

FULL COUNCIL MEETING – 17 MARCH 2021

AGENDA ITEM 3 – PUBLIC QUESTION TIME – ORDER IN WHICH THE CHAIRMAN OF THE COUNCIL WILL INVITE QUESTIONS BELOW RECEIVED IN WRITING IN ADVANCE OF THE MEETING

1. From Mr Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury
2. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh
3. From Mrs Lownsbrough to the Leader of the Council, Councillor Dr Walsh
4. From Mrs Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury
5. From Mr Meadmore to the Leader of the Council, Councillor Dr Walsh
6. From Ms Jarvis to the Cabinet Member for Planning, Councillor Lury
7. From Mr Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury
8. From Mr Cosgrove to the Cabinet Member for Commercial and Business Development, Councillor Coster
9. From Mrs Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury
10. From Mr Meadmore to the Leader of the Council, Councillor Dr Walsh
11. From Mr Collins to the Cabinet Member for Planning, Councillor Lury
12. From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh
13. From Mrs Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury
14. From Mr Meadmore to the Leader of the Council, Councillor Dr Walsh
15. From Mr Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury

THE FULL DETAIL OF THE QUESTIONS TO BE ASKED IS DETAILED BELOW

NOTE: The Chairman will:

- invite questions from members of the public who have submitted in writing their questions in line with the Council's Constitution;
- explain that the questions received will be answered by the appropriate Members of the Cabinet or the Chairman of the Overview Select Committee
- confirm that Public Question Time allows Members of the public to ask one question at a time and that a maximum of one minute is allowed for each question.

- state that questions will be invited in the order in which they have been received and that if there is time remaining from the 15 minutes allowed for Public Question Time, questioners will be allowed to ask a supplementary question.

QUESTION ONE

From Mr Collins to the Cabinet Member for Planning, Councillor Lury

Land North of Summer Lane Pagham

I act for a number of residents who have objected to the manner in which OPP 58/15 OUT is being implemented, the unauthorised development arising on site and the proposals under P/97/20 PL and have also made a corporate complaint in respect of such matters which remains unanswered.

The same residents also had their application under ADC ref: P/1/21 PL refused by the DCC on 3 March 2021 and that application relates in part to the subject land. That decision has been appealed and the application has been resubmitted so that ADC may review their decision and consider whether or not they wish to defend the appeal.

As part of that process it has come to our attention that Arun District Council has a financial interest and a charge relating to the property and land held to which these applications and the appeal relate by virtue of Land Registry Title WSX408542.

Please can the Leader of the Council/Cabinet Member for Planning confirm and provide full details of the financial interest held by Arun District Council and the Charge relating to the property in their favour and the part of the subject site to which these relate and whether or not that interest was or will be fully disclosed to the public when any planning decisions were or will be made in respect of the site.

QUESTION TWO

From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh

Can he confirm that C2C in awarding Arun Council £1.2m for Place St Maur improvements stipulated that ADC should contribute 50%-60% match funding, £600-£750,000 and that their grant would be paid in arrears?

Will he also confirm that Arun has made provision for £370,000 supplementary estimate for this purpose? How much of that will pay for consultancy as agreed so far?

Why is the Council seeking to deal with the issue piecemeal when the Place is part of the Regis Centre Regeneration area?

QUESTION THREE

From Ms Lownsborough to the Leader of the Council, Councillor Lury as the Cabinet Member for Planning will respond

Planning approval was granted on appeal to the Sir Richard Hotham Project by the Secretary State on July 5th 2018. Contained within the appeal document are 57 *pre-development conditions* required to be completed before the main development can commence. Many of which would appear to additionally require Local Authority Approval.

- How many of the 57 pre-development conditions have been advised to the Council as completed.
- Whether a schedule of works in relation to the above has ever been submitted to the Council.
- How many of the pre-development conditions requiring Local Authority Approval have been discharged.
- When is the cut-off date for all the pre-development conditions to be met.
- If the pre- development conditions are not discharged by the cut-off date, does that mean that the planning appeal permission expires.
- Have any discussions/agreements taken place between the Council, Whitbreads/Arun Arts, and in respect of leases between 2020 and in 2021 to date.

QUESTION FOUR

From Mrs Collins to the Cabinet Member for Planning, Councillor Lury

Can the Leader of the Council or Cabinet Member for planning confirm that ADC has financial interest with regard to the Summer Lane development site P/58/15/OUT and that this was disclosed when any planning decisions were made.

The Summer Lane development continues to cause problems with surface water run off which is impacting on the surrounding ditches alongside the Spinnaker View development and the Mill Farm Estate. ADC Drainage Engineers knew all along this was going to be a problem but chose to proceed and approve the Drainage Strategy conditions and is promising to find a suitable solution in the future (sandbags are not a long term solution). As Drew Smith will not accept conditions that would require work on third party land who will now take responsibility?

Ref. HSP2. I. positively responds to sustainable water management taking particular account of the coastal plain topography which may require strategic surface water solutions.

The Land Drainage Act 1994 requires that a watercourse be maintained by its owner in such a condition that the free flow of water is not impeded and the riparian owner **or anyone else** must not cause a watercourse to become blocked or obstructed. If ADC has a financial interest then surely it is ADC's responsibility to investigate, source ownership of the ditches and enforce conditions and take preventative measures to protect adjacent properties from flooding in the future.

QUESTION FIVE

From Mr Meadmore to the Leader of the Council, Councillor Dr Walsh

What is the Council's expectations of its Working Group meeting scheduled to take place on 25th March 2021 with Southern Water Services Ltd?

Does it expect the meeting to establish firm dates (or trigger points) whereupon Southern Water Services will have completed all required works to facilitate the connection (of each) Arun Strategic Development Site development to the main public wastewater system within 24 months of final planning approval matters, and, will have also completed all works necessary to eliminate Spills of influent (or only partially processed effluent) into rivers, watercourses, SPAs, SSSIs and from all causes in the Arun District area? If not, then would the Council please issue a statement that it understands and accepts full responsibility for environmental and ecological consequences in permitting new dwellings to be occupied without such critical works having been carried out?

QUESTION SIX

From Ms Jarvis to the Cabinet Member for Planning, Councillor Lury

Can it be confirmed that the financial interest made by Arun District Council into the above development prior to consent was declared to the committee before or during the meeting to determine the application?

Can the Leader of the Council or the Cabinet Member for Planning answer the question of what determines "predetermination" with regard to an application, and in doing so show that predetermination was not made in the case of the above application?

QUESTION SEVEN

From Mr Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury – Councillor Lury to respond as the Cabinet Member for Planning

The Arun Local Plan 2018 was prepared and adopted by the previous ADC Conservative Administration on 18 July 2018 and it allocated 9 Strategic Allocations in the western part of Arun District for development with 9,700 dwellings and just 2 strategic Allocations in the eastern part of Arun District at Angmering for 1050 dwellings.

The allocations in the western part of the district were intended to supply some 48.5 % of the total district wide number of 20,000 dwellings that the plan said would be provided 2011 – 2031 but none of these allocations have provided any housing to date.

In May 2019 the Local Elections resulted in all the previously conservative held wards in the western part of the district being changed to Liberal Democrat, independent and/or Green Party control largely due to those elected promising to review the Local Plan and strategic allocations in the western part of the district approved by the previous Conservative administration and redistribute the housing allocation more evenly and more sensibly across the district as a whole. In this context please can those identified address the following questions:

1. Does the Liberal Democrat Leader of the Council support the Arun Local Plan 2018 and the 9 strategic allocations in the western part of Arun District?
2. Does the Liberal Democrat Cabinet Member for Planning support the Arun Local Plan 2018 and the 9 strategic allocations in the western part of Arun District?
3. Notwithstanding the answers to 1 and 2 please can both say what they and their administration have done so as to initiate a review of the Local Plan and these 9 strategic allocations since May 2019?
4. Notwithstanding 1 – 3 does the Leader and the Ward Member for the Beach Ward in Littlehampton support the ALP Strategic Allocation at West Bank Littlehampton for development with 1000 houses (SD 4)?
5. Notwithstanding 1 – 3 does the Cabinet Member for Planning and the ward member for Bersted support the ALP Strategic Allocation at West of Bersted for development with 2500 houses (SD3)?

QUESTION EIGHT

From Mr Cosgrove to the Cabinet Member for Commercial and Business Development, Councillor Coster

Can he tell me what progress has been made on contacting Sussex Police following the rejection of the London Road Lorry Park deal, also what is happening re The Arcade in Bognor High Street? Is there are update on dealings with Whitbread on the Regis Centre site?

QUESTION NINE

From Mrs Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury – Councillor Lury to respond

Can the Council confirm that no decisions will be made in respect of any applications within the Strategic Site Allocations until a masterplan has been endorsed by the council as stated in ALP Policy HSP 2 and policy HSP2a

“Development proposals within the strategic site allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas “

The strategic site allocations of SD1 Pagham South and SD2 Pagham North must be sustainable and be aligned with neighbouring parcels of land. The close proximity to Pagham Harbour with its drainage and water implications should not be detrimentally affected and Pagham Treatment Works is nearing capacity hence the transport of sludge across the area.

Is the coastal plain being overwhelmed with housing allocations because they will yield the highest return for developers and Councils alike, regardless of the impact on good growing land to future proof our self-sufficiency, regardless of already inadequate infrastructure and regardless of the potential threat to the Pagham Harbour and Nature Reserve, which cannot be satisfactorily mitigated by a monetary contribution?

QUESTION TEN

From Mr Meadmore to the Leader of the Council, Councillor Dr Walsh – Councillor Lury as the Cabinet Member for Planning to respond

What is the Council’s expectations of County Highways and Highways England in relation to the highways infrastructure improvement imperatives that have been identified by its transport studies and previously presented as proposals by representatives of the said organisations?

The indication from them recently is that they would only begin planning once all of the stipulated s106 contributions have been paid under all of the developments pertaining to each highway infrastructure improvement proposal, and that there might likely still be a lead time of at least a further 24 months. Each development of course will likely follow a differing timeline path, some will remain uncertain for years to come, and many are inter-dependent. In this situation what is the Council’s contingency plan and ‘trigger’ points whereupon these works will nonetheless be required to be completed by County Highways and Highways England irrespective? If none, then may we ask the Council to issue a statement

that in consenting to the developments without conditions prerequisite upon these infrastructure providers it thereby understands and accepts full responsibility for the consequences if these critical 'severe impact' highways improvements are not implemented.

QUESTION ELEVEN

From Mr Collins to the Cabinet Member for Planning, Councillor Lury

ALP Strategic Allocations SD1 Pagham South and SD2 Pagham North are identified in the ALP 2018 for development with 400 and 800 houses respectively subject to any actual proposals for the site demonstrating compliance with the detailed design and infrastructure requirements set out in ALP Policies HSP 2 and HSP 2a.

Please can the Cabinet Member for Planning confirm whether or not he would oppose any proposals put forward for the strategic allocations SD1 and/or SD2 that do not demonstrate compliance with the detailed design and infrastructure requirements for those sites set out in ALP Policies HSP 2 and HSP 2a.

QUESTION TWELVE

From Mr Cosgrove to the Leader of the Council, Councillor Dr Walsh

May I point him to the Submission made by Seaward Homes to the 2015 Regeneration Consultation [[link](#)] in particular where it says "The two sites in question need to be viewed and considered differently. Instead of being branded as 'regeneration', the project needs to be redefined as one of 'redevelopment.' The issue of regeneration has, in Seaward's opinion, clouded the debate and the resultant progression of realistic and deliverable proposals. Potentially, the positioning of the project and the higher level view adopted has affected its delivery. To date, the requirement is to see a multitude of uses included on what are in development terms, very limited parcels of land With the understanding that all involved are looking at a redevelopment project, then a new approach based around a 'less is more' ethos could be the answer to delivering an achievable outcome". "... Seaward considers it fair to state that another developer-led masterplan is not an approach that will deliver a positive outcome" "... That a fresh approach is endorsed by ADC following recognition of the fact that adherence to the 'core requirements' is only likely to lead to further local difficulties - The project and its scope is sharply redefined – the focus becomes redevelopment and not regeneration " Would he not agree that this appears to be what Arun Officers have been promoting since, and that it is acknowledged by Seaward that this is NOT Regeneration?

QUESTION THIRTEEN

From Mrs Collins to the Leader of the Council, Councillor Dr Walsh

Do Arun District council still intend to remove the "leader and cabinet" style of governance and replace it with a "Committee System" as decided at the Full Council Meeting on 15th January 2020. If not when was the decision to overturn this made?

QUESTION FOURTEEN

From Mr Meadmore to the Leader of the Council, Councillor Dr Walsh – Councillor Lury to respond as the Cabinet Member for Planning

Q3: What is the Council's expectations of the Health Authority in relation to the identified infrastructure improvements necessary to support the Strategic Development Sites' incremental population? What is the Council's intended 'trigger' points whereupon these works must be done and completed?

If none, then may we ask the Council to issue a statement that in approving the developments to proceed without conditions prerequisite upon this infrastructure provider it thereby understands and accepts full responsibility for the consequences if these infrastructure improvements are not implemented.

QUESTION FIFTEEN

From Mr Collins to the Leader of the Council, Councillor Dr Walsh and/or the Cabinet Member for Planning, Councillor Lury – Councillor Lury to respond as the Cabinet Member for Planning

Strategic Allocations SD1/SD2 - Pagham North and Pagham South and related matters

In view of the attached letter to the Council's Chief Executive and the e mail response on his behalf from Mr Roberts please can the Leader and/or the Cabinet Member for planning respond to the following question:

Please can you confirm when the required master plan will be prepared for public consultation and endorsement by the Council in accordance with the development plan and that no decisions will be made in respect of any applications made for these sites until such time as the required master plan is prepared consulted upon and endorsed by the Council?

(Mr Collins has attached email correspondence between himself and Officers of the Council which should not be shared)