

SPECIAL COUNCIL MEETING – 22 MARCH 2017

**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 Dixon to the Cabinet Member for Planning & Infrastructure -
- Councillor Bower
2. From Mr Bell to the Cabinet Member for Planning & Infrastructure –
Councillor Bower
3. From Mr Truin to the Leader of the Council, Councillor Mrs Brown
4. From Mr Dixon to the Cabinet Member for Planning & Infrastructure –
Councillor Bower
5. From Mr Bell to the Cabinet Member for Planning & Infrastructure –
Councillor Bower
6. From Mr Truin to the Leader of the Council, Councillor Mrs Brown
7. From Mr Dixon to the Leader of the Council – Councillor Mrs Brown

**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 Dixon to the Cabinet Member for Planning & Infrastructure, Councillor Bower

Question

I am aware that the Council is considering strategic development at greenfield locations across the District, including locations such as Barnham, Eastergate and Westergate, Pagham and Bersted. Yet at Ford the Council is only considering the brownfield area – the greenfield area appears to have been excluded from consideration.

Would you agree with me that by excluding the greenfield areas at Ford from consideration in the Local Plan the Council have willfully disadvantaged other communities, for instance, at Barnham, Eastergate and Westergate, Pagham and Bersted?

Response

It would be highly inappropriate for me to make any comment in answer to your question as to do so would irresponsibly open the issue of one strategic site against another at a time when the Local Plan has been completed as a coherent evidenced based whole planned to deliver the objectively assessed housing needs of the entire District.

QUESTION TWO

From Mr Bell to the Cabinet Member for Planning & Infrastructure, Councillor Bower

Question

What level of resource will be required within ADC Planning to satisfactorily manage development control for 1000 new homes per year and how does that level compare with the present level of resource in that department?

Response

The planning department is largely resourced via the receipt of planning application fees and decisions on forecasting fee income have yet to be made because they can be acted upon relatively quickly. In the year 2015/2016, the department was not fully resourced and yet over 900 dwellings were completed. We are currently seeking to employ full time planners within the strategic team

that will deal with applications on potential allocations and we have also managed to secure additional resources recently through Planning Performance Agreements and we will continue to do so.

If additional resources are required, and there is the fee income to justify these resources, then these can be found at relatively short notice. Whilst some additional resources may be required, there will not need to be a significant increase over and above the existing levels to manage any increase in workload that may arise from a higher housing requirement.

Supplementary Question

If the planning resources allocated accorded to planning fees, resources and demand, were fees similarly proportioned?

Supplementary Response

In essence the answer is 'yes' they were proportionate. For instance, the bigger the development the bigger the fee would be. Councillor Bower referred to the Housing White Paper and proposals to increase planning fees by 20% which planning services would welcome.

QUESTION THREE

From Mr Truin to the Leader of the Council, Councillor Mrs Brown

Question

Our home and way of life has been blighted by the Arun Local Plan for 5 years now. In recent years 68 houses have been built in a protected Local Gap, within 200 metres of our front door in Eastergate. 3 developments have been completed without complying with drainage standards or the imposed planning conditions.

In Chantry Mead drainage and landscape planning conditions were never discharged and the development uses a soakaway beneath the road in an area with ground water at higher levels than is acceptable for satisfactory soakaway performance.

The Murrell Gardens development uses surface water soakaways for every property in an area with ground water at higher levels than is acceptable for satisfactory soakaway performance.

And Brooks Nursery has been occupied for more than 2 years in contravention of a planning condition prohibiting occupation until the package sewerage system was complete and functioning satisfactorily. This is still not the case and residents are now pursuing legal remedies.

Your Council can't handle development control of 'small' sites now, how on earth could you ensure that these deficiencies are not repeated when your latest Plan brings 20,000 dwellings' worth of devastation to the farms, countryside and villages in places across the district?

Response

The Council currently operates a reactive enforcement service, responding to complaints. As a result it can take time to secure a satisfactory resolution to problems. The planning service is exploring how it can be more proactive in monitoring development within the current resource constraints to reduce the risk of non-compliance. Furthermore, the Cabinet recently agreed a new approach focused on larger developments to encourage the development industry to assist with the funding of development monitoring. It is in everyone's interest, resident both existing and new, the Council and the developers that we find new ways to reduce the risk of non-compliance.

Supplementary Question

Regarding the well-known flooding and drainage issues experienced at Barnham, Eastergate, Westergate (BEW) and Aldingbourne – road tankers have again been deployed to the area to ship away effluent to Lidsey. With this in mind, does the Council agree that it needs to plan more effectively for the future of the District?

Supplementary Response

The Council was working as well as it could within the resources that it had.

QUESTION FOUR

From Mr Dixon to the Cabinet Member for Planning & Infrastructure, Councillor Bower

Question

The Inspector warned the Council of the need to avoid predetermination as it modifies its Local Plan.

Would you agree with me that by declining to consider a single large scale new settlement at Ford, and given the higher housing number now under consideration, the council has ensured that there is no credible alternative to Barnham, Eastergate and Westergate?

Can you explain why the council has declined to consider a large-scale new settlement of approx. 5,000 houses at Ford?

Response

I refer you to my previous answer.

Supplementary Question

The Head of Legal and Administration had provided advice to Councillors on predetermination and so the questioner asked if Members needed to consider this and why the Inspector had issued this warning. What was the Cabinet Member's opinion over the reason for the inspector issuing this warning and had the Council taken appropriate steps to mitigate?

Supplementary Response

It was explained that this was a standard warning that Inspectors did issue. Councillor Bower then refereed the questioner back to the declarations made by Members at the start of the meeting.

QUESTION FIVE

From Mr Bell to the Cabinet Member for Planning & Infrastructure, Councillor Bower

Question

Who will be responsible for the evaluation and approval of Sustainable Urban Drainage Schemes within new developments and to what standards?

Response

In line with the Secretary of State's (Eric Pickles) written Statement of 18 December 2014, planning policies and decisions take on board the requirement to use SuDS to manage run-off. Arun has procedures in place to ensure that this is the case; at present this is delivered through planning conditions to ensure that developers are considering how SuDS are provided at the earliest possible point. The standard to which SuDS is designed, constructed and managed is set out within local guidance on the Council's website. (This follows national guidance with localised clarification). Drainage expertise is within the Council's Engineering team and they support the planners in reaching decisions.

QUESTION SIX

From Mr Truin to the Leader of the Council, Councillor Mrs Brown

Question

The latest Local Plan for 20,000 new dwellings by 2031 across places in the district includes building many more houses for other districts under the duty to cooperate rules. You always said it was “a duty to cooperate – not a duty to agree”. Why do you agree with even more concrete now when what we really need is to Keep Sussex Green?

Response

As you quite rightly say the duty to cooperate is not a duty to agree but equally the Council cannot bury its head in the sand and wish it would go away – as much as some might wish that to be the case. The Council has established through the additional local plan work that it can accommodate the level of development now proposed which is slightly greater than our own needs. This surplus will assist Councils such as Worthing who are struggling to identify sufficient sites to accommodate their own needs. It is interesting to note that recently Mid Sussex have been asked through their Local Plan examination to accommodate the unmet needs of Crawley. I sure if we were not taking a positive approach ourselves to the Duty to Co-operate we would find ourselves being asked to do so by our Local Plan Inspector.

QUESTION SEVEN

From Mr Dixon to the Leader of the Council, Councillor Mrs Brown

Question

At Full Council on 23 February 2016 the following motion was put by Councillor Dr Walsh and seconded by Councillor Purchase;

This Council has no confidence in the Leader of the Council, Councillor Mrs Brown and the Cabinet Member for Planning and Infrastructure, Councillor Bower.

The Council's lack of confidence is the result of the continued failures by the said Members to deliver a sound local plan, the Planning Inspectorate's recent decision that compels Arun to now deliver 845 new homes per year and the aforementioned Members' continuing failure to take any responsibility for their actions.

Interestingly, the wording of the motion was not included in the minutes. As far as I can recall this is the only time ever that the wording of a motion has not been minuted.

Therefore, anyone reading the minutes, like for instance the EIP Inspector, would not know that there has been a motion of no confidence in the Leader of the Council and the Cabinet Member for Planning and Infrastructure.

What steps will you now take to correct the public record?

Response

The Constitution Part 5, Section 1, Paragraph 17.5 provides that:

Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

As you have identified in your Question, this was not done, for which I apologise on behalf of the Council. I can confirm that this omission was an administrative error. The Minutes of the meeting on 23 February 2016 were presented to the meeting of Full Council on 16 March 2016 and were approved by the Council as a correct record and signed by the Chairman. The proposer of the Motion in question, was present at that meeting and did not raise any issue as to their correctness. The minutes of 23 February 2016 therefore form the record.

In view of:

- the passage of time
- that the Motion was Lost
- the record of the recorded vote shows 3 votes for, 32 votes against and 7 abstentions,

In view of the above, I ask that your question and this response are set out in full in the minutes to this meeting.