

ARUN DISTRICT COUNCIL

DECISION NOTICES FROM THE CABINET MEETING HELD ON
11 FEBRUARY 2019

REF NO.	DECISION
C/039/110219	Budget Variation Report to 31 December 2018
C/040/110219	Council Budget – 2019/20
C/041/110219	Judicial Review at Land South of New Road [A259] and East of Brook Lane, Angmering [Planning Application Reference A/23/15/OUT]

PLEASE NOTE THAT THESE DECISIONS WILL COME INTO EFFECT FROM 10.00 A.M. ON WEDNESDAY 20 FEBRUARY 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

REFERENCE NO: C/039/110219

FULL CABINET DECISION	YES
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Budget Monitoring Report to 31 December 2018	
OFFICER CONTACT: Carolyn Martlew – Financial Services Manager Extn: 01903 737568 e.mail: Caroly.Martlew@arun.gov.uk	
EXECUTIVE SUMMARY: The budget monitoring report sets out the Capital, Housing Revenue and General Fund Revenue budget performance to the end of December 2018.	
DECISION: The Cabinet RESOLVED (1) The report in Appendix 1 be noted; (2) It be noted that the overall performance against budget is currently on track; and (3) The successful grant application for £50k from the Coastal Revival Fund (MHCLG) for the Bognor Regis Band Stand is noted.	
REASON FOR THE DECISION: To ensure that spending is in line with approved Council Policies and that it is contained within overall budget limits.	
OPTIONS CONSIDERED BUT REJECTED: To not note the report.	
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/040/110219

FULL CABINET DECISION	YES and NO
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Arun District Council Budget – 2019/20	
OFFICER CONTACT: Alan Peach – Group Head of Corporate Support Extn: 01903 737558 e.mail: Alan.Peach@arun.gov.uk	
EXECUTIVE SUMMARY: The Cabinet considered the Revenue and Capital Budgets for 2019/20 for both the General Fund and the Housing Revenue Account.	
<p>DECISION:</p> <p>The Cabinet</p> <p>RESOLVED – That</p> <p>(1) It be noted that the Group Head of Corporate Support, in consultation with the Deputy Leader of the Council and Cabinet Member for Corporate Support, has approved a Council Tax base of 61,281 for 2019/20;</p> <p>(2) the Budget reports in Appendix A, 1, 2 and 3 be noted.</p> <p>The Cabinet also</p> <p>RECOMMEND TO THE SPECIAL COUNCIL MEETING ON 20 FEBRUARY 2019 - That</p> <p>(1) The General Fund Revenue budget as set out in Appendix 1 is approved;</p> <p>(2) The Council's Band D Council Tax for 2019/20 is set at £181.62, an increase of 2.96%;</p> <p>(3) The Council's Council Tax Requirement for 2019/20, based on a Band D Council Tax of £181.62, is set at £11,129,855 plus parish precepts as demanded, to be transferred to the General Fund in accordance with statutory requirements;</p> <p>(4) The Housing Revenue Account (HRA) Budget as set out in Appendix 2 is approved;</p> <p>(5) The HRA rents for 2019/20 are set at 1% below the current year's level in accordance with the provisions of the Welfare Reform and Work Act;</p> <p>(6) HRA garage rents are increased by 5% to give a standard charge of £11.72 per week (excluding VAT), and heating and water/sewerage charges increased on a scheme by scheme basis, with a view to balancing costs with income; and</p> <p>(7) The Capital Budget as set out in Appendix 3 is approved.</p>	

REASON FOR THE DECISION: To ensure that the Council has a firm financial basis for conducting its business in 2019/20.	
OPTIONS CONSIDERED BUT REJECTED: To not approve a Budget for 2019/20 is not an option.	
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/041/110219

FULL CABINET DECISION	NO
URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES	NO
SUBJECT: Judicial Review at Land South of New Road (A259) and East of Brook Lane, Angmering (Planning Application Reference A/23/15/OUT).	
OFFICER CONTACT: Claire Potts – Strategic Development Team Leader Extn: 01903 737698 e.mail: Claire.Potts@arun.gov.uk	
<p>EXECUTIVE SUMMARY: An application for Judicial Review (JR) of the decision by Arun District Council to grant planning application for a retail unit and public house at Land south of New Road (A259) & East of Brook Lane, Angmering (reference A/23/15/OUT) has been filed by Store Property Investments Limited. If the application for the JR to be heard is allowed and the Council considers that it is expedient to defend the JR, legal support will be required. Should the Claimant be successful the Council will automatically be liable to pay their costs associated with the JR.</p> <p>This report seeks approval to a supplementary estimate of up to £150,000 to cover costs of defending this JR.</p>	
<p>DECISION:</p> <p>The Cabinet</p> <p>RECOMMEND TO FULL COUNCIL ON 13 MARCH 2019</p> <p>The approval of a supplementary estimate of £150,000 for the costs associated with the JR in respect of planning application A/23/15/OUT. This includes Counsel costs to defend the Council's position and an estimate of potential costs that the Council would be required to pay as a result of the Claimant being successful in their JR claim.</p> <p>The supplementary estimate equates to a Band D Council Tax of £2.48</p>	
REASON FOR THE DECISION: In order to defend a JR claim, legal representation is required and costs may be accrued if unsuccessful.	
OPTIONS CONSIDERED BUT REJECTED: There are a number of options at each stage in the JR process, which will determine the costs incurred. The options will be reviewed at each stage based on legal advice to determine the best course of action.	
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**