

FULL COUNCIL MEETING – 9 SEPTEMBER 2015

AGENDA ITEM 3 – PUBLIC QUESTION TIME – ORDER IN WHICH THE CHAIRMAN OF THE COUNCIL INVITED QUESTIONS RECEIVED IN WRITING IN ADVANCE OF THE MEETING

1. From Mrs Parkes to the Leader of the Council, Councillor Mrs Brown
2. From Mr Dixon to the Leader of the Council, Councillor Mrs Brown
3. From Mr Chester to either the Cabinet for Housing or the Cabinet Member for Planning & Infrastructure, Councillors Elkins and Bower
4. From Mr Ward 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 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 Mrs Parkes to the Leader of the Council, Councillor Mrs Brown

Question

It is noted that in recommendations from the Council meeting held on 15 July 2015 that Councillors are asked to note a proposal to replace the subterranean toilets on the promenade with above ground replacement facilities and optional shower facilities.

As the underground toilets are currently located directly opposite the Esplanade Grande apartments, residents (especially on the upper-ground floor level as I live) would like confirmation as to where these new above-ground facilities will be

located and that they, will not be on the promenade blocking the sea views currently enjoyed by our properties - for which we have paid premium prices and council tax due to their value.

Response

The Council is shortly to commission the development of a Delivery Plan to draw together a number of previously agreed reports covering the seafront realm in Bognor Regis. The Delivery Plan will set out the proposed use and design concept of that area of the seafront including the recommended location of above ground public toilets. This task has yet to be completed and therefore currently no decision has been made regarding the exact location of the new toilets but these will need to be accessible and capable of connection to the main utilities. Once plans are available and prior to final agreement the Council will publicise the details and discuss them with relevant stakeholders.

QUESTION TWO

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

Question

In his comments relating to the submission Local Plan the Inspector said: *"In my view the Council's assent to the Statement of Common Ground in December indicates that the plan was unsoundly based when submitted in January and this was further confirmed by the Hearn report in March."*

Yourself and Councillor Bower must have known that the plan was unsoundly based when it was submitted, and so, the act of submission can only be seen as a deceit in a plan process that was, to coin the words of Nick Herbert MP, "unravelling".

You have spent (or wasted?) something like £2.7 million of public funds so far, on the two main projects in your 9 year term as portfolio holders, to achieve a Local Plan that was unsoundly based and badly flawed when it was finally submitted, and regeneration proposals for Bognor Regis that were so unrealistic they have been scrapped.

In order to avoid facing up to difficult decisions, you have delayed the Local Plan to such an extent that every community in the district is now vulnerable to planning by appeal.

Yet, you "spin" everything as a success story, or someone else's fault.

Throughout your time in office the Conservative group has shown itself to be incapable of proper critical evaluation of key proposals coming forward, but exemplary at "nodding through" a barrage of crisis management proposals, designed to sustain you both in office until the next self-inflicted crisis.

The truth of the matter is that our district URGENTLY needs a fresh start, yet as long as you and Councillor Bower cling on to power there is a risk that, in order to preserve your political careers, you might apply a self-preserving interpretation of the Inspector's comments, "repackage" your existing proposals, retrofit evidence to suit a predetermined agenda, and "spin on" regardless towards the next Local Plan "car crash" in 18 months' time.

As a district, what we need is genuine, open minded, engagement between council and public in order to bring forward a sound Local Plan and regeneration proposals for Bognor Regis that have the support of the public.

If you genuinely want what is best for the district then isn't it time for you and Councillor Bower to stand down?

Response

The Local Plan process since 2005 has had a cost of £1.4m, not £2.7M or £3M or any of the other quotes I've seen cited in various letters. Although this is a lot of money, no one is disputing that we have had to undergo huge changes, not only in changes of Government but in planning legislation since then.

During the rules set by the then Labour Government, Arun started work on a Local Development Framework rather than a Local Plan. We then had a massive recession.

In 2010 we had a change of Government and new planning rules were introduced. The Regional Spatial Strategy was scrapped and then legally challenged. In 2011 the Localism Act came into force and affected the previous studies which had to be updated in light of the NPPF changes. Neighbourhood plans and the duty to co-operate were also introduced.

The process of preparing a Plan is a very expensive one due to the amount of up to date evidence required as an evidence base to the Plan. This is the same for all planning authorities.

As stated on numerous occasions, the Council prepared and submitted a Plan in January 2015 that it considered was sound. It had agreed a different Objectively Assessed Need figure for a planning appeal in December 2014 because information was not yet available to dispute the appellants findings.

The Office for National Statistics published up to date information in February 2015 (after the Local Plan had been submitted). The work of GL Hearn on behalf of the Council suggests that our Objectively Assessed Needs is now at least 758 homes per annum before any Duty to Co-operate issues are taken into account.

The Inspector has given us up to 18 months to revise the Council's plan to potentially accommodate this additional development. Work has already started on undertaking the additional work required. The Inspector could have decided to ask the Council to withdraw its plan. He chose not to do so which is welcome. I would also point out that in March this year there were still 46% of authorities that didn't have an adopted Plan. Through the District Council Network we are trying to work with Government to try and simplify the Local Plan system to improve those figures.

You say in your question that the regeneration proposals for Bognor Regis must have the support of the public and I would totally agree. I would refer you to the extensive public consultation exercise that we undertook and also the 14 proposals from local community groups and businesses that we received. I believe that this shows the positive reaction and support from the public.

In your last paragraph you ask if I want what is best for the District and the answer is yes I do. At the election last May the residents recognised that both Cllr Bower and myself had the best interests of the District at heart and we were both re-elected with overwhelming support and, I have to add that clearly in the ward that you stood in the residents didn't have the same confidence to elect you.

QUESTION THREE

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

Question

Where affordable, social or council housing is being provided on new developments where the roads are not being adopted by West Sussex County Council what assessment has been made of the impact of maintenance charges on the housing providers and/or the residents of such properties?

Response

On the rare occasions when residential developments, which include an element of affordable housing, include roads which are not adopted by the Highways Authority the respective registered partner (Housing Association) would arrange with the original developer for a management services organisation to take on responsibility for the long-term maintenance of the road. A service charge would

be levied on the tenants and leaseholders by their landlord to cover these costs, private owners would pay a similar service charge to the management services organisation. Registered partners (housing associations) levy service charges to tenants on a weekly or fortnightly basis, and whilst these are set and shown separately they are charged and collected along with the rental charge, shared owners generally pay their rent and service charges on a monthly or quarterly basis.'

QUESTION FOUR

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

Question

The inspectors assessment of the now suspended Arun Local Plan has meant that we are about to enter a second decade in its long and torturous journey. The inspectors view on your local plan includes some choice descriptions of your policies which as follows are in his words not mine:

That the Councils strategy of protecting the District from planning by appeal as a "misapprehension".

That pursuing the ALP within the existing parameters of its spatial strategy as "a risky pre-determination of the reasonable alternatives".

That Arun's assessment of Neighbourhood Plans being immediately out of date is "an overstatement of the position".

That "the plan was unsoundly based when submitted in January 2015".

No doubt you will attempt to deflect the commentary contained in the inspectors assessment of your local plan and ignore the hemorrhaging of Arun residents confidence in your leadership of the local plan process, however, my question to you is:

Will you now consider resigning from your Cabinet position as Member for Planning & Infrastructure and allow your colleagues to select a replacement who can deliver a better plan that Arun residents deserve, rather than will have to endure?

Response

Thank you for your question.

Much of the question refers to out of context quotes and semantics. I shall concentrate on the core element. Your question ignores the fact that the Local

Plan was approved by the Council on 10 September 2014 for the Statutory Consultation period prior to submission to the Secretary of State by the assent of 37 Members of the 56 Members of the Council. You also phrase the question as personal to me suggesting that it is my Local Plan. The democratic and statutory process that governs how Local Plans are developed and agreed by Local Planning Authorities has been soundly followed by Arun.

Our Local Plan has not been rejected by the inspector, merely deferred to incorporate higher housing numbers and identify where in the District those numbers may be accommodated. This is a common position that many local authorities find themselves in.

We, as a Council, have been responsive to Arun's desire to have the lowest possible housing numbers, in view of our fragile infrastructure and overcrowded roads.

We hoped the inspector would accept the lower of the possible scale of numbers, but he requires a number of 786 homes a year instead of 580. This higher number followed on from two planning appeals where Arun Officers accepted a developer's submission that Arun needed a higher 5 year land supply figure. At those inquiries Officers also argued that the place to debate the 5 year land supply was at the Local Plan inquiry. The Decision notices on these appeals were not issued until after the Local Plan was submitted to the Secretary of State. The Members of the Local Plan Sub-Committee asked Officers what the implications for the Local Plan submission was in light of this position. We were advised to let matters take their course and continue with the submission of the Local Plan to the Secretary of State.

The Inspector stated in his conclusions referred to earlier "The timing of these events is certainly very unfortunate, especially coming at the end of ALP's lengthy period of evolution."

I remain determined that Arun will deliver an adoptable Local Plan and I have no intention of resigning.