

Minute Extract from Joint Strategic Committee – 24 June 2014

JSC/007/14-15 2013/14 Outturn Report (4th quarter)

Before the Committee was a report by the Director for Digital and Resources, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 5. The report outlined the financial monitoring position for the end of the 2013/14 financial year for the Joint Strategic Committee, Adur and Worthing Councils. The report identified that the Statement of Accounts would be reported to Members later in the year.

The report also provided information in respect of earmarked reserves and capital receipts for the two authorities. The Committee was asked to agree and recommend to the two Councils proposals for dealing with net underspend by making transfers to reserves and for the carrying forward of certain revenue and capital budgets to allow projects to be completed in 2014/15.

Members of both cabinets identified items in the report relating to their portfolios for which they asked the officers for further information or explanation. The Directors responded to the questions for their areas.

Concern was expressed that Worthing Theatres was overspending although there was considerable Member and public support for the improved programme. Grounds maintenance was also identified as a service of concern.

Decision:

The Joint Strategic Committee noted the report and outturn position for the Joint, Adur and Worthing Budgets proposed use of reserves; and

Recommended that Adur District Council, at its Council meeting on 17 July, 2014 and Worthing Borough Council at its Council meeting on 15 July 2014:-

- (a) note the overall final outturn for 2013/14;
- (b) agree the net carry over of revenue budget to 2014/15 where the original approval for 2013/14 was not utilised which will be funded from the Capacity Issues Reserve as set out in paragraph 5.6 (HRA), 6.1 and 6.2 (General Fund) totalling:-
 - Adur District Council - HRA £50,000
 - Adur District Council £139,750
 - Worthing Borough Council £165,900

- (c) agree the net carry over of General Fund Capital underspends, as detailed in paragraph 7.8, 7.10, 8.8, 8.9, 8.10 and 8.11.
- (d) approve the appropriation of the net under-spend in General Fund revenue expenditure in the year to reserves as detailed in paragraph 6.3 for Adur District Council of £539,430
- (e) approve a contribution for Adur District Council from the 2013/14 HRA surplus to:
 - i) Adur Housing New Development and Acquisition Reserve of £346,060 being the original budgeted amount; Paragraph 5.6.
 - ii) Major Repairs Reserve of £440,000 to supplement the resources available for new capital investment and repayment of debt (paragraph 5.6);
 - iii) HRA Reserve of £14,100 being the unspent balance for Scanning Carry Forward from 2012-13
- (f) approve the creation for Adur District Council of a new HRA Discretionary Assistance Fund to provide financial support to tenants, and establish the reserve by transferring £50,000 from the 2013/14 surplus (paragraph 5.6);
- (g) approve the creation for Adur District Council of a new HRA revaluation reserve which is to be used to manage the impact of changes to the value of the HRA assets.
- (h) approve the financing of the Capital Investment Programme, including the use of capital receipts as set out in paragraph 7.4, 7.5, 8.4 and 8.5
- (i) note the use of S106 receipts to fund the 2013/2014 Capital Investment Programme, as previously approved, set out in paragraph 7.4 and 8.4.
- (j) approve the use of Adur District Council S106 receipts as set out in paragraph 7.9.

Minute Extract from Joint Overview and Scrutiny Committee – 3 July 2014

JOSC/14-15/08 Annual Report 2013/14

Before the Committee was a report by the Policy Officer a copy of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as item 8. As part of good practice and a requirement in the Council's Governance Action Plan, the Councils are required to produce a Joint Overview and Scrutiny Committee Annual report for 2013/14.

The Committee discussed the Annual Report for 2013/14 and agreed that a summary of the work programme for 14/15 be added to the final document.

Resolved: That the Joint Overview and Scrutiny Committee Annual Report for 2013/14 be approved as amended

Recommended: That the Joint Overview and Scrutiny Committee Annual Report for 2013/14 be commended to the Adur and Worthing meetings Full Council

Minute Extract from Joint Governance and Audit Committee – 26 June 2014

JGAC/008/14-15 Site Visits Protocol

Before the Committee was a report by the Head of Planning and Economic Development, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 8.

The report considered a Site Visit Protocol for Members of the Planning Committee and its inclusion in the Adur District Council and Worthing Borough Council's respective Constitutions.

A Member expressed surprise that site visits were not mandatory prior to the Planning Committee considering an application. The Head of Planning and Economic Development informed the Committee that the Chairman has discretion regarding the necessity of a site visit.

Members asked which types of application required a site visit and which did not. The Head of Planning and Economic Development informed the Committee that generally the larger more complex applications required site visits such as the West Durrington application in Worthing and the Brighton & Hove Albion training facility in Adur.

A Member suggested that where there was a point of contention, Members should go and have a look at the site. Another Member suggested that the protocol shouldn't bind Councillors too tightly. The Head of Planning and Economic Development replied that all Members sitting on the Planning Committee should be encouraged to attend site visits. It was noted that it difficulties could arise if Councillors were invited individually to visit a site by an objector as this could raise a perception issue i.e. had all Members of the Planning Committee heard the same argument and been privy to the same information. Members were advised that there always needed to be a balanced hearing of issues and therefore plenty of visual information was provided to Committee by the Councils Officers.

It was noted that the protocol made provision for Ward Councillors to request that the Committee make a site visit but it would be inappropriate for Ward Councillors to actually attend the site visit in case they sought to influence other Councillors.

Resolved,

That the Joint Governance and Audit Committee:-

- i. considered the amended Site Visit Protocol;
- ii. **recommended to Adur District Council and Worthing Borough Council the addition of the Site Visit Protocol to the respective Council's Constitutions.**

Minute Extract from Joint Governance and Audit Committee – 10 July 2014

JGAC/018/14-15 Constitution Review

Before the Committee was a report (first brought on 26th June which was deferred until this meeting), presented by the Solicitor and Monitoring Officer to the Councils, copies of which had been circulated to all Members and copies of which are attached to the signed copy of these Minutes as Item 5.

Copies of the revised Constitution (Parts 1 to 4) had been circulated to Members prior to the meeting and copies of the revised Petitions Scheme and revised recommendations to Committee were tabled at the meeting. It was noted that no review had been undertaken, at this time, in respect of Parts 5 to 8 of the Constitution.

The Committee was advised that the revisions to the Constitution were necessary because since it was adopted by both Councils there had been various changes to legislation which had amongst other things:-

- amended the governance arrangements that a Council may have;
- clarified that Executive Decisions can only be made by the Executive;
- imposed a requirement to have a petition scheme which was then subsequently revoked;
- repealed various sections of legislation that were originally Executive functions;
- changed the Gambling regime;
- changed the Standards regime; and
- imposed new rules on the publication of reports and Executive Decisions by Officers.

It was noted that the purpose of the revisions to Parts 1 to 4 were to ensure that the Councils Constitutions:-

- reflect current legislation;
- provide a sound governance structure for the Councils; and
- are streamlined and easy to understand.

Members sought clarification in regards to the future role of the Joint Governance Committee and questioned the need for an increase to the Committee's membership. Officers advised that the Joint Governance Committee would be responsible for standards matters and therefore a larger pool of Members would help in relation to the setting up of Sub-Committees for standards hearings.

Members suggested that, in order to make the document more accessible to the public and demonstrate greater openness and transparency, an Executive Summary should be produced in order to steer the public to the relevant sections of the Constitution. The

Director for Digital and Resources confirmed that he would be working with the Monitoring Officer and the Head of Communications to produce such a document.

A number of minor changes were proposed by various members but none were supported through a vote by Committee.

Resolved,

The Joint Governance and Audit Committee:-

- (i) recommended to the Borough Council of Worthing that it adopts parts 1, 2 and 3 of the revised constitution, as set out in Appendix 1 of the report, with effect from 1st November 2014, subject to an amendment to paragraph 5.12(e) to 16 elected Members, being 8 from the Borough Council of Worthing and 8 from the District Council of Adur;
- (ii) recommended to the Borough Council of Worthing that it adopts the amended Worthing Borough Council Petition Scheme from 18th July 2014;
- (iii) recommended to the Borough Council of Worthing that it authorises the Monitoring Officer to make amendments to the terms of reference at paragraph 5 of part 3 of the revised constitution to reflect changes to the Executive Member Portfolios and changes to the Officer structure;
- (iv) recommended to the Borough Council of Worthing that it authorises the Section 151 Officer and the Monitoring Officer to make amendments to the Financial Regulations and the Contract Standing Orders to take account of the changes to the Officer structure;
- (v) recommended to the Borough Council of Worthing that it authorise the Monitoring Officer to make amendments to the Joint Committee Agreement to bring it in line with the amendments agreed in this report;
- (vi) recommended to the District Council of Adur that it adopts parts 1, 2 and 3 of the revised constitution, as set out in Appendix 1 of the report, with effect from 1st November 2014, subject to an amendment to paragraph 5.12(e) to 16 elected Members, being 8 from the Borough Council of Worthing and 8 from the District Council of Adur;
- (vii) recommended to the District Council of Adur that it adopts the amended Adur District Council Petition Scheme from 18th July 2014;
- (viii) recommended to the District Council of Adur that it authorises the Monitoring Officer to make amendments to the terms of reference at paragraph 5 of part 3 of the revised constitution to reflect changes to the Executive Member Portfolios and changes to the Officer structure;
- (ix) recommended to the District Council of Adur that it authorises the Section 151 Officer and the Monitoring Officer to make amendments to the Financial Regulations and the Contract Standing Orders to take account of the changes to the Officer structure;

- (x) recommended to the District Council of Adur that it authorises the Monitoring Officer to make amendments to the Joint Committee Agreement to bring it in line with the amendments agreed in this report;
- (xi) requested a further report in respect of Part 4 of the revised Constitution at its meeting in September 2014.