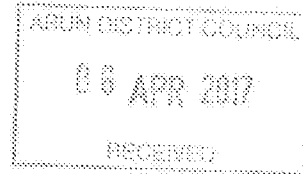
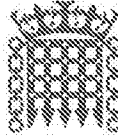


Rt Hon Nick Gibb MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Karl Roberts
Director of Planning Services and Economic Regeneration
Arun District Council
1st Floor
Arun Civic Centre
Maltravers Road
LITTLEHAMPTON
BN17 5LF

30 March 2017

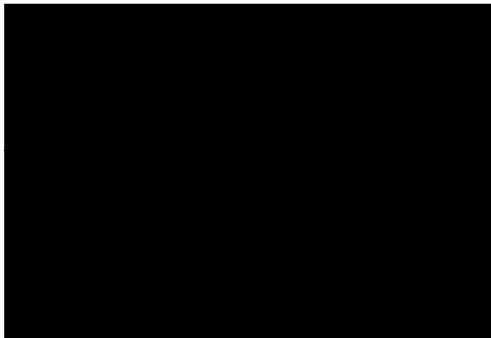
Dear Karl

I write further to my letter of 20 January as I understand from the Pagham Harbour Steering Group that further conditions have been placed on their application for planning permission for the managed breach of the Shingle Spit at Pagham Harbour.

I would be grateful if you could let me know what can be done to overcome these complications and expedite the process as I am sure you are aware of the time-sensitive nature of the works if they are to be completed this year.

With best wishes.

Thank you!





The RT Hon N Gibb MP
House of Commons
Westminster
London
SW1A 0AA

Arun District Council
Arun Civic Centre
Maltravers Road
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10 April 2017

Your Ref:

Please ask for:
Karl Roberts
Director of Place
Direct Dial: 01903 737760

Our Ref: KR/SDB

Dear

Nich.

Shingle Spit at Pagham Harbour

Thank you for your letter of 30 March 2017.

It is difficult to comment fully without knowing which conditions the Pagham Harbour Steering Group are concerned about. However, in recent times we have proposed changes to three different conditions, all of which have been negotiated and agreed with the applicants' agent. Furthermore, following the submission of a Water Framework Directive by the applicant, we have actually amended one of the conditions to be less onerous than as first drafted.

We are well aware of the time sensitive nature of the proposal and are continuously working towards a decision. The current delay remains previously advised in that we need to ensure that the applicants have the necessary finances in place to ensure that the harbour can be reopened should it close, as a direct result of the proposed works, within a period of 5 years.

We had suggested a solution to the applicants which was that the Parish Council vote on and make a formal resolution to say that they will cover these costs. Unfortunately, the Parish Council considered that they were not able to agree to this and instead had offered to make a resolution whereby they would make a contribution towards maintenance costs on an annual basis but without binding them to any agreed amount in any given year. However, at the Parish Council Meeting of the 23 March, this resolution was not carried out by Parish Council Members and has been put on hold pending receipt of legal advice by the Parish Council. The Pagham Flood Defence Trust have recently received a financial contribution that would cover these costs and are now proposing to change the applicant from Pagham Parish Council to them in order to put forward their 'guarantee'.

However, we as the Planning Authority need to be sure that we are not open to legal challenge should we proceed on this basis as there is no guarantee that the Pagham Flood Defence Trust will not have spent this money prior to needing to carry out maintenance works or that they will refuse to contribute when the time comes.

Nigel Lynn Chief Executive

Nigel Croad Resources Director and Deputy Chief Executive

We have already established that neither the Pagham Flood Defence Trust nor Pagham Parish Council are able to enter into a S.106 legal agreement as they have no interest in the land (which is part Crown land and part unregistered). We therefore need to seek further legal advice from Counsel to ensure that the approach proposed by the Pagham Flood Defence Trust will be sufficient to protect ourselves from a challenge.

Yours sincerely,



Karl Roberts
Director of Place