

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

21 March 2016

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

Councillor Boggis arrived at 7.34 pm during Questions by the Public.

C/049/15-16 Apologies for absence

Apologies for absence were received from Councillor Kennard, Hilditch, Haywood and Metcalfe.

C/050/15-16 Declarations of Interest

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

C/051/15-16 Questions and Statements from the Public

The Chairman informed Council that 4 registered questions to the Executive had been received from members of the public, from Ms Refford, Mr Alden, Mr Cowen and Mr Freeman. Ms Trainor had also indicated she would like to speak.

In accordance with the Council Procedure Rules as the questioner was unable to attend, the Chairman read to Council the question from Donna Refford, as follows

‘As a resident of Fishersgate, I would like to know what costs have been incurred by the council in response to the legal wranglings over many years with the Fishersgate Community Association (FCA)?

The Executive Member for Health and Wellbeing (Councillor Simmons) responded:

The Council remains committed to working with communities in Fishersgate through its Think Family Neighbourhood Programme. Our Neighbourhood Officers have been working alongside local residents to help develop a range of local projects and activities in the area, for example the Fishersgate Voice community newspaper, the Active Grub Club providing healthy food and activities for local children and the partnership with the Friends of Fishersgate to improve the local park. The support and voluntary work of local residents has been vital to this programme - the securing of funding for the children’s play park is a testament to this and will be a great facility for many local children and families.

Ensuring that the Fishersgate Community Centre is used and accessed by all of the community as a great community asset remains high on our agenda. We are very aware of the strength of feeling held by local people about the running of this centre. It is for this reason that we instigated our Legal Officer from August 2015 to undertake the necessary steps and action to resolve a number of issues with the FCA. We believe that this asset should be run by the community for all of the community in Fishersgate and are committed to making this happen.

The response to this question has been related to our Legal costs since our action was initiated in August 2015. These costs are in the region of £9,500 to date. This legal expenses does not include the wide range of officer time that has been and continues to be in place to support the wider programme of community support in this area.

The Chairman then invited Mr Alden to put his question to the Executive Member for Regeneration (Councillor Beresford)

“The revised Adur Local Plan to be discussed tonight proposes a target of an average of 180 new dwellings per annum up to 2031. Initially what proportion of these new dwellings will be housing for affordable rents rather than purchase or part purchase? Whereas Brighton City proposes that 40% of new housing will be affordable, what target does Adur set itself and will this target be incorporated in the Plan?”

Councillor Beresford responded:

Policy 22 of the revised Local Plan policy states that the preferred mix for affordable housing would be 75% social/affordable rented housing and 25% intermediate or shared ownership housing. This would be subject to negotiation on individual sites and, of course, the Council is aware of the emerging Housing and Planning Bill which may well change the Council's proposed affordable housing policy, in particular, in relation to the provision of starter homes.

The affordable housing policy requires 30% affordable housing on sites of 15 dwellings or more. On sites of 6 - 14 dwellings the requirement would be 20% and on sites of 1 - 5 dwellings a 10% contribution would be sought via a financial contribution.

New residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented and intermediate housing according to the following site size thresholds:

- *On sites of 1-5 dwellings (gross) 10% affordable housing will be sought via a financial contribution*
- *On sites of 6-14 dwellings (gross) 20% affordable housing will be sought*
- *On sites of 15 (gross) dwellings or more 30% affordable housing will be sought*

The preferred mix of tenure will be 75% social/affordable rented housing and 25% intermediate housing.

On individual sites, the preferred affordable housing mix in terms of size and tenure will be determined through negotiation taking account of up-to date-assessments and the characteristics of the area

The supplementary question was on the % affordable housing available for rent and whether the evidence provided to amend these percentages by developers was made public. The Executive Member responded that the information was made public.

The Chairman then invited Mr Cowen to put his question to the Executive Member for Regeneration (Councillor Beresford)

“Members will be aware that there are a large number of empty shops and other business premises in Adur, particularly in my area, Lancing. What proposals are there in the Local Plan to encourage and assist the regeneration of the small business sector in Adur”

Councillor Beresford responded:

'The Plan identifies primary and secondary shopping frontages to ensure that appropriate uses are retained and improved and that the village centre continues to meet the needs of local residents. Vacant premises were necessarily in the council's ownership.

The Local Plan highlights the importance of the Lancing Vision which sets out a regeneration strategy which aspires to make the village a lively seaside destination through the encouragement of more activities and greater use of the Lancing village centre and seafront. As the Chairman of Lancing Vision and local resident I know there is a chronic shortage of business space with the regeneration team receiving daily requests that we would like to support however the total vacant spaces are 2.1% in business class, 1.5% in industrial and 6.3% office; on the Lancing business park the current space is 0.6% business class, 0.5% industrial and 2.7 % office.

The Council will continue to support the implementation of Lancing Vision and explore opportunities to attract further external funding to deliver environmental improvements.

A supplementary question was asked on the Council's focus for the High Street and retail areas rather than the business park, particularly those around the station and renovation of shop fronts. The Executive Member made a comment on sub letting and rent income between tenancies.

The Chairman then invited Mr Freeman to put his question to the Executive Member for Regeneration (Councillor Beresford)

“To comply with rule 102 of the NPPF, will the authority reconsider undertaking a fully quantified drainage scheme for management of surface water run off for the New Monks Farm allocation to justify that mitigation of flood risk is possible before setting this allocation in the plan?”

Councillor Beresford responded:

'I am well aware of paragraph 102 of the National Planning Policy Framework. The Council's Sequential and Exception Test has assessed both the developments wider sustainability benefits to the community (that would outweigh flood risk) and a Level 2 Assessment of New Monks Farm has been undertaken as part of the Adur & Worthing SFRA, in accordance with para. 25 of the National Planning Policy Guidance. This Level 2 Assessment has informed Part 2 of the Exception Test which contains a number of mitigation measures to ensure development is safe for its lifetime, will not increase flood risk elsewhere and, where possible, will reduce flood risk overall.'

To assist Paragraph 102 of the NPPF states:

If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- *It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk assessment where one has been prepared; and*
- *A site-specific flood risk assessment must demonstrate 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.*

Both elements of the test will have to be passed for development to be allocated or permitted.

The Chairman extended the question time to allow Ms Trainor to address the Council.

Ms Trainor from the Council for the Protection of Rural England asked the following question:

'If the New Monks Farm site is allocated within the local plan without further assessment and at the application stage the technical and practical viability of flood risk reduction and drainage measures cannot be satisfactorily established, what will be the implications for the Local Plan and delivery against the housing targets agreed for the district?'

The Executive Member for Regeneration responded that there was no implication for the Plan, the effect would be on the housing target for the District that would not be delivered and on any developer who owned the land.

C/052/15-16 Items Raised Under Urgency Provisions

There were no items under the urgency provisions.

C/053/15-16 Recommendations from the Executive Council

The Leader presented the recommendations from the meeting of the Executive on 10 March, a copy of the extract had been circulated to all councillors by email and a copy is attached to the minutes.

Having regard to the technical nature of the likely questions to be put, the Leader referred the the question and answer session prior to the debate in the Chamber to be taken by the Executive Member for Regeneration.

Questions were asked on the following: the removal of an allocated development on the A259 - removed as undeliverable in the lifetime of the Local Plan; amendments to Policy 2

(page 21)- strategic gaps removed from Government policy; the references (page 37 and 38) to Shoreham Airport/Brighton City Airport consistency required -the highlighted inconsistency was due to the title of a document.

On page 76 the amendment was confirmed as due to fresh information; on page 89 the Executive Member accepted the comment made was valid.

Also questioned was the implication (page 47) to the traffic issues in Sompting; the number of 3G pitches identified with a suggestion that the S106 money could be used elsewhere (Luxor cinema refurbishment). The alteration to page 269 on the Shoreham Fort was explained as being realistic.

There being no further questions the Chairman invited the Leader to make a formal proposal, which he did. He also called for a recorded vote which was supported by 5 others in the Chamber.

The proposal was seconded by Councillor Beresford.

The debate commenced with the proposal of an amendment by Councillor Patmore, seconded by Councillor Lambourne.

The Chairman called an adjournment from 8.05 to 8.15 to take advice from the Legal and Planning officers present on the proposed amendment.

On recommencement, the Chairman invited the Legal Advisor to give an explanation to Council; the Senior Solicitor explained that before Council were the proposed amendments to the Local Plan, these were either in bold or strikethrough on the accompanying document; the Local Plan and the policies in it had been debated in 2014; the Plan was not for discussion. The proposed amendment by Councillor Patmore was on the previously agreed document therefore was not valid for the meeting.

The Chairman invited Councillor Patmore to reword his amendment.

The increase in the density from 450 to 600 on New Monks Farm was questioned as to available space and flooding implications. The allocation in West Street Sompting was challenged over traffic concerns.

Traffic management and investment in road infrastructure in other areas of the District was raised as a key point to address in the Local Plan.

The point was made that the Local Plan was for the whole of the District and the alterations being presented brought it up to date.

There being no further speakers the Chairman invited sought if a revised amendment was to be presented, Councillor Patmore presented his revised amendment (a reduction on the proposals for New Monks Farm from the proposed 600 houses to 1 house) which was seconded. Following a brief debate the proposed amendment was lost on a vote. For 5, Against 15 Abstain 2.

The seconder to the proposal before Council addressed those present to commend the report identifying that the key area for housing growth was on the western arm of the Harbour which had not received any mention during the debate.

The Leader, in his right of reply, addressed the points raised in the debate. This included the requirement that a developer in Sompting add a pavement for the safety of pedestrians; the housing target figure was a Government requirement with the local plan identifying suitable sites, it was up to a developer to present to the Planning Committee proposals for approval.

On a recorded vote of those present in the Chamber

Voting for the proposal (16)

Councillors Carol Albury, Carson Albury, Beresford, Boggis, Coomber, Chipp, Donaldson, Dunn, Evans, Funnell, Hotton, Lewis, McKinney, Parkin, Simmons and Stride.

Voting against the proposal (5)

Councillors Bishop, Graysmark, Lambourne, Patmore and Phillips

Abstaining from voting on the proposal (2)

Councillors Bridges and Mear

Resolved that the Council,

1. Agreed that the Amendments to the Proposed Submission Adur Local Plan (2016) be published for a six-week period of representation from 31 March – midnight 11 May 2016 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and that accompanying documents including the Sustainability Appraisal and Sequential and Exceptions Test were also to be made available.
2. Delegated authority to the Head of Economic Growth to further amend the Amendments to the Proposed Submission Adur Local Plan (2016) prior to publication, and also the Sustainability Appraisal and Sequential and Exceptions Test, where amendment is required to correct minor errors and for purposes of clarification only.
3. Delegated to the Head of Economic Growth in consultation with the Executive Member for Regeneration and Chairman of Adur Planning Committee, to agree for publication those documents accompanying the Amendments to the Proposed Submission Adur Local Plan (2016).
4. Agreed that following the six-week publication period for representations, the Amendments to the Proposed Submission Adur Local Plan (2016) be

submitted to the Secretary for State for examination, together with the Proposed Submission Adur Local Plan 2014, accompanying documents, any representations received during both publication periods of the Proposed Submission Adur Local Plan 2014 and the Amendments to the Proposed Submission Adur Local Plan (2016), and any updates to the evidence base as may be necessary.

The Chairman declared the meeting closed at 8.55 pm, it having commenced at 7pm

Chairman