<table>
<thead>
<tr>
<th>REFERENCE NO.</th>
<th>DECISION</th>
<th>CABINET MEMBER</th>
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<td>ICM/053/050117</td>
<td>Legal Fees associated with called in application at Fontwell (WA/22/1/5/OUT) and M&amp;S Rustington (A/23/15/OUT)</td>
<td>Bower</td>
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PLEASE NOTE THAT THE DECISION TAKEN WILL COME INTO EFFECT AS FROM 10.00 A.M. ON FRIDAY, 13 JANUARY 2017 UNLESS THE CALL-IN PROCESS IS APPLIED.
PART B : INDIVIDUAL CABINET MEMBER DECISION

ICM No. 053 / 050117

URGENT DECISION IN ACCORDANCE WITH RULE 14.11 OF THE SCRUTINY PROCEDURE RULES?
No

CABINET MEMBER RESPONSIBLE:
Cllr Ricky Bower

SUBJECT: Legal Fees associated with called in application at Fontwell (WA/22/1/5/OUT) and M&S Rustington (A/23/15/OUT).

OFFICER CONTACT: Neil Crowther EXTN: 37839 E-Mail: neil.crowther@arun.gov.uk

EXECUTIVE SUMMARY:
The Council has recently had to defend two significant decisions that were not planning appeals. These have resulted in significant costs that the original budget within the Planning Department is not capable of covering. It is therefore proposed to use the Corporate underspend to cover the legal costs associated with these decisions.

DECISION:
To note the use of the Corporate underspend to be used to cover the costs of legal fees associated with the called in application at Fontwell (WA/22/15/OUT) (up to £20,000) and the challenged decision at M&S Rustington (A/23/15/OUT) (up to £20,000). This is because the costs associated with these would take the entire remaining original budget in the Planning Department.

REASONS FOR THE DECISION:
The Planning Department has an original budget that is normally used for appeals throughout the year. However, these two matters in the same year and at such a significant level could not be taken from this relatively small budget.

OPTIONS CONSIDERED BUT REJECTED:
If the Council were to defend these decisions, it was required to have legal representation.
(Add any further options which arise from the consideration of this decision)

CABINET MEMBER(S)

DECLARATION OF INTEREST BY CABINET MEMBER(S) RESPONSIBLE FOR DECISION:

DISPENSATIONS GRANTED:

ANY CONFLICT OF INTEREST DECLARED BY A CABINET MEMBER WHO IS CONSULTED BY THE MEMBER TAKING THE DECISION:

DECISION BY: Relevant Cabinet Member Leader of Cabinet

SIGNATURE: [Signature]

DATE: 5 January 2017