

## **FULL COUNCIL MEETING – 30 APRIL 2014**

### **AGENDA ITEM 3 – PUBLIC QUESTION TIME – ORDER IN WHICH THE CHAIRMAN OF THE COUNCIL WILL INVITE QUESTIONS BELOW RECEIVED QUESTIONS ASKED AND RESPONSES PROVIDED AT THE MEETING**

1. From Mr Dixon to the Leader of the Council, Councillor Mrs Brown
2. From Mrs Rollason to the Cabinet Member for Housing, Councillor Elkins
3. From Mrs Ryk to the Cabinet Member for Housing, Councillor Elkins
4. From Mr Ellis to the Leader of the Council, Councillor Mrs Brown
5. From Mr Ward to the Cabinet Member for Planning & Infrastructure, Councillor Bower
6. From Mr Bell to the Cabinet Member for Planning & Infrastructure, Councillor Bower
7. From Mr Coster to the Leader of the Council, Councillor Mrs Brown
8. Second question from Mr Dixon to the Leader of the Council, Councillor Mrs Brown
9. Second question from Mrs Ryk to the Cabinet Member for Housing, Councillor Elkins
10. Third questions from Mrs Ryk to the Cabinet Member for Housing, Councillor Elkins

### **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.

Chairman to state that in order to respond to the questions as detailed on the schedule circulated that he has decided to exercise his discretion to increase public question time up to 30 minutes and to propose that there be no supplementary questions allowed.

## **QUESTION ONE**

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

The NPPF makes it clear that local planning authorities should take account of the need for strategic infrastructure including nationally significant infrastructure within their areas. It's a legal obligation.

In 2011, the then Transport Minister Phillip Hammond brought our local infrastructure deficit into sharp focus when he advised a delegation from Sussex that, although there was no funding available for an Arundel Bypass, if it was possible to get developer contributions the government would be more willing to look at doing something.

Can you please explain what steps, if any, your council has taken since that meeting in 2011, to meet the Transport Minister's requirement for developer contributions towards an Arundel Bypass and to meet the NPPF requirement to take account of the need for strategic infrastructure including nationally significant infrastructure within our area?

### **Response**

Having looked again at the Minutes of the meeting that you refer to between the then Secretary of State for Transport in 2011 he didn't mention developer contributions once. The Minutes showed that it had been said that there was no current funding left for the Arundel and Worthing scheme as all the current HA funding had been allocated and couldn't be considered until a future funding review had taken place which was what was happening now of course with the new A27 corridor being considered as part of the new investment programme by Government

The meeting that you referred to mentioned that any scheme to improve the A27 would be required to make a value for money case but that a cost/benefit analysis would be a crude test and that this is not the only way schemes are appraised. He indicated that a business case could be made and that anything, which reduced DfT contributions, could be influential. No mention of developer contributions anywhere in that meeting. Of course the cost of delivering an Arundel by pass is so great that any developer contributions would only make a very small dent in the overall cost anyway.

I would just like to remind everyone that Arun actually commissioned consultants to undertake a study to look at the economic case for a by pass which could potentially unlock £500m of economic benefit to the community and wider area.

In the meantime the Council is continuing to work with its Partners such as West Sussex County Council and the Coast to Capital Local Enterprise Partnership to

lobby for improvements and where appropriate make contributions to ongoing studies. I have also had a meeting with Patrick Mcloughlin, the current Secretary of State for Transport, last November where I was able to raise the importance of the Arundel By-pass and the improvements to the A27 around Chichester. He confirmed that he understood the urgency of those improvements and had visited the area himself and had had many conversations about it with Nick Herbert, MP.

## **QUESTION TWO**

### **From Mrs Rollason to the Cabinet Member for Housing, Councillor Elkins**

The people of Wick are unable to get home insurance as they are told by the insurance companies we are in a flood plain area. This is a fact for a great many local residents. If Wick, which is considered to be the highest point in Littlehampton, is a flood plain, as told by many insurance companies, why is the District Council even considering building extra houses adjacent to those houses that are in that flood plain in Greenfields and the Joyce Close area?

### **Response**

Thank you for your question. The north of the estate, where we are considering building new homes, is not in a flood risk area and we do not anticipate there being any insurance problems.

## **QUESTION THREE**

### **First Question from Mrs Ryk to the Cabinet Member for Housing, Councillor Elkins**

Due to the existing estate layout emergency services already face limited road access to many homes in Joyce Close and Greenfields, so how does building in these rear car parks and on the green improve road access for emergency vehicles and the Health and Safety of the existing and proposed new residents?

### **Response**

Thank you for your question. The new layouts have been discussed with the emergency services to ensure that they meet their requirements for access for their vehicles. Where any issues have been identified we have asked our architects to make amendments to ensure that they comply and that neither the existing nor the new residents will be put at risk.

## **QUESTION FOUR**

### **From Mr Ellis to the Leader of the Council, Councillor Mrs Brown**

Initially you took away our Cinema and the Windmill Supporters group fought hard to get it re-opened. Your actions in doing this appeared to be decidedly underhand. Then you destroyed our Littlehampton Neighbourhood Plan, by going against the explicit wishes of Littlehampton Residents to have the swimming pool site designated for Leisure only, we do not want houses or high rise blocks of flats on this land. Your last minute seemingly underhand submission that you wanted the land for ADC to develop was appalling.

Now it looks as though we will lose the Windmill Cinema and Theatre site to your possible development plans. Your Cabinet Member having stated that people from Littlehampton can go to the St Modwen Cinema in Bognor Regis, whenever that will be built as you seem intent on driving the Picturedome out of business and are being opposed by many Residents of Bognor Regis. If and when you do as you have promised and build a new swimming pool before closing the existing one, many people feel you will renege on this promise.

You keep on building in this area, more and more houses and Littlehampton is in danger through flooding ground water being squeezed more and more from the outskirts into the centre. We are aware that new flood defense walls are being built, that are already over-time and over budget. When will you stop inflicting harm and do something positive for Littlehampton Residents? When will you stop and actually listen to the people of Littlehampton, instead of doing what you think is right and ignoring the Residents?

### **Response**

I believe your question is incorrect for a number of reasons. Firstly, the Council did not take away the Cinema. The operators made a commercial decision not to continue at that time. I am pleased to see that the new operation has attracted significantly more patronage than the previous operation. I trust the people of Littlehampton will continue to support the new Cinema. At the recent Littlehampton Sub-Committee meeting the view was strongly expressed that, if the Windmill site was developed in the future, there must be an assurance that no demolition would take place until a replacement cinema and theatre was in place – that was an important requirement to meet the leisure and cultural needs of Littlehampton.

Regarding the Littlehampton Neighbourhood Plan, Arun District Council has been at the forefront nationally of supporting such plans. Our comments regarding the Swimming Pool site have been consistent since we published our Cultural and Leisure Strategy some time ago. The Independent examiner made some suggestions to how the relevant policy should be worded, which in principle we were comfortable with. Officers are continuing to talk to the Town Council about

how to move forward positively so that the Neighbourhood Plan can be put before the people of Littlehampton.

On the issue of Flooding, the Council has made a significant financial contribution to the Environment Agency's enhanced flood defenses. This is not related to new development to the north of the town but longstanding problems. Contrary to the view you express, not all development is a bad thing. The development at the North of Littlehampton will provide a bridge over the railway and contribute to a new gateway into Littlehampton. This will be good for residents and visitors alike, and will also improve the perception of Littlehampton as a place worth investing in.

### **QUESTION FIVE**

#### **From Mr Ward to the Cabinet Member for Planning & Infrastructure, Councillor Bower**

Why has Arun not meaningfully engaged with its Parish Councils during the process of the emerging local plan and wasted a golden opportunity to achieve a district wide local plan, informed by Parish Councils, Neighbourhood Plan Groups and as a result the residents of Arun, rather than press on with housing numbers that the District cannot sustain or accommodate given that as your officers repeatedly remind us "is sandwiched between the South Downs and the sea"

#### **Response**

Thank you for your question. Contrary to what you say, the Council has engaged with the parish councils over the development of the local plan and we have been at the forefront of promoting the neighbourhood planning process.

As far back as 2008/9 the Council undertook its Options for Growth consultation exercise which engaged with the public, the parishes and others. I also recall attending all public meetings of groups of parishes across the District to discuss housing numbers.

However, let's be realistic here, this Council (like every other Council across the country) has the difficult task of putting together a local plan which will best serves the need of the District going forward.

In all of the time I have been involved in this process no parish council or residents group has come forward and said, yes we will take the majority of the growth that is necessary. As a result the Council has had to formulate a plan which it feels will provide the 'best fit' having listened to all the comments and having read all the representations.

I know many of you here tonight will disagree with my comments but I do believe the proposals before the Council are the right way forward.

### **QUESTION SIX**

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

On what basis does the Council think that it is fair, equitable and within the requirements of the NPPF and the GTTS Planning Guidance that 25% of the new housing proposed and 90% of the new GTTS pitches should be allocated to just one of the 26 wards of the district?

The questioner then added further matters to his question which had not been submitted in writing with his question in advance of the meeting.

#### **Response**

The Cabinet Member for Planning & Infrastructure, Councillor Bower, therefore declined to respond to the question.

### **QUESTION SEVEN**

#### **From Mr Coster to the Leader of the Council, Councillor Mrs Brown**

The questioner firstly asked why his first question which had been submitted in time had not been included within the schedule of questions circulated at the meeting?

#### **Response**

The Chairman stated that this question had not been allowed as it had not complied with the Constitutional requirements of the Council's Public Question Time scheme.

**Return to Question from Mr Coster to the Leader of the Council, Councillor Mrs Brown**

Regarding Bognor Regis regeneration and the proposed multi-screen cinema, both yourself and Arun District Council have said "We don't have to lose the Picturedrome. We could have both". Your words Mrs. Brown. Is this just a piece of verbal puff with no substance to it? If not, please tell me EXACTLY how you will GUARANTEE that we can have both when you have no control whatsoever over the cinema operators which are entirely independent businesses? Exactly HOW will that work Mrs. Brown? Also please explain PRECISELY what arrangements you have made with the Picturedrome's operators and also with the film distributors to ensure that what you have said has any substance at all. And if you CAN'T guarantee it and HAVEN'T made any arrangements, how can anybody trust that your words are not just your usual twist of councillor-speak fantasy, designed to mislead Bognor Regis people?

**Response**

Thank you for your question.

The work we have commissioned and published demonstrates that it is possible for both the Picturedrome and a miniplex to operate in Bognor Regis. The fact that the Town Council, as owners of the building, has proposed to make investments to increase the number of screens, notwithstanding the proposed miniplex, indicates to me that the Town Council also share that view, otherwise why would they be committing public money.

In our liaison meetings with Bognor Regis Town Council we have regularly discussed the Picturedrome and Bognor Regis regeneration. At our liaison meeting in September we met with the town council's consultant on the cinema. We have consistently believed that the two cinemas can survive in Bognor Regis. In the survey undertaken as part of the Cultural and Leisure strategy in December 2011, the percentage of residents from the Western area of the district that stated that they had attended Cineworld in Chichester was 70%. I would suggest that having a miniplex in Bognor Regis may well attract these customers who would then be spending their money in the Arun area rather than Chichester.

The ultimate test will be that the residents of Bognor Regis and further afield continue to use the Picturedrome and also make good use of the new cinema should that come to be.

## **QUESTION EIGHT**

### **Second question from Mr Dixon to the Leader of the Council, Councillor Mrs Brown**

In December 2013 I wrote to the Cabinet Office to ask them to investigate the conduct of Arun District Council with regard to the regeneration proposals for Bognor Regis.

My concerns relate not to the original OJEU (Official Journal of the European Communities) tendering process, but what has gone on since the original contract award – and I asked the Cabinet Office to investigate whether a decision to extend the development agreement, made with full knowledge that the value of the scheme is now reduced from the £106 million original winning bid to £25-£40 million, constituted a breach or infraction of the OJEU tendering process.

Can a council legitimately use an 8 year old tendering process and subsequent contract award as its “justification” to proceed, whilst at the same time reducing the value of the scheme by something like 69%- 86%. (Particularly given that politicians are now telling us the economy is back to pre 2008 levels).

I have received three e-mails from the Cabinet Office, which state:

2<sup>nd</sup> April - *“Cabinet Office has subsequently recommended that a new OJEU process should be initiated, and the Council’s representative has confirmed that they will make all officers and members dealing with the matter aware of this recommendation.”*

4<sup>th</sup> April – *“We made the recommendation earlier this week for the Council to consider.”*

8<sup>th</sup> April – *“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.”*

These e-mails have been circulated to members.

In response, Arun District Council issued a release that said: *“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, despite claims made by Bognor Regis Civic Society.”* This was displayed on the council’s web site and, at the time of writing this question, has mysteriously been withdrawn for editing!

It is quite obvious that either the council or the Cabinet Office is lying.

Has the council received a recommendation from the Cabinet Office and, if so, what is the exact wording and why is it not on tonight's agenda for consideration by members?

If no recommendation has been received by the council, it can only mean that the officers from the Cabinet Office are lying. If so, will the Leader join with me in writing to the Cabinet Secretary to call on him to investigate the conduct of his officers?

### **Response**

As you quote from an email on 8 April 2014 from the Cabinet Office which stated "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".

As it is said, they recommend that the Council should use this opportunity to revisit the market by initiating a new OJEU process. Such an opportunity cannot be exercised at this time because there is still a contract in existence. A new OJEU is unlikely to be the only option available to the Council. As set out in Agenda Item 27, it is planned that a detailed report will be brought to Full Council when the valuation work has been received and assessed.

### **QUESTION NINE**

#### **Second question from Mrs Ryk to the Cabinet Member for Housing, Councillor Elkins**

The existing layout of the estate, built around communal greens, has provided all residents of Joyce Close and Greenfields with parking spaces close to their homes, so how does building in our car parks at the rear with limited parking, and providing more parking on street verges and lay-bys, improve on existing provision or provide spaces close to people's homes?

### **Response**

Thank you for your question. The provision of additional parking by reconfiguring existing laybys to allow end on parking at right angles rather than parallel to the kerb, and the creation of new laybys and parking spaces will compensate for the loss of some parking spaces to the rear of houses. Because of the distance between some of the existing houses and the existing parking at the rear, some of the new spaces will be closer to residents' front doors and it will be easier for some residents to see their cars from their homes. For example we are

proposing to improve the parking for the flats at 13-24 Joyce Close by providing additional parking nearer their entrances on land that is currently designated as a drying area as well as remodeling the existing layby to the rear of the properties.

### **QUESTION TEN**

#### **Third question from Mrs Ryk to the Cabinet Member for Housing, Councillor Elkins**

Have the Environmental and Acoustic surveys for the proposed new council house sites in Joyce Close and Greenfields been completed or not, as there is a discrepancy in the information we have received from Arun. In the final paragraph of the article 'Picnic serves up a protest over homes', in the Littlehampton Gazette of 24 April 2014, Arun state they are waiting for the Environmental and Acoustic Surveys to be completed before submitting the planning applications. However in answer to question 28 from our meeting with Councillor Elkins and Mr Pople on 4 March this year at Chilgrove, we were told in the written reply that these surveys had been completed?

#### **Response**

Thank you for your question. These surveys have been completed and will be submitted with the planning applications.