

# Public Document Pack

Subject to approval at the next Full Council meeting

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## **MINUTES OF A VIRTUAL MEETING OF THE ARUN DISTRICT COUNCIL HELD ON 13 JANUARY 2021 AT 6.00 PM**

Present: Councillors Mrs Worne (Chairman), Brooks (Vice-Chair), Batley, Bennett, Bicknell Blanchard-Cooper, Bower, Buckland, Mrs Caffyn, Mrs Catterson, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Coster, Mrs Daniells, Dendle, Dixon, Edwards, Elkins, English, Mrs Erskine, Goodheart, Mrs Gregory, Gunner, Mrs Hamilton, Mrs Haywood, Hughes, Huntley, Kelly, Lury, Mrs Madeley, Miss Needs, Northeast, Oliver-Redgate, Oppler, Mrs Pendleton, Miss Rhodes, Roberts, Miss Seex, Smith, Mrs Staniforth, Stanley, Tilbrook, Ms Thurston, Dr Walsh, Mrs Warr and Mrs Yeates.

Honorary Alderman Norman Dingemans was also in attendance for all or part of the meeting.

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated – Councillors Mrs Cooper, Cooper, Mrs Erskine and Oliver Redgate – Minute 395 (Part), Councillor Mrs Staniforth – Minute 413 to 424; Councillor Mrs Erskine – Minute 414 to 424; Councillors Hughes, Miss Seex – Minute 414 to 424; Councillor Elkins – Minute 422 [Part] to 424. Councillors Batley, Mrs Caffyn, Chapman, Mrs Daniells, Goodheart, Hughes, Mrs Madeley, Miss Rhodes, and Smith did not take part in the vote on Minute 422 and were absent for the rest of the meeting.

### 395. WELCOME

The Chairman welcomed Councillors, representatives of the public, press and officers to the first Full Council Meeting of the New Year. She extended a special welcome to Honorary Alderman Mr Dingemans.

### 396. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Jones and Purchase and from Honorary Aldermen, Mrs Goad, MBE, Mrs Morrish and Mrs Stinchcombe.

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The Chairman announced that in accordance with Part 5, Section 1, Council Procedure Rule 8 [Cancellation, Postponement or Adjournment of Meetings] of the Constitution and in consultation with the Chief Executive, that on completion of Agenda Item 10 [Arundel A27 Improvements] that she would adjourn the meeting so as to allow the incomplete business remaining from the 26 November 2020 Council meeting [Items 11-17] to be completed. Following this, she would then resume the business for this meeting.

### 397. DECLARATIONS OF INTEREST

Councillor Smith declared a Pecuniary Interest in relation to Agenda Item 28 [Cabinet – 14 December 2020 in relation to Minute 377 [Financial Support to Leisure Operating Contract] as he was an employee of Freedom Leisure and he requested to be placed in the waiting room for this item and so would not take part in any debate or vote.

The Chief Executive declared his Personal and Pecuniary Interest in Agenda Item 26 [Chief Executive's Remuneration Committee – 8 December 2020] and confirmed that he would not remain in the meeting for this item.

Councillor Elkins declared a Personal Interest in Agenda Item 29 [Planning Policy Sub-committee – 15 December 2020 and in specifically in relation to Minute 21 [Community Infrastructure Levy Governance] in his capacity as Cabinet Member for Highways and Transport at West Sussex County Council. Councillor Elkins confirmed that he would remain in the meeting but would not take part in any debate or vote on the item.

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.

<b>Name</b>	<b>Town or Parish Council or West Sussex County Council [WSSC]</b>
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 Mike Clayden	Rustington
Councillor Andy Cooper	Rustington
Councillor Alison Cooper	Rustington
Councillor Sandra Daniells	Bognor Regis

Councillor David Edwards	WSCC
Councillor Roger Elkins	Ferring and WSCC
Councillor Paul English	Felpham
Councillor Inna Erskine	Bognor Regis
Councillor Steve Goodheart	Bognor Regis
Councillor Pauline Gregory	Rustington
Councillor June Hamilton	Pagham
Councillor Shirley Haywood	Middleton-on-Sea
Councillor David Huntley	Pagham
Councillor Henry Jones	Bognor Regis
Councillor Martin Lury	Bersted
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 Isabel Thurston	Barnham & Eastergate
Councillor James Walsh	Littlehampton and WSCC
Councillor Jeanette Warr	Bognor Regis
Councillor Amanda Worne	Yapton
Councillor Gillian Yeates	Bersted

### 398. PUBLIC QUESTION TIME

The Chairman invited questions from members of the public who had submitted their questions in advance of the meeting in accordance with the rules of the Council's Constitution and the Virtual Meeting Procedure Rules amended by the Council on 15 July 2020.

The Chairman confirmed that fourteen questions had been submitted – these have been very briefly summarised below:

1. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding Bognor Regis Regeneration
2. From Mrs Tyrell to the Leader of the Council, Councillor Dr Walsh regarding the pedestrianisation of Pier Road, Littlehampton for the 2021 summer season
3. From Mrs Crosley to the Leader of the Council, Councillor Dr Walsh, regarding Houses in Multiple Occupation and drug related issues in Littlehampton
4. From Mr Youatt to the Leader of the Council, Councillor Dr Walsh regarding the A27 Arundel By-pass
5. From Mrs Clark to the Leader of the Council, Councillor Dr Walsh regarding the A27 Arundel By-Pass.

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6. From Dr Davis to the Leader of the Council, Councillor Dr Walsh, regarding the A27 Arundel By-Pass.
7. From Mrs Tristram to the Leader of the Council, Councillor Dr Walsh regarding the A27 Arundel By-Pass.
8. From Ms Wagland on behalf of Arundel Scate to the Leader of the Council, Councillor Dr Walsh regarding the A27 Arundel By-Pass.
9. From Mr Camerer Cuss to the Leader of the Council, Councillor Dr Walsh regarding the A27 Arundel By-Pass.
10. From Mr Rose to the Leader of the Council, Councillor Dr Walsh regarding the A27 Arundel By-Pass.
11. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding Bognor Regis Regeneration
12. From Mrs Tristram to the Leader of the Council, Councillor Dr Walsh regarding the A27 Arundel By-Pass.
13. From Mr Cosgrove to the Cabinet Member for Commercial and Business Development, Councillor Coster regarding Bognor Regis Regeneration
14. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh regarding the Bognor Regis Regeneration presentations.

Having considerably extended the time allowed for Public Question Time to allow of the questions to be asked and responded to at the meeting, the Chairman confirmed that if any questioner wished to ask a supplementary question for them to do so in writing outside of this meeting. It was confirmed that any such questions submitted would be responded to by the appropriate Cabinet Member in writing.

*(A schedule of the full questions asked and the responses provided can be found on the Pubic Question Web page at: <https://www.arun.gov.uk/public-question-time> )*

The Chairman then drew Public Question Time to a close.

399. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

There were no questions asked.

400. PETITIONS

There were no petitions presented to the meeting.

401. MINUTES

The Minutes of the meetings of the Council held on 11, 18 and 26 November 2020 were approved by the Council as a correct record and would be signed by the Chairman when normal office functions started again, subject to an observation being made in relation to Pages, 1, 17 and 31 of the minutes that referred to the Council meetings having been held in the Arun Civic Centre. A request was made to ensure

that these pages of the minutes be updated to reflect the virtual nature of meetings held.

402. CHAIRMAN'S ANNOUNCEMENTS

The Chairman outlined that she was delighted to be able to confirm that Mr Brian Knight from Bognor Regis had been awarded an MBE for his services to the community in Bognor Regis in the Queen's New Year's Honours list.

The Chairman asked the Council to join her in congratulating Mr Knight for his outstanding service and she invited Councillors to take part in a round of applause to the screen in recognition of his services.

The Cabinet Member for Planning, Councillor Lury, also spoke in support of Mr Knight's achievements and his dedication to serving the community.

The Chairman then provided an overview of her activities held since the last meetings of Full Council held in November 2020.

Councillor Oppler then made a personal statement explaining that during the proceedings of the last Full Council meeting [26 November 2020], the Monitoring Officer and the Chairman had had to speak to him about his conduct as it appeared that his attention was distracted away from that meeting. As this was seen as not showing respect to the Chairman or to the Members of the Council, Councillor Oppler confirmed that he had since reflected on the words of the Monitoring Officer and of the Chairman and in consequence he asked the Chairman to accept his apology as he intended no disrespect and confirmed that this situation would not happen again.

In accepting Councillor Oppler's apology, the Chairman stated that having consulted with Group Leaders of the Council she felt that it was appropriate and an opportunity for any other Councillor to bring forward an apology if they felt that they would like to do so.

Councillor Dendle confirmed that he wished to apologise for his conduct at the last Council meeting and for any offence caused. With the New year he felt that it was time to move on and set a more collaborative stance for the future.

Councillor Roberts confirmed that he agreed to the need to move forward positively and to put behind the events of last year. He stated that he too wished to apologise for anything that deemed his behaviour to be construed as disrespectful.

403. URGENT MATTERS

There were no items for this meeting.

404. MOTIONS

The Chairman confirmed that no Motions has been submitted for this meeting.

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405. A27 ARUNDEL IMPROVEMENTS

The Chairman invited the Chief Executive to present this item. He confirmed that following the Special meeting of the Council held in October 2019, he had written to Highways England (HE) confirming that there had been overwhelming support for the Magenta route. In that letter, the Council had also urged HE to consider all potential opportunities on a preferred route that would reduce the impact on the environment and residents. Since that time, HE had announced its new preferred route as Grey (5BV1) on 15 October 2020 and all Members should have received HE's leaflet on this proposal.

It was confirmed to Councillors that the report before them was not a report that requested a final definitive decision on the matter, but "interim observations" of the Council, as the Council had not discussed the latest Grey route proposal.

The report included the outline reasons for HE's proposal and the initial mitigation measures proposed by them. Some of these mitigations might address the Council's 2019 request to "reduce the impact upon residents and the environment", but that was for Councillors to consider in debating this item.

The Leader of the Council, Councillor Dr Walsh, confirmed that having widely consulted he proposed to withdraw this item and confirmed that it be deferred until either the formal consultation had started by HE or the mitigation report was received from HE, whichever happened first.

The proposal to withdraw this item was then seconded by Councillor Gunner.

The Council

RESOLVED

That the report on the A27 Arundel Improvements be withdrawn and deferred until either the formal consultation was started by Highways England or the mitigation report was received from, HE, whichever happened first.

The Chairman announced that in line with her announcement made earlier in the meeting, in line with Part 5, Section 1, Council Procedure Rule 8 [Cancellation, Postponement or Adjournment of Meetings] of the Constitution and in consultation with the Chief Executive, she would adjourn the meeting at this point so as to allow the incomplete business remaining from the 26 November 2020 Council meeting [Items 11-17] to be completed.

The meeting of Full Council on 13 January 2021 in respect of Items 18 to 32 was adjourned.

The meeting turned its attention to Items 11 to 17 on the agenda which was the outstanding business from the adjourned meeting of Full Council held on 26 November 2020.

406. PLANNING POLICY SUB-COMMITTEE - 22 SEPTEMBER 2020

The Chairman, Councillor Mrs Yeates reintroduced this item reminding Councillors that at the last meeting of Full Council held on 26 November 2020, it had been adjourned halfway through the taking of the named vote on Minute 14 [Arun District Council Infrastructure Funding Statement (IFS) 2019/20 and so there was no need to propose and second this item again.

The Council

RESOLVED

That the Arun Infrastructure Funding statement 2019/20- be approved and published on the Council's web site in accordance with Regulation 121A of the Community Infrastructure Levy Regulations 2010 (as amended).

407. STANDARDS COMMITTEE - 24 SEPTEMBER 2020

The Chairman, Councillor Edwards, presented the Minutes from the meeting of the Standards Committee held on 24 September 2020.

408. DEVELOPMENT CONTROL COMMITTEE - 30 SEPTEMBER 2020

The Chairman, Councillor Bennett, presented the Minutes from the meeting of the Development Control Committee held on 30 September 2020.

409. OVERVIEW SELECT COMMITTEE - 6 OCTOBER 2020

The Chairman, Councillor Northeast, presented the Minutes from the meeting of the Overview Select Committee held on 6 October 2020, which had been circulated separately to the agenda.

410. LITTLEHAMPTON REGENERATION SUB-COMMITTEE 7 OCTOBER 2020

The Chairman, Councillor Miss Seex, presented the minutes from the meeting of the Littlehampton Regeneration Sub-Committee held on 7 October 2020.

Councillor Gunner asked a question in accordance with Council Procedure Rule 13.1 in relation to Minute 17 [Position Statement] asking if he could be provided with an update in terms of progress made with the Public Realm for Littlehampton as this had been heavily discussed at that meeting. The Leader of the Council, Councillor Dr Walsh, confirmed that he believed that all Councillors had been informed that the tender had been let following 3 or 4 bid submissions for the preliminary works which had

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already commenced. The project was still on schedule to being 'spade in the ground' works to begin in March 2020.

411. CABINET - 19 OCTOBER 2020

The Chairman, Councillor Dr Walsh, presented the Minutes from the meeting of Cabinet held on 19 October 2020.

Councillor Dr Walsh drew Members' attention to the first of a series of recommendations at Minute 257 [Engineering Services Annual Review] which he duly proposed. The recommendation was then seconded by Councillor Stanley.

The Council

RESOLVED

That a supplementary estimate for a sum of £30,000 be approved (which equates to a Band D Council Tax equivalent of £0.48) with underspends carried forward to future financial years to investigate the introduction of a Coastal Change Management Plan.

The Chairman then alerted Councillors to the next recommendation at Minute 260 [Supplementary Estimate for the Procurement and Award of a New Housing Management IT System] which he said was crucial for the successful running of the Council's housing revenue account and services to tenants. It was explained that the current system was way out of date and needed to be replaced and so approval was sought for a supplementary estimate to allow the procurement of the project to proceed. Councillor Dr Walsh urged Councillors to support the recommendation as to not do so would mean that the Council would not have a fit for purpose IT system in place to serve its tenants. The recommendation was then seconded by Councillor Mrs Gregory.

Firstly, Councillors spoke in support of the recommendation stating that the old system had been purchased in 2011/12 and as IT systems generally lasted for around 5 years, this system was overdue for an upgrade which would provide housing staff with a wealth of tools to continue the Council's excellent work to improve efficiency and the customer experience in general. It was also explained that the system would be utilised by other service areas within the Council such as the Property and Estates section to manage the maintenance of Arun's estates.

Those speaking against the recommendation expressed concern about the level of expenditure at a time when the District's residents were struggling and when the Council was also proposing to raise its Council Tax. It was felt that the current economic struggles in the District should not be ignored. The other major concern was around employment in the Council and that the new system could force efficiency savings within the Housing Department that could then lead to staff being made redundant and so this was why many Councillors felt that they could not support the recommendation. Those Councillors expressing these views asked for an assurance to



be provided confirming that Housing positions would be protected and that the installation of such a system would not result in efficiencies leading to redundancies being made and at a time of great uncertainty.

The Chief Executive was asked if he could provide a 'cast iron' guarantee that there would be no job losses as a result of this new system. The Chief Executive confirmed that although the new system would make the Housing Department more efficient, there was no intention, at this point, to make staff efficiencies

The importance for the Council to use systems that were effective; efficient; and value for money and would provide the best tools for staff to do the job was acknowledged. However, given the concerns over potential job losses in terms of these efficiencies and savings and given that this was right at the beginning of this project, if the recommendation was approved, the Cabinet Member for Housing was asked if she would be able to update Councillors at every step of the project in terms of efficiencies and if there was the potential for any job losses as it was vital for staff to be feel safe and secure in their employment.

Councillor Mrs Gregory, as seconder to the recommendation, thanked those Councillors who had shown their support to this project but stated that she would respond to the varying questions that had been asked.

Councillor Mrs Gregory outlined that it was imperative that the Council supported this innovative purchase. Although it might appear costly, it was explained that the Council was not buying an 'off the shelf system'. Housing systems were built to the customer's specific requirements to ensure that they met fully all needs. The cost for this project, included purchase, support/maintenance and project support. The system would also be cloud based, unlike the current system, and would give an improved customer experience, enabling further self-service by tenants seven days a week and twenty-four hours a day and would make achieving multiple tasks quicker and more straightforward for staff.

The expected benefits included reduced printing and postage costs, increased customer take-up of online services, savings in officer time and an integrated electronic document management system. To enable the Council to provide this more efficient service to existing customers, in the region of 3,400 tenants and around 450 leaseholders, those applying to the housing register and homeless households seeking the Council's assistance, it was necessary to have an up to date Housing Management System in place. The current system was no longer fit for purpose and the contract was due to expire in November 2021.

In relation to the concerns that had been expressed by staff and potential job losses, Councillor Mrs Gregory confirmed that she had been advised on several occasions, by senior management, there would be no job losses just efficiencies as previously detailed. Councillor Mrs Gregory commended the recommendation and hoped that Council would support it.

A request had been made that the voting on the recommendation be recorded.

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Those voting for the recommendations were Councillors Batley, Bennett, Blanchard-Cooper, Brooks, Buckland, Mrs Catterson, Coster, Dixon, Mrs Erskine, Goodheart, Mrs Gregory, Mrs Hamilton, Mrs Haywood, Huntley, Lury, Miss Needs, Northeast, Oppler, Miss Seex, Smith, Mrs Staniforth, Stanley, Tilbrook, Ms Thurston, Dr Walsh, Mrs Warr and Mrs Yeates (27). Those voting against were Councillors Bicknell, Bower, Mrs Caffyn, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Mrs Daniells, Dendle, Edwards, Elkins, English, Gunner, Hughes, Kelly, Mrs Madeley, Oliver-Redgate, Mrs Pendleton, Miss Rhodes and Roberts (21). Councillor Mrs Worne abstained from voting.

The Council

RESOLVED

That a Housing Revenue Account (HRA) supplementary estimate of £160k [which equates to a weekly rent of 92p per dwelling] be approved for the costs associated with the procurement and implementation of a new integrated management IT system.

412. BOGNOR REGIS REGENERATION SUB-COMMITTEE - 21 OCTOBER 2020

The Chairman, Councillor Stanley, presented the Minutes from the meeting of the Bognor Regis Sub-Committee held on 21 October 2020.

Councillor Brooks then asked a question in accordance with Council Procedure Rule 13.1 in relation to Minute 10 [Strategic Overview of Arun District Council's Tourism Service] stating that once out of lockdown one certainty was that there would be a great surge in 'staycations' and so how did the Council plan to use the Sussex by the Sea website to take advantage of this situation.

Councillors Goodheart and Roberts also asked questions in relation to this minute raising concerns that the Economic Regeneration team was understaffed and therefore could not develop tourism in the way that was wanted as well as asking questions about the future of the two Regeneration Sub-Committees.

The Chairman, Councillor Stanley, responded confirming that he did think that staycations were something that Bognor Regis and Littlehampton could utilise over the coming years. He also confirmed that meetings of both Regeneration Sub-Committees would take place in March 2020.

The Chairman then drew the outstanding business remaining from the Full Council meeting held on 26 November 2020 to a close.

The Chairman also called a 15-minute adjournment.

413. HOUSING & CUSTOMER SERVICES WORKING GROUP - 5 NOVEMBER 2020

The Chairman, Councillor Bennett, presented the Minutes from the meeting of the Housing & Customer Services Working Group held on 5 November 2020.

414. CABINET - 16 NOVEMBER 2020

The Chairman, Councillor Dr Walsh, presented the Minutes from the Cabinet Meeting held on 16 November 2020.

Councillor Dr Wash alerted Councillors to two recommendations at Minute 285 [Place St Maur, Bognor Regis], which he formally proposed. The recommendations were then seconded by Councillor Stanley.

Debate commenced with one Councillor stating that he felt that these recommendations were premature and so should be delayed until Councillors had had the opportunity to view all of the Bognor Regis Presentations planned next month as there could be an opportunity that could remove the need to spend tax payers money. Councillors were asked to express their views and thoughts on this suggestion.

There were other Councillors who agreed stating that it made sense to wait and see what ideas the presentations might bring, and that any refurbishment of the Place St Maur should be undertaken in conjunction with all other regeneration projects. There was real concern that this project could prevent other regenerations projects from taking place.

Following some further discussion, Councillor Cooper confirmed that he would be happy to second this proposal and defer consideration of the recommendations until after the presentations had been heard.

It was explained to Councillor Cooper that a formal proposal had not been properly moved and the Chairman sought advice from the Interim Monitoring Officer and the Officer team in terms of the factual background involved with this project.

The Director of Services explained that any further delay or deferral would jeopardise the £1.2m worth of funding that the Council had successfully bid for from the Coast to Capital Local Enterprise Partnership. Councillors were reminded that this was an amazing opportunity for the District and the Town and that the project was well under way as it needed to be in terms of the project timescales that had to be adhered to, in spending the £1.2m funding. Councillors were asked if they really wanted to pass up on the opportunity to commence a superb scheme for all residents and they were reassured that in no way did this project prevent any other schemes from coming forward as this was a self-contained site of regeneration and in no way did it prevent other regeneration schemes from progressing.

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Various Points of Order and Points of Clarification were then made where the Director of Place was asked to give her reassurance that the continuation of the Place St Maur project would in no way effect other opportunities that could be presented for other sites or which could possibly overlap into this site. The Director of Services reconfirmed what she had already said in that this project did not prevent regeneration in any way around the Place St Maur and the boundary up to the Regis Centre, it would be a real attraction for events and tourism.

Councillor Roberts then confirmed that he wished to propose that consideration of this item be deferred. This was because he wished to hear first the content of the regeneration presentations planned as it was hoped that at least one of these would include covering the entire cost of the project. Councillor Roberts asked the Chief Executive if he could write to the Coast to Capital Local Enterprise Partnership to see if the award of funding could be delayed for a short time to allow the presentations to take place first and to ensure that the Council would not lose the funding that had been confirmed.

Councillor Cooper then confirmed that he wished to second this proposal.

The Chairman then invited debate on this amendment to defer. There were Councillors who felt that this presented a dilemma as the Council had received confirmation that it would receive £1.2m funding for this project, which if delayed, could mean that this funding was at risk of being lost. It was also felt that the forthcoming presentations could also provide funding to regenerate this and other areas.

There were Councillors who were astonished at the prospect of suggesting any form of delay that could put the funding achieved at risk. Questions were asked as to how Councillors could consider turning down £1.2m of funding that would refurbish, in a major way, the Place St Maur, a project that had the support of the Bognor Regis Business Improvement District; Butlins and local traders. The funding would transform the site into a multi-purpose outside venue with a splash point and at a time when hopefully restrictions would be lifted and would encourage people to visit Arun and Bognor Regis. It was vital for the Council to be able to offer visitors a further attraction in the District and residents and visitors had waited long enough for regeneration to start, any delay would mean that the Council could potentially lose that improvement.

Councillor Roberts then raised a Point of Order outlining that if it was guaranteed that any deferral would mean that the Council would lose the £1.2 m of funding, then he would be prepared to withdraw his proposal. Councillor Cooper as seconder to the proposal to defer agreed to this withdrawal. The amendment put forward by Councillor Roberts was therefore withdrawn.

The Chairman then returned to the substantive recommendation and

The Council

RESOLVED – That

(1) Approval be given to a supplementary estimate of £370k for the Place St Maur project, funded from the unallocated Capital Project earmarked reserve; and

(2) Authority be given for the Council to enter into a funding agreement with Coast to Capital and approve the drawdown and expenditure of external funding, with the terms and conditions of the funding agreement to be reviewed and agreed by Legal Services in consultation with the Monitoring Officer.

The Chairman then alerted Councillors to the next recommendation at Minute 286 [Sunken Gardens, Bognor Regis] which sought the approval of a supplementary estimate of £500k for the Sunken Gardens project funded from the £316k balance of the earmarked reserve identified for unallocated project funding and essential capital maintenance and the balance of £184k. It was explained that this project had received widespread residential support and that it would open up a new route from the seafront to the Town Centre providing a much-needed upgrade to the area. Having been formally proposed by Councillor Dr Walsh, the recommendation was then seconded by Councillor Stanley.

A request had been made that the voting on the recommendation be recorded.

Those voting for the recommendation were Councillors Batley, Bennett, Blanchard-Cooper, Brooks, Buckland, Mrs Catterson, Coster, Dixon, Mrs Erskine, Mrs Gregory, Mrs Hamilton, Mrs Haywood, Huntley, Lury, Miss Needs, Northeast, Oppler, Smith, Stanley, Tilbrook, Ms Thurston, Dr Walsh, Mrs Warr and Mrs Yeates (24). No Councillors voted against, Those who abstained from voting were Councillors Bicknell, Bower, Mrs Caffyn, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Mrs Daniells, Dendle, Edwards, Elkins, English, Goodheart, Gunner, Kelly, Mrs Madeley, Oliver-Redgate, Mrs Pendleton, Miss Rhodes, Roberts and Mrs Worne (22).

The Council therefore

RESOLVED

That approval be given to a supplementary estimate of £500k for the Sunken Gardens project funded from the £316k balance of the earmarked reserve identified for unallocated project funding and essential capital maintenance and the balance of £184k which equates to a Band D equivalent Council tax of £2.97.

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Councillor Chapman then asked a question in accordance with Council Procedure Rule 13.2 in relation to Minute 276 [Question Time] in terms of whether the Leader of the Council had written to HE as minuted, and if so, could Councillors be supplied with a copy of that correspondence and any response received. Councillor Dr Walsh responded stating that he would arrange for the letter he had sent to be circulated but that as far as he was aware, no response had been received.

Councillor Northeast then asked a question in accordance with Council Procedure Rule 13.1 in relation to Minute 287 [Kingley Gate Development, Littlehampton – Community Facilities and Section 106 Funding] stating that it was his understanding that in relation to the commuted sum he understood that there was a significant shortfall in funding for this project. Councillor Northeast ask the Leader of the Council if this was an accurate assumption and if so, were additional funds being sourced? Councillor Dr Walsh responded stating that he was not aware of that suggestion and he invited the Director of Services to respond. She asked Councillor Northeast if he could confirm the source of this information. Councillor Northeast confirmed that it had come from another Councillor. That Councillor was asked via Councillor Northeast to contact the Director of Services.

Councillor Gunner asked a question in accordance with Council Procedure Rule 13.1 in relation to Minute 284 [Beach Access, Bognor Regis] and requested an update on progress and as some level of concern had been expressed by Councillors and residents that the proposals only related to Bognor Regis and no other parts of the District. Councillor Dr Walsh confirmed that Options 4, 5 and 7 were still being explored.

Councillor Huntley then made a personal statement in which he apologised for interrupting the recorded vote that had taken place on Minute 286 [Sunken Gardens, Bognor Regis] and for the comment he had made about a Councillor.

Councillor Roberts then asked a question in accordance with Council Procedure Rule 13.1 in relation to Minute 288 [Establishment of a Planning Review Working Party] asking when the Hannaby report would be published as residents wanted to view it. The Chief Executive responded confirming that there were two parts to this report. The first part involved recommendations that affected Councillors with the second part involving recommendations that affected Officers. As Chief Executive he was pursuing the Officer recommendations as a separate issue, and it was accepted that the two issues needed to be brought together though there was no timeframe to report on this yet. The second meeting of the Planning Review Working Party would be taking place in February 2021.

Councillor Buckland then asked a question in accordance with Council Procedure Rule 13.1 in relation to Minute 284 [Beach Access, Bognor Regis] which was why the options being explored only related to Bognor Regis when there was both the need and interest for similar reviews to take place for Littlehampton. He asked Councillor Stanley, as the Cabinet Member, why his approaches made to Officers and

the Leader of the Council and Cabinet Member had not been pursued and why Littlehampton had not been included as part of any type of study. Councillor Dr Walsh confirmed that the request on this occasion had been in respect of Bognor Regis and that no request had been made in respect of Littlehampton. He urged Councillor Buckland to pursue his case with Officers to consider which could then be considered by Cabinet.

*(During the course of the debate on this item, Councillor Buckland declared a Personal Interest when talking to Minute 284 [Beach Access, Bognor Regis] in his capacity as Vice-Chairman of the Arun Access Group).*

#### 415. AUDIT & GOVERNANCE COMMITTEE - 19 NOVEMBER 2020

The Vice-Chairman, Councillor Mrs Haywood, presented the minutes from the meeting of the Audit & Governance Committee held on 19 November 2020.

Councillor Mrs Haywood alerted Members to the first of a series of recommendations the first being at Minute 311 [Independent Remuneration Panel – Review of Special Responsibility Allowances for 2021] which she formally proposed. The recommendations were then seconded by Councillor Bennett.

The Council

RESOLVED – That

- (1) Each Service Committee Chairman receives an allowance of £5,004 and each Vice-Chairman receives an allowance of £1,651; and
- (2) The recommendations set out in the Independent Remuneration Panel's report which had been attached at Appendix 1 be approved.

Councillor Mrs Haywood then drew to the attention of Members the next set of recommendations at Minute 315 [Treasury Management Mid-Year Report] which she formally proposed. The recommendations were then seconded by Councillor Bennett.

The Council

RESOLVED – That

- (1) The actual prudential and treasury indicators for 2020/21 contained in the report be approved;
- (2) The treasury management mid-year review for 2020/21 be noted; and
- (3) The treasury mid-year activity for the period ended 30 September 2020, which had generated interest receipts of £331.00 (0.92%) year to date; against a budget of £550,000 (1.25%) for the full year be noted.

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Councillor Mrs Haywood then presented the last four recommendations at Minute 316 [Data Protection Breach Overview] which she formally proposed. The recommendations were then seconded by Councillor Bennett.

The Council

RESOLVED – That

- (1) The summary of findings from the data protection breach be noted by Full Council and the Standards Committee;
- (2) It recognises, engages and fully endorses the importance of all Members and Officers completing mandatory training and adhering to Policies, in order to minimise the risk of future data protection breaches;
- (3) It recognises that the Council is responsible and accountable for breaches of data protection, and as such, can face large fines, be liable to pay compensation and suffer adverse reputational damage; and
- (4) Council IT equipment should not be issued until the relevant security policies have been signed. In the case of re-elected Members who already have equipment, their accounts should be disabled until policies are signed.

416. DEVELOPMENT CONTROL COMMITTEE - 25 NOVEMBER 2020

The Chairman, Councillor Bennett, presented the Minutes from the meeting of the Development Control Committee held on 25 November 2020

Councillor Bennett then proposed a recommendation at Minute 327 [Options for Introducing Further Controls on the Definition, Number and Quality of houses in Multiple Occupation] and this was seconded by Councillor Ms Thurston.

Debate on this recommendation saw Councillors asking if there was any opportunity to get these restrictions in the locations in and around Bognor Regis as there were clusters that as a Planning Committee could not be objected to.

Statements were also made confirming that it was imperative for the Council to clamp down hard on those landlords who continued to rent accommodation that was in an appalling condition to the most vulnerable in society.

In response both Councillors Bennett and Stanley explained that Houses in Multiple Occupation (HMOs) were an essential element of the Council's housing stock and that it was vital that the community had access to them. It was accepted that both in Bognor Regis and Littlehampton there were areas that were being converted into HMOs rapidly and that this had many impacts such as appropriate on-street parking. If



the recommendation was approved, it would allow the Council to continue with its research work to tackle a range of issues and the concerns raised by Councillor Buckland which were more relevant to a later recommendation that Council would consider from the Housing & Customer Services Working Group and Cabinet. This proposal was about the quantity and compact nature of HMOs.

The Council

**RESOLVED**

That the Council undertake further research with Housing Services in order to establish evidence to determine the justification and role for designating Article 4 Directions(s) in Bognor Regis as a priority and to keep the matter under relevant review for Littlehampton, unless the work also confirms that there is sufficient justification to bring a further Article 4 Direction(s) forward at the same time.

**417. CONSTITUTION WORKING PARTY - 30 NOVEMBER 2020**

The Chairman, Councillor Mrs Yeates, presented the minutes from the Constitution Working Party held on 30 November 2020.

Councillor Mrs Yeates confirmed that the first set of recommendations were at Minute 29 [Committee responsibility for Land Property and Asset Management] which she formally proposed. The recommendations were then seconded by Councillor Mrs Gregory.

The Council

**RESOLVED – That**

(1) It be noted that the Residential and Wellbeing Service Committee is delegated all functions (acquisition, disposal, declaring as surplus to requirements, repair and maintenance) relating to HRA land assets and property both residential and commercial (this includes the small number of residential properties held for accounting purposes in the General Fund but let and managed by Residential Services);

(2) The Economic Committee be delegated responsibility for all functions (acquisition, disposal, declare as surplus to requirements, repair and maintenance\_ functions relating to the General Fund land assets and property both residential and commercial; responsibility for the General Fund Property Investment Strategy and the Development of a Commercial Strategy;

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(3) The threshold value for delegation to Officers remain as they are but Corporate Policy and Performance Committee be delegated responsibility for reviewing the thresholds in consultation with the Chief Executive and Section 151 Officer; and

(4) The Monitoring Officer make consequential changes to the wording of the Committee's terms of reference to reflect the outcome of the above recommendations.

Councillor Mrs Yeates then drew Members' attention to the next set of recommendations at Minute 30 [Consolidated Report on Outstanding Planning Issues] which she formally proposed. The recommendations were then seconded by Councillor Mrs Gregory.

Debate firstly focused on proposals to rename the Development Control Committee the Planning Committee and what the future size of the Committee should be. There were many Councillors who could not support the suggested name or the size which would see the Committee having a reduced membership size of 11 Councillors. It was felt to name the Committee the Planning Committee would cause confusion as the Council would have a Service Committee called the Planning Policy Committee.

On membership size, as a quasi-judicial Committee, it was essential to ensure that representation on the Committee was from all parts of the District which could not be achieved with a reduced membership and would disenfranchise parts of the District. Requests were made to keep the membership unchanged at 15.

In terms of the other recommendations proposed, Recommendations (2), (3) and (4), these were supported though it was felt that the Development Control Committee should be involved in ensuring that its rules and responsibilities be debated by it rather than another Committee, as this had always been the case in the past. Finally, it was felt that there was an urgent need for further training to be organised for Councillors which had not taken place since the start of the pandemic.

Following further debate, the Council

RESOLVED – That

(1) The Development Control Committee be renamed the Planning Committee;

(2) The Planning Local Code and the Public Speaking Rules be consolidated as one document renamed 'Planning Local Protocol' as set out in Appendix 1 of the report and referred to the Standards Committee for consideration at the same time as the proposed new Model Member Code of Conduct, with the amendment being made at Paragraph 11.8 being taken forward;

(3) The proposed Terms of Reference of the Planning Committee be approved and that accordingly Council agrees to amend Part 3, Responsibility for Functions, Paragraph 5.2 (Development Control Committee) of the Constitution as set out in Appendix 2;

(4) Having regard to the Financial Procedure Rules to agree to amend Part 3, Paragraph 11 and 16 (Responsibility for Functions) the terms of reference of the Planning Policy Committee as set out in Appendix 3; and

(5) The size of the Planning Committee be a membership of 11 Councillors.

The Vice-Chairman then took over as Chairman for the next item to be considered and Councillor Mrs Yeates then formally proposed the final recommendation at Minute 31 [Referral of Motion 4 from Full Council on 18 November 2020 to this Working Party on Call-In] which formally proposed. The recommendation was then seconded by Councillor Mrs Gregory.

The Council

RESOLVED

That the following amendment is made to Part 6, Section 2, of the Scrutiny Procedure Rule 13.4 to allow a broader range of Members to initiate call-in requests:

*13.4. If a request for a call-in is received by the Group Head of Policy within the period between the publication of the decision and the effective date, he/she shall call-in the decision for scrutiny by the Committee. For it to be valid, the request must be:*

- a) *in writing and identify the lead Member of the call-in,*
- b) *specify the relevant decision, which is to be the subject of the call-in,*
- c) *satisfy at least one of the criteria set out in paragraph 13.8, and*
- d) *be supported by any five Members of the Council who do not have related pecuniary interests with regards to the subject of the Call-in*
- e) *the Group submitting the Call-In request comprises EITHER Members from more than one Political Group as defined by Section 8 of the Local Government (Committees and Political Groups) Regulations 1990 OR individual members from one or more Groups as defined, along with individual members who are not part of any Group.*

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418. OVERVIEW SELECT COMMITTEE - 1 DECEMBER 2020

The Chairman, Councillor Northeast, presented the minutes from the meeting of the Overview Select Committee held on 1 December 2020.

419. DEVELOPMENT CONTROL COMMITTEE - 2 DECEMBER 2020

The Chairman, Councillor Bennett, presented the minutes from the Development Control Committee held on 2 December 2020.

420. STANDARDS COMMITTEE - 3 DECEMBER 2020

The Vice-Chairman, Councillor Bennett, presented the minutes from the Standards Committee held on 3 December 2020.

421. CHIEF EXECUTIVE'S (CEO) REMUNERATION COMMITTEE - 8 DECEMBER 2020

*(Prior to the commencement of this item, the Chief Executive re-declared his Personal and Pecuniary Interest made at the start of the meeting and requested to be placed in the Waiting Room for the duration of this item).*

Following a Point of Order made, the Chairman of the Council, Councillor Mrs Worne, resumed as Chairman for this item and the duration of the meeting.

The Chairman, Councillor Mrs Gregory, presented the minutes from the meeting of the Chief Executive's (CEO) Remuneration Committee held on 8 December 2020.

Councillor Mrs Gregory referred to a recommendation at Minute 367 [Chief Executive Remuneration – 2020/21] which she duly proposed confirming that the level of performance related pay agreed by the Committee for 2020/21 be 2%. The recommendation was then seconded by Councillor Clayden who confirmed that the Committee had been working to a Policy agreed several years ago which would be reviewed next year. The pay increase proposed was in line with that agreed Policy that the Committee worked to.

Requests were made by Councillors Roberts and Gunner for the Chief Executive to be invited back into the meeting so that Councillors could question him and specifically ask if he would be willing to accept a pay freeze in solidarity with other Council staff.

Many Councillors then spoke in support of agreeing a pay freeze which would be the situation for all Council employees in 2021.

Other Councillors spoken firmly against this suggestion because the Chief Executive had a contractual agreement in place with the Council and so the Committee and ultimately the Council had a contractual obligation to approve performance related pay in this way recommended by the Committee. The Interim Monitoring Officer was asked to provide advice.

The Interim Monitoring Officer confirmed this to be the case and that if the Committee had recommended a 2% increase, then this is what the Chief Executive was entitled to receive. If the Chief Executive willingly chose to forego the 2% increase or any part of it after it had been offered to him, that was his right to do, nobody else's. He was contractually entitled to the calculation proposed and it would be very difficult, if not impossible, to find a reason to go against the contractual obligation. The other issue for Members to be aware of was that the Chief Executive had quite rightly declared a Personal and Pecuniary Interest in this matter and had left the meeting so as not to influence the debate in any way. To request that he return to the meeting to answer questions would not be acceptable.

There were Councillors who confirmed that they fully supported the advice provided and that the existing Contract in place should not be breached. The Council was within its rights to express any concerns but at the end of the day the agreement in place had to be honoured and left until such was the appropriate time to reconsider any of the arrangements in place.

Following further debate, Councillor Coster confirmed that in line with the Constitution at Motions Without Notice he wished to propose that the question be now put as it was essential for the Council to stick to the contractual obligation in place.

The Interim Monitoring Officer provided advice to the Chairman stating that if she felt that the item has been sufficiently discussed, then she could confirm that the meeting go straight to the vote with no need to discuss the item further.

Points of Order were then raised with some Councillors disputing that they should be heard before going to the vote.

The Motion without Notice to proceed to the next business as proposed by Councillor Coster was then seconded by Councillor Dixon.

Points of Clarification were then raised in terms of whether the Chairman of the Committee should respond to the concerns raised by Councillors and if she would agree to put the question of renunciation to the Chief Executive.

Having received further advice from the Interim Monitoring Officer and having received further Points of Order, it was agreed that the concerns of Members would be reflected in the minutes and that Councillor Mrs Gregory, as Chairman of the Committee, would have a private discussion with the Chief Executive to explain the points of concern raised.

A request had been made that the voting on the recommendation be recorded.

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Those voting for the recommendation were Councillors Bower, Brooks, Mrs Catterson, Charles, Clayden, Coster, Dixon, Mrs Hamilton, Mrs Haywood, Huntley, Lury, Oliver-Redgate, Mrs Pendleton, and Tilbrook (14). Those voting against were Councillors Bennett, Bicknell, Mrs Cooper, Cooper, Dendle, Gunner and Roberts (7). Councillors Blanchard-Cooper, Buckland, Edwards, Elkins, English, Mrs Gregory, Kelly, Miss Needs, Northeast, Oppler, Stanley, Ms Thurston, Dr Walsh, Mrs Warr, Mrs Worne and Mrs Yeates abstained from voting (16).

The Council

RESOLVED

That following the Chief Executive's Appraisal held on 2 November 2020, the level of performance related pay for 2020/21 be 2%, with this being paid from 3 October 2020.

*(During the course of the discussion on this item, Councillors Northeast and Blanchard-Cooper declared their Personal Interests. This was because Councillor Northeast was married to a member of staff and because Councillor Blanchard-Cooper had relations who were staff members).*

422. CHANGE TO THE ORDER OF THE AGENDA

The Chairman requested and the Council agreed to a change to the order of the agenda to allow Items 31 [Committee Memberships] and 32 [Representation on Outside Bodies] to be considered next.

423. COMMITTEE MEMBERSHIPS

The Council noted the following changes in Committee Memberships:

- (1) Councillor Mrs Catterson becomes a member of the Housing & Customer Services Working Group;
- (2) Councillor Bennett fills the Liberal Democrat vacancy on the Chief Executive (CEO) Remuneration Committee;
- (3) Councillor Bennett replaces Councillor Oppler on the Planning Policy Sub-Committee; and
- (4) The membership of the newly formed Planning Review Working Party is:

Councillors Stanley (Chairman)  
Mrs Cooper (Vice-Chairman)  
Bennett  
Chapman  
Coster  
Lury  
Roberts  
Ms Thurston

Councillor Gunner announced that Councillor Mrs Pendleton had become the Deputy Leader of the Conservative Group and he thanked Councillor Dendle for his hard work and for being the Group's Deputy since May 2019.

424. REPRESENTATION ON OUTSIDE BODIES

The Leader of the Council confirmed the following changes in representation to Outside Bodies which were then approved.

The Council

RESOLVED

That the following changes in representation to Outside bodies be approved:

- (1) Councillor Mrs Staniforth replaces Councillor Miss Seex on Tourism South East;
- (2) Councillor Lury replaces Councillor Dixon as the appointee for South East Employers; and
- (3) Councillor Dr Walsh fills the Council's vacant set on the Littlehampton Harbour Board, as confirmed by Cabinet on 14 December 2020.

The Chairman then announced that it was her wish to apply Council Procedure Rule 8, to adjourn the meeting to 25 January 2021 at 6.00 pm. Having consulted with the Chief Executive, this adjournment was confirmed.

(The meeting concluded at 11.00 pm)

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