

SPECIAL COUNCIL MEETING – 11 FEBRUARY 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 Mr Bell (first question) to the Chairman of the Council, Councillor Chapman
3. From Mr Truin (first question) to the Leader of the Council, Councillor Mrs Brown
4. From Mr Penfold (first question) to the Cabinet Member for Environmental Services, Councillor Dendle
5. From Mr Bell (second question) to the Chairman of the Council, Councillor Chapman
6. From Mr Truin (second question) to the Cabinet Member for Planning & Infrastructure, Councillor Bower
7. From Mr Penfold (second question) to the Cabinet Member for Environmental Services, Councillor Dendle

**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 their questions in writing in line with the Constitution rules and will state that members of the public may ask questions of Members of the Cabinet or the Chairman of the Overview Select Committee. Chairman to advise 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

Question from Mr Dixon to the Leader of the Council – Councillor Mrs Brown

The Local Plan is a shambles. It seems to me that this is a direct result of poor political leadership.

Does the Cabinet Member with responsibility for spatial planning still have your full confidence?

Response

I do not agree with your comments and I am happy to confirm that I have full confidence in Councillor Bower.

SECOND QUESTION

First Question from Mr Bell to the Chairman of the Council – Councillor Chapman

Considering the extensive content in the NPPF on the subject of Public Engagement in local planning and the content in the DCLG Transparency Code on the availability of public data upon which decisions are made, it appears clear to me that our national government wants local councils to be OPEN, HONEST and TRANSPARENT in the discharge of their public duties.

I would therefore like to ask my council to explain to me why it repeatedly avoids properly answering straightforward questions about crucial evidence supporting the creation of policies within the emerging local plan? Public Question Time at council meetings dealing with the local plan is a typical example. The minutes of all the recent council meetings contain clear evidence that the questions posed by concerned, tax-paying residents of the district, and submitted in writing 3 days in advance, ARE SIMPLY NOT BEING ANSWERED.

Response

Thank you for your question Mr Bell.

I explained in my introduction to this Question and Answer session that the Constitution of your Council allows for members of the public to ask questions of Members of the Cabinet and the Chairman of the Overview Select Committee. As the Constitution is silent on the matter of the Chairman being asked and responding to questions I am exercising my discretion and will answer your question “exceptionally and without prejudice” to the terms of the Constitution.

I do not share your view that your Council has repeatedly avoided answering straightforward questions about crucial evidence supporting the creation of policies within the emerging local plan. I have researched the record of public questions and answers and the papers and minutes of the relevant committees, to which members of the public have access and the papers and records of debates in this chamber and I do not agree with the hypothesis contained in your

question. I have not found a single instance where the answer to a question from a member of the public, on the adopted policy of the Council, has obscured or misrepresented that policy or the evidence supporting it. Neither have I found any evidence of answers pre-empting debate on recommendations laid before this Council.

In relation to your question this last point is, I believe, of vital importance in that no Member of the Cabinet or the Chairman of the Overview Select Committee when answering public questions on matters that have yet to be debated by Full Council can compromise themselves by giving undue weight or partiality to evidence that will later be brought into debate by elected members.

On the matter of evidence available to support decision that have already been debated all the relevant papers are in the public realm as are the minutes of meetings where evidence has been debated and assessed.

Finally, if a questioner is not satisfied that their question has been properly recorded or answered, they can write to the Cabinet Member concerned and ask for further clarification.

THIRD QUESTION

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

The Local Plan process conducted by Arun District Council has so far failed to engage with the residents of the District. It has ignored 000's of consultation responses and petitions from 000's of residents of the District – especially the people of Bognor Regis and the villagers in the western rural area thankfully still known as the 6 Villages; and it has continued to focus on the grandiose yet totally unachievable plans of a few bureaucrats and Councillors without a mandate for their intentions. The reassessment of the strategic housing allocations and the unjustified A29 Bypass gives Councillors an opportunity to pursue a genuinely local plan based on localism, public support and unity in face of the speculative developers and landowners that oppose it. Will the Council take that 'once in a plan time' opportunity?

Response

I cannot agree with your assertion that the Council has not engaged with the residents of Arun regarding the Local Plan. The Council has undertaken extensive public consultation at various different stages of developing the local plan. I acknowledge that there are some residents, including yourself who did not agree with the strategic allocations as proposed prior to the 8 January Full Council Meeting. However, Members have agreed to revisit the issue of where the strategic allocations should be located. The Local Plan Sub-Committee will reconsider this issue at the end of March 2014. The options Members wish to consider further will also inform what additional information may be required and what additional consultation may be necessary.

FOURTH QUESTION

Two questions from Mr Penfold to the Cabinet Member for Environmental Services, Councillor Dendle combined into one question

My question relates to the Independent Cabinet Member decision of 30th January on the Allocation of Watercourse Regulation income from WSCC.

A figure of £50,000 has been allocated from WSCC out of which £10,000 is for land drainage and repairs and up to £12,000 as a contribution to "The Aldingbourne Rife Catchment ". Some of this money is to train new junior Officers. This decision also relates to Watercourse Consents and Enforcement.

Would Councillor Dendle please explain what is planned for action on the Aldingbourne Rife catchment and when this will be happening as it was my understanding that Arun was no longer responsible for land, fluvial and surface water drainage matters except in relation to the planning of drainage designs for development sites, has this now changed ?

In view of the current appalling state of drainage organisation and responsibility in this country will this be improved by Arun District Council being brought back into the group of responsible organisations, surely WSCC; the Environment Agency; and Southern Water are enough ?

Response

Under the Flood & Water Management Act, West Sussex County Council (WSCC) became the Local Lead Flood Authority (LLFA). However, under the same Act, we are also nominated as a Risk Management Authority with a duty to co-operate with the LLFA and, under the amended Land Drainage Act, we have been allocated powers to manage a flood risk from the ordinary watercourses within our area.

The £50,000 income from WSCC is payment for land drainage regulation works we are carrying out for them under delegated powers.

The contribution to the Aldingbourne Catchment Study is in our role as a partner of the Environment Agency (EA). The intention is to investigate the catchment area, identify flood risks and how they can be reduced or mitigated so that a preferred way forward to address these issues can be identified.

The EA will be issuing invitations for tenders for the main work shortly, some modelling work has already commenced.

FIFTH QUESTION

Second question from Mr Bell to the Chairman of the Council, Councillor Chapman

I would like to ask the Council to consider 2 small but vital adjustments to the PQT process. The first is that the questioner should be asked if they are satisfied that the answer given properly dealt with the question and the second is that if the questioner is not satisfied, the Chairman should act as final arbiter as to whether the respondent has actually answered the question being asked and if not to ask the respondent to provide a proper answer in writing.

Response

Thank you Mr Bell. I cannot give you a definitive answer because I don't have the unilateral power necessary to change the Constitution of your Council. However, I will pass your request to our Constitution review group to consider. If after that consideration they recommend to this Council a change to the Constitution then that will be debated and accepted, rejected or amended by Councillors.

However, I would like to point out that you have not asked the last part of your submitted question, where you seek to propose that Public Question Time is cancelled – do you still wish me to provide a response to this? It would be most unlikely to succeed because it is subjective, based on your personal prejudice and would deprive other members of the public, who may not share your view, of the opportunity of asking questions in this Chamber.

SIXTH QUESTION

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

Please list and summarise the objectives of all new background studies not yet displayed on the ADC website that are intended to inform the Local Plan, that the Council has commissioned, intends to commission or has expressed an intention to commission?

Response

I will ensure that you get a written answer detailing the information you seek on the studies that are currently being commissioned. Regarding those that may be commissioned in the future, we will have to await the outcome of the Local Plan Sub-Committee deliberations on future strategic allocations to determine what (if any) additional studies should be commissioned.