

FULL COUNCIL MEETING – 16 JULY 2014

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 Leader of the Council, Councillor Mrs Brown
2. From Mrs Beaton to the Cabinet Member for Planning & Infrastructure, Councillor Bower
3. First question from Mr Truin to the Leader of the Council, Councillor Mrs Brown
4. Second question from Mr Truin to the Cabinet Member for Planning & Infrastructure, Councillor Bower

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. Chairman will explain that the questions received will be answered by the appropriate Members of the Cabinet or the Chairman of the Overview Select Committee. Chairman to 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. Chairman is to state that questions will be invited in the order in which they have been received.

QUESTION ONE

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

On 1 April the Cabinet Office wrote to Arun District Council and recommended that it initiate a new OJEU procurement process with regard to the Bognor Regis town centre regeneration project. I have recently seen this letter and circulated a copy to all councillors.

The council's response was to issue a statement on its web site saying: "*The Cabinet Office has confirmed it has not recommended that Arun District Council should initiate a new OJEU tendering process for the Regis Centre redevelopment.*"

The Cabinet Office recommendation was subsequently confirmed by Richard Heaton, Permanent Secretary to the Cabinet Office following his investigation into the original Mystery Shopper investigation.

I am concerned that the Council's statement may have been a deliberate misrepresentation of the Cabinet Office position in order to deceive the public. How do you explain the council's statement?

I sometimes feel that some Councillors seem to "look the other way" when it comes to matters of ethics and integrity and particularly when relating to the council's dealings with the public.

Can you please confirm the names of any Councillors that have expressed concern at the conduct of the council in its handling of this Cabinet Office recommendation?

I have copied in:

The Right Honourable Eric Pickles MP, Secretary of State for Communities & Local Government
Richard Heaton, Permanent Secretary to the Cabinet Office
Andrew Nainby, Prime Minister's Office
Nick Gibb MP
All Arun Councillors
Nigel Lynn – Chief Executive

Response

Prior to the 13 February 2014 a Member of the public complained to the Cabinet Office via its mystery shopper process that Arun District Council had breached the EU Procurement Regulations.

The Council responded to the Cabinet Office with the details of the EU Procurement Process followed and explained that the terms of the Development Agreement had not been changed other than to extend the period for a Planning Application to be submitted.

On the 1 April 2014 the Cabinet Office responded to the Council with its draft proposal for its response. That draft response included that; "The Council confirmed that they would make all officers and Members dealing with the matter aware of the Cabinet Office's (draft) recommendation that a new OJEU process be initiated and agreed to update the Cabinet Office when a decision had been reached by the Council". In that draft response the Cabinet Office also referred to discussing the Mystery Shoppers concerns with the Council and asked the Council to confirm whether or not it agreed with the summary of events. That draft response failed to take into account the implications of the Council being in a contractual relationship that would continue until 31 December 2014 or acknowledge that there were other options for the Council to consider rather than just an new OJEU notice.

The Council responded to the Cabinet Office by return. However, it appears that two days later the Cabinet Office released a copy of its draft reply to the Mystery Shopper.

The Cabinet Office replied to the Council on 7 April 2014 and updated its response to state that where contracts have been entered into several years ago and under which work has not yet commenced, we recommend that authorities consider if they continue to represent best value for money and that a new procurement is initiated if they do not. This Cabinet Office response is unambiguous in that it does **NOT** “recommend that Arun District Council should initiate a new OJEU tendering process....”

The Cabinet Office has not between the 7 April 2014 and today’s date issued any further response on this issue to the Council.

The correspondence the Council has received from the Cabinet Office has been marked as Confidential. On the 18 June 2014 the Council asked the Cabinet Office for its consent to make that correspondence public, however to date the Cabinet Office has not been able to provide a response to that request despite several reminders. The Leader of the Council has written to Nick Gibb, MP, and asked him why the Cabinet Office has not given consent for this correspondence to be released as we do not understand their reluctance to make it public.

In response to the last part of the question put by Mr Dixon, asking if I can confirm the names of any Councillors that have expressed concern about the conduct of the Council in its handling of this Cabinet Office recommendation, no Councillor has approached me personally but Councillor Mrs Oakley in her capacity as Chairman of the Audit & Governance Committee had asked to see correspondence between the Cabinet Office and this Council.

QUESTION TWO

From Mrs Beaton to the Cabinet Member for Planning & Infrastructure, Councillor Bower

Question

I welcome Rolls Royce’s initiative to create 1,000 new jobs in Bognor Regis. Is there any information yet as to which short and longer term routes traffic to and between their plants will take – such as the A259 / BRRR or A29 – and, as the A29 realignment plans are still at an early stage, will Arun DC now press Network Rail to implement immediate, practical improvements to reduce peak travel delays at the Woodgate crossing? Delays could be avoided by appointing more signalmen, or a different shift system, to avoid the barriers being left down for 15 minutes whilst the current lone signalmen makes food and drinks and answers the call of nature.

Response

We are heartened to hear that you welcome the success of our strategy to create jobs for Arun. Both the County Council and this Council welcome the Government's commitment to the A29 realignment and its potential to support economic growth in the Arun District.

In relation to the planning application for the Enterprise Bognor Regis, the County Council is the highways authority and will deal with any highways matter related to planning applications through their development management process. As a Member of the Development Control Committee I am unable to comment.

Turning to your slight on Network Rail we understand that they run an efficient as possible service at Woodgate; delays are not down to staffing. Network Rail makes it very clear that the best solution is for the crossing to be closed.

QUESTION THREE

First question from Mr Truin to the Leader of the Council, Councillor Mrs Brown

Question

In April the Government signed a Regional Growth deal with a LEP to shift Bognor Regis jobs to Liverpool. This July 7th there was an attack on our democratic process when the Government signed a so called Local Growth Deal with an unelected, unaccountable quango, called the Coast2Capital Local Enterprise Partnership, to provide up to £13 Million to part-fund an A29 Realignment road scheme for which £30 million had been requested. The documentation included details of the number of junctions and provisions for pedestrians and cycles. Why have neither ADC nor WSCC aired those details in public in Arun? Why are those details not visible on the Arun website and available to local residents and press? Why have those details not been debated, reviewed and consulted upon by ADC and WSCC? Why is this project being treated as if it has been approved, with the allocation of so much money, without even a cost benefit analysis or recent Woodgate traffic survey by way of justification? Why do you continue to work, behind closed doors, with everyone except the people of Arun? Do we have to wait until next May's Elections to re-establish democracy in the District?

Response

Thank you for your question Mr Truin. I am afraid the statement you have read out is incorrect.

The Coast to Capital Strategic Economic Plan was subject to extensive discussion and consultation throughout its development over a 12 month period,

including a period of formal consultation. The final Plan was unanimously agreed by all 17 local authorities in the Coast to Capital Region.

The Growth Deal agreed between Coast to Capital and the Government is published both on the .Gov website and the Coast to Capital website.

The Growth Deal does not give planning consent - all development decisions for specific proposals must go through the normal planning process, be guided by local plans, be subject to any consultation requirements and be guided by local plans.

The coast to capital bid for the A29 was for £13million and that is what the Government has awarded. The other £17 million was always to be raised locally.

QUESTION FOUR

Second Question from Mr Truin to the Cabinet Member for Planning & Infrastructure, Councillor Bower

Question

The A29 Realignment is a grandiose scheme to attempt to reduce peak hour traffic delays for A29 users. ADC has declared that it requires the construction of 2,000 new houses to fund it. The TRICS* database predicts 10500 new traffic movements per day from that new development. What reduction in average journey time and peak queue lengths will be achieved for journeys, between the centre of Bognor Regis and the unknown destinations of A29 users, using a new road through that new town with its multiple new junctions and 10500 new traffic movements per day , compared to the current road network with current traffic levels?

*Trip Rate Information Computer System

Response

Thank you Mr Truin, firstly, for the benefit of the public, I must point out that your description of the scheme is wholly inaccurate: the A29 scheme, which is a nationally backed priority, is as much about improving rail time; improving air quality at Woodgate; improving the environment in Westergate; improving journey reliability; responding to the demands of businesses; securing an economic future for Arun; providing an access road for Arun's housing needs and improving non-motorised journeys. The A29 scheme stands on its own merits - if this is a grandiose scheme –then I welcome it.

Turning to the TRICS data, you are quoting figures that are narrow and misleading. Firstly, the Highway Authority has calculated the traffic generation to

be 7,632 trips. In addition, the new road alignment will bypass the Woodgate level crossing and thus a direct comparison with point to point journey times would need to factor the average waiting times in to the equation. We do know that journey times will improve by at least a minute with new road alignment – when this is added to the removal of up to 15 minutes waiting times at Woodgate then clearly journey reliability and travel time will be improved.