

COUNCIL MEETING – 14 JULY 2021

**QUESTIONS FROM MEMBERS PURSUANT TO
COUNCIL PROCEDURE RULE 14.3**

Q1 Councillor Bennett to the Chair of the Corporate Support Committee, Councillor Dendle

Q1 In May 2021 at minute 567 Full Council rejected the Options to Progress Webcast Improvement Project, this was mainly rejected by the Conservative group with support from others, my understanding of this means that when we return to physical meetings the public will only be able to view Planning Committee and Full Council online as this Council has not approved the additional cost for our current provider to stream all Committee meetings. Can the Chair confirm this is the situation we are currently in, and does he agree this is a retrograde step for this Council?

A1 I understand that the Chief Executive has consulted with all Group Leaders and agreed to facilitate the webcasting of all Committee meetings for the time being.

Q2 Councillor Bennett to the Chair of the Corporate Policy and Performance Committee, Councillor Gunner

Q2 Can the Chair confirm what his administration has achieved since regaining control of the Council, and please can he share his plans for the next two years with the public and this Council.

A2 A verbal response will be provided at the meeting by Councillor Gunner.

Q3 Councillor Worne to the Chair of the Corporate Support Committee, Councillor Dendle

Q3 Why did you feel it was appropriate to support cutting the money designated for a Diversity and Equality Survey from £10,000 to £5,000? This survey and the remedial work which would have followed, would have provided support to the most vulnerable members of our District.

The sum itself is not significantly large but it would have made a significant difference to members of the public who need extra support to access services provided by the Council"

A3 A verbal response will be provided at the meeting by Councillor Dendle.

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Q4 Councillor Walsh to the Chair of the Residential & Wellbeing Services Committee, Councillor Pendleton

Q4 In view of the public concern at the increasing level of anti-social and criminal behaviour, including persistent drunkenness and intimidation, drug dealing, vandalism (including smashed shop and car windows) in both Littlehampton and Bognor Regis, and the lack or paucity of visible policing, would the Leader of the Council agree to set up an urgent meeting between the Police and Crime Commissioner and Councillors to discuss the issue .

A4 Thank you Councillor Walsh for raising these concerns. I am happy to arrange a meeting with the Police to discuss the issue of visible policing in the District, but I feel that in the first instance this should be with the District Commander who is the senior officer responsible for policing in our locality. Chief Inspector Jon Carter has always expressed a willingness to attend meetings with Councillors and I am sure he will wish to respond directly to these concerns. However, if Councillors feel the answers they receive from the Chief Inspector are insufficient then I would be happy to escalate this matter and request a further meeting with Katy Bourne, the Sussex Police and Crime Commissioner.

Q5 Councillor Dixon to the Chair of the Planning Policy Committee – Councillor Bower

Q5 On 1 November 2019 the House of Commons Environment Food and Rural Affairs Committee published a report called “Coastal Flooding and Erosion, and adaptation to climate change: Interim Report”. In essence, Defra’s select committee concluded that some local authorities are allowing "inappropriate development" in coastal areas which are at high risk from flooding and erosion, in order to achieve centrally-driven housing targets.

“The National Trust suggested that some local authorities were not designating areas at risk of coastal change over the next 100 years as Coastal Change Management Areas (CCMA) in their local plans, which would restrict development, because it would prevent them from meeting their targets for house building.”

A Coastal Change Management Area (CCMA) is an area identified in Local Plans as likely to be affected by coastal change (physical change to the shoreline through erosion, coastal landslip, permanent inundation, or coastal accretion).

Natural England commissioned a report Coastal Change Management Area – Environmental Opportunities” dated November 2015 and “Coastal Change Management Areas” dated August 2017. Natural England then commissioned

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a report “Coastal Change Management Areas: Opportunities for more sustainable solutions in areas subject to coastal change” report first published January 2019. (This report incorporates the November 2015 and August 2017 reports).

Selsey to Pagham Beaches, Spit and Tidal Inlet is identified in the national top 10 potential CCMA's by Natural England.

This latter report was published before three of the four Pagham OPPs were decided. It seems to me that this report should have been a material consideration.

Question 1

- a) Were members of the Development Control Committee advised that Selsey to Pagham Beaches, Spit and Tidal Inlet is identified in the national top 10 potential CCMA's by Natural England before they determined the Pagham planning applications?
- b) If not, why not?

A5 Thank you for your question.

Firstly, you may recall that the Council has already agreed to explore the consideration of whether a CCMA is required (minutes from Full Council on 13 January 2021 refers – Minute 411). Secondly, the document is not directly relevant to any of the sites you mention as you acknowledge in your next question. Whilst there is an indicative redline for a potential CCMA it does not relate to any of these sites.

Q6 Councillor Dixon to the Chair of the Planning Policy Committee, Councillor Bower

Q6 It is important to recognise that the suggested CCMA covers the Pagham Beach area and not the development sites further inland.

- a) Given the obvious vulnerability of the Pagham Beach area is it possible that the proposed development sites could be impacted by a sea breach?
- b) Was this risk properly assessed after the new information became known in January 2019 and before the OPPs were determined?

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A6 Thank you for your question.

I can confirm that each development site in the strategic allocation has been the subject of a flood risk assessment. You have copies of each Committee report which assesses the flood risk implications for these proposals in your agenda in respect of another matter on this agenda. I am unclear from your question what specific new information you are referring to from January 2019.

Q7 **Councillor Dixon to the Chair of the Planning Policy Committee – Councillor Bower**

Q7 Given that the Council has failed to respond in any significant way to a warning given 2 ½ years ago, do you agree that, for as long as the council remains inactive, Pagham residents will remain highly vulnerable?

A7 Thank you for your question. I am unclear from your question what alleged warning you are referring to but if it relates to a CCMA then I refer you to the response given earlier.

Q8 **Councillor Dixon to the Chair of the Planning Policy Committee – Councillor Bower**

Q8 I'm sure you will agree that it could be perceived that Arun is one of those councils not designating areas at risk of coastal change as Coastal Change Management Areas (CCMAs) in local plans, because it might prevent it from meeting targets for house building.

Cllr Lury former Cabinet Member advised me that *“The Shoreline Management Plan for this area is currently being reviewed and the relevant outcomes of this review will be brought before members in due course. Any consideration of the need to designate this area as a CCMA should follow (and not precede) this review”*.

Now here we are approx. 20 months later, not much appears to be happening, and the residents remain highly vulnerable.

- a) Do you agree with me that the council should take urgent steps to designate Pagham as a Coastal Change Management Area?
- b) If so, could this be achieved through a new Supplementary Planning Document or Development Planning Document?

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Sources:

Source 1 - Coastal Flooding and Erosion, and adaptation to climate change: Interim Report –

see <https://publications.parliament.uk/pa/cm201920/cmselect/cmenvfru/56/56.pdf>

Source 2 - Royal Haskoning DHV 2019 Coastal Change Management Areas: Opportunities for more sustainable solutions in areas subject to coastal change. Natural England Commissioned Reports, number 275 – published January 2019) –

see <http://publications.naturalengland.org.uk/file/5869554089852928>

A8 Thank you for your question, but it appears to be a variation of one you asked earlier so I would refer you to the response offered earlier.

Q9 **From Councillor Dixon to the Chair of the Planning Committee – Councillor Chapman**

Q9 The Ford planning application for 1,500 houses is supported by the local community and Parish Council. It is probably the least controversial of our strategic locations. For a council failing to meet its 5-year housing land supply and housing delivery targets it should have been one of our easier sites to deliver. Instead it is turning into a shambles.

There are five factors influencing development proposals at Ford. They are:

- (1) a proposal for 1,500 houses,
- (2) a proposal for an incinerator,
- (3) a proposal for a school,
- (4) a “desire” for a junction where the proposed A27 Arundel Bypass crosses Ford Road,
- (5) a potential link road from the A259 to the A27 Arundel Bypass, bridging the railway line at Ford to provide a fourth and additional route in the west of the district between the Bognor Regis area and the A27.

Here are some of the problems as I see them:

- a) The cost of a junction on the Arundel Bypass where it crosses Ford Road can only be justified if it is used to help bring forward Ford as a potential location for future strategic growth and in order to help meet government housing policies. Otherwise how is it justified?
- b) Ford can only come forward as a location for future growth if the railway line is bridged. The railway line cannot be bridged unless a line is identified/protected for an A259 to A27 link road
- c) Without a link road Ford becomes less viable as a location for future strategic growth which, in turn, increases the pressure on other locations.

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- d) If the incinerator is consented before the housing proposal it will almost certainly make Ford less viable as a future option for strategic growth – who would want to buy a house adjacent to a giant incinerator?
- e) If the housing proposal is consented before the incinerator, then the new (bigger) incinerator proposal will be less likely and the much smaller (already consented) proposal will stand
- f) If housing proposals at Ford are impacted detrimentally then that may have a knock on effect on the viability/need for the school. If there is less housing at Ford can we still justify locating a school there? In any case, do we want a school so close to an incinerator?
- g) If the housing proposal for Ford fails, then so will the Local Plan.

The planning application was submitted in February 2020 and now 16 months later it remains undecided.

It seems to me that when the Development Control Committee deferred “endorsement” of the Ford Landings Masterplan pending “*Confirmation that there is agreement between a recognised education provider and the landowners regarding the transfer of land for the delivery of a new secondary school at Yapton/Ford.*” it ceded control of this strategic location to the recognised education provider and landowners.

Do you accept that the council has given away control of this important strategic location?

Does the council have any idea when a recognised education provider and the landowners might reach an agreement?

A9 Thank you for your question.

I am sure you will understand that as the Chairman of the Planning Committee it would not be appropriate for me to comment on the merits of a live planning application.

Q10 From Councillor Dixon to the Chair of the Planning Committee – Councillor Chapman

Q10 We know that Southern Water (SW) is required by the Water Industries Act to accommodate new development whatever the circumstances – and whether or not it overloads the system. SW can make recommendations for infrastructure improvements at the planning stage, but the onus is on the planning authority to set robust conditions when granting planning permission and to then enforce those conditions.

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At the same time the planning authority is under incredible pressure to meet government housing targets and tough conditions might conflict with this.

- a) Are the conditions imposed by the council on the Pagham strategic developments as originally recommended by SW in its consultation responses?
- b) The council does not have a good record on enforcement – will you give an assurance that any conditions will be robustly enforced?
- c) Will you give an assurance that there will be no tankering of sewage?
- d) As actual deliberate deception has been proven against SW, how can we possibly rely on their assurances of upgrading/improving their network and WWTW -- on which most of our strategic sites seem to depend – surely, in order to protect our local communities, we should be putting a hold on these sites until we see the work actually done and proven effective?

A10 Thank you for your four questions rolled up into one.

As indicated in response to a previous question you have the relevant committee reports on this agenda tonight and I would encourage you to re-read those. With regard to matters of enforcement there are currently no breaches of any conditions because none of the developments have commenced yet. Should there be any subsequent breaches, then I am sure that the Council's actions will be appropriate within the parameters laid down by regulation and guidance. To do anything else would put the Council at financial risk. With regard to tankering, the Council has no control over such matters.

Regarding the actions of Southern Water between 2010 and 2015 these matters have been dealt with in the courts and large fines applied. It would be a very foolish company who sought to repeat such unlawful acts.

Q11 **From Councillor Coster to the Chair of the Planning Committee – Councillor Chapman**

Q11 Cllr Chapman, I have major concerns in connection with the 'West of Bersted' proposed development, which is currently at Advisory Committee stage and will become a planning application within the not too distant future. These concerns have been expressed at the Advisory Committee stage by myself and others, but it is not apparent that they are being paid sufficient attention.

Firstly, there are serious concerns about the phasing of the development. Phase 1a is satisfactory, beginning at the North east corner of the site. But Phase 1b begins at the South West corner, which means that all construction traffic will approach via Chalcraft Lane or the Lower Bognor Road B2166, which

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will mean very considerable disruption, congestion and possible danger to residents.

It would be much more practical and considerate for Phase 1b to be swapped with Phase 2, which deals with the central part of the site and progresses from Phase 1a, which will allow for all construction traffic to approach from the A259 via the North East corner. The Developers appear to have no willingness to do this, and I am now asking you to ensure that our planning department is very firm in requiring this change to the phasing arrangements.

Secondly, it appears that the Highways and Transport assessments have paid no attention to the potential effect of this development on the B2166, which is little more than a narrow winding country lane leading from its junction with Chalcraft Lane up to its junction with Pagham Road. It frequently floods, the Pagham Road junction is potentially dangerous and often over capacity at peak hours.

It is quite obvious and inevitable that this road will receive much higher usage as a result of this development, with traffic going to the Free School and other Chichester area schools, plus traffic going westbound and seeking to avoid the A259 congestion at its junction with the A27. Yet there has been no proper assessment of the likely effects of this or of any potential mitigation. We have a responsibility not to allow WSCC Highways and the developers to simply ignore this, as they seem to be at the moment, and I am now asking you to ensure that our planning department pulls out all the stops to ensure that this matter is fully and carefully considered BEFORE any planning application is submitted.

Thank you for your attention.

A11 Thank you for statement.

I will ensure that your comments are passed onto the appropriate officer so that they can reconsider the points you make and bring them to the attention of WSCC and the site promoters.

Q12 From Councillor Coster to the Chair of the Planning Policy Committee, Cllr Bower

Q12 On 19 May at the Annual Council meeting, Cllr Gunner made a glowing speech telling us a few wonderful things that will happen under his leadership. And now is the time for his Group to begin to deliver.

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Among all that, he said that he will be looking at health care provision across the District – which I've always been under the impression is the responsibility of the NHS and the relevant trusts. Be that as it may, he said he would be "seeking opportunities" with the NHS as to how that can be delivered.

So here is your first challenge: we have a strategic site in Bognor Regis, known as 'West of Bersted,' which will contain some 2,500 homes, possibly 5,000 people, and the developers are providing space for a health facility to serve all those people. The planning application will be arriving at our offices soon.

Yet the CCG have quite clearly said that they will NOT be providing that health facility, and that all those people will be expected to travel some considerable distance to the Grove House surgery in Nyetimber (which will NOT be directly served by a bus route from West of Bersted) and which is already over capacity. And which, furthermore, will also be expected to serve the thousands of people from our strategic sites in Pagham.

The 'West of Bersted' Advisory Group have expressed their concern at this abdication of responsibility by the CCG for the healthcare of the thousands of people who will be living in the new development, but the CCG is resolutely ignoring these concerns. I have no doubt that the public, when they become aware of this, will be considerably less than impressed as well.

"Health care across the District," you said – and "seeking opportunities," you said. So, will you please now exercise your magic and not only seek the opportunity, but ENSURE that the CCG provides proper NHS care for those thousands of people at the space provided within this development.

I do not have to tell you that this problem has to be solved quickly. The planning application will be with us soon, and it would be very wrong of us to approve such an application without adequate healthcare facilities. Please keep us posted as to your progress.

Thank you for your attention.

- A12** I am grateful to Councillor Coster for drawing this matter to my attention and I am writing to the CCG to understand their reasons for not seeking health facilities in the development.