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## ENVIRONMENT AND NEIGHBOURHOOD SERVICES COMMITTEE

23 September 2021 at 6.00 pm

Present: Councillors Edwards (Chair), Staniforth (Vice-Chair), Goodheart, Bicknell, Huntley, Chace, Warr, Worne, Thurston, Roberts (Substitute for English) and Dr Walsh (Substitute for Needs)

Councillors Gunner and Oppler were also in attendance for all or part of the meeting.

[Note: Councillor Staniforth was absent from the meeting during Minute 292. Councillor Warr was absent from the meeting during items 294 - 297.]

### 282. APOLOGIES

Apologies had been received from Councillors English and Needs.

### 283. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

### 284. MINUTES

The Minutes of the meeting held on 15 July 2021 were approved by the Committee. These would be signed at the end of the meeting.

### 285. ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chair confirmed there were three urgent items, which were Changing Places Toilets Expression of Interest, and two Motions referred from Full Council. The Changing Places Toilets Expression of Interest was urgent due to insufficient time to prepare the expression of interest and the accompanying report in advance of the agenda publication. The two Motions referred from Full Council were urgent because the agenda had already been published when the Motions were referred. The Chair agreed to take these items, and confirmed the Changing Places Toilets Expression of Interest would be taken after Item 6 on the agenda, and the two Motions referred from Full Council would be taken after Item 11 on the agenda.

286. PUBLIC QUESTION TIME

The Chair confirmed that there were no questions submitted for this meeting.

287. OUTSIDE BODIES

The Chair confirmed that a Member Update Report regarding the Littlehampton Harbour Advisory Board had been circulated prior to the meeting.

There were no questions from Members.

288. CONCEPT DESIGN AND PROCUREMENT HEADS OF TERMS FOR SUNKEN GARDENS, BOGNOR REGIS

Upon invitation of the Chair, the Principal Landscape and Project Officer introduced her report, which identified the next steps for the Sunken Gardens Project. She then handed over to Ed Manning from LUC, the external consultants.

The LUC presentation was shared via a remote link and included the brief that was given, analysis of the site and information regarding the recommended option.

Members (and a non-Committee Member given permission to speak by the Committee) then took part in a question and answer session as summarised below:

- Would increases in material costs be a limited risk for this project. The consultant confirmed that an increase in materials had been accounted for.
- Could the project be completed earlier and opened up by the summer. The consultant said it may be possible to open part of the site prior to the summer.
- Should signage be installed to make clear the location of the ramps.
- The possibility of a coffee bar / café on the site was discussed, and Members voiced their preference for a non-mobile café in this circumstance. The consultant said that this was currently beyond budget, however could be looked at in future.
- Clarification was sought around refurbishing the existing play equipment. The consultant confirmed there were allowances to refurbish and repaint the existing equipment that would be reused.
- Clarification was requested around the maintenance of the planted area. This would be a wild meadow which the consultant did not feel would require intensive maintenance, however they did plan to consult with the Community Gardeners for their views on this.
- Would the existing paths be upgraded and resurfaced. The consultant stated at the moment this was not part of the scheme.
- Could a visual gateway from the carpark through to the northern end be created.

- Could power and infrastructure for activities be taken into consideration.

Accessibility of the site was raised by several Members and discussed at length, in particular whether the site could be made more accessible from the southern side with ramps, which it was felt was key to the project. The consultant stated that introducing a ramp from the southern side would be costly and require cutbacks to other areas of the project.

Members thanked Ed Manning for the work that LUC had done.

Councillor Walsh then Proposed an amendment to recommendation 1 which was:- 'To approve that the concept design is taken forward for public consultation and the preferred option is implemented by the project team, **but that the project team be requested to consider incorporating a ramped central southern entrance to the garden.**

This amendment was Seconded by Councillor Huntley. Following a vote, the amendment was confirmed as CARRIED.

The substantive recommendations were Proposed by Councillor Edwards and Seconded by Councillor Walsh.

The Committee

RESOLVED that

1. The concept design be approved to be taken forward for public consultation and the preferred option be implemented by the project team, but that the project team be requested to consider incorporating a ramped central southern entrance to the garden and
2. The Heads of Terms, as set out in the report, for the Sunken Gardens construction contract procurement process be approved.

## 289. CHANGING PLACES TOILETS EXPRESSION OF INTEREST

Upon invitation of the Chair, the Group Head of Technical Services introduced the report, and explained that across the UK there were insufficient accessible toilets. Changing Places toilets included additional space and specialist equipment. Within the District there were currently 2 such facilities, which were at the Aldingbourne Trust Country Centre site and the Council's Wave leisure centre at Littlehampton. The government had recently made available some funding that local authorities could bid for to provide additional Changing Places toilets – up to £40,000 per location. The Government had indicated that there may be just over 2 Changing Places toilets' worth of funding available in Arun. The funding guidance pointed to priority being given to locations that facilitated a day out. With limited time to prepare the bid, the focus had been on identifying sites in Bognor Regis as one of the largest towns in the district, and

Arundel as a visitor destination. The organiser that assessed the bids had suggested consultation should be undertaken with disability groups to inform the locations within the bid. Other areas of importance were geographical spread; preference for Partnership funding, being close to carparking, using existing buildings where possible, ideally in managed locations that facilitate days out. 10 groups had been consulted, with 6 returns and follow ups. A special thank you was given to the Aldingbourne Trust who had provided some useful operational insight. Due to the deadline, the usual consultation process and taking the proposal to Committee had not been possible, which was why the limited consultation had been followed.

The Group Head of Technical Services explained that there had been a slight change to the Officer recommendations. This now included a fifth site at Rustington, for which Arun would submit a bid on their behalf, but delivery and ongoing management costs would be borne by Rustington Parish Council. If all 5 bids were successful there would be 7 Changing Places toilets across the District. The Levelling Up Fund bid also included provision for Changing Places toilets at Bognor Regis and Littlehampton. If both bids were successful they would look to divert funding from the Changing Places toilets at the Regis Centre and Littlehampton Coastguard site to other locations in the District. If all 5 Changing Places toilet sites were successful in bidding there would be a cost commitment from the Council across a 10-year period of over £440,000. Those 5 sites had the approval of the target user group and were deliverable. The sites were The Regis Centre in Bognor Regis, Arundel Wildlife and Wetland Centre, Hotham Park in Bognor Regis, within the Coastguard public conveniences at Littlehampton, and the Street public convenience in Rustington. 3 of the 5 would be delivered directly by Arun, the other 2 would be delivered by Partners. The bid assessors would choose how many and which they will select to support.

Members took part in a full debate where they welcomed the contents of the report. The following points were raised:

- Could the disused toilet site in Wick be sold to provide a source of capital funding to help with the Changing Places toilets.
- The Changing Places toilets in the Wave would benefit from signage pointing to these from the beach.

Councillor Roberts wanted to see an additional Changing Places toilet in Arundel in addition to one at the Wildfowl and Wetland Centre, as this was some distance from the town centre and the train station. He then Proposed an amendment to the recommendations to include a sixth Changing Places toilet in the bid which would be in Arundel. His amendment was as follows:- recommendation 1 to change from 5 to 6 additional Changing Places toilets; recommendation 4 to be changed to a virement of £157,000 (if all 6 bids are successful); recommendation 5 part 1 the figure would increase to £157,000, and part 2 would be an additional £4,200 per toilet for four toilets. This amendment was Seconded by Councillor Staniforth.

The amendment was debated and the following points were made:

- Several Members expressed their support for the amendment.

- Would visitors need to pay to use the Arundel Wildfowl and Wetland Centre Changing Places Toilets if this was approved. The Group Head of Technical Services confirmed they would not.
- Changing Places toilets were essential, and it was critical they were placed where they were required.

Following a vote, the amendment was declared CARRIED.

Members (and a non-Committee Member given permission to speak by the Committee) then moved back to debate the substantive recommendations and the following points were raised:

- Aiming for 6 Changing Places Toilets was ambitious, there was a need to think about how the Changing Places toilets were fairly allocated throughout the whole district, which it was felt these 6 would. There may be other opportunities in the future to look at more.
- Care should be taken that the location for the Littlehampton site would not impinge on the remodelling of the sea front.
- Clarification was sought around the location of the Hotham Park site location.
- Clarification was sought around the maintenance and cleaning of the Changing Places Toilet in the Regis Centre.

The substantive recommendations were then Proposed by Councillor Edwards and Seconded by Councillor Staniforth.

The Committee

RESOLVED that

1. The submission of the Expression of Interest for funding of six additional Changing Places Toilets within the district be endorsed.
2. In the event the Council is successful in obtaining government funding for Changing Places Toilets, authority be delegated to the Group Head of Technical Services to accept the grant.
3. In the event the Council is successful in obtaining government funding for Changing Places Toilets, authority be delegated to the Group Head of Technical Services, in consultation with the Chair of the Environment & Neighbourhoods Committee, to submit any necessary planning applications.
4. A virement of up to £157k (if all 6 bids are successful) from the capital programme for toilet refurbishment for match funding of the bid be approved.
5. A recommendation be made to the Corporate Policy and Performance Committee that, in the event that government funding is awarded for Changing Places Toilets:
  - that the capital programme for toilet refurbishments is increased by up to £157k (depending on the amount of match funding required for the

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Changing Places Bid) to allow the existing programme to be delivered in 2022/23.

- An additional £4,200 per toilet is included within the revenue budget (for a maximum of four toilets).

## 290. FOOD SAFETY SERVICE PLAN

Upon the invitation of the Chair, the Environmental Health Team Manager presented this report to the Committee. He explained that the Council were required to publish an annual Food Safety Service Plan by the Food Standards Agency. The plan set out the arrangements for recovery of the service due to the limitations on the ability to deliver normal service during the pandemic. The services delivered in the last year were consistent with advice from the Food Standards Agency. The focus for the year was to inspect newly registered and high-risk businesses first, then to look at medium rated business, which would enable a quicker catch-up. The work on Covid regulations would continue, so resources would be somewhat tied up for the rest of this year, although there had been extra external funding enabling increased resources to assist the Food Safety Programme, which would continue for the rest of this year.

Members then took part in a question and answer session as summarised below:

- Were there resources for reactive intervention if concerns were raised about a particular establishment.
- Were allergies included in the Plan.

The Environmental Health Team Manager provided answers to Member questions.

The recommendations were Proposed by Councillor Bicknell and Seconded by Councillor Walsh.

The Committee

RESOLVED

That the Food Safety Service Plan for 2021/22 be adopted.

## 291. HEALTH & SAFETY SERVICE PLAN

Upon the invitation of the Chair, the Environmental Health Team Manager presented this report to the Committee, which set out the Health and Safety Service Plan for the year. The Service Plan aimed to continue the support work around the Covid pandemic, and to restart certain activities such as Gas Safety in Catering.

There were no Member questions.

The recommendations were Proposed by Councillor Chace and Seconded by Councillor Bicknell.

The Committee

RESOLVED

That the Health and Safety Service Plan for 2021/22 be adopted.

292. BUDGET 2022/2023 PROCESS

Upon the invitation of the Chair, the Interim Group Head for Corporate Support presented this report to the Committee. She confirmed that it was important for all Members to be aware of the budget process. The report recognised there was a need for some resource switching in order to progress the Council's priorities, however this would be done against a backdrop of severely limited financial resources and Officer time. Therefore any changes should aim to be funded by resource switching and be cost neutral. Projects needed to be deliverable in the 2022/23 financial year, and that limited Officer support may mean deliverability of existing projects would be affected if too many new projects arose.

Some clarification was sought around the figures, which was provided by the Interim Group Head for Corporate Support.

The recommendations were Proposed by Councillor Edwards and Seconded by Councillor Chace.

The Committee

RESOLVED

That the budget setting process for 2022/23 be noted.

293. BOGNOR REGIS BEACH ACCESS OPTIONS APPRAISAL

Upon the invitation of the Chair, the Engineering Services Manager presented the report to Committee. He explained that the report followed consideration by Cabinet of a long list of options back in November 2020. These had been reduced down to 3 and the report highlighted these options, along with a fourth which was a sub option.

The report showed the limitations and why the beach access had not already been implemented. Option 4 was for roll-out matting which would not have been compliant with equalities considerations, therefore a series of decked areas had been recommended to enable access further to the sea, which would be the only option available during all states of the tide. Option 7 was a timber ramp down to the foreshore, which would cost around £550,000. Consultation would ideally happen once an option had been chosen. The prices were high, and the report highlighted financial comments on the last page. Option 4a was largely driven by a lack of funding and the inherent technical limitations.

Members thanked the Engineering Services Manager for his very in-depth report, however it was felt that the options needed to be explored further in order to find a solution to making the beach accessible to all.

Councillor Staniforth Proposed that a report be brought back to the next Committee Meeting on 17 November 2021, proposing a Working Party be set up, with Membership and Terms of Reference provided by Group Leaders in advance. This was Seconded by Councillor Worne. Members voiced support for the Proposal. During discussions on this the Chairman called a short adjournment.

#### The Committee

#### RESOLVED

That a report be brought back to the next Committee Meeting on 17 November 2021, proposing a Working Party be set up, with Membership and Terms of Reference provided by Group Leaders in advance.

#### 294. BATHING WATER QUALITY

Upon the invitation of the Chair, the Environmental Health Team Manager presented this report to the Committee, where he explained the background to the report. Arun had 6 designated bathing waters of very good quality. The Environment Agency (EA) carried out monitoring to establish these designations. They also provided information on pollution risk forecasting, which allowed Arun to provide signage to give advice to bathers about when it may not be wise to bathe due to pollution risk. This information was also published on the EA website, however it did not directly correlate to storm water discharges, but it did look at high rainfall events. Concerns had been raised by residents and Members regarding Southern Water's discharges and the potential impact they may have had on bathing water quality.

Councillor Walsh Proposed an amendment to (i)e) which would be 'establish a system to notify Arun District Council when a sewage **and/or permitted discharge** overflow occurs'. This was Seconded by Councillor Huntley.

Members took part in a full debate on the amendment where they raised the following points:

- What information was available regarding sediment included in the discharge from farmland, which then caused major effects on coastal waters, and further impact on crustaceans and fish.
- Sewage networks were being polluted with rainwater and stormwater which put additional pressure and raised levels. Could more information on this be requested from Southern Water regarding this and short fall outlets.
- Pesticides from farms were a problem. Could information regarding this be requested from Southern Water.
- Could Arun resume the monitoring of the sea to try and get a better understanding of what was occurring.
- Could a copy of procedures for the maintenance for preventative discharge for sewage be requested from Southern Water so processes could be further understood.

Following a vote, the amendment was CARRIED.

The substantive recommendations were Proposed by Councillor Bicknell and Seconded by Councillor Walsh.

The Committee

RESOLVED that

- (i) Arun District Council write to Southern Water and request they:
  - a. confirm the reasons for the storm and wastewater discharges within Arun
  - b. outline their proposals, including timescales, for improving the existing infrastructure and reducing the frequency of discharges within Arun
  - c. outline their proposals to ensure their infrastructure will adequately accommodate future demand due to increased housing
  - d. extend the bathing water enhancement programme to additional designated bathing waters within Arun
  - e. establish a system to notify Arun District Council when a sewage and/or permitted discharge overflow occurs
- (ii) Arun District Council write to the Environmental Agency seeking a commitment to integrate sewerage infrastructure discharges into their pollution risk forecasting models.
- (iii) This Committee support any work that the Planning Policy Committee recommend be commissioned to understand wastewater infrastructure capacity and water quality issues in Arun.

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295. MOTION REFERRED TO THE COMMITTEE FROM FULL COUNCIL - 1

This item was withdrawn by the Chair.

296. MOTION REFERRED TO THE COMMITTEE FROM FULL COUNCIL - 2

The Motion referred from Full Council on 15 September 2021 to this Committee for consideration was introduced by Councillor Walsh.

During discussion, in which Members showed strong support for the Motion, it was suggested the second paragraph read 'It RESOLVES to request the Chief Executive and Group Head of Planning write to ~~them~~ **Southern Water and Macquarie** asking what plans and timescales they have to'. This was supported by Members, the Proposer and Seconder.

Other points raised by Members (and a non-Committee Member given permission to speak by the Committee) were as follows:

- The sewer system could not cope, particularly with the addition of the new houses that were being built.
- The Council should send a strong message to Southern Water.
- The letter to Southern Water within this Motion could be combined with the Bathing Water Quality Item letter, agreed upon earlier in the Meeting.
- Could legal advice be obtained on a stronger course of action.
- Southern Water should be invited to attend to directly answer Member questions.
- Infrastructure improvements for the storage of clean water should be looked at.

The following amended Motion was Proposed by Councillor Walsh and Seconded by Councillor Edwards.

This Council notes with great concern that Southern Water has been fined £90m for sustained sewage discharges into seawater and water courses in our region, after earlier repeated offences. It also notes that Macquarie, a company with a history of asset stripping and profit taking, have taken a majority stake in the company.

It RESOLVES to request the Chief Executive and Group Head of Planning write to Southern Water and Macquarie asking what plans and timescales they have to:

- a) Cease such illegal discharges causing risk to public and environmental health
- b) Separate rainwater drainage from sewage networks
- c) Accommodate all the proposed new house building with main sewer connection before a) and b)

Upon taking the vote, the Motion was declared CARRIED.

The Committee

RESOLVED that

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- b) Separate rainwater drainage from sewage networks
- c) Accommodate all the proposed new house building with main sewer connection before a) and b)

297. WORK PROGRAMME

The Committee then noted the Work Programme.

(The meeting concluded at 9.14 pm)

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