.	DECISION
C/052/110419	<p>Urgent Business – Approval of Lease for the Look & Sea Centre, Littlehampton</p> <p>In line with Responsibility for Functions Rule 2.3, the proposal to present this report as a matter of urgency to Cabinet has been agreed with the Chairman of the Overview Select Committee.</p> <p>As this is being dealt with as an urgent matter, the usual arrangements requiring this report to be published with ‘five clear days’ notice and the call-in arrangements will not apply.</p>
C/053/110419	Authority to Act on Behalf of West Sussex County Council – Section 42, Local Government (Miscellaneous Provisions) Act 1982

PLEASE NOTE THAT DECISION C/052/110419 WILL COME INTO IMMEDIATE EFFECT AS IT IS AN URGENT DECISION AND NOT SUBJECT TO CALL -IN

THE REMAINING DECISION [C/053/110419] WILL COME INTO EFFECT FROM 10.00 A.M. ON WEDNESDAY 23 APRIL 2019 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

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 13.18 OF THE SCRUTINY PROCEDURE RULES	YES
SUBJECT: Amendment to Previously Agreed Approach to Leasing the Look & Sea Centre Building, Littlehampton	
OFFICER CONTACT: Nat Slade – Group Head of Technical Services Extn: 01903 737683 e.mail: nat.slade@arun.gov.uk	
<p>EXECUTIVE SUMMARY: In October 2018 Cabinet authorised Officers to seek conditional offers for a lease of the whole Look & Sea Centre building, for café/restaurant/bar (A3) use (excluding the youth hostel). The site has been marketed and offers have been received for an A3 use on the ground floor only. It is therefore proposed that Cabinet support the Look & Sea Centre building being leased on the revised basis that the ground floor remains in A3 use and provide a Lessee flexibility to find appropriate commercial uses of the upper floors, subject to planning.</p> <p>This report is being presented as a matter of urgency for decision by Cabinet because the offers made are the only realistic chance of securing a Lessee that will operate the café/restaurant during the 2019 summer season. The lease needs to be commenced by 9 May 2019 to meet the terms of one of the offers made. The Chairman of the Overview Select Committee has been consulted on the proposals and has given his agreement.</p> <p>The decision will therefore not be subject to the call-in procedure as set out in the Scrutiny Procedure Rules at Part 6 of the Council’s Constitution.</p>	
<p>DECISION:</p> <p>The Cabinet</p> <p>RESOLVED - That</p> <p>(1) It be agreed that the Look & Sea Centre building be leased on the revised basis that the ground floor remains in A3 use and provides a Lessee flexibility to find appropriate commercial uses of the upper floors, subject to planning and other approvals; and</p> <p>(2) Other than the above, the original decisions including officer delegations within Cabinet Decision on 15 October 2018 Ref No C/020/151018 to remain operative.</p>	
<p>REASON FOR THE DECISION: The lease on the premises has been surrendered and it currently stands unoccupied. The offer submitted is for a lease of the whole Look and Sea Centre building (excluding the youth hostel) with A3 use on the ground floor only. The Lessee will have flexibility to use the remaining floors for other commercial uses, provided that they obtain all necessary planning and other consents. It is important that the Council secures a new Lessee as soon as possible to enable the popular café/restaurant to begin to operate during summer 2019 at this important riverside location. Leasing the building as soon as possible will also reduce the Council’s expenditure and ensure that it begins to benefit from rental income at the earliest opportunity.</p>	

OPTIONS CONSIDERED BUT REJECTED:

That Cabinet does not agree that the Look & Sea Centre building can be leased on the revised basis that the ground floor remains in A3 use and provide a Lessee flexibility to find appropriate commercial uses of the upper floors, subject to planning and other approvals: This can achieve an operational café/restaurant for summer 2019, and earlier rental income.

That Cabinet continues to market the building for A3 use of the whole building: this would almost inevitably mean the café/restaurant would not operate during the summer of 2019 and may be unsuccessful.

To decide to market the building as separate leases, with A3 use required on the ground floor and flexible commercial uses subject to planning and other approvals on the upper floors: this would almost inevitably mean the café/restaurant would not operate during the summer of 2019 and may be unsuccessful. .

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/053/110419

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Authority to Act on Behalf of West Sussex County Council – Section 42, Local Government (Miscellaneous Provisions) Act 1982	
OFFICER CONTACT: Robin Wickham – Group Head of Community Wellbeing Extn: 01903 737835 e.mail: robin.wickham@arun.gov.uk	
EXECUTIVE SUMMARY: West Sussex County Council has granted Arun District Council authority to discharge its powers to serve notices under Section 41 of the Local Government (Miscellaneous Provisions) Act 1982 for the period 19 March 2019 to 31 March 2020 or an earlier revocation date. The Order confirms the powers may only be exercised in relation to land designated as highway land and located in the Town Centre of Bognor Regis. This report seeks Cabinet’s agreement to accepting the terms of the authority granted and approving the delegation of these powers to the relevant officers for the period of the Order.	
DECISION: The Cabinet RESOLVED – That (1) the authority to act on behalf of West Sussex County Council, as defined in the Order dated 19 March 2019, to serve notices under Section 41 of the Local Government (Miscellaneous Provisions) Act 1982 until 31 March 2020 or until revoked earlier by the County Council in relation to land designated as highway land and located in the town centre of Bognor Regis be accepted; and (2) the Group Head of Wellbeing, the Community Manager and the Senior Anti-Social Behaviour Caseworker be given authority to exercise the powers granted by West Sussex County Council by Order made on 19 March 2019 to serve notices under Section 41 of the Local Government (Miscellaneous Provisions) Act 1982 in relation to land designated as highway land and located in the town centre of Bognor Regis, and shall be limited to those areas of highway land in Bognor Regis Town Centre, in London Road Precinct, Bedford Street, London Road and the High Street as confirmed within the Order until 31 March 2020 or until revoked earlier by the County Council.	
REASON FOR THE DECISION: Arun District Council Officers will be able to act in a timely and coordinated way when engaging with individuals who are rough sleeping or storing belongings on the highway in Bognor Regis Town Centre, in London Road Precinct, Bedford Street, London Road and the High Street as confirmed within the Order until 31 March 2020.	
OPTIONS CONSIDERED BUT REJECTED: To not delegate authority to Officers to exercise the powers granted by West Sussex County Council by Order made on 19 March 2019 to serve notices under Section 41 of the Local Government (Miscellaneous Provisions) Act 1982.	
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	