



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 AUGUST 2017

*Susan Francis W*  
**Present:** Councillors Paul Bicknell; Bill Evans; Lee Hamilton-Street; Nikki Hamilton-Street; Norma Harris; Mike Hill-Smith; Mike Jones; John Oldfield (Vice-Chairman); Roger Phelon.

**In Attendance:** Rob Martin, Parish Clerk; Paul Barley, Deputy Clerk; 7 members of the public.

**Action**

**17/059 APOLOGIES FOR ABSENCE**  
Apologies for absence had been received from Councillors David Marsh and Steven Mountain, and also from District Councillor Dudley Wensley.

**17/060 DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTERESTS IN AGENDA ITEMS**  
None.

**17/061 APPROVAL OF THE MINUTES OF THE PARISH COUNCIL MEETING HELD ON 10 JULY 2017**  
The minutes of the Parish Council Meeting held on 10 July 2017 were **AGREED** as a correct record and signed by the Chairman.

**17/062 RESIGNATION AS A COUNCILLOR OF PETER THOMPSON**  
The Chairman noted that, unfortunately, Peter Thompson had tendered his resignation as a Parish Councillor. The Clerk noted that the process for filling the vacancy had been commenced.

It was noted that Mr Thompson had contributed a great deal to the work of the Parish Council in his two years as a Councillor, and that he would be missed. Sincere thanks were expressed to him for his contribution.

**17/063 THE CLERK'S REPORT ON MATTERS OUTSTANDING FROM PREVIOUS MEETINGS, BUT NOT INCLUDED ON THIS AGENDA**  
***New bank accounts:*** The Clerk reported that two new deposit accounts had been set up in line with the resolution taken at the meeting held on 12 June 2017 (Minute no. 17/037). The deposits made were as follows:-

United Trust Bank: £80,000 on 100 day notice @ 1.05% pa  
Hampshire Trust Bank: £70,000 on 90 day notice @ 1.00% pa

The Clerk noted that signatories needed to be appointed for these accounts and the following individuals had agreed to act in this capacity:-

The Clerk (for administrative purposes)

Councillor Steven Mountain

Councillor Susan Francis

Councillor John Oldfield

*W*

The Clerk requested that a vote be taken to approve the appointment of the above individuals as signatories.

On a proposal by Councillor Lee Hamilton-Street, seconded by Councillor Phelon: That the Clerk; Councillor Steven Mountain; Councillor Susan Francis; and Councillor John Oldfield be appointed signatories on the deposit accounts opened with United Trust Bank and Hampshire Trust Bank – unanimously **AGREED**.

The Chairman invited questions for the Clerk.

Councillor Phelon asked when the new houses currently under construction in Roundstone Lane came into consideration for precepting purposes. The Clerk noted that this was based on completion, rather than occupation, and that the tax base figures were generally updated by ADC in November of each year.

Councillor Bicknell noted that this had been the reason for the reduction in the Parish precept a few years previously; the precept figure had been kept the same, but the tax base across which this had to be divided had increased over the previous financial year.

**17/064**

### **CHAIRMAN'S REPORT**

The Chairman referred to her report, circulated before the meeting, and reproduced below:

"As many of you will know we lost a wonderful friend and very active member of the parish since the last Parish Council meeting. Jane Rowley, wife of Fred Rowley who predeceased Jane by three years, died on 20 July from a massive heart failure. She will be very sadly missed and she will leave a hole in the parish for some time to come. Her funeral on 3 August was very well attended as I am sure she would have been pleased to see so many friends and family. On behalf of the Parish Council I have passed on our condolences to the family.

"It is with regret that I have to advise that Peter Thompson has resigned as a member of this Council. He has contributed a great deal over the last two years and he will be missed. I would like to take this opportunity to formally thank him for his hard work. There is now a vacancy for another councillor should anyone be interested in stepping forward, please contact the Parish Council office.

"Apart from the very strange weather little has happened that is not being addressed in other parts of this agenda."

The Chairman also noted that Councillors needed to consider carefully the proposal contained in item 14 (Community Grants), within the context of local matters for which grants had been approved over the past 12 months.

The Chairman noted that it was appropriate to remind Councillors that the Parish Council had been pleased to approve grants for the following bodies in that time:

#### *September 2016:*

Arun Co-ordinated Community Transport - £500

War Memorial flowers (organised by Mrs Booker) - £300

#### *October 2016:*

Peggy's Walk (support initially agreed in August 2016) - £700

#### *November 2016:*

Angmering Village Hall - £750

*January 2017:*

Victim Support (Sussex Area) - £100

Home Start - £790

*April 2017:*

St Barnabas House - £250

*May 2017:*

Kent, Surrey & Sussex Air Ambulance - £375

June 2017:

1<sup>st</sup> Angmering Girl Guides - £300.

*The Chairman adjourned the meeting for public consultation.*

**17/065**

### **PUBLIC CONSULTATION**

A member of the public wished to draw the Parish Council's attention to the fact that the Littlehampton Gazette intended to publish an article concerning local reaction to the Rydon Homes scheme for 175 homes south of Water Lane, as part of which they wished to photograph concerned local residents. This was due to take place on 15 August 2017, at midday, in The Square.

A member of the public asked what consideration had been given to local residents by the Parish Council when it was working on its bid for the Chandlers site, in particular with regard to an expanded Co-op store on the site and the concept of a new Parish Office with associated facilities and public toilets. The member of the public expressed strong dissatisfaction with the scheme, which he considered would have an adverse impact on his own property, and at the lack of public consultation thus far.

The Clerk noted that the purpose of the bid, which had been submitted by Landspeed Ltd with the support of the Parish Council, was to provide the expressed potential infrastructure aspirations within the Neighbourhood Plan; the bid itself had, unfortunately, not been successful.

The Clerk explained the background to the bid, which was as follows:

- The site had been vacated by Chandlers in October 2016; it had been put on sale in early 2017, with official marketing commencing in February 2017.
- Before that, rumours had been circulating that the Co-op intended to relocate.
- The Clerk had contacted Southern Co-operative, who confirmed that they were interested in the possibilities offered by the former Chandlers site, as they were overtrading in their current premises, which were unsuitable for deliveries, and the lease on which was due to expire in 18 months or so in any case.
- Landspeed had shown an interest both in the site, and in working with the Parish Council in provision of affordable housing via the Angmering Community Land Trust, a new Co-op, public toilets and car parking.
- Another developer had also shown interest in carrying forward a similar idea.
- Both Landspeed and the other developer had had initial discussions with Southern Co-operative, who had expressed interest in a potential lease of new premises, but not an outright purchase.
- The other developer had subsequently withdrawn its interest in the site as it needed a firmer commitment from Southern Co-operative, which was not forthcoming.

- A deadline for bids was set for 13 April 2017 – Landspeed submitted a bid of just under £2.5 million, which was conditional upon planning permission being obtained.
- A meeting took place between Landspeed, the Parish Council and the vendor's agents on 3 May 2017 to discuss bids, following on from which further work was done to elaborate the proposals in the bid. This work was hampered by a lack of survey information.
- On 3 July 2017 the vendor's agents notified Landspeed that its bid had been excluded from final shortlist of bidders because the other two bids had been unconditional – this was surprising since we had arranged a further meeting for 11 July 2017.
- On 21 July 2017 Landspeed and the Parish Council met with the finance director of Group 1, Chandlers' parent company. It was indicated that Group 1 had chosen one of the other offers (which were now 3 in number) on the basis that it was unconditional. Group 1 had promised a response to the Landspeed bid, which had not yet materialised.

The Clerk noted that, as far as the need for public consultation was concerned, it had been intended to undertake an extensive consultation process. The starting point of this would be the scheme as outlined in the bid, and the consultation would have had to take place within a period of time, to be agreed with the vendor, in which planning permission would also have to be sought.

The Clerk emphasised that, from a commercial point of view, it was necessary to secure the land first, which in turn required the elaboration of a scheme at least in outline. Otherwise there would be nothing substantive on which to consult.

The Clerk noted that the Parish Council had not entered into any binding commitment as a result of the Landspeed bid, as Landspeed were looking to purchase the land and then sell on to the community those aspects of the scheme which the community decided it wanted, once consultation had been undertaken. Failure to reach agreement within the community would have resulted in all of the land being developed for housing.

The Clerk noted that there might yet be an opportunity to get something for the community here, once the identity of the successful bidder was known, along with the precise proposal. On present information it was apparent that it would either be a classic car showroom or accommodation for seniors.

The Clerk noted that the vendors were less favourably disposed towards the Landspeed bid because it was necessarily conditional – there was an unknown, but possibly significant, amount of hydrocarbon contamination under the site as an inevitable result of its having been a commercial garage for over 40 years. Any such contamination would need to be dealt with at significant cost – a figure of up to £200,000 had been suggested – before anything else could be done with the site. A potential exposure to clean-up costs of that order of magnitude was clearly undesirable.

The Clerk noted that, as a result, at present there was no live scheme for the Chandlers site which involved the Parish Council. On present information it was understood that none of the other offers involved the relocation of the Co-op. What that might mean for the future of the Co-op's presence in the village when its lease expired was at present unclear.

The Clerk noted that, on present information, the other bids were for senior accommodation in the first two cases, and the third was for a classic car showroom. Whilst that might well end up being the successful bid, no

further information was available at the moment. Obviously none of the bids could be said to be certain until contracts had been exchanged.

A member of the public asked what the Parish Council would do if this opportunity for affordable homes was lost.

The Clerk noted that it would be difficult to achieve any affordable homes if senior accommodation was put in on the site, as there was no requirement to provide affordable homes as part of that type of development.

A member of the public asked if there was a date for removal of the build-outs in Water Lane and Station Road. The Chairman noted that the works, having been approved by the Joint Eastern Arun Area Committee, were due to commence in October 2017.

The member of the public asked what the position was with regard to pollution as a result of traffic slowing down for the raised tables then and speeding up again. It was noted that the effects of this were anticipated to be a reduction in pollution, as compared with the existing build-outs.

The member of the public asked whether the Pearl Dental surgery in The Square would reopen at some point. Councillor Bicknell noted that the dentist who owned the practice intended to reopen and offer NHS dental services, once the financial aspects of doing so had been resolved. There was unfortunately no timescale for this.

A member of the public asked what the position was regarding the non-material amendment to the Broadlees planning application and the Parish Council's challenge to that. It was confirmed that this would be dealt with at item 10 (minute 17/068).

A member of the public asked whether the filling station tanks were still present under the former Chandlers forecourt. It was noted that the tanks remained in situ but had been filled with concrete at the time the petrol forecourt operation had been closed down.

A member of the public asked whether any consideration had been given to imposing a blanket 2-hour restriction on the parking spaces in The Square, in order to dissuade long-term parking by residents in favour of parking for shoppers and visitors. It was noted that this could be explored with Arun District Council, as the authority responsible for on-street parking in the locality.

*The meeting reconvened.*

**17/066**

**REPORT FROM THE WEST SUSSEX COUNTY COUNCILLOR**

County Councillor Urquhart noted that she had little to add to what had already been mentioned with regard to the traffic management scheme works. Other highways matters of note were the consultation by Highways England with regard to potential improvements to the A27 through Worthing, and the consultation on the Arundel Bypass route, which was due to commence later in August.

County Councillor Urquhart noted that, in addition to her existing duties at the County Council, she had also taken on responsibility for environment. Currently, the opening hours for the tip sites across the County were being looked at and a task & finish group had been set up to deal with this. It was notable that – despite the consultation responses, which indicated that later opening hours were wanted – earlier hours were in fact more popular, as had been evidenced by members of the public queuing for up to two hours before the opening times.

County Councillor Urquhart noted that the Police and Crime Commissioner for Sussex had (at least for the time being) abandoned the idea of merging the West Sussex Fire & Rescue Service into Sussex Police; the costs of implementing the merger were prohibitive. This was welcome news, as West Sussex County Council had been opposed to the idea from the outset.

Councillor Bicknell noted that after the last JEAAC meeting, he had picked up a few copy agendas which had details of the traffic management scheme on them, which he had taken to Angmering Library and the Lamb public house. He had also secured a copy of the overall plan for the scheme, but had been told by the library staff that it could not be displayed as there was insufficient space for it, which was disappointing.

Councillor Phelon asked whether there was a project plan for the works to be carried out. County Councillor Urquhart noted that this should be forthcoming from the consultants in early course. It was noted that, to allay concerns of local traders about possible effects on their businesses, the Parish Office would liaise with the Highways Department in early course. It was noted that something similar to the signs used for the Arundel High Street scheme, advising that local businesses were open, might be desirable.

Councillor Bicknell asked whether there had been any changes to the process for obtaining a traffic regulation order. County Councillor Urquhart noted that this was unchanged.

There was brief discussion concerning parking at the Hammerpot end of Arundel Road, which was causing a hazard to pedestrians and vehicular traffic alike. County Councillor Urquhart noted that a formal request needed to be raised for measures to be considered.

#### **17/067**

#### **REPORTS FROM THE ARUN DISTRICT COUNCILLORS**

There were no District Councillors present at the meeting.

A member of the public asked whether it was possible to have a report circulated prior to the meeting, given the apparently limited availability of the ward District Councillors. The Chairman noted that this would be explored with them.

#### **17/068**

#### **JUDICIAL REVIEWS**

The Chairman noted that there were two matters to be brought to the attention of the Parish Council, and invited the Deputy Clerk to explain further.

##### **a) Arundel Road**

The Deputy Clerk referred to the advice note prepared by the Parish Council's barrister, Jonathan Clay, on how to deal with planning applications following the rejection of the Parish Council's application for judicial review of the Arundel Road planning decision, and the reasoning given by the judge in refusing the application. This note needed to be read in detail by all Councillors, not just those on the Housing, Transport and Planning Committee.

The Deputy Clerk explained that, on the basis of the judge's remarks, it was not enough for the Parish Council to object to a given planning application purely on the grounds of non-compliance with Neighbourhood Plan policies; there needed to be demonstrable harm likely to result from the application. The inference to be drawn from this was that Neighbourhood Plan policies would have minimal weight in all circumstances, despite being substantially the whole of the Development Plan for the locality in the continuing absence of a made Local Plan for Arun; this was clearly an unwelcome discovery.

The Deputy Clerk noted that the judge had taken a notably sanguine view of the ability of the Arun Development Control Committee to deal with errors and omissions in officers' reports in support of recommendations to grant planning permission. The most neutral way of putting it was that the view taken by the judge was not in accordance with the Parish Council's experiences when appearing before the Development Control Committee.

### **b) Broadleaves non-material amendment ('NMA')**

In response to a question, the Deputy Clerk confirmed that this was the site on the corner of Water Lane and Dappers Lane, on which planning permission had been granted in outline for 53 extra care retirement apartments.

The Deputy Clerk noted that, for those unfamiliar with NMAs, they were a planning process by which minor alterations required on schemes for which planning permission had already been granted could be dealt with, without the need to submit a fresh planning application, the idea being to streamline the planning process.

The Deputy Clerk noted that NMA applications were dealt with by planning officers using delegated powers; they were not advertised; and the Parish Council did not receive prior notification of them as they fell outwith the usual statutory consultation regime.

The Deputy Clerk explained that the amendments sought by NMA in the present case had been described officially as "application for a non-material amendment following a grant of A/27/17/PL for amended internal arrangement of bedrooms". What this had in fact entailed was a significant alteration to the entire scheme – it would change from 53 apartments to 29 apartments with a 70-bed care home, transforming it into a scheme very similar to the one for which permission had been refused by ADC in 2014 (application reference A/134/13).

The Deputy Clerk explained that legal advice had been obtained to the effect that the amendments sought were material and therefore a new, full, planning application ought to have been made, which would then be subject to the usual consultation regime.

The Deputy Clerk noted that a formal letter under the relevant pre-action protocol had been sent to ADC requesting an urgent response, but unfortunately ADC had not been able to respond substantively due to the relevant officers being absent on leave. Due to the very tight time limits for making application for judicial review (6 weeks from the decision date in the case of planning applications), the Parish Council had been obliged to issue an application in the High Court to protect its position.

The Deputy Clerk confirmed that ADC had, via their solicitors, conceded that this matter had not been handled correctly. Terms had now been agreed for a consent order which would quash the NMA decision and remit the matter for re-determination, and which would also provide for the legal costs incurred by the PC in challenging this decision to be paid in full.

It was anticipated that the applicant developer would now be asked to submit a fresh planning application for the amended scheme, but this had not yet been confirmed formally and no timescale was currently known.

A member of the public noted that the site was currently being marketed for sale for some £4.9m on the basis of the outline planning consent already obtained.

17/069

### **FUTURE DEVELOPMENT PROPOSALS**

The Clerk reported on the following matters:

- a) **South of Water Lane application (A/99/17/OUT)** – the South Downs National Park Authority had submitted a detailed objection to the application, on the grounds of the visual impact of the scheme on the National Park.
- b) **The ADC Local Plan consultation and Inspection process** – work was continuing on the review of documents submitted on the ADC website in relation to this. It was noted that it might be desirable for the Parish Council to arrange legal representation at the examination hearing, and on a proposal by Councillor Nikki Hamilton-Street, seconded by Councillor Jones, it was unanimously **AGREED** that this should be investigated with a view to instructing solicitors accordingly.
- c) The Rydon Presentation for the site North of Water Lane – the Parish Council had now been informed that Rydon Homes had been told to put the site forward by ADC. Councillor Bicknell noted that there was a need to ensure that employment land was retained in the district.

County Councillor Urquhart noted, in relation to Dappers Lane, that WSCC were considering whether it might be appropriate to stop off the top of the lane.

17/070

### **2016/2017 ANNUAL RETURN**

The Chairman noted that it was a necessary formality for the Parish Council formally to receive the Annual Return.

Therefore, on a proposal by Councillor Bicknell, seconded by Councillor Evans: To receive the fully audited Annual Return, completing the process for the 2016/2017 financial year – unanimously **AGREED**.

17/071

### **CHANDLERS SITE UPDATE**

The Chairman noted that this had been dealt with at item 7 of the agenda (Minute 17/065) in response to questions from members of the public.

17/072

### **COMMUNITY GRANT APPLICATIONS**

No further full grant applications had been received since the previous meeting.

The Chairman noted that an enquiry had been received from Angmering School in relation to the formation of a Breakfast Club for the coming academic year in the sum of £300. Councillors were requested to consider whether, in principle, subject to the completion of the application form, this was a request they might support.

The Clerk noted that as the Parish Council had adopted the General Power of Competence in 2015, it was legally permissible for it to consider supporting this type of project. This would not be possible using the free resource powers available under Section 137 of the Local Government Act 1972.

Following general discussion, it was noted that the scheme could be supported in principle. It was not, however, clear whether similar approaches were being made to other neighbouring parishes; or whether the funding was intended to be a kick-start or something more regular. It was further noted that, in the event that a formal grant application was made, it would be helpful to have a member of staff from the school present to answer questions.

The 2017/2018 budget for Community Grants was £3,300 and grants allocated to date amounted to £975, which left a balance available of £2,325 from which to fund grants.

**17/073 QUESTIONS ON THE ALREADY CIRCULATED NOTES OF MEETINGS OF PARISH COUNCIL WORKING PARTIES AND REPRESENTATIVES ON OTHER ORGANISATIONS**

The Chairman noted that the notes of the most recent JEAAC meeting had already been circulated.

**17/074 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 meeting held on 18 July and 8 August 2017.

There were no questions.

**17/075 2017/2018 FINANCIAL REPORT**

The reports were noted.

The Clerk clarified that the total cost of the Arundel Road judicial review proceedings had been £45,000, which was less than the amount provided for in the budget.

**17/076 TO CONSIDER ANY URGENT MATTERS, FOR INFORMATION ONLY, ARISING SINCE THE PREPARATION OF THIS AGENDA**

It was noted that District Councillor Jacqui Maconachie, erstwhile Chairman of the Development Control Committee, had sadly died on 11 August. Condolences were expressed.

**17/077 DATE OF NEXT MEETING**

The next Parish Council meeting was scheduled to be on Monday 11 September 2017, at 7.30pm in the King Suite of the Angmering Village Hall.

**The meeting finished at 21:27.**

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Chairman 

Date..... 11/9/17.....