



Established 1894

Angmering Parish Council

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MINUTES OF THE MEETING OF ANGMERING PARISH COUNCIL HELD IN THE KING SUITE OF THE ANGMERING VILLAGE HALL ON MONDAY 14 NOVEMBER 2016

Present: Councillors Paul Bicknell; Bill Evans; Susan Francis (Chairman); Lee Hamilton-Street; Nikki Hamilton-Street; Mike Hill-Smith; Mike Jones; David Marsh; Steven Mountain; John Oldfield; Roger Phelon; Peter Thompson.

In Attendance: Rob Martin, Parish Clerk; Paul Barley, Deputy Clerk; County Councillor Deborah Urquhart; District Councillor Andy Cooper; 3 members of the public; a representative from the Littlehampton Gazette.

Action

16/126 APOLOGIES FOR ABSENCE
Apologies for absence had been received from Councillor Norma Harris, and from District Councillor Dudley Wensley.

16/127 DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTERESTS IN ITEMS ON THE AGENDA
The Chairman declared a non-pecuniary interest in agenda item 17 (Community Grants) by virtue of her involvement with the Angmering Village Hall Board of Trustees.

16/128 APPROVAL OF THE MINUTES OF THE PARISH COUNCIL MEETING HELD ON 10 OCTOBER 2016
The minutes of the Parish Council Meeting held on 10 October 2016 were **AGREED** as a correct record and signed by the Chairman.

16/129 THE CLERK'S REPORT ON MATTERS OUTSTANDING FROM PREVIOUS MEETINGS, BUT NOT INCLUDED ON THIS AGENDA
The Clerk referred to the updated action list previously circulated to members of the Council.

The Clerk noted that, in addition to the matters outlined on the action list, he had had a meeting with representatives of the Angmering Medical Centre, concerning Section 106 monies from the Roundstone Lane developments which had been earmarked for healthcare provision. It had become apparent that neither the Medical Centre nor its overseeing NHS body had been made aware of the existence of the funds prior to that meetings; happily, they had now made contact with the relevant officers at Arun District Council.

16/130 CHAIRMAN'S REPORT
The Chairman referred to her report, circulated prior to the meeting, and reproduced below:

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"Well, winter has certainly arrived since the last Parish Council meeting and it is reportedly going to be a cold one. There are definitely a lot of berries on the holly bushes this year so at the very least we all need to ensure we are ready for a hard winter. I hope the leaflet delivered with the Parish Council Newsletter recently helps.

"I would like to take the opportunity to thank everyone that helped deliver the newsletters again this time, your help is invaluable.

"Twinning Association

I attended the Twinning Association Committee meeting on 25th October. As this was the first one after the visit from the French a review was undertaken of the success of the weekend, letters of thanks have been written to those that helped so much support the celebrations.

"The AGM will be held on 18th November.

"The Association will be having a stall at the Village Hall Christmas Market. The next meeting will be Tuesday 17th January.

"The Allotment Association

On the 4th November I attended the AGM of the Allotment Association. There is currently only a short waiting list for allotments so if anyone is interested I am sure they will be very welcome, especially if anyone can take an allotment that needs work.

"Littlehampton Child Contact Centre

On Tuesday 8th November I was invited to attend the AGM of the Littlehampton Child Contact Centre. It was most interesting, particularly to hear the talk from District Judge Helen Lusty on how the centres fit into the family court. This is an important centre for non-resident parents to meet their children in a safe and friendly environment. Attached should be a copy of their leaflet for anyone interested in using or recommending this centre, which is run by volunteers.

"Up and Coming

Angmering Cricket Club AGM Sunday 13th November."

The Chairman thanked Councillors Mountain and Oldfield for their efforts in relation to the Arundel Road planning application.

The Chairman also thanked those who had been able to attend the Remembrance Sunday commemorations held on 13 November. There was a need to think about how this would be organised next year (particularly in view of the disbanding of the Royal British Legion Women's Sections) and thought needed to be given to the commemorations of the centenary of the Armistice in 2018.

The Chairman noted that she had, as indicated, attended the Cricket Club AGM on 13 November. The club was carrying on as it currently stood, until such time as the future of the Palmer Road facilities became clearer.

The Chairman adjourned the meeting for public consultation.

16/131

PUBLIC CONSULTATION

The members of the public present had no questions.

The meeting reconvened.

16/132

REPORT FROM THE WEST SUSSEX COUNTY COUNCILLOR

County Councillor Urquhart referred to recent news coverage regarding the Meals On Wheels service, which had been incorrectly described as having ceased in West Sussex; this was untrue and a correction and apology had been broadcast earlier in the day.

County Councillor Urquhart advised that WSCC's budget preparation for next year was in progress; the impact of the Chancellor's Autumn Statement on 23 November was awaited. WSCC already had a shortfall to contend with due to reduction in central Government grant funding.

County Councillor Urquhart noted that there was still some Operation Watershed money available. Bids needed to be submitted as soon as possible – the scheme was due to finish on 31 March 2017 and it was unlikely that there would be any further rounds of funding after that.

County Councillor Urquhart confirmed that the West Sussex Life 2017-2019 report was now available on the website – a wide variety of data on what is going on in the County was on there. Angmering had the highest proportion of young professional families.

The Chairman asked, with regard to Operation Watershed and flood prevention measures generally, whether there had been any progress in discussions between WSCC and the Environment Agency on the matter of the possible holding pond at the top of Water Lane.

County Councillor Urquhart noted that this project was being led by the Environment Agency, so WSCC would not necessarily be kept in the loop. Nothing had been seen since the previous report.

The Clerk noted that there were 8 projects for the area, and this was on the list. Information on land ownership, such as the Parish held, had been passed on.

Councillor Jones noted in regard to the advertised closure of Bramley Way that the works had been supposed to have commenced already, but the road was still open at the time of the meeting. It was not acceptable for 3-month closures to be put in place if works were not able to be commenced immediately.

Councillor Mountain noted that there were two pieces of work being undertaken at that location – sewer connections for the Cresswell Park development, and remodelling of the roundabout.

County Councillor Urquhart noted that all this was down to the developers – they were required to book the road out for a period. This would be a matter best raised with them at the next meeting of the Angmering Advisory Group on 23 November 2016.

16/133

REPORTS FROM THE ARUN DISTRICT COUNCILLORS

District Councillor Wensley had presented his apologies for the meeting. District Councillor Cooper advised that the main thing to report was the Arun 2020 Vision, and the cost savings programme being carried out as part of that. There had been a management restructure and a number of redundancies had resulted. In addition, Deputy Chief Executive Nigel Croad was due to retire in January and would not be replaced.

Councillor Mountain noted that the Parish needed a little more meat on the bones of the merger of ADC and Chichester DC services. It was apparent that people in Chichester District seemed to know a great deal more about this than people locally. What was the likely impact for

Angmering?

District Councillor Cooper noted that discussions about shared services were continuing. There was no further detail available at present and nor would there be until the negotiations were complete.

Councillor Mountain asked whether Councillors were involved with the process.

District Councillor Cooper confirmed that ADC's Cabinet were aware and information would filter down from them to the District Councillors. The negotiations had been led by officers, but the District Council would have to resolve to approve the finished product.

County Councillor Urquhart noted that, in fairness, the operational side of things was the responsibility of officers.

The Clerk noted that ADC officers would have been tasked with finding the savings.

District Councillor Cooper confirmed that cost savings had to come – the cuts imposed by central Government were now finding their way down to District level.

Councillor Thompson asked when the Parish Council might expect to hear something more substantive.

District Councillor Cooper regretted that he was unable to say at present, but as soon as he was aware, he would inform the Parish Council.

Councillor Bicknell noted that as far as he was aware, Land Services had moved (or were due to move) across to Chichester, but ADC would probably take on the IT side of things.

The Chairman noted that, due to the public interest in agenda item 14, this would be dealt with as the next item.

16/134

PLANNING ISSUES & ARUNDEL ROAD DEVELOPMENT

The Chairman referred to Councillor Mountain's report on proceedings at the ADC Development Control Committee meeting on 2 November 2016, noting the regrettable decision by ADC to approve application A/131/16/OUT, and the clear adverse implications for Angmering's Neighbourhood Plan.

The Clerk noted that this decision also had implications for the proposed Sports Hub at Palmer Road; the land earmarked for playing pitches might now be put forward for housing as a result of this decision. It was difficult to avoid the conclusion that ADC had shot themselves in the foot.

The Deputy Clerk confirmed that he had asked for a copy of Counsel's opinion as supplied to the Development Control Committee. Two different answers had been received: the first, from Karl Roberts, ADC Director of Planning, was that a 'public' version of the opinion was in preparation; the second, from Delwyn Jones, ADC Planning Solicitor, was that the opinion was not disclosable even if referred to in passing at the Committee's meeting.

The Deputy Clerk noted that if a 'public' version of the opinion was indeed in preparation, there was obviously now way of knowing how and to what extent it might differ from the version seen by the Development Control Committee. With regard to the Planning Solicitor's comments regarding

disclosure of the opinion, as the planning officers had read out passages from the opinion verbatim and at some length, this went some way beyond reference in passing and might well be construed as waiver of any legal privilege enjoyed by ADC.

The Deputy Clerk noted that it was not possible for the Parish Council to refer the matter to the Local Government Ombudsman, as it was not permitted to do so in law, but the Parish Council could assist other affected members of the community in bringing their own complaint. The Parish Council had the option of seeking judicial review of the ADC decision, but that would have a significant cost implication.

It was noted that the Parish Council needed to consider what it wanted as an end result of any process upon which it embarked; the consistent point was the need to have the Angmering Neighbourhood Plan upheld.

It was also noted that Donna Moles at ADC had earlier in the day sent round an e-mail congratulating Aldingbourne Parish on its Neighbourhood Plan having passed referendum, and noting that the Neighbourhood Plan, once 'made' by ADC, would form part of the Development Plan. This was at some variance with the position adopted by ADC with regard to earlier Neighbourhood Plans in circumstances where ADC and developers found them inconvenient.

Councillor Mountain noted that pressure needed to be brought to bear by our three ward District Councillors here.

Councillor Mountain noted the following points in relation to the conduct of the Development Control Committee meeting:

- No District Councillors were given sight of Counsel's opinion at the Development Control Committee meeting; indeed, 6 of the 14 Committee members present had voiced complaints about not having had sight of it.
- The Head of Development Control had brandished one page out of some five and a half pages of legal opinion. He had read paragraphs 8 and 9 of the opinion to the Committee verbatim. Prior to that, the planning officer responsible for dealing with the application had baldly stated that the opinion had been received and agreed with what he was recommending to the Committee.
- This put the view of Karl Roberts and the Chairman of the Committee and drove the Committee's members into refusing to defer the application. There was no doubt whatsoever that anyone asking a lawyer a specific question in a specific way would get the answer they wanted, and ADC had clearly done exactly that; they had specifically and deliberately targeted 2 policies in the Angmering Neighbourhood Plan.
- Paragraphs 8 and 9 of Counsel's opinion, as read out, said that the words of the Yapton Neighbourhood Plan and the Angmering Neighbourhood Plan were different, and that the Yapton decision was wrong; there was, in Counsel's estimation, a 50:50 chance that the decision of the Secretary of State with regard to the Yapton matter would be overturned on appeal.
- The Yapton Neighbourhood Plan had included a sentence saying that if the Arun Local Plan needed more houses, then the Yapton Neighbourhood Plan would be adjusted accordingly. The Angmering Neighbourhood Plan did not use those words; it did not need to, as

provision for future requirements was made elsewhere in the Plan itself.

- Donna Moles and ADC had told the Steering Group and the Parish Council categorically that all the Parishes and Towns in Arun, where Neighbourhood Plans were being put together, needed to keep in mind that once the Arun Local Plan was made, if there was something in a made Neighbourhood Plan that did not match, the parish or town concerned would have to revise its Neighbourhood Plan accordingly.
- As every Town and Parish Council was told this, by definition it could not be ignored; everyone concerned with the preparation of the Angmering Neighbourhood Plan knew that it had to happen. Angmering's Neighbourhood Plan was always going to have to change in the future. ADC's Counsel would not have been told this.
- The officer's report for the Committee, by focusing incorrectly on Neighbourhood Plan Policies HD1 and HD2, ignored the detail of the Plan appendices which identified sites totalling 17 hectares, and the extension to the built-up area boundary. The advice sought from Counsel was based solely on driving the application through.
- The meeting had in attendance the ADC Cabinet Member for planning, and the Chairman of Development Control; despite this, the meeting was mis-managed to an extent that was nothing short of appalling. The clear message to the members of the Committee was that they were expected to do as instructed by the Planning Department or face the consequences.
- The Cabinet member was half-hearted in all this, but four separate Councillors repeated that if the Committee did not vote the application through on the day, the applicant would appeal on the grounds of failure to determine the application, which would have significant cost implications for ADC, and would result in constraints being imposed with regard to conditions.
- It needed to be emphasised that this was an application for outline permission for 9 homes. For the sake of a four-week extension to the determination period it was inconceivable that the applicant would expend time and money on an appeal; even if the applicant had taken this step, the application would still have to come back on reserved matters. It was, however, apparent that the four Councillors who had been set up to drive this application through would say whatever was needed to make that happen.
- The Chair of the Committee had been seated on a raised platform and was reading what appeared to be a prepared script from papers on her desk; it was difficult to avoid the conclusion that this was predetermination of the application, which was certainly malpractice if not actually unlawful.

Councillor Mountain noted that that this placed Angmering's three District Councillors in a difficult position. A meeting needed to be arranged in very early course with our three District Councillors, the Clerk, the Director of Planning and the Arun Chief Executive in order to try and remedy this situation before seeking legal advice with a view to possible action. Pressure needed to come from our District Councillors.

Councillor Mountain noted that the Development Control Committee had decided, on the basis of a possibly 50:50 opinion, that the Angmering

Neighbourhood Plan was now out of date and not effective at all with regard to the built-up area boundary. That was fundamentally unacceptable.

It was notable from Hansard records of Parliamentary debates from 10 October 2016 that the Secretary of State for Communities and Local Government, Sajid Javid, had explicitly stated that local planning authorities did not have the right to overrule made Neighbourhood Plans. *[Hansard 10 October 2016, Volume 615, Column 80].*

Councillor Mountain noted that the governance of the Committee's meeting needed to be referred to ADC's own Governance Committee for further action.

Councillor Oldfield noted that he had attended the meeting as well. He had considerable experience of local government matters and the way in which the meeting had been run was quite incredible.

The Clerk noted that the only thing the Committee needed to do was to look at the material documents. The only one relevant to the application was the Angmering Neighbourhood Plan.

Councillor Bicknell expressed concern that this would have an impact on the plans for the Palmer Road sports hub, on which the Parish had been working in conjunction with ADC.

Councillor Mountain noted that the sports hub proposal would have served to protect the land. Housebuilder Redrow had previously been working on housing proposals next to it.

Following further discussion it was noted that it was imperative for action to be taken to protect and uphold Angmering's made Neighbourhood Plan, and that expert legal advice should be sought as a matter of priority.

On a proposal by Councillor Thompson, seconded by Councillor Lee Hamilton-Street: That the Parish Council take all necessary steps to ensure that the Neighbourhood Plan is upheld – unanimously **AGREED**.

The Deputy Clerk noted that formal legal proceedings would involve significant expenditure; it was to be hoped that this could be avoided.

Thanks were expressed to the three ward District Councillors for their assistance prior to the Development Control Committee meeting.

Councillor Evans noted that it would be appropriate to make an official complaint about the governance of the Committee's meeting.

The Clerk noted that there was a period of 6 weeks from the receipt of the decision notice to take action in respect of the decision..

District Councillor Cooper noted that he was happy to attend any meetings the Parish Council sought to arrange with ADC officers, although it would be for the Parish Council to take the lead in arranging them.

Councillor Marsh noted to general agreement that the two issues of the planning decision itself, and the governance of the meeting at which the decision had been made, needed to be dealt with separately.

The Clerk noted that this was the thin end of the wedge with regard to Neighbourhood Plans. Angmering had been one of the earliest to have a Plan made and its Plan was one of the best supported with 97% in favour

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at referendum.

Councillor Bicknell noted that ADC was very proud to have been at the forefront of Neighbourhood Planning. The Development Control Committee's decision had thrown everything into jeopardy, however.

Ms Jerram expressed thanks on behalf of the Neighbourhood Plan Steering Group for the Parish Council's actions in supporting the Plan.

16/135

COMMITTEES FOR COUNCILLOR DAVID MARSH

Councillor Marsh noted that he had now had an opportunity to attend meetings of all three of the Parish Council's standing Committees. He wished to join the Housing, Transport & Planning Committee and the Community, Leisure, Environment & Wellbeing Committee.

Councillors Oldfield and Phelon, as Chairmen of the respective Committees, confirmed that they were in agreement with this.

16/136

GOVERNANCE & OVERSIGHT COMMITTEE TERMS OF REFERENCE

Councillor Lee Hamilton-Street, as Chairman of the Committee, noted that the Committee's role was to monitor the Parish Council's activities. It was not intended to exercise a management function, that responsibility resting with the Clerk as Proper Officer of the Parish Council.

It was noted that the draft Terms of Reference originally circulated had been slightly amended to enable the Committee to call its own meetings in addition to their frequency being prescribed by the Parish Council. Governance & Oversight Committee minute number 16/030 referred.

On a proposal by Councillor Lee Hamilton-Street, seconded by Councillor Thompson: That the revised Governance & Oversight Terms of Reference be adopted – unanimously **AGREED**.

The Chairman noted that, as the Chairman of the Community Centre Association's Management Committee was in attendance at the meeting, items 15 and 16 (relating to the Community Centre) would be dealt with as the next two items.

16/137

COMMUNITY CENTRE FLOOR

The Chairman referred to a request received from the Community Centre Management Committee for a contribution to replacement flooring in the toilets and kitchen, as laid out in the request made.

The total cost of the replacement flooring would amount to £4,050, and a contribution of 50%, or £2,025, was requested from the Parish Council. Under the terms of the lease granted to the Community Centre Association, flooring was in fact the responsibility of the Parish Council as landlord; this was a case where the Management Committee was looking to work with the Parish Council on the matter improvement works.

On a proposal by Councillor Mountain, seconded by Councillor Bicknell: That the Parish Council make a contribution to the cost of the works in the requested sum of £2,025 – unanimously **AGREED**.

Office

16/138

COMMUNITY CENTRE CAR PARK LANDSCAPING

The Chairman referred to the recommendation submitted by the Communities, Leisure, Environment & Wellbeing Committee to undertake landscaping work at a cost of £2,215 on the western perimeter of the Community Centre car park. Councillors were reminded that these works were required in order to discharge conditions attached to the planning permission for the car park extension.

2018

Following brief discussion it was noted that the position concerning a guarantee for the works needed to be verified before the works were commenced.

On a proposal by Councillor Phelon, seconded by Councillor Evans: That the works be carried out as per the recommendation before the Parish Council – unanimously **AGREED**.

Office

16/139

DISPENSATION FOR CONSIDERATION OF BUDGET

The Chairman noted that dispensation applications had been received from, and dispensation would therefore be granted to, all Councillors, to allow them to take part in the discussions and decisions in relation to the setting of the budget and precept for the period of this council, as per the attached paper.

16/140

RESERVE POLICY

The Chairman noted that the Parish Council was being asked to consider the effects of the report on reserves, prepared by Councillor Thompson with assistance from the Parish Office, and the considerations of the Governance & Oversight Committee, as reported by its Chairman, and to resolve whether or not to adopt the principles being suggested. Thanks were due to Councillor Thompson for his work on this matter.

The Clerk noted that the report was a significant piece of work. Councillor Thompson and the staff had worked at length on this. One of the tangible benefits from the work was that the Parish Council now had an up-to-date asset register.

Councillor Thompson noted that the report was a financial plan. It was to be noted that Fletcher's Field and Palmer Road Recreation ground were not the Parish Council's responsibility in terms of maintenance.

The Clerk noted that the provision for increased staff superannuation contributions had proved to be unnecessary; the pension scheme actuaries had confirmed that no increase in contribution levels was required for the time being.

The Parish Council needed to keep in mind that central Government was looking at the possibility of extending the referendum principles (under which any precept increase exceeding 2% needed to be voted on by the electorate in the area in question). At present, authorities with a Band D equivalent annual charge in excess of £77 per annum and an annual precept totalling in excess of £500,000 fell into this category; Angmering Parish already fell within the first criterion. Extension of these principles would have an impact on what the Parish Council would be able to fund in the future.

Matters proceeded to a vote, as follows:

- 1) On a proposal by Councillor Lee Hamilton-Street, seconded by Councillor Thompson: That the principles set out in Councillor Thompson's report be agreed and adopted – unanimously **AGREED**.
- 2) On a proposal by Councillor Lee Hamilton-Street, seconded by Councillor Oldfield: That the recommendation in the report to delegate spending powers for the repairs and renewals reserve to the Communities, Leisure, Environment & Wellbeing Committee be accepted – unanimously **AGREED**.

16/141

2017/2018 BUDGET & PRECEPT

The Chairman noted that the Parish Council was being asked to consider the attached reports and analysis, and decide on the budget and precept

for 2017/2018. Events had rather overtaken this process, however, as the decisions to be made about the budget would hinge upon what the Parish Council decided to do about the situation with ADC Development Control. An idea of cost was needed for that first.

Councillor Nikki Hamilton-Street noted that there was a need to consider other funding streams available for play area refurbishment.

In view of the foregoing it was unanimously **AGREED** that consideration of the 2017/2018 budget and precept be deferred until the Parish Council's December meeting.

16/142

COMMUNITY GRANT APPLICATIONS

The Chairman noted that a grant application had been received from the Angmering Village Hall Management Committee for a grant to provide radiator covers amounting to £750. These were required as a safety feature to prevent burns – the Angmering Village preschool was anticipated to be the principal beneficiary of these works.

Councillor Mountain noted that there was no reserve for Village Hall repairs in the Parish Council's funds – this needed to be made clear.

The Chairman noted that the reserves held by the Village Hall trustees had been depleted due to the work required to remove the two pine trees. The Village Hall's insurance had not covered any of it.

On a proposal by Councillor Mountain, seconded by Councillor Oldfield: That the grant be approved in the sum of £750 – **AGREED** by 12 votes in favour, with the abstention of the Chairman.

The 2016/2017 budget for Community Grants was £3,000 and grants allocated to date amounted to £2,029, leaving a balance available of £971 for the remainder of the year.

16/143

QUESTIONS ON THE ALREADY CIRCULATED NOTES OF MEETINGS OF PARISH COUNCIL WORKING PARTIES AND REPRESENTATIVES ON OTHER ORGANISATIONS

- a) The ASRA Joint; Library; and St Nicholas' Working Parties, and
- b) JDAC; JEAAC; ADALC; ASRA; JEAAC H&T; Twinning Association; Angmering Village Hall Committees & Littlehampton Health Services Advisory Group

There were no questions.

16/144

QUESTIONS FROM COMMITTEES HELD SINCE THE LAST MEETING

An opportunity to ask questions resulting from the already circulated minutes of the meetings of the following Committees:-

- a) The Housing, Transport & Planning Committee meetings held on 11th October and 1st November 2016.
- b) The Community, Leisure, Environment and Well-Being Committee held on 26th October 2016.

There were no questions.

16/145

2016/2017 FINANCIAL REPORT

There were no questions.

16/146

TO CONSIDER ANY URGENT MATTERS, FOR INFORMATION ONLY, ARISING SINCE THE PREPARATION OF THIS AGENDA

None.

16/147

DATE OF NEXT MEETING

The next scheduled Meeting of the Parish Council was on Monday 12 December 2016, at 7.30pm in the Village Hall.

The meeting finished at 21:25.


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Chairman

Date. *12th December 2016.*
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