



COUNCIL MEETING

19 February 2015



Communities Directorate

10 February 2015

**Council Meeting
19 February 2015**

The Council Chamber, Civic Centre,
Ham Road, Shoreham-by-Sea

**7:00pm
Agenda**

ALL MEMBERS OF THE COUNCIL are hereby summoned to attend for the following business:

Part A

- 1. Apologies for absence**
- 2. Declarations of Interest**

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

- 3. Questions and Statements from the public**

To receive any questions from Members of the public addressed to Members of the Executive in accordance with Council Procedure Rule 11. There is up to 5 minutes for each question, one supplementary question may be asked arising from the original question.

Questions must relate to any matter the Council has power or which affects the District except no question may be asked on

- a) A specific planning or licensing application
- b) A specific staffing appointment or appeal or Standards determination

Public question time will last up to 30 minutes; questions will be taken in order of receipt. The deadline for submission of questions is Tuesday 17 February at 12 noon.

Questions to be submitted to democratic.services@adur-worthing.gov.uk

No prior notice of a Statement to Council is required.

For further information contact Julia Smith, Democratic Services Manager on Julia.smith@adur-worthing.gov.uk

4. Confirmation of Minutes

To approve the minutes of the meeting on 18 December 2015, a copy of which has been previously circulated. A copy is available to view at <http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/adur/council/>

5. Announcements by the Chairman, Leader of the Executive, Executive Members and / or Head of Paid Service

6. Items Raised Under Urgency Provisions

To consider any items the Chairman has agreed are urgent.

7. Recommendations from the Executive and Committees to Council

To consider recommendations to the Council, details of which are attached as items 7A, 7B and 7C. Full reports are available on the website as listed below:

Executive / Committee	Date	Item
A Executive	03.02.2015	i. Revenue Estimates and Council Tax for 2015/16 http://www.adur-worthing.gov.uk/media/media,131157,en.pdf This item will be taken as item 11
B Joint Strategic Committee	05.2.2015	i. Joint Treasury Management Strategy Statement and Annual Investment Strategy 2015/16 to 2017/18 http://www.adur-worthing.gov.uk/media/media,131227,en.pdf

- ii. Emergency Groyne Repairs at Southwick Beach

<http://www.adur-worthing.gov.uk/media/media.131233.en.pdf>

C Joint Governance Committee 20.1.15

- i. Proposed Revision of Joint Contract Standing Orders

<http://www.adur-worthing.gov.uk/media/media.130794.en.pdf>

- ii. JIRP – Scheme of Allowances for Adur District Council

<http://www.adur-worthing.gov.uk/media/media.130796.en.pdf>

8. Report of the Leader on decisions taken by the Executive

Report by the Leader as item 8.

The report contains decisions taken by the Executive, Executive Members and/or the Joint Strategic Committee since the last Council meeting. There is up to 15 minutes for Executive Members to make any statements on the report.

There is up to 15 minutes for Executive Members to respond to questions on the report; these questions will not be the same as any to be asked under the next item.

(Note: Papers relating to items under 7 and 8 have been previously circulated. If any Member requires further copies please contact Democratic Services or visit the Council's website www.adur-worthing.gov.uk/.)

9. Members Questions under Council Procedure Rule 12

Members question time will last up to 30 minutes, questions will be taken in order of receipt, in rotation from each political group on the Council. The deadline for submission of questions is Tuesday 17 February at 12 noon.

Questions received will be circulated at the meeting.

Questions can be asked of the following:

- a) The Chairman
- b) A Member of the Executive
- c) The Chairman of any Committee
- d) The Council's representative on any outside body

Questions can not be asked on the following

- a) A specific planning or licensing application

b) A specific staffing appointment, appeal or Standards determination

10. Motions on Notice Council Procedure Rule 14

To receive the Motion on Notice as accepted by the Director for Communities attached as item 10 to the agenda.

Under Council Procedure Rule 14.5 the Director for Communities has determined that the subject of the Motion (a survey) is a communication action falling within the remit of the Executive therefore, once proposed and seconded this Motion will be forwarded to the Joint Strategic Committee for consideration on 31 March 2015.

11. Council Tax 2015/16

To consider the report of the Director of Digital and Resources together with the recommendation (item 7A) from the Executive on 3 February 2015.

Part B - Not for Publication – Exempt Information Reports

None.



Director for Communities

For Democratic Services enquiries relating to this meeting please contact:

Julia Smith
Democratic Services Manager
01903 221150
julia.smith@adur-worthing.gov.uk

For Legal Services enquiries relating to this meeting please contact:

Susan Sale
Solicitor to the Council
01903 221119
susan.sale@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will require the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

A EX/009/14-15 Adur District council overall Budget Estimates 2015/16 and Setting of 2015/16 Council Tax

The Executive had before it a report from the Director for Digital and Resources, attached to these minutes as item 5.

The report represented the culmination of the annual budget exercise and asked the Executive to consider the following:

- The final revenue estimates for 2015/16;
- An updated outline 5-year forecast; and
- The provisional level of Council Tax for 2015/16, prior to its submission to the Council for approval on the 19th February 2015.
(This will be subject to any proposals to change the draft revenue budget following the consideration of the budget proposals by Executive).

The budgets as presented reflected the decisions taken by Members to date in relation to agreed savings proposals. The report also updated the Executive about the impact of the draft 2015/16 settlement.

The major points raised within the report included:

- A full update on the impact of settlement. The Council was advised to prepare itself for a continuation of the austerity measures for another 2-5 years (see paragraph 3.7 of the report) ;
- The Executive will need to consider whether to increase Council Tax by 1.5% or to freeze Council Tax for the fifth successive year and accept the Council Tax freeze grant (paragraph 5.12); and, finally
- The Executive needed to consider the new growth items in Appendix 2

The budget was presented as individual Executive Member portfolios . In addition, the draft

Estimates for 2015/16 had been prepared, as always, in accordance with the requirements of the Service Reporting Code of Practice for Local Authorities 2015/16 (except in relation to pension costs adjustments that do not impact either on the Budget Requirement or the Council Tax Requirement).

The Police and Crime Commissioner had consulted on an increase to the Council Tax for 2015/16 of 1.98% and the report explained that the proposed 2015/16 budget was due to be considered by the Sussex Police and Crime Panel (PCP) on 23 January 2015. If the proposals were vetoed by the PCP, revised proposals will be considered by the Panel on the 20 February 2015 at which point the Commissioner will be in a position to confirm the Council Tax for 2015/16. If the proposals for the PCC's share of the Council Tax are not

confirmed until 21 February, then the planned Council date of the 19 February would need to be rearranged to the 26 February 2015.

The Head of Finance updated the Executive on various matters. The Settlement had been received earlier in the day therefore full evaluation had not yet been possible but no substantive changes were expected. The PCP had agreed a 1.98% increase therefore the reserve date for Council was not required. The new homes bonus had been included within the estimates and there was favourable news regarding Business Rates, income was up by £40K.

The Leader pointed out that the Council had not frozen the Council Tax in 2014/15 but had reduced the Council Tax required.

The Executive Member for Resources commented that the business rates income increase was encouraging as it reflected the economy moving in the right direction. He further mentioned that the freeze in council tax, and the previous year's reduction, had been achieved by restructuring producing savings and efficiencies and a challenging plan to deliver services rather than cutting service provision.

The Executive Member for the Environment explained the pressures mounting in the European Union regarding waste management and supported a small increase in Council Tax to ensure that the Council was in a good position in the future.

The Leader thanked the officers for their hard work in producing the estimates in the report before the meeting.

The Head of Finance advised that the Worthing Executive the previous evening had considered the grow items, as detailed in Appendix 3, supporting those as presented in the papers to the Adur Executive.

Decision the Executive

- i. Considered and agreed to include the growth items detailed at Appendix 3 within the revenue budget in 2015/16;
- ii. Agree to recommend to Council the draft budgets for 2015/16 at Appendix 7 as submitted in Executive Member Portfolio order, and the transfer to Reserves leading to a net budget requirement of £9,585,090 , subject to any amendments in (i) above;
- iii. Approved the rationalisation of the reserves as outlined in paragraph 7.7
- iv. Considered which band D Council Tax to recommend to Council for Adur District Council's requirements in 2015/16 as set out in paragraph 12.3 determining that a 0% increase was recommended making the recommendation that the Council Tax Band D for Shoreham, Southwick, Sompting and Coombes for 2015/16 be £279.45 ;
- v. Agree to recommend to Council the special expenses of £17.82 per band D equivalent charged in all areas of the District except Lancing

Reason for Decision

Statutory requirement to set a budget

Alternative options considered

As detailed in the report; growth bids were considered, increasing the Council Tax was considered against the availability of the Council Tax support Grant.

JSC/092/14-15 Joint Treasury Management Strategy Statement and Annual Investment Strategy 2015/16 to 2017/18 for Adur District Council and Worthing Borough Council

Before the Committee was a report by the Director for Digital & 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 6.

The report fulfilled the requirements under the Treasury Management Code to present the Treasury Management Strategy Statement (TMSS) and Annual Investment Strategy (AIS) before the start of the new financial year, including the Prudential Indicators, for the next three years 2015/16-2017/18.

The report also considered the expected treasury position, the proposed strategy for borrowing, and the prospects for interest rates in the prevailing economic conditions, all of which together set the context in which treasury management decisions would be taken.

A Member sought clarification regarding the level of protection afforded to the Councils against banks failing and whether this had been reduced by recent changes to legislation. Officers advised that there was always a risk but the Councils minimised this by spreading its investments and that advice would be sought regarding the recent legislative changes.

Decision

The Joint Strategic Committee:

- i) approved and adopted the TMSS and AIS for 2015/16-2017/18, incorporating the Prudential Indicators and Limits, and MRP Statements;
- ii) **forwarded the Prudential Indicators and Limits, and MRP Statements in the report for approval by Worthing Council at its meeting on 17 February 2015, and by Adur Council at its meeting on 19 February 2015;**
- iii) forwarded the report to the meeting of the Joint Governance Committee to be held on 24 March 2015 for noting;
- iv) agreed that Lloyds Bank be instructed to carry out all of the normal functions for the Councils' Bank accounts provided that in all cases the instructions are given in accordance with the authority provided by the Councils to the Bank: and
- v) agreed that the signatories named by the Councils are authorised to act on behalf of the Councils in providing instructions to Lloyds Bank.

JSC/097/14-15 Emergency Groyne Repairs at Southwick Beach

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 12.

The report updated Members on the current position with the scheme and sought agreement to the virement of £159,000 from underutilised Capital allocation to the Kingston Beach and Revetment schemes.

It was noted that the report author, Bryan Curtis, Principal Engineer, was leaving the Councils in February 2015. The Committee wished to place on record its thanks to Mr Curtis for his 30 years of service at Adur and Worthing Councils.

Decision:

The Joint Strategic Committee:-

- (i) noted the report;
- (ii) agreed to the inclusion of the new step blocks at the root of each new replacement groyne;
- (iii) agreed to recommend to Adur District Council to increase the budget for Southwick Beach Groyne Repairs by £500,000 to reflect the additional funding obtained from the Environment Agency; and**
- (iv) agreed to vire £150,000 from Kingston Beach Repair Works to the Southwick Beach Groyne Repair works scheme.

Joint Governance Committee – 20 January 2015

JGC/14-15/012 Proposed Revision of Joint Contract Standing Orders

Before the Committee was a report, presented by the Procurement and Contracts Officer, 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.

The report proposed a number of amendments to the joint Contract Standing Orders which had been the subject of consultation with both Executive Members for Resources, both Chairmen of the Joint Governance Committee and the Council's Leadership Team.

Members sought clarification on how 'Social Value' was calculated. Officers confirmed that a social value policy would be produced in conjunction with the commissioning policy and a report would be provided to Members at a later date.

The Committee noted that it was proposed to remove standing lists from the process in order to avoid challenge as they were seen as anti-competitive and the information contained within became dated very quickly.

Officers confirmed that 'consultation with the Mayor', as identified in paragraph 8.3.2, had been included within Contract Standing Orders for a long time. The Mayor would not be the first point of contact, but could be called upon in special circumstances or emergencies.

Members questioned what processes were in place to manage Contract Performance, covered in paragraphs 8.19.1 to 8.19.3. It was noted that contract management training would be provided to all officers involved with quotations or tender processes, a contract register would be maintained and there would be a contract management portal.

A Member questioned how local businesses could compete for contracts with the Councils and whether they had been consulted about the revisions to Contract Standing Orders. Officers advised that the procurement portal listed all upcoming contracts providing transparency in regards to the Council's business. It was also noted that all contracts exceeding £10k in value would be advertised on a government portal.

Members raised concerns at the number of typographical, spelling and grammatical mistakes within the revised Contract Standing Orders document. Officers advised that there was a degree of urgency regarding the adoption of the revised framework and that the deficiencies identified would be addressed before publishing the final document.

Resolved,

That the Joint Governance Committee recommended that Adur and Worthing Councils approve the revised Joint Contract Standing Orders, subject to the amendments identified by the Committee. The final amended version, to be approved by the Councils' Chief Financial Officer, in consultation with, the Committee Chairmen.

Joint Governance Committee – 20 January 2015

JGC/14-15/014 Joint Independent Remuneration Panel Report on the Scheme of Members Allowances for Adur District Council

Before the Committee was a report, presented by the Democratic Services Officer and Chairman of the Joint Independent Remuneration Panel (JIRP), copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 7.

The report from the Joint Independent Remunerations Panel (JIRP) on Members allowances for Adur District Council ("The Council"), for the municipal years 2014/15 and 2015/16, recommended that the Council (via the Joint Governance Committee) consider two options for increasing allowances.

Members received updated budget figures at the meeting and were informed these improved the position with reduced overspends resulting from option 1 and increased underspends resulting from option 2.

The Committee noted that the Joint Governance Committee Vice-Chairman for Worthing Borough Council did not currently, receive a special responsibility allowance and suggested this be considered as part of the next review of Worthing Members Allowances.

Mr Hillman, Chairman of the Joint Independent Remuneration Panel, outlined some of the key points in the report informing the Committee that the Panel had recommended a 5% increase for the 2014/15 and 2015/16 financial years, as detailed in option 1.

Members questioned how the Panel had arrived at the 5% figure. The Committee was advised that the allowances paid to Adur Councillors were some of the lowest in the South East of England. The Panel had also identified a need for allowances paid to Adur and Worthing Councillors to be more closely aligned, in order to better reflect the joint working between the two Councils.

Resolved,

The Joint Governance Committee:-

- noted the report and recommendations of the Joint Independent Remuneration Panel; and
- recommended that Adur District Council adopt Option 2, as set out in the Joint Independent Remuneration Panel report.

Report of the Leader on Decisions taken by Executive Members and the Joint Strategic Committee since the last meeting of Council

A Decisions Taken by Individual Executive Members

Listed below is a summary of decisions taken by the individual Executive Members since the despatch of the agenda for the last Council Meeting . Full details can be found on the Executive Members and Portfolios, Reports and Decisions webpage. www.adur-worthing.gov.uk/committee/agendas-minutes.htm

Leader

LDR/017/14-15 Representing the Council in the Community on other organisations

JAW/003/14-15 Risk Management Strategy

Executive Member for Regeneration

-

Executive Member for Resources

RES/013/14-15 Write Offs

RES/015/14-15 Rate Relief Applications

RES/016/14-15 Write Offs

RES/018/14-15 Request for Early Termination of Employment in the Interests of Efficiency of the Service

JAW/005/14-15 Request for Retirement in the Interests of Efficiency of the Service

JAW/006/14-15 Application for Voluntary Redundancy

JAW/007/14-15 Transforming our Visitor Services Offer and Closure of the Worthing Visitor Information Centre

JAW/008/14-15 Application for Voluntary Redundancy

JAW/009/14-15 Efficiency of Service – Productivity & Innovation Unit

Executive Member for Customer Services

JAW/010/14-15 Enforcement of Letting Agent and Property Management Redress Scheme

Executive Member for the Environment

-

Executive Member for Health and Wellbeing

JAW/004/14-15 Funding for the Wellbeing Programmes Older People's Services contract

B. Decisions Taken by the Joint Strategic Committee on 05 February 2015

Full details can be found: www.adur-worthing.gov.uk/committee/cab-docs-joint-strategic.htm

Items relating to Worthing Borough Council are not reproduced on this agenda

JSC/091/14-15 Outline 5-Year Forecast and Savings Proposals

Decision

The Joint Strategic Committee:

- i. noted the non-committed growth items outlined in Appendix 2, which had already been considered at the individual Executive meetings;
- ii. agreed the budgets for 2015/16, as set out in Appendix 3, which would be adjusted by any non-committed growth items approved by the individual Executives.

JSC/093/14-15 Planned Maintenance Programmes for 2015/16 Onwards

Decision

The Joint Strategic Committee agreed the planned maintenance programmes proposed for 2015/16 and beyond for both Adur District Council and Worthing Borough Council.

JSC/094/14-15 Accessing External Funding Opportunities for Adur and Worthing Councils

Decision

The Joint Strategic Committee:-

- i) considered the opportunities being considered with partners under the 2 Seas Programme and agreed that concept notes around the identified Projects be submitted by the 15th February deadline; and,
- ii) delegated authority to the Director for the Economy and the Director for Customer Services, in consultation with the relevant Executive

Members, to develop the initial projects identified in the report into a bid for submission in June 2015.

JSC/096/14-15 Investing in Adur Homes: The Decent Homes Investment Programme for 2015/16

Decision:

The Joint Strategic Committee:-

- (i) approved the Decent Home strategy and programme as detailed within the report;
- (ii) approved the capital budgets and categories for 2015/16 as detailed in Appendix B;
- (iii) approved the programme of works for 2015/16 as detailed in Appendix C.

C. Decisions Taken by the Executive on 03 February 2015

Full details can be found: www.adur-worthing.gov.uk/meetings-and-decisions/committees/adur/cabinet/

Decision the Executive

- (i) considered and approved the Housing Revenue Account estimates
- (ii) determined the level of associated rents and charges with effect from week one of 2015/16 as follows:-
 - (a) **Rents of Council Dwellings** – agreed an average increase of 2.2% raising the average council dwelling rent by £1.98 to £92.00 per week (average rent currently £90.02 per week) – (Para.5.9 of the report)
 - (b) **Rents of Council garages** – agreed an increase of 2.2% to £9.03. (currently £8.84 per week), plus VAT for non-Council tenants) (Para.5.14 of the report)
 - (c) **Service Charges** - delegated to the Head of Housing and Head of Finance in consultation with the Executive Member for Customer Services, the setting of the service charges (Para. 11.2 of the report)
- (iii) Approved a continued contribution of £566,060 to the earmarked reserve specifically for new development and refurbishment of council housing (para. 13.5 of the report)
- (iv) Approved the HRA Treasury Management Strategy contained in Appendix 3 to the report.

D. Urgent Decisions Taken by the Executive

Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000 as amended.

The following is reported to Council: Nil

Councillor Neil Parkin
Leader of the Council

Local Government Act 1972 Background papers

Reports and Record of decisions of various are available on the Council's web site www.adur-worthing.gov.uk or as indicated in each of the paragraphs above. Some of the reports contain exempt information and not fully published on the websites.

Motions on Notice - Council Procedure Rule 14

The following Notice has been received and accepted by the Director for Communities:

'This council resolves to conduct a detailed survey of residents' views in WIDEWATER , MASH BARN , MARINE and ST NICHOLAS wards immediately after the 2015 Shoreham music festival, concerning the impact it has had on their communities and the desirability of allowing subsequent music festivals at Shoreham airport'.

Proposed by Councillor Geoff Patmore
Seconded by Councillor David Lambourne

**Local Government Act 1972
Background papers:**

Email from Councillor Patmore dated 2 February 2015

