

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF CABINET ON 21 SEPTEMBER 2020

SUBJECT: Advisory Group Terms of Reference

REPORT AUTHOR: Neil Crowther, Group Head of Planning

DATE: 21 August 2020

EXTN: x 37839

PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY:

In October 2017 a series of additional local Advisory Groups were established to consider the implementation of strategic development sites in Bersted, Aldwick, & Pagham and Ford/Yapton & Clymping. The terms of reference and membership of these Groups was agreed by Cabinet.

A request from the Chairman of the Bersted Group has been made to formally expand the membership of this Group. This report will ask Cabinet to consider expanding the membership of this Group through updated Term of Reference.

RECOMMENDATIONS:

- i. Should Cabinet agree to the proposed amendments to the Terms of Reference for the Bersted Advisory Group, then the revised Terms of Reference contained within Appendix 1 be adopted; and
- ii. That any further minor changes to the Terms of Reference for all Groups be delegated to the Cabinet Member for Planning and the Group Head of Planning.

1. BACKGROUND:

1. At Cabinet in October 2017, a series of new Advisory Groups were established to consider the implementation of strategic development sites in Bersted, Pagham and Ford/Yapton & Clymping. These followed the model of the previous groups such as Barnham, Eastergate Westergate, Angmering, North Littlehampton and Site 6.
2. It is important to stress that these bodies are all advisory groups. They do not have decision making powers. Their importance though is as a discussion group in relation to the implementation of the planning permissions and as suggesting the best way forward in terms of, for example, operating new community and recreational facilities. It has provided a forum for discussion with statutory bodies and developers over a large number of implementation delivery and infrastructure issues.

3. At Cabinet in October 2017, it was agreed that the composition of these Groups would follow that of previous Groups. Bersted Advisory Group would consist of;

- ADC and WSCC Councillors for Bersted
- A Parish Councillor for this area
- Officers from ADC and WSCC
- Infrastructure delivery providers such as NHS, Network Rail, Environment Agency and Highways Agency
- Developers associated with this site
- As appropriate, relevant portfolio holders from ADC or WSCC may be invited to join the Advisory Group to discuss matters which relate to their portfolio

3. The Chairman of this Group has requested that the composition of the Group be expanded to include;

- a Ward Member from Aldwick, and
- a representative from Aldwick Parish Council

Updated Terms of Reference for the Bersted Advisory Group to reflect this proposal are attached should Cabinet wish to amend them in line with this request.

4. It is also worth re-clarifying the composition of all of the Groups. They were established to provide elected councillors, Parish Council's and developers a forum for discussions on delivery. They have been beneficial because they are not public meetings and discussions can take place on a confidential and informal basis. There have been recent instances where a member of the public was invited (by the Chairman) to one of these meetings.

5. Under the Terms of Reference (under item 2), there are opportunities to invite '*when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities.*' Where there are specific issues that arise around community facilities, it may be appropriate to invite certain groups to the meetings. However, inviting members of the public to these Groups as a permanent invitation is likely to result in less constructive and candid conversations taking place with developers and infrastructure providers to the detriment of the functioning of the Groups.

2. PROPOSAL(S):

Amend the Terms of Reference of the Bersted Advisory Group in line the with the amended Terms of Reference attached at Appendix 1.

3. OPTIONS:

To leave the composition of the Bersted Advisory Group unchanged as per the agreed Terms of Reference at Cabinet in October 2017.

4. CONSULTATION:		
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)		
6. IMPLICATIONS: It is important to ensure that as an advisory group the invite list of attendees is kept to a limit to ensure that discussions can continue on a confidential and informal basis, remembering that Advisory Groups do not have decision making powers.		
7. REASON FOR THE DECISION: To extend the membership of the Bersted Advisory Group to include a Ward Member from Aldwick and a representative from Aldwick Parish Council to aid the discussion on the implementation of the planning permissions in this area.		
8. EFFECTIVE DATE OF THE DECISION: 30 September 2020		
9. BACKGROUND PAPERS: Cabinet Agenda 16 October 2017 https://democracy.arun.gov.uk/CeListDocuments.aspx?Committeeld=140&MeetingId=223&DF=16%2f10%2f2017&Ver=2		

Appendix 1

Terms of Reference for the Bersted Advisory Group

Purpose of Group and Terms of Reference

1. To discuss the implementation of development plan allocations and residential permissions in the Bersted area and accompanying section 106 agreements including longer term operational and management responsibilities; such discussions to give informal advice and guidance to the responsible planning and highway authorities when carrying out their statutory functions.
2. To provide a forum for discussion with other statutory bodies, developers and by invitation, when relevant, resident's groups and potential users of new facilities – as to the best way to proceed with the provision, management and use of the numerous community facilities embedded in the scheme and specifically provided for by way of the planning permission and section 106 agreement.

Membership

The Advisory Group will consist of the following elected members:

- Chairman should be a District Council ward member for the area to be appointed by the Leader of the Council. The chairman should not be a Chairman of another Advisory Group.
- 3 Ward Councillors (Bersted) from ADC
- 1 Councillors (Bersted) from WSCC
- 2 Parish Councillors (Bersted)
- a Ward Member from Aldwick, and
- a representative from Aldwick Parish Council
- Planning Portfolio Holder for Arun District Council

Officer Support

The Lead Officer will be from Arun District Council planning service. County and District Technical officers to attend and when necessary Arun will provide admin support and keep notes of any discussions. Parish officers will be welcome to attend to support their members.

Reporting Relationship & Roles

- The Advisory Group shall not meet in public and is not a decision making body and all discussions will be undertaken on a “without prejudice” basis to any formal consultation process and/or decision making by WSCC/ADC or Parish in respect of such sites/facilities. Members of the Advisory Group who may also have decision-making roles in relation to any formal applications etc. will need to seek legal advice so as not to prejudice their decision-making roles.

- Apart from reporting to the relevant Councils as an exempt report on the Advisory Group's views, the Advisory Group will also from time to time submit progress reports to the Local Plan Sub-Committee so that they are informed of issues/progress , and so that any necessary co-ordination with other regeneration projects can be facilitated.
- The Group can (& should be encouraged to) explore, discuss and make recommendations relating to the potential operational control and management of those public elements contained within the agreements. (eg Public Open Space, Playgrounds and Playspaces etc), and explore options and opportunities where flexibility and/or choices for amendments arise.
- The developers for each of the sites will be invited to all meetings to discuss progress, any issues in respect of implementation and infrastructure requirements / priorities. Through attendance at the Advisory Group there will be an opportunity for discussion but not negotiation with the developers.
- There is no defined timescale for the life span of the Advisory Group.