



COUNCIL MEETING

16 April 2015



Communities Directorate

8 April 2015

**Council Meeting
16 April 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

Director for Communities:
John Mitchell 01903 221049
Adur & Worthing Councils, Town Hall, Chapel Road,
Worthing, West Sussex, BN11 1HA
web: www.adur-worthing.gov.uk

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 14 April 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 19 February 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 and 7B. Full reports are available on the website as listed below:

Executive / Committee	Date	Item
A Joint Overview and Scrutiny Committee	12.03.15	(i) Annual Work Programme http://www.adur-worthing.gov.uk/media/media,131802,en.pdf
B Joint Governance Committee	24.03.15	(i) Constitution Part 5 codes and protocols http://www.adur-worthing.gov.uk/media/media,132048,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. Schedule of Meeting 2015/16

To agree the meetings of the Adur District Council for 2015/16, attached as item 9.

Meetings related to Adur District Council are in blue print.

10. 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 14 April at 12 noon. Questions to be submitted to democratic.services@adur-worthing.gov.uk

Questions received will be circulated at the meeting.

Questions can be asked of the following:

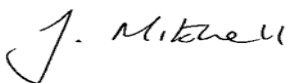
- a) The Chairman
- b) A Member of the Executive
- c) The Chairman of any Committee
- d) The Council's representative on any outside body

Questions can not be asked on the following

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

Part B - Not for Publication – Exempt Information Reports

None.



Director for Communities

For Democratic Services enquiries relating to this meeting please contact:

Chris Cadman-Dando
Democratic Services Officer
01903 22
Chris.Cadman-Dando@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

JOSC/14-15/71 Adur and Worthing Joint Overview and Scrutiny Committee Work Programme – 2014/15 and 2015/16

Before the Committee was a report by the Director for Digital and Resources, 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 11. The report outlined progress on the work contained in the 2014/15 Joint Overview and Scrutiny Committee Work Programme and asked the Committee to consider issues to be included in the Work Programme for 2015/16.

A Member asked that the work programme item concerning Food hygiene include detailed information on the number of establishments and the frequency that those establishments were visited.

Resolved:

- i) That the progress in implementing the Work Programme for 2014/15 be noted;
- ii) **That the Committee recommends to the respective meetings of the Full Council that the Joint Overview and Scrutiny Committee Work Programme for 2015/16 be endorsed**

JGC/14-15/024 Constitution Review – Part 5

Before the Committee was a report by the Monitoring Officer, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 10.

The Committee was requested to note the progress of the 2014/2015 complete review of the Councils' Constitutions; to consider revisions to Part 5 of the Constitutions of the District Council of Adur ("Adur") and the Borough Council of Worthing ("Worthing"); to consider revisions to the Scheme of Delegations to Officers and to recommend to the Full Councils of Adur and Worthing that the Constitutions be revised accordingly.

A Member asked whether the Deputy Monitoring Officer should be appointment by the Councils. Officers advised that the position could not be a Council appointment, it was a Monitoring Officer appointment. It was noted that historically, the Monitoring has appointed two deputies, 1 to act for Adur sand 1 to act for Worthing.

A Member questioned the timescale for implementation of a Social Media Policy for Members, as referred to in paragraph 4.2.1 of the report. Officers started a preference for a single policy which covered both Officers and Members. It was noted that work was underway and it was anticipated that the revised policy could be brought back to the Committee in June 2015.

Resolved,

7.1 That the Joint Governance Committee recommended to the Borough Council of Worthing:

7.1.1 that it adopts the following documents as set out in the Appendix to the report, to be effective from 1st May 2015:

- Code of Conduct for Members - subject to an amendment by the Monitoring Officer to include provision for registering Gifts and Hospitality.
- Code of Conduct for Officers
- Protocol relating to the Relationship between Members and Officers
- The Monitoring Officer Protocol
- The Protocol relating to Officer Decision Making
- The Council Call for Action Protocol
- The Protocol Relating to the Pre-Election Period
- The Protocol Relating to the Recording of Public Meetings
- The Scheme of Delegations to Officers with the exception of paragraphs 1.2.1, 1.2.2 and 1.2.5 which should remain as worded in the current scheme.

- 7.1.2 that it authorises the Monitoring Officer to make further minor amendments to the Constitution as required;
- 7.1.3 that it authorises the Monitoring Officer to make consequential changes to the Joint Committee Agreement;
- 7.1.4 report re safeguarding protocol and social media policy / or explain why we're not.
- 7.2 That the Joint Governance Committee recommends to the District Council of Adur:**
- 7.2.1 that it adopts the following documents as set out in the Appendix to this report, to be effective from 1st May 2015:**
- **Code of Conduct for Members – subject to an amendment by the Monitoring Officer to include provision for registering Gifts and Hospitality.**
 - **Code of Conduct for Officers**
 - **Protocol relating to the Relationship between Members and Officers**
 - **The Monitoring Officer Protocol**
 - **The Protocol relating to Officer Decision Making**
 - **The Council Call for Action Protocol**
 - **The Protocol Relating to the Pre-Election Period**
 - **The Protocol Relating to the Recording of Public Meetings**
 - **The Scheme of Delegations to Officers with the exception of paragraphs 1.2.1, 1.2.2 and 1.2.5 which should remain as worded in the current scheme.**
- 7.2.2 that it deletes the following document from its Constitution with immediate effect
- **Members Code of Good Practice**
- 7.2.3 that it authorises the Monitoring Officer to make further minor amendments to the Constitution as required.
- 7.2.4 that it authorises the Monitoring Officer to make consequential changes to the Joint Committee Agreement
- 7.3 That the Joint Governance Committee requested a report be brought to a future meeting regarding a possible safeguarding protocol and a revised social media policy.

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

-

Executive Member for Regeneration

-

Executive Member for Resources

RES/019/14-15 Write Offs

RES/023/14-15 Write Offs

JAW/011/14-15 Application for Voluntary Redundancy

JAW/012/14-15 Efficiency of Service

JAW/013/14-15 Application for Voluntary Redundancy

JAW/014/14-15 VAT Consultation Service

Executive Member for Customer Services

CSE/020/14-15 Disabled Adaptation

CSE/021/14-15 Temporary Accommodation Charges for Private Sector Leasehold (PSL) Properties

Executive Member for the Environment

-

Executive Member for Health and Wellbeing

HAW/022/14-15 Adur Competitive Community Grants Budget 2014/15 – Round 3

B. Decisions Taken by the Joint Strategic Committee on 03 March 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/103/14-15 3rd Capital Investment Programme & Projects Monitoring 2014/15

Decision:

The Joint Strategic Committee:-

(a) With respect to the Capital Investment Programme for Adur District Council

- noted the reprofiling of the Adur District Council capital schemes advised in paragraph 5.2 and Appendix 3;
- noted the anticipated overspend on the Queensway and Queens Parade Regeneration Scheme and approve the virement and the use capital underspends to fund the overspend as detailed paragraph 5.4.1.
- approved the virements and the use of revenue maintenance underspends to fund the additional asbestos removal costs from the Shoreham Centre as detailed paragraph 5.4.2.
- approved additional budget required to refurbish the public conveniences at Beach Green, Lancing funded from underspends in the 2014/2015 Capital Investment Programme and virements from the 2015/2016 Capital Investment Programme as detailed in paragraph 5.4.3.
- approved the use of revenue maintenance underspends and the 2014/2015 Capital Investment Programme contingency to fund the overspend on the rebuilding of the Southwick Square Car Park boundary wall as detailed in paragraph 5.4.4.
- approved the revisions to the 2014/2015 ICT Corporate Hardware and Infrastructure Partnership Budget as detailed paragraph 4.1.

JSC/104/14-15 3rd Revenue Budget Monitoring 2014/15

Decision

The Joint Strategic Committee noted the report and projected outturn position for the Joint, Adur and Worthing Revenue Budgets and proposed use of reserves (Appendix 1b and 2b).

JSC/105/14-15 Rethinking Parks: A proposal to support Enterprising Communities and Wellbeing in Adur and Worthing

Decision

The Joint Strategic Committee:

(i) endorsed the Councils' approach to the management of parks and open spaces as set out in the Rethinking Parks project and the document "Enterprising Communities, Park Lives, Homes Lives, Community Lives";

(ii) approved the Rethinking Parks Project Plan and Budget of £100,000 funded from the Transformation Challenge Award Grant, as detailed in Appendices 4 and 5 to this report.

JSC/106/14-15 Proposal to tender for an Asset Management System and a Housing Management System

Decision

The Joint Strategic Committee approved a capital budget of £80,000 in 2015/16 to allow the commencement of the tender process for a new asset management system and a new housing management system.

C. Decisions Taken by the Joint Strategic Committee on 31 March 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/114/14-15 Your Energy Sussex (YES) Solar PV Deployment

Decision

The Joint Strategic Committee:-

- a) approved the rollout of Solar PV across all Adur and Worthing Council properties, including Adur homes properties, using Carillion as a delivery partner;
- b) agreed to use the YES as the preferred method of funding for the rollout to Adur Homes in Phase 1;
- c) requested that a further report be received by the Executive Member of Resources and the Executive Member of Customer Services to consider in detail the proposed programme of work for Adur Homes and any legal and financial issues arising from Phase 1;
- d) requested that a further report be received by the Committee in June 2015, detailing Phase 2.

**JSC/115/14-15 Engaging Customers to Improve Recycling – DCLG
Award Update**

Decision

The Joint Strategic Committee

- (i) supported the bid and the commitments laid out in paragraph 3.1 of the report;
- (ii) approved the 'Total Quality Recycling' budget of £136,000 funded from government grant.

JSC/116/14-15 Future Delivery of the Councils' Legal Service

Decision

The Joint Strategic Committee:-

- i) noted the contents of the report;
- ii) noted the comments of the Joint Overview and Scrutiny Committee;
- iii) resolved not to further progress the proposal to establish a Teckal Company with Aylesbury Vale District Council and iESE to provide legal services;
- iv) agreed to retain the Council's in house legal service provision for the time being.

JSC/121/14-15 Notice of Motion to Adur District Council

Decision

The Joint Strategic Committee dismissed the motion as it was satisfied that condition (9) of the premises licence, requiring SJM to engage with local residents and seek their views (at no cost to the Council), would be sufficient.

JSC/126/14-15 Employment Tribunal Claim

Decision

The Joint Strategic Committee:-

- (i) agreed to release up to the maximum indicated in the report from the Adur District Council Special and Emergency Reserves to enable the Solicitor to the Council to attempt to negotiate a settlement of these proceedings;
- (ii) agreed to release up to the maximum indicated in the report from the Worthing Borough Council Special and Emergency Reserves to enable the Solicitor to the Council to attempt to negotiate a settlement of these proceedings.

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:

General Exception Notice – Joint Strategic Committee – 31 March 2015 Item 16 ‘ Building new homes providing loan capital to Worthing Homes’

Case of Special Urgency Notice – Joint Strategic Committee 31 March 2015 - additional exempt item ‘Employment Tribunal Claim’

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.

	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F	M	T	W	Th	F
May 2015					1	4 B/H	5	6	7 E	8	11 PC	12	13	14	15	18	19	20	21 C(A)	22 C(A)	25 B/H	26	27	28	29
June	1	2	3 PC	4 JGC	5	8 PC	9 *JSC	10	11	12	15	16	17	18 JOSC	19 CJC	22 LC	23	24	25	26	29 LCC	30			
July			1 PC	2	3	6 PC	7 *JSC	8	9	10	13	14	15	16 JOSC	17	20	21 C	22	23 C	24	27	28	29 PC	30	31
Aug	3 PC	4	5	6	7	10	11	12	13	14	17	18	19	20	21	24	25	26 PC	27	28	31 B/H				
Sept		1 PC	2	3	4	7 LC	8	9	10	11	14 LCC	15 *JSC	16	17	18	21	22	23 PC	24 JOSC	25 *CJC	28 PC	29 JGC	30		
Oct				1	2	5	6 *JSC	7	8	9	12	13	14	15	16	19	20 C	21 PC	22 C	23	26 PC	27	28	29 JOSC	30
Nov	2	3 JSC	4	5	6	9 LC	10	11	12	13	16 LCC	17	18 PC	19	20	23 PC	24 *JGC	25	26 *JOSC	27	30				
Dec		1 JSC	2	3	4	7	8	9	10	11 *CJC	14	15 C	16 PC	17 C	18	21 PC	22	23	24	25 B/H	28 B/H	29	30	31	
Jan 2016					1 B/H	4	5 JSC	6	7	8	11 LC	12	13 PC	14	15	18 PC	19 *JGC	20	21 *JOSC	22	25 LCC	26	27	28	29
Feb	1	2 JSC	3	4	5	8 Exec	9 Exec	10 PC	11	12	15 PC	16	17	18	19 WS	22	23 C(TS)	24	25 C(TS)	26	29				
March		1 JSC	2	3	4	7 LC	8	9 PC	10	11	14 PC	15	16	17 *JOSC	18 CJC	21 LCC	22 *JGC	23	24	25 B/H	28 B/H	29	30	31	
April					1	4	5 JSC	6 PC	7	8	11 PC	12	13	14	15	18	19 C	20	21 C	22	25	26	27	28	29
May	2 B/H	3	4 PC	5 E	6	9 PC	10	11	12	13	16	17	18	19 C(A)	20 C(A)	23	24	25	26	27	30 B/H	31 *JSC			

Adur District Council Meetings (7.00pm)		Worthing Borough Council Meetings (6.30pm)		Joint Meetings (6.30pm)	
C	Council (A = Annual, TS = Tax Setting)	C	Council (A = Annual, TS = Tax Setting)	Adur District and Worthing Borough Councils:	
Exec	Executive (was Cabinet)	Exec	Executive (was Cabinet)	JOSC	Joint Overview and Scrutiny Committee
PC	Planning Committee	PC	Planning Committee	JSC	Joint Strategic Committee
LC	Licensing Committee	LCC	Licensing Control Committee	JSfC	Joint Staff Committee
				JGC	Joint Governance Committee
				CJC	CenSus Joint Committee
				JSSC	Joint Senior Staff Committee
PCCP	Police Crime & Commissioner Panel (tbc)	E	Elections - Polling Day	JSSAC	Joint Senior Staff Appeals Committee
WS	West Sussex Tax Setting Meeting	B/H	Bank Holiday		

* = Joint Meetings Held at Worthing Borough Council
Please note that start times may vary

