

**Minutes of the Meeting of the Council
held in the Queen Elizabeth II Room
at the Shoreham Centre, Pond Road, Shoreham-by-Sea**

17 December 2015

Councillor Carson Albury, Chairman
Councillor Ann Bridges, Vice-Chairman

Councillor Carol Albury	Councillor Liz Haywood
Councillor Pat Beresford	*Councillor Emily Hilditch
Councillor Ken Bishop	Councillor Rod Hotton
Councillor Brian Boggis	*Councillor Debbie Kennard
*Councillor James Butcher	Councillor David Lambourne
Councillor Stephen Chipp	Councillor Fred Lewis
Councillor Brian Coomber	*Councillor Liza McKinney
Councillor Keith Dollemore	Councillor Barry Mear
Councillor Dave Donaldson	*Councillor Peter Metcalfe
Councillor Angus Dunn	Councillor Neil Parkin
*Councillor Emma Evans	*Councillor Geoff Patmore
Councillor Jim Funnell	Councillor Lyn Phillips
Councillor Paul Graysmark	Councillor David Simmons
	*Councillor Ben Stride

* = Absent

C/028/15-16 Apologies for absence

Apologies for absence were received from Councillors Evans, Kennard, McKinney, Patmore and Hilditch.

C/029/15-16 Declarations of Interest

Members were invited to make any declarations of disclosable pecuniary interests, none were declared.

C/030/15-16 Questions and Statements from the Public

Members of the Shoreham Society presented the Leader and the Chairman with a plaque commending the extension to the Shoreham Centre as an enhancement to the built environment. In presenting the plaque the Society stated that it felt the Council had set a standard and tone for Shoreham Town Centre.

The Chairman informed Council that four questions to the Executive had been received from members of the public, from Mr Alden, Mr Gilbert, Mr Francis and Mr Freeman.

Mr Alden asked the following question of the Executive Member for Customer Services:

“Will the Executive member please let me have the following information in respect of private sector housing:

In the last year (or other recent available period)

- a) How many inspections of private rented property have taken place following referral by a tenant
- b) How many randomly selected inspections have taken place (ie not referred by a tenant)
- c) How many Landlords have been given advice following an inspection visit
- d) How many Landlords have been prosecuted for unsatisfactory conditions.

Does the Executive member consider the Council is adequately protecting the interests of Private Sector Tenants

The Executive Member for Customer Services , Councillor Funnell responded:

The assessment of housing conditions, especially in the private rented sector, is one of the duties of the Private Sector Housing team.

Their activity for the past year (2014/15) as follows;

Inspections following complaint - 91

Non-complaint inspections - 2

Formal inspections - 19

Notices - 17

19 landlords received advice following an inspection visit, 17 of these landlords received a notice, this was due to the advice not being acted upon. This had the desired effect because no prosecutions were necessary.

The majority of inspections are as a result of complaints, and the number of formal inspections is analogous to advice being given to landlords. The Housing Act 2004 obliges the Council to serve notices where there are high category hazards, but the timescale for necessary works can be agreed.

‘Random’ inspections may be the result of intelligence from council tax records used by the empty property officer, from the UK Border Agency on properties that are likely to have illegal workers and therefore be managed at a lower standard, or even just from observations made by officers out on district. The PSH team already have a proactive programme of carrying out formal inspections and have identified residential accommodation above commercial premises as being areas with a high risk of poor or unsafe living conditions.

Properties in Adur make up about 20% of the inspection workload of the PSH team and, although there are only 2.8 FTE staff involved in the enforcement of housing

conditions across Adur & Worthing, the team have adopted a robust approach to enforcement in order to resolve issues more efficiently.

At a time when councils are being criticised nationally for not protecting consumers and tenants who are put at risk by ill-qualified, sloppy or sometimes plain criminal landlords (more than a quarter of councils in England failed to prosecute a single landlord for providing unsafe accommodation, and half of local authorities prosecute fewer than two a year), Adur & Worthing have successfully completed three prosecutions in the last twelve months and have six more cases either progressing through the courts or with our legal team. During 2014/15, the PSH team had to serve 69 enforcement notices to address poor living conditions. Since April 2015, they have already served 80.

I therefore consider that the Council is adequately protecting the interests of private sector tenants, and good landlords, due to the professionalism and hard work of the team but it is important that the enforcement resource is maintained to improve conditions in this increasingly important tenure.

There was a supplementary question on tenant satisfaction after inspection which the Executive Member agreed to write to the questioner with the answer.

Mr Gilbert asked the following questions of the Executive Member for the Environment:

In the JOSC report on fuel poverty in March 2015 the Executive member promised a report on the case for installing solar panels on Council properties. This would be an important step in addressing fuel poverty as well as making a contribution to tackling climate change. Is the report available, and if not when will it be? Are there any proposals about this being brought forward?

The response was given by the Executive Member for Resources, Councillor Dunn

The Joint Strategic Committee in March 2015 received a report on the provision of solar panels on properties owned by Adur and Worthing Councils. A progress update was considered by the Committee in June; full details are on the council's website.

The Council is signed up with the YES Partnership (Your Energy Sussex Partnership) via West Sussex County Council. Due diligence was undertaken which ended in September 2015 with the contracts signed in October 2015. Officers have recently met with the nominated contractor, Carillion who can supply Solar PV, a survey of properties is expected to be completed in early new year.

There has been no time to investigate the implications of the Government's recent announcement of changes to the feed in tariffs.

The supplementary question was on the Paris agreement and the challenges facing the council to implement the terms of the agreement.

Mr Francis asked the following Question of the council:

Could you please tell me, if all members retained the same roles within the council under the proposed increases, what would the increases be, in real terms percentage increase, from what they currently receive in total allowances, including SRAs?

I understand that as there is an election next May and special Responsibilities may change, however if we could make the assumption that all members are in the same posts as they currently are, what would be the actual increase from the current TOTAL annual allowance, from current rate, to both options presented by the JIRP?

It would be ideal if you could present this in the simple form of, Member's name, and percentage increase under option 1 and option 2.

The Leader responded

Public Questions are to Executive Members on their portfolios, Members allowances is a matter that is reserved to full council and does not fall into an Executive member to determine and all decisions are based on the advice of the Independent people on the Panel.

As it is the season of goodwill and I have member support in my portfolio I will endeavour to answer where I can

Mr Francis' questions addressed to Council are hypothetical as the decision on allowances will be taken by the Council as a whole later in the meeting.

The report from the Independent Panel, considered by the Joint Governance committee had 2 options within in it together with justifications, % increases and total budget needed. The Panel's report is on pages 83 to 88 of that Committee's agenda of November , Options and budget needs are explained on page 88.

Mr Francis is welcome to stay for the whole meeting to hear the debate on the allowances which will be made by full council later tonight.

On a supplementary the Leader was asked if he felt that the percentage rises were excessive compared to the recent publicity with the CE's salary increase. The Leader explained that he could not comment on the increase to the Leader's SRA as it was hypothetical relating to himself - he had to be re-elected Leader by his Group following the May elections. Regarding the CE's salary increase, he certainly did not believe the increase was excessive.

Mr Freeman addressed his question to the Executive:

The leader states that following the publication of the Proposed Submission of the Adur Local Plan 2014 amendments are proposed in relation to a strategic allocation within the document in response to some representations received!

The majority of the residents around the Lancing Brooks floodplain, North South and West are totally opposed to any more development there - so who is Adur DC responding to?!!

Of the 1151 representations to the 2013 consultation, 90% of those expressed their fears for increased flood risk by developing the Lancing Brooks area.

The cabinet member responsible for the Plan, Cllr Beresford recently made great play publically of supporting the majority to the detriment of the minority who are greatly concerned about this. Surely, if the minority are the only ones who are affected by a proposal, they become the majority! Anybody not affected should not even be in the frame.

My question – why is ADC continuing to persist in proposing to build 600 houses on the Lancing Brooks floodplain?

The recently published WSCC CH2MHill Surface Water Management Plan clearly states the causes of flooding in Lancing area is due to capacity restraints in the Lancing Brooks.

It goes on to say that even with all the measures in place to reduce flood risk, the Lancing Brooks drainage system will still be at risk during more extreme weather conditions.

It also states that In such conditions, whatever you do to mitigate, in extreme weather. Lancing is highly vulnerable to groundwater flooding. Drainage is affected by groundwater levels.

We understand the floodplain will be raised to enable construction of the 600 homes and business development as will a repositioned travellers site on the Withy Patch to make room on the A27 for a new roundabout. This level of build and road infrastructure will cause a massive increase in surface water flows into an already over capacity Lancing Brooks which will disrupt ground waters irreparably.

I ask, has the CH2MHill study been referenced in the later work done on the Plan? Or has ADC chosen to disregard this informative report?

Already residents are being refused insurance cover and experiencing failed house sales because of flood risk.

Why is ADC not listening to the majority of the electorate who oppose the NMF build? Why are you insisting on increasing the flood risk to residents around the Lancing Brooks area, putting them in harms way, blighting their properties to become uninsurable and unsaleable, That apart, consigning residents to indescribable misery. Believe me I know personally what that is like for the community!

Extreme weather events are becoming the norm. Cumbria 6 years ago was flooded. Look at the community there now. They were supposed to have been

protected for 100 years by a £45million investment in flood defences which simply were not a match for the levels of weather experienced.

I have to ask, Cllr Beresford, is this the legacy ADC wants to create for Lancing?

I repeat the question.

Why is Adur DC continuing to persist in building these 600 homes on the Lancing Brooks flood plain?

Why are you not listening to the majority of the electorate who oppose the NMF build?

Why are you insisting on increasing flood risk to residents around the Lancing Brooks area which will put them in harm's way, blighting their properties and making them uninsurable and unsaleable? – Consigning them to indescribable misery?

Under the rules of the National Planning Policy Framework and with the evidence of the CH2MHill report Adur does have the information to assist in taking this ill conceived allocation out of the Plan and to tell Government we have no more room for building the level of development being foisted upon this authority.

Once again, we ask you to take this inappropriate allocation out of the Local Plan.

The response was given by the Executive Member for Regeneration , Councillor Beresford

We recognise the importance of ensuring flood risk can be properly managed and the concerns held by local residents that development will exacerbate the flooding they already experience.

Flood risk is a key consideration and in line with national planning policy development was first directed to areas of lowest flood risk. However, these sites are unable to provide sufficient housing and local authorities must seek to meet their local housing need as far as possible. Despite this where evidence shows that it is not possible for the risks to be safely managed without increasing flood risk elsewhere development would not be included within the Local Plan as a proposed allocation.

Flood risk from all sources is a critical issue for the New Monks Farm site. This has been carefully considered and the advice of both the Environment Agency and West Sussex County Council (lead local flood authority) as statutory consultation bodies sought. Both have confirmed that they have no objections to the proposed allocation and raised no unsound representations to the Proposed Submission Adur Local Plan 2014.

Since the Proposed Submission Adur Local Plan 2014 was published for consultation, the Lancing Surface Water Management Plan has been produced by West Sussex County Council. WSCC worked with Adur and Worthing Councils to deliver the Lancing Surface Water Management Plan, to understand the causes of

flooding and identify any capital improvements or ongoing maintenance needed to reduce the impacts to people and infrastructure. This Plan contains valuable information on surface and groundwater flooding in the Lancing area, however it makes clear that although recommendations are included to reduce flood risk, even with these in place Lancing will still be at risk of flooding. In response we have reconsulted both the Environment Agency and more importantly WSCC in relation to surface and groundwater flooding to confirm whether this evidence affects whether it is still possible for the flood risks associated with proposed development at New Monks Farm to be safely managed without increasing flood risk elsewhere.

To support the Adur Local Plan and to comply with national planning policy the Exception Test has been applied. This is currently being updated and there will be an opportunity for interested parties to review and comment on the implications of this for the Plan when the proposed amendments to the PSALP 2014 are consulted on next year under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Exception Test sets out how the risks from all sources of flooding, in this case tidal, surface and groundwater could be managed so that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall. At the planning application a site specific Flood Risk Assessment will be required to be carried out by the developer and submitted with the planning application to assess the flood risk to and from the development site, and set out details of how any mitigation proposed will be implemented including a detailed surface water drainage strategy for the site. This must demonstrate how the site will be protected from flooding over the developments lifetime and how they will ensure that the development and measures to protect the site will not increase flood risk elsewhere.

Earlier there had been a meeting of the Coastal West Sussex Management Board, one of the key priorities for the Business Sector was to champion new homes across west sussex; in Adur there were few suitable sites.

C/031/15-16 Confirmation of Minutes

Resolved that the minutes of the meeting of the Council on 22 October 2015 be approved as a correct record and they be signed by the Chairman.

C/032/15-16 Announcements by the Chairman, Leader, Executive Members and / or Head of Paid Service

The Chairman highlighted some recent events he had attended and a new gavel from the Men in Sheds in Worthing. His Christmas Carol Service had raised £516.

The Council was advised that Mr Eric Arthur Sanders, a former Councillor, passed away on 30 October. When serving on the Council in the mid 70's Mr Sanders was the chairman of the finance committee. Locally Eric was also a Lancing Parish councillor, member of Lancing Rotary Club, owner of Lancing Press from 1954 to 1978, Postmaster in Brighton from 1981 to 1992 and served with Lancing Fire Brigade.

The Chairman invited Councillor Chipp to say a few words about an event 'New Year, New You'. Councillor Chipp gave encouragement to those at the meeting to attend the event on 13 January in the Queen Elizabeth II Room from 3.30pm where numerous help and support for a healthy start to the new year were being promoted.

The Leader announced some housekeeping matters, Councillor Carson Albury would be replaced on the Licensing Committee by Councillor Simmons, who would also be the Vice-Chairman.

Council agreed to the changes to the Committee membership.

The Executive Member for Health and Wellbeing addressed the Council on Child Sexual Exploitation, following from the photocall of the promotion of the pledge to stand up against Child Sexual Exploitation. He encouraged all members to support the pledge campaign along with the other important policy matters around Safeguarding recently considered by the Joint Strategic Committee.

The Chief Executive drew the Council's attention to the announcement of a grant of £50,000 for the Friends of Shoreham Fort from the Government's Coastal Revival fund; the Council's external funding officer had been key in working with the Friends of the Fort on the application.

C/033/15-16 Items Raised Under Urgency Provisions

There were no items under the urgency provisions.

C/034/15-16 Recommendations from the Executive and Committees to Council

(A) Licensing Committee

Councillor Beresford, a member of the committee, presented to Council the recommendation from the Committee of 9 November on the Gambling Act 2005 - Review Statement of Licensing Policy. A copy of the recommendation had been circulated to all Members as item 7A.

Councillor Beresford proposed the recommendation, Councillor Simmons seconded the proposal.

On a vote For 19 Against 0 Abstention 1

Resolved that the Council adopts the statement of licensing policy and principles: Gambling Act 2015.

(B) Joint Governance Committee

The Joint Chairman of the Committee presented and proposed the recommendations from the meeting of 24 November, a copy of item 7B i and ii are attached to the minutes.

(i) Members Allowances

Councillor Beresford seconded the proposal.

The Leader of the Opposition proposed that the Council reconsider the Options, particularly Option 2. On proposing Option 2 as an amendment, this was seconded by Councillor Bishop

On a vote to accept the amendment For 13 Against 3 Abstain 1

Resolved that the Council adopt Option 2:

- that Members allowances are indexed to the Officer's NJC National Pay Bargaining agreement plus and increase of 2% to the basic allowance for 2016/17;
- that the unit based multiplier model be revised to mirror that used to set the allowances of Worthing Borough Council. The suggested multiples to be used for calculating each Special Responsibility Allowance were outlined in Appendix 1 of the report;
- that there should be no limit to the number of special responsibilities paid to an individual Member should they be carrying out multiple special responsibilities;

Childcare Allowance / Carers Allowance / Travel and Subsistence Allowance

- that Childcare Allowance (contribution towards the costs of employing a carer for children) should be paid at £10.25 per hour, the panel investigated this cost and found that £10.25 was sufficient to cover the costs of childcare and should be maintained at this rate;
- that the rate for carers allowance should be differentiated from the child care allowance and set at up to £15 per hour;
- that travelling & subsistence should be paid at the appropriate rates set by the National Joint Council for Local Government Services, from time to time, and based on claims submitted by Members, but that the local agreement to pay out of Sussex mileage rates will not apply to Councillors.

(ii) Code of Corporate Governance

Seconded by Councillor Beresford.

On a vote to accept the amendment For 20 Against 0 Abstain 1

Resolved that the Council agreed the inclusion of the Code of Corporate Governance in the Council's constitution.

(C) Joint Strategic Committee

The Leader presented and proposed the recommendations from the meeting of the Committee on 3 December, on the Capital Investment Programme 2016-17 to 2018-19, a copy of item 7C is attached to the minutes.

Councillor Carol Albury seconded the proposal.

On a vote For 20 Against 0 Abstain 1

Resolved that the 3 Year Capital programme, as amended be approved.

C/035/15-16 Report of the Leader on decisions taken by the Executive

The Leader of the Council presented his report on decisions taken by the Executive since the last ordinary meeting of the Council; which were detailed in Item 8.

Executive Members made no statements on their decisions.

No questions were asked on the Report of the Leader.

C/036/15-16 Additional Council meetings for the Adur Local Plan

Council was informed that following the publication of the Proposed Submission Adur Local Plan 2014 amendments were proposed in relation to a strategic allocation within the document, made in response to some representations received. As a result, Proposed Changes to the Proposed Submission Adur Local Plan 2014 were required to be published for a further six-week period under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council would be required to consider this information and approve the amendments.

To comply with with the Legislation requirements additional meetings in March 2016 would be required: Planning Committee - Tuesday 8 March; Executive - Thursday 10 March followed by a full Council meeting.

The proposal for the additional Council meeting was proposed by Councillor Dunn, seconded by Councillor Beresford.

Resolved that

- i) Council note that additional Planning (8 March) and Executive (10 March) would be required in 2016,
- ii) Council agreed to an extra-ordinary meeting of the full Council on Monday 21 March at 7pm to consider and approve the amendments to the Adur Local Plan.

C/037/15-16 Members Questions under Council Procedure Rule 12

The Proper Officer had received one questions from a Member under CRP12, from Councillor Chipp.

Councillor Chipp asked the following question of the Executive Member for the Environment:

East Street in Shoreham had extensive renovations to provide a safe and attractive pedestrian zone, an open space for markets and events and ease of access to the cafes etc.

I have heard from 2 residents that there are frequent traffic violations with the road being used as a short cut - especially after dark, in fact one of the residents was very nearly knocked over! This is quite dangerous when members of the public are not expecting vehicle movements at night.

I have observed that the block paving is becoming quite dirty with tyre tread and oil spill and of course there is a likelihood that damage will occur to the surface. Businesses can use the road at certain time for deliveries and access but there is no public right of way for vehicles.

Would the Member consider asking the Street Scene Working Group to review the current apparent ease of access rather than the current signage on the A259 to ensure public safety and protect this feature of the town centre?

The Executive Member responded that it was important that the safety of pedestrians was maintained and he would be asking the enforcement officers to pay attention to the area. Access at certain times for loading for businesses was allowed. He would also ask the Street Scene Working Group with its multi agency working to consider the signage particularly from the south as access was prohibited and it was dangerous.

The Chairman declared the meeting closed at 8.14pm, it having commenced at 7pm

Chairman