

**MINUTES
OF A
MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 10 SEPTEMBER 2014 AT 6.00 P.M.**

Present:- Councillors Maconachie (Chairman), Cooper (Vice-Chairman), Ayling, Bence, Bicknell, Mrs Bower, R Bower, Britton, Brooks, Mrs Brown, L Brown, Mrs Caffyn, Chapman, Charles, Clayden, Cunard, Mrs Daniells, Dendle, Dingemans, Edwards, Elkins, English, Evans, Gammon, Mrs Hall, Mrs Harrison, Haymes, Holman, Jones, Mrs Maconachie, Mrs Madeley, McDougall, McIntyre, Nash, Mrs Neno, Northeast, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Mrs Pendleton, Mrs Smee, Squires, Mrs Stainton, Tyler, Dr Walsh, Mrs Warr, Wells, Wensley, Wilde and Wotherspoon.

[Note: The following Councillors were absent from the meeting during consideration of the matters detailed in the Minutes indicated:- Councillor Britton Minutes 205 to 208 and Minutes 229 to 232; Councillors Oliver-Redgate and Mrs Pendleton, Minutes 205 to 208 (part), Councillors Ayling and Mrs Harrison, Minutes 229 to 232; Councillor Mrs Smee, Minutes 229 (part) to 232; and Councillor Wilde, Minutes 230 to 232.]

205. WELCOME

The Chairman welcomed Councillors, Honorary Aldermen, representatives of the public, press and officers to the meeting.

206. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Bowyer, Mrs Emberson, Mrs Goad, Hitchins and Steward and Honorary Alderman Mrs Olliver.

207. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

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Reasons

- The Council has adopted the Government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions on the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a member declares a "Prejudicial/Pecuniary Interest", this will, in the interests of clarity for the public, be recorded in the minutes as a Prejudicial and Pecuniary Interest.

Councillors Cunard and Mrs Daniells declared their prejudicial/pecuniary interest in Agenda Item 24, Update on the Regis Centre and Hothamton Car Park Regeneration Schemes, as Directors of the Picturedrome Cinema Co. They advised that, under their dispensations, they would remain in the meeting during the debate on the matter but would leave during the vote.

208. QUESTION TIME

(a) Questions from the public (for a period of up to 15 minutes).

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. Supplementary questions would only be permitted should time allow once the notified questions had been responded to. Please note that the questions and answers in these Minutes are a summarised version, with the full version to be published on the Council's website within 10 days of the meeting.

(1) The Deputy Leader and Cabinet Member for Corporate Governance, Councillor Wensley, was asked a detailed question relating to public speaking at Council meetings and whether this could be extended to 30 minutes on a permanent basis. In addition, it was felt that the opportunity to ask detailed questions and receive satisfactory responses was inadequate and would the Council therefore consider holding one or two public meetings a year which Cabinet Members and officers would attend to enable an honest and open debate to take place between all parties?

Councillor Wensley responded by stating that the presence of the public was welcomed at meetings of the Council, together with their questions, as that was good for democracy. However, he added that anyone could ask a

question of the Council or Councillors at any time and there was “Ask the Leader” which enabled anyone to submit a question to the Leader of the Council, to which a response would be provided.

The power to change the Council’s procedure for dealing with questions lay with the Council and he believed that the Constitutional Review Working Party had been asked to review the procedure.

(2) A question was put to the Cabinet Member for Planning & Infrastructure which asked whether the Surface Water Management Plan and the Aldingbourne Rife Studies had yet been completed for the Barnham/Eastergate/Westergate area and, if not, would the Council still proceed to Regulation 19 consultation. If the results were negative what would the Council’s position be?

Councillor Bower’s response advised that the Environment Agency, West Sussex County Council and Southern Water had agreed the policies within the Arun Local Plan and were content with them proceeding to Regulation 19 consultation. The Council and the Environment Agency already considered that any application for development in the area should not make the current situation worse and the purpose of the Local Plan policy was to make the current situation better, with the Lidsey Wastewater Treatment Management Plan being used to help inform improvement solutions.

The Aldingbourne Rife Integrated Flood Risk Management (ARIFRM) Project had recently been awarded to consultants and within its scope the possibility of incorporating overall flood risk reduction measures would be examined and these would be taken forward to discussions with potential developers. This would be one of the many infrastructure issues that would be dealt with at planning application stage as planning applications considered in detail site specific constraints.

In summary the surface, foul groundwater conditions had been taken account of in the making of the Local Plan and the statutory agencies had informed its policies and were content with the Plan proceeding.

(3) The Leader of the Council, Councillor Mrs Brown, was asked a question which centred on the OJEU tendering process with St Modwen and the perception that she was “trying to circumvent Cabinet Office advice and instead force this bad value scheme on Bognor Regis by throwing at least another £500,000 at it”.

Councillor Mrs Brown gave a detailed response which set out the background to the decision that had been reached jointly between the Council and St Modwen to surrender the Development Agreement. The intention was to now (subject to Member agreement tonight) move forward with the benefit of the information gained about the changed market, with a view to submitting

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a planning application next summer. She stated that she remained committed to achieving the successful regeneration of Bognor Regis and to that end she would be focussing her energies on ensuring that this work progressed as quickly as possible.

209. MINUTES

The Minutes of the Special Council meeting held on 16 July 2014 were approved by the Council as a correct record, and signed by the Chairman,

210. CHAIRMAN'S COMMUNICATIONS

(i) The Chairman was pleased to announce that his Charity Race Day would be taking place at Fontwell Racecourse on 22 October 2014 where a two course lunch and afternoon tea would be provided at a cost of £55 per ticket. As places were limited he encouraged those interested in attending to purchase their tickets as soon as possible to avoid disappointment.

(ii) A list of Chairman and Vice-Chairman engagements for July and August had been circulated at the meeting.

211. URGENT MATTERS

There were no items for this meeting.

212. STATUTE MATTERS

There were no items for this meeting.

213. MATTERS FROM THE LAST MEETING

There were no matters for this meeting.

214. ANY OTHER MATTERS

There were no matters for this meeting.

215. CABINET – 21 JULY 2014

The Chairman, Councillor Mrs Brown, presented the Minutes of the meeting of Cabinet held on 21 July 2014 and she highlighted that, at Minute 144, Empty Homes Assistance Programme, approval was being sought for a supplementary estimate to support the provision of grants through the Empty Homes Assistance Programme. Councillor Mrs Brown formally proposed the recommendation, which was seconded by Councillor Elkins

The Council

RESOLVED

That a supplementary estimate of £100,000 (£50,000 per annum for two years) be approved to support the provision of grants through the Empty Homes Assistance Programme, [This equates to a Band D Council Tax of £1.79].

Under Council Procedure Rule 11.2 of the Council's Constitution, Councillor Oppler made a statement in respect of Minute 143, Council House Development. He wished to register his disappointment that the Cabinet had made a decision to proceed with planning applications at Wick, Littlehampton. Whilst welcoming the development of Council house building in Arun, he felt it was inappropriate to put them on this estate as it was not good for the present residents and would not be good for future residents as it would greatly reduce the open space available.

216. ELECTORAL REVIEW SUBCOMMITTEE – 24 JULY 2014

The Chairman, Councillor Gammon, presented the Minutes of the meeting of the Electoral Review Subcommittee held on 24 July 2014.

217. LITTLEHAMPTON REGENERATION SUBCOMMITTEE – 28 JULY 2014

The Chairman, Councillor Bicknell, presented the Minutes of the meeting of the Littlehampton Regeneration Subcommittee held on 28 July 2014.

218. OVERVIEW SELECT COMMITTEE – 29 JULY 2014

The Chairman, Councillor English, presented the Minutes of the meeting of the Overview Select Committee held on 29 July 2014.

Under Council Procedure Rule 11.2 of the Council's Constitution, Councillor Dingemans made a statement in respect of Minute 156 – Update from meeting of West Sussex Community Legal Advice Service Task & Finish Group, particularly relating to funding for the CAB. He advised that he had attended the meeting in the place of the Chairman and every local authority representative had agreed that they would go back and ask for an increase in funding of 6%.

219. DEVELOPMENT CONTROL COMMITTEE – 30 JULY 2014

The Chairman, Councillor Mrs Maconachie, presented the Minutes of the meeting of the Development Control Committee held on 30 July 2014.

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220. LOCAL PLAN SUBCOMMITTEE – 31 JULY 2014

(During the course of consideration of this item, Councillor Bicknell declared his standing personal interest as an employee of Southern Water. He remained in the meeting and took part in the debate and vote.)

The Chairman, Councillor Haymes, presented the Minutes of the meeting of the Local Plan Subcommittee held on 31 July 2014. Minute 5, Arun Local Plan – Remaining Sections Publication and Consultation on Behalf of Government, contained recommendations which were formally proposed by Councillor Haymes and seconded by Councillor Bower.

Members participated in general discussion and there was significant support for the recommendations as it was seen as being preferable to having a Local Plan in place that would ensure the Council would retain control of the planning process rather than having planning by appeal and passing control to the developers. It was felt that there was a need to get the Plan on to the Inspector's list as soon as possible to give protection from developers and other local authorities who could not meet their own housing requirements.

An opposing view was voiced that the draft Local Plan had flaws that had still not been addressed, such as the rerouting to the A29; flooding and sewerage issues; and the destruction of a rural way of life in the 5 village area.

In the course of debate, the issue of the Arundel Chord was raised and the Head of Planning Policy and Conservation advised that the matter was on the agenda through discussions with Network Rail but it could not be included in the Local Plan at the present time as there was insufficient sound evidence to support its inclusion.

Councillor Bower, as seconder, reiterated that the opening of a Rolls Royce Plant on the outskirts of Bognor Regis was a tremendous boost and supported the policies in the Local Plan which had been designed to promote the economy and businesses of the District. He also supported the Arundel Chord and advised that it was on the agenda of the Coastal West Sussex Strategic Planning Board to be taken forward. It was acknowledged that no Local Plan would meet with approval from everybody but he believed that what was being progressed was the best for the District and would ensure that the infrastructure that had to be delivered would be through the delivery of the strategic housing allocations..

In closing the debate, Councillor Haymes highlighted the huge amount of work that had been undertaken to get this far.

As a request for a recorded vote had been made Councillors Bence, Bicknell, Mrs Bower, Bower, Brooks, Mrs Brown, L. Brown, Chapman, Clayden, Cooper, Dendle, Dingemans, Elkins, English, Evans, Gammon, Mrs Hall, Haymes, Holman, Jones, Mrs Maconachie, Mrs Madeley, McDougall, McIntyre, Nash, Mrs Neno, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Mrs Smee, Mrs Stainton, Tyler, Dr Walsh, Wensley, Wilde, and Wotherspoon voted for the recommendations (37). Those voting against were Charles and Edwards (2) and those who abstained were Councillors Ayling, Britton, Mrs Caffyn, Cunard, Mrs Daniells, Mrs Harrison, Maconachie, Northeast, Mrs Pendleton, Squires, Mrs Warr and Wells (12). The recommendations were therefore CARRIED.

The Council then

RESOLVED - That

(1) the remaining sections of the Local Plan, the policies map and key diagram of the Local Plan be agreed;

(2) the schedule of changes to the Publication Version of the Local Plan (February 2014) be agreed

(3) the policies and maps presented at the meeting on 31 July 2014 are used as a material consideration by Development Control Committee for determining planning applications and that their use is monitored to determine if amendments need to be made to the policies before submission to Government;

(4) any minor changes to these policies be delegated to the Assistant Director of Planning and Economic Regeneration, in consultation with the Cabinet Member for Planning and Infrastructure; and

(5) the Council publishes all sections and maps of the Local Plan and carries out a 'soundness' consultation, under Regulation 19 of the Town & Country Planning (Local Planning)(England) Regulation 2012 on behalf of Government and submits the Plan, its associated documents and the responses from the consultation to the Planning Inspectorate in order that an Examination in Public of the Plan can be held.

221. LICENSING AND ENFORCEMENT /LICENSING COMMITTEE – 8 AUGUST 2014

In presenting the Minutes of the meeting of the Licensing and Enforcement/ Licensing Committee held on 8 August 2014, the Chairman, Councillor Tyler, advised that approval was being sought at Minute 171, for

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the Arun District Council Statement of Licensing Policy – Revision. Councillor Tyler formally proposed the recommendation, which was duly seconded by Councillor Patel.

Councillor Tyler expressed his thanks to officers who had put in a lot of hard work on this matter.

The Council

RESOLVED

That the Statement of Licensing Policy be approved, subject to paragraphs 2.4 and 2.10 being clarified.

222. CABINET – 18 AUGUST 2014

In presenting the Minutes of the meeting of Cabinet held on 18 August 2014, the Chairman, Councillor Mrs Brown, highlighted the requirement for a supplementary estimate as detailed at Minute 180 – Planning Appeal at Hook Lane, Westergate, to cover counsel costs associated with defending an appeal in respect of Planning Application AL/39/13. Councillor Mrs Brown formally presented the recommendation, which was seconded by Councillor Bower and the Council

RESOLVED

That a supplementary estimate of up to £20,000 be approved for Counsel costs associated with defending an appeal in respect of Planning Application AL/39/13/ (Arun's planning officers would act as witnesses on behalf of the Council.) The supplementary estimate equates to a Band D Council Tax of £0.36.

Councillor Mrs Brown then turned Members' attention to Minute 183, Housing Revenue Account – Business Plan Revision Options 2015-2025, and highlighted that a supplementary estimate was required for up to £41,000 to enable steps to be taken to protect the Housing Revenue Account assets and for a specific resource to be identified to carry out the work. In addition, a further supplementary estimate was being requested for up to £34,000 for a Debt Advisor post to support tenants with money management debt advice. Councillor Mrs Brown formally proposed the recommendations, which Councillor Elkins duly seconded and the Council

RESOLVED – That

(1) a supplementary estimate be approved for up to £41,000 (equating to a weekly rent of £0.23 per dwelling) to enable steps to be taken to protect the Housing Revenue Account assets and for a specific resource to be identified to carry out the work. It is proposed that this role be added to the post of Housing Project Development Officer and that post be made permanent from January 2015 when the existing postholder's contract is due to end; and

(2) a supplementary estimate be approved for up to £34,000 (equating to a weekly rent of £0.19 per dwelling) for a Debt Advisor post to support tenants with money management debt advice, how to maximise income (including access to welfare benefits) and to assist with understanding of the Welfare Reform Act 2012.

223. SPECIAL STANDARDS COMMITTEE – 20 AUGUST 2014

The Vice-Chairman, Councillor Evans, presented the Minutes of the meeting of the Special Standards Committee held on 20 August 2014.

224. DEVELOPMENT CONTROL COMMITTEE – 27 AUGUST 2014

The Chairman, Councillor Mrs Maconachie, presented the Minutes of the meeting of the Development Control Committee held on 27 August 2014.

225. BOGNOR REGIS REGENERATION SUBCOMMITTEE – 1 SEPTEMBER 2014

(During the course of discussion on this item, Councillor English declared a personal interest as the Chairman of Felpham Parish Council. He remained in the meeting and took part in the debate and vote.)

In presenting the Minutes of the meeting of the Bognor Regis Regeneration Subcommittee held on 1 September 2014, the Chairman, Councillor Bence, advised that there were recommendations at Minute 6, Enhancement of Bognor Regis Seafront. He explained that the Council was now in a position to develop certain elements of the Seafront Strategy and the report that had been considered sought approval to commence the process to work towards delivery of some of the schemes outlined. Councillor Bence formally proposed and Councillor Evans duly seconded the recommendations.

In discussing the matter, Members were in overall favour of giving attention to progressing smaller, quick and do-able schemes to make the seafront more attractive to visitors and residents alike.

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With regard to the public realm work, a request was made for the Leader to look at reforming the Project Group as it was felt that focus had been lost and meetings of the previous group had been positive and useful.

Comment was made that there was no access for disabled people to get down on to the sand at low tide. However, responses were made that the shingle was required as part of the coastal defence work and should not be removed.

With regard to the possible development of the Esplanade site, it was again reiterated that every effort had to be made for a suitable location to be found for the skateboard park prior to any work being undertaken to progress any ideas

The Council

RESOLVED – That

(1) a work plan be prepared for the evaluation, feasibility and deliverability of other possible enhancements to the Seafront as listed in section 5.6 of the Bognor Regis Seafront Concession Plan – Colliers International 2013, having regard to the Council's medium term financial strategy and the prioritised Capital programme for 2015/16 and beyond;

(2) up to £50,000 be drawn down from the approved Capital budget allocation of £250,000 to procure architectural/engineering consultancy support to develop a set of costed options and necessary site and ground condition surveys to progress the creation of a 'pilot seafront concession hub'

(3) subject to the cost for a preferred option chosen for the 'pilot seafront concession hub' being below the approved budgeted amount, vire up to £20,000 from the Capital budget allocation for the pilot hub to create the 'beach on the beach' and, as an alternative funding source, officers be requested to investigate and report to Cabinet any actual revenue savings to the 2014/15 budget that could be utilised to meet the costs of operating a one year trial in 2015 of the 'beach on the beach' project.

(4) the statement that 'improvements to the public conveniences and changing/shower facilities for the Promenade as a whole should be considered as a priority, but also consideration should be given to whether it is more logical for these to be delivered as part of the Regis Centre

development and as part of any development on the Gloucester Road car park site rather than stand-alone facilities be supported;

(5) subject to funding being made available, the development of a range of public realm designs for the Promenade between eastern end (Butlins) and the Pier be progressed'

(6) Esplanade Theatre Site:-

(a) officers be requested to consider options for the possible relocation of the skate park; and

(b) officers to report back to the Subcommittee at a future date regarding (a) above and any other relevant and related matters.

Under Council Procedure Rule 11.2 of the Council's Constitution, Councillor Bower made a statement in respect of Minute 7, Bognor Regis Position Statement. Councillor Bower advised that he had now spoken to the MP with regard to the education site and that he concurred with the Council's view that it should be retained for educational purposes.

226. MATTERS RELATING TO JOINT ARRANGEMENTS

There were no items for this meeting.

227. MOTIONS RECEIVED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 12.1

No Motions had been received for this meeting.

228. QUESTIONS/STATEMENTS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Notice of two questions had been received from Councillors Oppler and Wells, full details of which are attached to the Minutes:

(1) To the Cabinet Member for Planning & Infrastructure, Councillor Bower, re wildlife tunnels along the Bognor Regis relief road ; and

(2) To the Leader of the Council, Councillor Mrs Brown, re the date that St Modwens informed the Council they were not going to proceed with the developer agreement.

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229. UPDATE ON THE REGIS CENTRE AND HOTHAMTON CAR PARK REGENERATION SCHEMES

(Prior to debate on this item, Councillors Cunard and Mrs Daniells had declared a prejudicial/pecuniary interest and, due to their dispensations, remained in the meeting and took part in the debate. They left the meeting for the vote.

During the course of debate on this item, Councillors Brooks, Cunard and Mrs Daniells declared a personal interest as voting members of the Arun Arts Trust. They remained in the meeting during its discussion and Councillor Brooks took part in the vote.

During the course of debate on this item, Councillor Wells declared a personal interest as a member of the Bognor Regis Pier Trust. He remained in the meeting and took part in the debate and vote.)

Prior to presenting this item, Councillor Mrs Brown notified the meeting of an amended recommendation sheet had been produced and the Chairman agreed to a short adjournment to proceedings to enable this to be circulated to Members and the members of the public present, for information.

Councillor Mrs Brown then introduced the report by stating that the Council remained fully committed to delivering the best possible form of regeneration for Bognor Regis. Whilst the recession had made this difficult in recent years, the Council was now in an excellent position to drive forward its plans for the vital regeneration that the town needed.

Recently, there had been excellent news relating to national businesses coming to the town, such as Rolls Royce, Marks and Spencer and Next which, together with Government backing for the A29 realignment would bring benefits for the local community. Other initiatives included the public realm works to the town centre and the approval of plans for a new café in Hotham Park, which Councillor Mrs Brown believed would attract further private sector investment into the town, and which was coming to fruition due to the hard work of the Council.

During the Council's partnership with St Modwen, much had been learned about the market and the proposal that was taken forward to successfully regenerate the town must reflect a mixture of needs – retail, leisure, business and residential uses which had to be proven to be financially sustainable and support the future of Bognor Regis and which would result in new jobs, more tourists, new attractions as well as support for existing businesses. She stressed that any development should not create a future burden to the taxpayers of the District.

The provision of car parking would also be a vital component of any proposals.

Councillor Mrs Brown went on to say that responding to the public through consultation was essential for any regeneration scheme for Bognor Regis. There had been a lot of interesting ideas voiced and that was why she was proposing that the recommendations on the table were changed to take account of that. Alongside the core elements of the schemes set out in section 6 of the report on the table, she wanted the public to come forward and suggest either complementary and commercially viable alternatives, or additions to those, for consideration by the Council. The results of the public consultation, which could start early next year, would then be reported back to the Council.

As a result of the amended recommendations being put forward, Members were advised that there was now no need to ask for a further £250,000 supplementary estimate as a similar amount had already been allocated in the capital programme for delivery on the Hothamton and Regis Centre sites and part of that sum would be used for public consultation and further soft market testing. There had already been a limited amount of soft market testing carried out on the core elements in the report and the conclusions were that there had been a positive response from developers and positive signs that market recovering was taking hold. It was felt that the Council was therefore in a good position at the moment and the momentum needed to be maintained to retain the confidence the market had in Bognor Regis.

In conclusion, Councillor Mrs Brown stated that it was important for everyone in the District to take part in the consultation exercise and to take advantage of this opportunity to have their say. She urged Members to agree the amended recommendations so that work on the regeneration of Bognor Regis could move forward.

Councillor Mrs Brow formally presented the amendments, which were seconded by Councillor Wensley.

Proposed Amendments – deletions shown in ~~strikethrough~~ and additions shown in **bold**.

- 1.the Council agrees with St Modwen to jointly surrender the Development Agreement with immediate effect with no compensation to be paid by either the Council or St Modwen;
- 2.the Council continues to progress regeneration in Bognor Regis by undertaking the following:-

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- I. **before submitting** ~~Submits its own planning applications for the Regis Centre site, including Place St Maur, and the Hothamton Sites (separately),~~ **the Council will undertake** ~~following public consultation and on the~~ **core elements of the individual schemes as** ~~basis of the information set out in Sections 4, 5, and 6 of the this report and Annexes B and C to this report~~ **and invite the public to suggest complementary and commercially viable alternatives or additions, for consideration by the Council with the results of the public consultation to be reported back to the Council;**
 - II. ~~the Council approves a supplementary estimate~~ **the use** ~~of up to £250k this sum being in addition to the £250k already allocated in the capital programme for works associated with the delivery of development on the Regis Centre and Hothamton sites. These sums are to~~ **include** ~~ever the cost of~~ **public consultation and further soft market testing;** ~~employing the project manager, architects, engineers, quantity surveyors and other specialists (including legal advice) and associated costs, required to facilitate public consultation on the proposals and for planning applications to be submitted; and~~
 - III. ~~the Council grants delegated authority to the Assistant Director of Planning & Economic Regeneration and the Head of Finance & Property, in consultation with the Portfolio Holder~~ **for Council Strategy (the Leader of the Council)** ~~to draw down the sums set out in (II) above and procure the work set out in (II) above.~~
- 3. ~~The Council convenes a Special Council meeting for 11 February 2015 to consider the presentation of a new scheme in masterplan form.~~**

In discussing the amendments, Members were in overall support for the opportunity to consult with residents and for time to be given to examining some of the exciting and innovative proposals that had been coming in from the public over the course of the last few weeks. The consultation must be wide ranging and meaningful and a number of suggestions were put forward to include as many residents of the District as possible to draw in the wider community by way of

- the Arun Times, as that went to every household in the District
- Parish Councils
- Schools and the University

It was highlighted that regeneration was inextricably linked with the economy and that a full business plan would have to be provided with any proposals to assess their viability. The local economy relied very heavily on tourists who stayed at the three Butlins hotels and students from the University of Chichester Bognor Campus and it was hoped that any plans

would take into account the needs of these groups and, at the same time, retain the charm and character of the town. As an opportunity had now been provided to think “outside the box” a request was made to investigate whether any of the extensive information acquired by St Modwens could be used and if the expertise and knowledge at the University could also be tapped into.

In speaking in opposition to the amendments, one Member advised he felt the recommendations did not go far enough and an opportunity was being lost to start with a blank canvas to develop something special in the town.

Comment was made that it was important to get it right in relation to the Hothamton and Regis sites and it was considered right to view the two sites separately and develop them accordingly.

Councillor Wells, in supporting the amendments, highlighted that recommendation 2 (I) still contained the core elements of the individual schemes as set out in Section 6 of the report. The public did not want that scheme and his preference was for that to be taken out so it would read

- i. **before submitting** ~~Submits~~ its own planning applications for the Regis Centre site, including Place St Maur, and the Hothamton Sites (separately), **the Council will undertake** ~~following public consultation and on the core elements of the individual schemes as basis of the information set out in Sections 4, 5, and 6 of the this report and Annexes B and C to this report~~ **and invite the public to suggest complementary and commercially viable alternatives or additions, for consideration by the Council with the results of the public consultation to be reported back to the Council;**

Councillor Wells formally proposed this amendment to the amendment and Councillor Dr Walsh duly seconded it.

In giving advice at this point in the proceedings, the Solicitor to the Council informed the meeting that in actual fact there had been a procedural oversight in that the original recommendations had not been formally proposed and seconded. Councillor Mrs Brown therefore proposed the recommendations in the report, which were seconded by Councillor Wensley. As Councillor Mrs Brown’s amendments had already been tabled, the Solicitor advised that these would be dealt with first and any further amendments would be dealt with in the order they were received.

Councillor Mrs Daniells too expressed reservations about the inclusion of the core elements in the same recommendation and suggested that nothing should be excluded for the purpose of the consultation exercise. She accordingly put forward a further amendment which was seconded by Councillor McDougall to insert the word “exclusions” before “alternatives or

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additions” to give the public a chance to take things out as well as add things in. However, further into the debate she withdrew that amendment.

It was acknowledged that any schemes that were put forward had to be commercially viable and economically deliverable. Funding could not come out of the public purse and must not be at a cost to the people of Bognor Regis.

In drawing the debate to a close on her amendment, Councillor Mrs Brown stated that the momentum must be maintained in progressing the regeneration of Bognor Regis. The consultation must be as wide as possible to give everyone the opportunity to have their say but all ideas had to be commercially viable and would require a developer to carry them forward.

In voting on Councillor Mrs Brown’s amendment, a recorded vote had been requested and Councillors Bence, Bicknell, Mrs Bower, Bower, Mrs Brown, L. Brown, Mrs Caffyn, Chapman, Charles, Clayden, Cooper, Dendle, Dingemans, Edwards, Elkins, English, Evans, Gammon, Mrs Hall, Haymes, Holman, Jones, Mrs Maconachie, Mrs Madeley, McDougall, McIntyre, Nash, Mrs Neno, Northeast, Mrs Oakley, Oliver-Redgate, Oppler, Patel, Mrs Pendleton, Mrs Smee, Squires, Mrs Stainton, Tyler, Dr Walsh, Mrs Warr, Wells, Wensley, Wilde and Wotherspoon (44). Those voting against were Councillor Brooks (1) and Councillor Maconachie abstained (1). The amendment was declared CARRIED.

Discussion then took place on the second amendment proposed and seconded by Councillors Wells and Dr Walsh respectively.

Support was expressed for this amendment as it was felt that it gave the entire recommendations clarity, as well as underpinning the wishes of the local people who had expressed their view that a multiplex was not wanted in Bognor Regis.

However, a converse view was put that the amendment would take away a lot of the options that people could consider and these should be left on the table to enable people to put forward their views on all the options. The consultation undertaken should be the broadest possible to allow everyone to have their say.

Councillor Dingemans then asked that the question now be put.

As seconder to the amendment, Councillor Dr Walsh stated that without this amendment the wrong signals would go out to the public as Section 6 still detailed the cinema, which had been overwhelmingly rejected by the people of Bognor Regis and which the Council seemed determined to ignore.

Councillor Wells concluded by saying that the people of Bognor Regis must be given the opportunity to have a blank canvas rather than having the core elements put back into the mix. His view was that with the core element included in the consultation, then the multiplex and residential development would be what would eventually be progressed.

A recorded vote as requested and those voting for the amendment were Councillors Brooks, McDougall, Nash, Northeast, Oppler, Squires, Dr Walsh, Mrs Warr and Wells (9). Those voting against were Councillors Bence, Bicknell, Mrs Bower, Bower, Mrs Brown, L. Brown, Mrs Caffyn, Chapman, Charles, Clayden, Cooper, Dendle, Dingemans, Elkins, Evans, Mrs Hall, Haymes, Jones, Mrs Maconachie, Mrs Madeley, McIntyre, Mrs Neno, Mrs Okley, Oliver-Redgate, Patel, Mrs Pendleton, Mrs Stainton, Tyler, Wensley and Wothersoon (30) and those who abstained were Councillors Edwards, English, Gammon, Holman, Maconachie and Wilde (6). This amendment was therefore declared LOST.

The Council then returned to the substantive recommendations and

RESOLVED – That

(1) the Council agrees with St Modwen to jointly surrender the Development Agreement with immediate effect with no compensation to be paid by either the Council or St Modwen;

(2) the Council continues to progress regeneration in Bognor Regis by undertaking the following:-

(i) before submitting its own planning applications for the Regis Centre site, including Place St Maur, and the Hothamton Sites (separately), the Council to undertake public consultation in early 2015 on the core elements of the individual schemes as set out in Section 6 of the report and Annexes B and C to this report and invite the public to suggest complementary and commercially viable alternatives or additions, for consideration by the Council with the results of the public consultation to be reported back to the Council;

(ii) the Council approves the use of £250k already allocated in the capital programme for works associated with the delivery of development on the Regis Centre and Hothamton sites. The use of this sum to include the cost of public consultation and further soft market testing; and

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(iii) the Council grants delegated authority to the Assistant Director of Planning & Economic Regeneration and the Head of Finance & Property, in consultation with the Portfolio Holder for Council Strategy (the Leader of the Council) to draw down the sums set out in (ii) above and procure the work set out in (ii) above.

230. CALENDAR OF MEETINGS

The Council received a report which detailed the proposed Calendar of Meetings for 2015/16. Following consideration, the Council

RESOLVED

That the Calendar of Meetings for 2015/16 be approved.

231. COMMITTEE MEMBERSHIPS

There were no changes to Committee memberships reported.

232. REPRESENTATION ON OUTSIDE BODIES

Councillor Mrs Brown sought Members' agreement to Councillor Dingemans (not Councillor Bower as detailed in the agenda) being the Council's representative on the newly formed Arun Chichester and Hayling LEADER Action Group. She formally proposed the nomination which was seconded by Councillor Wensley.

The Council

RESOLVED

That Councillor Dingemans be the Council's nominated representative on the newly formed Arun Chichester and Hayling LEADER Action Group.

(The meeting concluded at 9.15 pm).

COUNCIL MEETING – 10 SEPTEMBER 2014

**QUESTIONS FROM MEMBERS PURSUANT TO
COUNCIL PROCEDURE RULE 11.3**

Q1: Councillor Oppler to the Cabinet Member for Planning & Infrastructure, Councillor Bower

Q1 Can the Leader or relevant Cabinet Member tell me as to what provision has been made to ensure there are wildlife tunnels at regular intervals along the new relief road? I would be grateful for the details of what has been done so far.

A1. As a County Councillor, Councillor Oppler should be aware that his question is one for the County Highways Department who are, of course, responsible for the specification of the new relief road, the design of which was finally agreed in 2009, the planning application number being AL/113/09 and so that was the time when Councillor Oppler should have raised the issue with West Sussex County Council himself.

Supp I am aware that this is the responsibility of West Sussex County Council and I have written to them but would have thought that bearing in mind the close working and liaison that the Council would have undertaken with West Sussex County Council that the Council would have provided some input over wildlife facilities to cross the new road, otherwise there will be carnage and so I am disappointed with the lack of response provided.

Supp

Ans The design of planning application AL/113/09 was considered back in 2009 and this was when Councillor Oppler should have made his observations. The issues raised have been taken up with the Department of Transport under the Design Manual of Roads. The consultation in public period for the Lyminster By-pass starts tomorrow and includes wildlife platforms to allow access through culverts.

Q2 Councillor Wells to the Leader of the Council, Councillor Mrs Brown

Q2 Please can the Leader inform Members of the Council the date she was originally made aware that St Modwen were not going to proceed with the developer agreement?

Subject to approval at the next meeting

A2 Monday, 1 September 2014 when I returned from holiday and read the email from the Head of Legal and Administration sent on Wednesday, 27 August 2014 at 19:14.

Supp I am surprised that you were not aware that St Modwen were pulling out before then as the full report was only made available on 2 September 2014 giving a very short time span in which to write the report and surely this report should have been written in consultation with the lead group of the Council ahead of Full Council.

Supp

Ans I was away on holiday and it was only when I returned at 10.00 pm on Sunday, 31 August that I became aware.