

## ARUN DISTRICT COUNCIL

### DECISION NOTICES FROM THE MEETING HELD ON MONDAY 20 JULY 2020

REF NO.	DECISION
C/004(i)/200720	Proposed Temporary Observation Wheel, Banjo Road, Littlehampton
C/004(ii)200720	Pavement Licensing
C/005/200720	Supplementary Estimate to Defend Planning Appeals at Middleton Poultry Farm M/80/19/PL, Inglenook Hotel, Pagham [P/58/19/PL] and Land East of Shripney Road, Shripney [BE/109/19/OUT]
C/006/200720	Revenue and Capital Outturn Expenditure 2019/20

**PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00  
A.M. ON 29 JULY 2020 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/004(i)200720 and C/004(ii)200720

<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	YES
<b>SUBJECT:</b> URGENT BUSINESS – PROPOSED TEMPORARY OBSERVATION WHEEL, BANJO ROAD, LITTLEHAMPTON C/004(I)200720 AND PAVEMENT LICENSING POLICY C/004(II)200720	
<b>OFFICER CONTACT:</b> 004(i) – Joe Russell-Wells – Group Head of Neighbourhood Services 01903 737914 <a href="mailto:joe.russell-wells@arun.gov.uk">joe.russell-wells@arun.gov.uk</a> 004(ii) – Nat Slade – Group Head of Technical Services 01903 737683 <a href="mailto:nat.slade@arun.gov.uk">nat.slade@arun.gov.uk</a>	

**EXECUTIVE SUMMARY:**

**C/004(i) – Observation Wheel**

The report proposed that the Council endorses the temporary location of the Observation wheel in Littlehampton, upon the currently underutilised coach park area of Banjo Road car park.

Legal Services have a licence agreement prepared for execution in short measure to allow build and operations to commence. Surveys of the space and the examination of the operator's documents including insurance have been carried out by relevant teams within the Council and agreed subject to Cabinet approval.

There is no financial outlay to the Council as all operator costs are organiser bearing. There is potential for small income generation of 10% of gross ticket sales to the Council after the operator's costs have been met.

**C/004(ii) – Pavement Licensing**

The Business and Planning Bill proposed to make it easier for businesses serving food and drink such as restaurants, cafes and pubs to seat and serve customers outdoors to assist them in managing social distancing to control the spread of Covid-19.

The temporary pavement licence process introduces a streamlined consent route to allow businesses to obtain a licence to place temporary furniture, such as tables and chairs outside of cafes, bars and restaurants quickly.

Cabinet is being asked to consider adopting a Policy setting out how the Council is to administer this new licensing regime and agree the associated delegations.

**DECISION:**

Urgent Decision One - Proposed Temporary Observation Wheel, Banjo Road, Littlehampton

The Cabinet

RESOLVED

That the proposal of the Observation Wheel for temporary location at Banjo Road Car Park, Littlehampton from 22 July 2020 for an operating period of 28 days commencing from 24 July 2020 be endorsed.

Urgent Decision Two – Pavement Licensing

The Cabinet

RESOLVED – That

- (1) The Pavement Licensing Policy be adopted;
- (2) The application fee be set at zero;
- (3) The authority given to the Leader of the Council in this instance be passed onto the whole of Cabinet and the Group Head of Technical Services to make so that in consultation with the Chairman of the Licensing Committee any required amendments can be made to the Policy;
- (4) The authority given to the Leader of the Council in this instance be passed onto to the whole of Cabinet and the Group Head of Technical Services so that Cabinet has delegated authority to determine licence revocations proposed by Officers;
- (5) The authority given to the Leader of the Council in this instance is passed onto the whole of Cabinet and the Group Head of Technical Services, to allow the Council to revoke pavement licences where the matter is considered urgent; and
- (6) The authority given to the Leader of the Council in this instance be passed onto the whole of Cabinet and the Group Head of Technical Services allowing the determination of applications, place conditions on licences and to serve enforcement notices.

**REASON FOR THE DECISION:**

**The Wheel** - To support the Council in the proposal to bring the temporary attraction to Littlehampton to add to the visitor offering, and provide the local and wider community a new and unique view point of the area.

**Pavement Policy** – to introduce a streamlined route for businesses such as cafes, restaurants and bars to secure a licence to place furniture on the highway, where it is suitable to do so. This will support businesses to operate safely while social distancing measures remain in place. This will provide those businesses with much needed income over the summer months and protect as many hospitality jobs as possible.

**OPTIONS CONSIDERED BUT REJECTED:** All options presented were approved for both urgent decisions.

**CABINET MEMBER(S):**

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

Pavement	
Policy	–
Councillor	Dr
Walsh	–

	Personal Interest as a Member of West Sussex County Council
<b>DISPENSATIONS GRANTED :</b>	N/A
<b>CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION: N/A</b>	

REFERENCE NO: C/005/200720

<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	NO
<b>SUBJECT:</b> SUPPLEMENTARY ESTIMATE TO DEFEND APPEALS AT MIDDLETON POULTRY FARM [M/80/19/PL]; INGLENOK HOTEL, PAGHAM [P/58/19/PL]; AND LAND EAST OF SHRIPNEY ROAD, SHRIPNEY [BE/109/19/OUT]	
<b>OFFICER CONTACT:</b> Neil Crowther – Group Head of Planning 01903 37839 <a href="mailto:Neil.crowther@arun.gov.uk">Neil.crowther@arun.gov.uk</a>	

**EXECUTIVE SUMMARY:**

There are three planning appeals for major development where planning permission has been refused by the Council. All of these decisions were made at the Development Control Committee (DCC) contrary to the Officer recommendation. A supplementary estimate is sought to be able to present a case to these appeals because Officers are unable to fully articulate the case for the Council.

**DECISION:**

The Cabinet

RECOMMEND TO FULL COUNCIL

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

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

**REASON FOR THE DECISION:** Having taken the decision to refuse permission for the planning applications, the Council is duty bound to defend this decision at appeal.

**OPTIONS CONSIDERED BUT REJECTED:** To defend the appeals by way of Councillors presenting the cases.

**CABINET MEMBER(S):**

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

None

**DISPENSATIONS GRANTED :**

N/A

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

REFERENCE NO: C/006/200720

<b>URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES</b>	NO
<b>SUBJECT:</b> REVENUE AND CAPITAL OUTTURN EXPENDITURE 2019/20	
<b>OFFICER CONTACT:</b> Carolin Martlew – Financial Services Manager 01903 737568 <a href="mailto:Carolin.martlew@arun.gov.uk">Carolin.martlew@arun.gov.uk</a>	

<b>EXECUTIVE SUMMARY:</b> The report provided a summary of revenue and capital outturn expenditure for 2019/20 and compared this expenditure with the Council's approved budget.	
<b>DECISION:</b> The Cabinet  <b>RESOLVED</b>  (I) The outturn report at Appendix 1 be noted; (II) The revenue and capital outturn expenditure for 2019/20 be noted; (III) The level of balances and unused Section 106 sums at 31 March 2020 be approved; (IV) The additional £0.844 m contribution to the Funding Resilience Reserve be noted; and (V) The additional £294k required to complete the Housing Revenue Account part of the Housing Service restructure in 2020/21 be noted.	
<b>REASON FOR THE DECISION:</b> To ensure that Members are fully aware of the Council's outturn for 2019/20 and the level of reserves at 31 March 2020 which will be available for use in future years	
<b>OPTIONS CONSIDERED BUT REJECTED:</b> There were no other options to consider	
<b>CABINET MEMBER(S):</b>	
<b>DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:</b>	None
<b>DISPENSATIONS GRANTED :</b>	N/A
<b>CONFLICT OF INTERESTS DECLARED BY A CABINET MEMBER CONSULTED IN RESPECT OF THIS DECISION:</b> N/A	