



ADUR DISTRICT
C O U N C I L

27 April 2017

**Council Meeting
27 April 2017**

Queen Elizabeth II Room,
The Shoreham Centre, Pond Road,
Shoreham-by-Sea

**7:00pm
Agenda**

18 April 2017

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 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 25 April at 12 noon.**

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

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 of the Council held on Thursday 23 February 2017, copies of each have 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 Council, 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 set out in the attached items as 7A, 7B, 7D and 7D. Full reports are available on the website as listed below:

	Executive/Committee	Date	Item
A	Joint Strategic	7 March 2017	Adur and Worthing Housing Strategy https://www.adur-worthing.gov.uk/media/media.143391.en.pdf
B	Joint Overview and Scrutiny Committee	16 March 2017	Work Programme 2017/18 https://www.adur-worthing.gov.uk/media/media.143550.en.pdf
C	Joint Governance Committee	28 March 2017	(1) JOSOC Procedure Rules https://www.adur-worthing.gov.uk/media/media.143814.en.pdf (2) Executive Procedure Rules https://www.adur-worthing.gov.uk/media/media.143815.en.pdf (3) Constitution Provisions on Licensing Functions https://www.adur-worthing.gov.uk/media/media.143816.en.pdf
D	Joint Strategic Committee	4 April 2017	Becoming Dementia Friendly Councils https://www.adur-worthing.gov.uk/media/media.143912.en.pdf

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

To receive a report from 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 Item 10.

(**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/.](http://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 25 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

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:

Julia Smith
Democratic Services Manager
01903 22 1150
Julia.smith@adur-worthing.gov.uk

For Legal Services enquiries relating to this meeting please contact:

Susan Sale
Solicitor to the Council
01903 22 1119
susan.sale@adur-worthing.gov.uk

JSC/099/16-17 Adur and Worthing Housing Strategy

Before the Committee was a report by the Director for Communities, 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 7.

The report outlined the new three year joint Housing Strategy and targets for the Councils, and recommended that Adur and Worthing Councils adopted the Strategy.

A Member questioned how the strategy would be marketed to the public. Officers advised that public engagement would be the next step and that a combination of digital and written information would be employed to get the message out.

The importance of partnership working with neighbouring local authorities and organisations was discussed as was the need for consistency in approach across the local area. Officers advised that a network of Directors had been established, including West Sussex County Council, which would consider need across the wider area.

The merits of fixed term tenancies and the practicalities of how these would work alongside lifetime tenancies was considered and a Member sought clarification regarding differences in the LHA's between Adur and Worthing. Officers advised that Adur's LHA was aligned with Brighton's.

Decision,

The Joint Strategic Committee recommended to both Adur and Worthing Councils that the Housing Strategy and targets for 2017 to 2020 be agreed.

Full report: <https://www.adur-worthing.gov.uk/media/media,143391,en.pdf>

**JOSC/16-17/61 Adur and Worthing Joint Overview and Scrutiny
Committee Work Programme – 2016/17**

Before the Committee was a report by the Director for Digital and Resources, a copy of which was sent to all Members and a copy of which is attached to the signed copy of these minutes as item 10. The report outlined progress on the work contained in the 2016/17 Work Programme and proposals for the Committee's work programme for 2017/18

The Policy Officer introduced the report to the Committee and set out Scrutiny requests that had been received along with recommendations made by the Joint Chairs.

In relation to a proposal to set up a review to look at the Worthing Theatres budgets the Committee noted that a Theatres Working Group had been set up previously but were concerned that its recommendations had not been carried out. The Committee agree to set up a working group to investigate the progression of previous recommendations in preparation to present and question the Executive Member for Customer Services with their findings at the meeting in November. The Working Group was set up to consist of Keith Bickers, Luke Proudfoot, Bob Smytherman and Joss Loader.

With regards to a request to review the dredging of Brooklands Lake and the condition of the play area, Members agreed to add to the work programme an item on a review of Adur and Worthing play areas and review the situation relating to the dredging of Brooklands Lake following the Joint Strategic Committee meeting taking place in July 2017.

Members agreed to look at a report on solar panels at its meeting in June 2017.

Resolved: that progress on the work programme be noted

Recommendations: that the Joint Overview and Scrutiny Committee Work Programme for 2017/18 be recommended to Full Councils for approval

Full report : <https://www.adur-worthing.gov.uk/media/media.143550.en.pdf>

JGC/16-17/057 Joint Overview and Scrutiny Committee Procedure Rules

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 11.

The report updated Committee on the ongoing work, by the Joint Overview and Scrutiny Committee (JOSC), to introduce and review 'New Ways of Working' to ensure the Committee was able to robustly, efficiently and effectively, scrutinise decisions of the Councils, take a lead role in policy development and generally add value to the work of the Councils.

The review of JOSC's New Ways of Working had coincided with a timely periodic review of the Councils' JOSC Procedure Rules, which formed part of each Councils' constitution. The proposed revisions to the JOSC Procedure Rules, for both Adur and Worthing Councils, were attached to the report as Appendix 1.

Members acknowledged the importance of the scrutiny function and a Member questioned whether the new procedure rules would restrict what the Joint Overview and Scrutiny Committee could consider or who could propose items. Officers advised that the new procedure rules were not restrictive although additional criteria had been included within the procedure rules.

Resolved,

That the Joint Governance Committee recommended to both Adur District Council and Worthing Borough Council the adoption of the revised Joint Overview and Scrutiny Procedure Rules and inclusion of the rules in each Council's Constitution.

Full report: https://www.adur-worthing.gov.uk/media/media_143814_en.pdf

JGC/16-17/058 Executive Procedure Rules

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 12.

The report made proposals for changing the Executive Procedure Rules and revised versions were appended to the report as Appendix 1, for Adur District Council and as Appendix 2 for Worthing Borough Council.

The Joint Governance Committee was asked to consider the proposed new rules and to make a recommendation to each Council for the new Executive Procedure Rules to be adopted and become part of each Council's Constitution from the date of the Annual Council Meetings in 2017.

It was noted that consultation had been undertaken with both Leaders by way of a report, asking them to provide comment to the Joint Governance Committee. The Committee was updated with the decision of the Leaders' and feedback received.

A Member questioned whether the 28 Day Notice of Key and / or Exempt Decisions could be shared with Members when published. Officers agreed that Democratic Services would email Members with a link to the notice at least once a month.

A Member sought clarification as to whether informal briefing meetings had been reintroduced by Adur and Worthing Councils. Officers confirmed that there were informal briefing meetings but they had no decision making powers as the public were excluded.

Resolved,

That the Joint Governance Committee

- **recommended that Adur District Council adopt the revised Executive Procedure Rules, as set out at Appendix 1, as part of their Constitution;** and
- recommended that Worthing Borough Council adopt the revised Executive Procedure Rules, as set out at Appendix 2, as part of their Constitution.

Full report: <https://www.adur-worthing.gov.uk/media/media.143815.en.pdf>

JGC/16-17/059 Constitutional Provisions relating to Adur and Worthing Councils' Licensing Functions

Before the Committee was a report by the Solicitor to the Councils, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 13.

Constitutional and procedural arrangements relating to Licensing at Adur District Council and Worthing Borough Council vary significantly and the report provided an opportunity for governance arrangements and procedure rules to be reviewed; to streamline procedures and to combine best practice from both authorities.

The Solicitor to the Council advised the Committee that determining individual applications by way of a hearing before a full Committee of either 10 or 15 Members may be disproportionate and may be contrary to the principles of natural justice and the Human Rights Act, particularly where the individual is not represented and there is a risk that the hearing may result in a loss of livelihood. The Solicitor to the Council advised the Committee that all other West Sussex local authorities determine such matters by way of sub committees, and advised that, to minimise the risk of challenge, greater use of sub committees for Licensing matters be adopted at Adur and Worthing.

The Committee noted that Worthing Licensing and Control Committee considered the proposals at its meeting on the 30 January 2017 and had strongly rejected the proposals. The Licensing and Control Committee had reasoned that the best possible judgements were achieved by a Committee of 15 Members.

A Member questioned what the quorum would be for a sub-committee of 3 Members. Officers advised that quorum would be 2 Members. A Member asked what would happen if there was disagreement between 2 Members sitting on a sub-committee. Officers advised that the appointed chairman would have a casting vote.

A Worthing Member stated that the proposals within the report seemed sensible but the Licensing and Control Committee had not supported them. Therefore, he could not see how the Joint Governance Committee could support the proposals.

An Adur Member proposed that the recommendations put forward by the Adur Licensing Committee be recommended to Adur Council by the Joint Governance Committee. The proposal was seconded.

The reasons given for this proposal were that the larger committee reflected a true democratic approach to Licensing by providing a broader breadth of experience and opinion.

Resolved,

1. That the Joint Governance Committee noted the comments received from both Adur District Council and Worthing Borough Council's Licensing Committees.
2. That the Joint Governance Committee recommended to Worthing Borough Council that no changes be made to the Constitutional Provisions relating to Worthing Councils' Licensing Functions.
3. **That the Joint Governance Committee recommended to Adur District Council:**
 - that the constitution be varied to provide that the majority of the membership of the Licensing committee cannot be made up of Executive Members;
 - that Licensing Act 2003 and Gambling Act 2005 matters are heard by a full committee of ten members and no changes to the constitution are made in this regard;
 - that the quorum of the full committee be raised from three members to four members and the constitution be amended accordingly;
 - that the quorum of the Licensing and Regulatory sub committee remain as three;
 - that the constitution be amended to provide for NNDR applications to be dealt with by the Head of Revenues and Benefits, rather than the Executive Member for Resources, with a route of appeal to the Executive Member for Resources, rather than to the Licensing Committee;
 - that the Solicitor to the Council be delegated authority to draft Licensing Procedure Rules to be incorporated into the constitution, to include a provision that the Licensing Committee Chairman or Vice Chairman be expected to attend appeals held at the Magistrates Court.

Full report: <https://www.adur-worthing.gov.uk/media/media,143816,en.pdf>

JSC/107/16-17 Becoming Dementia Friendly Councils - A paper to propose the councils join the Adur and Worthing Dementia Action Alliances

Before the Committee was a report by the Director for Communities, 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 provided information on dementia and proposed that the Councils' demonstrate their commitment to becoming dementia friendly organisations, by becoming a member of the Dementia Action Alliances.

The report outlined what becoming dementia friendly meant for local communities and organisations and how the Councils could further develop some of the great services they deliver, to be equipped to respond to the needs of people living with dementia and their carers.

It was noted that there were many things the Councils were already doing to support people to reduce their risk of developing dementia and some of these were detailed in the report.

Members expressed their support for this work and the proposals outlined in the report.

Decision:

The Joint Strategic Committee

- 1) recommended to Adur and Worthing full Councils that they sign up to the Adur Dementia Action Alliance and Worthing Dementia Action Alliance as 'Local members';
- 2) delegated approval of the draft Action Plan (Appendix II) for submission, to the Director for Communities in consultation with the Executive Members for Wellbeing and Customer Services;
- 3) noted that the Action Plan on working towards becoming dementia friendly Councils reports to the Public Health Plan Delivery Group, chaired by the Director for Communities, and requested that this be reported to the Joint Strategic Committee on an annual basis.

Full report: <https://www.adur-worthing.gov.uk/media/media.143912.en.pdf>

Report of the Leader on Decisions taken by the Executive, 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 ordinary Council Meeting . Full details can be found on the Executive Members and Portfolios, Reports and Decisions webpage.

<http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/adur/cabinet-member-decisions/>

Leader

JAW/007/16-17 Executive Decision Making

Executive Member for Regeneration

-

Executive Member for Resources

RES/019/16-17 Rate Relief Applications

RES/020/16-17 Hardship Relief

RES/021/16-17 Write Offs

Executive Member for Customer Services

CSE/022/16-17 Developing New Affordable Homes for Adur Residents

Executive Member for the Environment

ENV/024/16-17 Southwick Square Parking Review

Executive Member for Health and Wellbeing

JAW/006/16-17 Funding for the Wellbeing Programmes Older People's Services Contract

B. Decisions Taken by the Joint Strategic Committee on 07 March 2017

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

Decision,

That the Joint Strategic Committee

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

- noted the reprofiling and possible slippage of the Adur District Council capital schemes advised in paragraphs 4.2, 4.3 and Appendix 3;
- approved the amendment to the 2016/2017 Capital Investment Programme to include the purchase of CenSus Capita Modules for Adur District Council Revenues and Benefits at a cost of £14,410, funded from underspends in the overall 2016/2017 Capital Investment Programme, as detailed in paragraph 4.6;
- approved the amendment to the 2016/2017 Capital Investment Programme to include the provision of solar panels on the Shoreham Centre, funded from underspends in the overall 2016/2017 Capital Investment Programme, as detailed in paragraph 4.7;
- agreed the virement of £170,000 from the Adur Homes capital budget for external works to the Adur Homes capital responsive repairs budget, as requested in paragraph 4.6;
- approved the additional funding of £90,000 required to complete the renewal the Southwick Leisure Centre flat roof areas, funded from underspends in the overall 2016/2017 Capital Investment Programme, as detailed in paragraph 4.9.3;
- agreed the use of Environment Agency Grant of £32,000 to part fund the Adur Beach Management Plan for the Rivers Arun to Adur Preliminary Study, as detailed in paragraph 4.12;
- agreed the addition of Environment Agency Grant of £85,000 to the budget for the Shoreham Harbour Walls Flood Defence Project for the Coastal Defence Study, design of the scheme and advice, as detailed in paragraph 4.13;
- approved the £25,000 contribution towards the Shoreham Air Crash Memorial, funded from ring-fenced capital receipts, as detailed in paragraph 4.14;
- noted the removal of the budget for the Grounds Maintenance building for vehicles and equipment from the current Capital Investment Programme as the scheme is unable to proceed at this time, as advised in paragraph 6.1;
- approved the amendment to the 2016/2017 Capital Investment Programme to include the purchase of a new microphone system at a cost to Adur District Council of £14,100, funded from underspends in the overall 2016/2017 Capital Investment Programme, as detailed in paragraph 6.2;

JSC/098/16-17 3rd Quarter Revenue Budget Monitoring 2016/17

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).

C. Decisions Taken by the Joint Strategic Committee on 04 April 2017

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/106/16-17 Industrial Strategy: Adur and Worthing Submission

Decision,

That the Joint Strategic Committee

- agreed the draft submission (Attachment A) and delegated authority to the Director for the Economy to make minor amendments prior to its submission;
- noted the ongoing engagement with County and City Region partners to advocate positions outlined in the draft submission;
- noted that analysis of the Industrial Strategy Green Paper's relationship with our local financial economies will inform the development of the Councils' Economic Strategy identified in *Platforms for our Places*.

JSC/111/16-17 Shoreham Aircrash Memorial Project

Decision,

That the Joint Strategic Committee:-

- agreed to the Council's contribution of £25,000 to the Shoreham Memorial project, funded from Shoreham Renaissance Ring Fenced Capital Receipts;
- agreed that the project, with a total expenditure of £180,000, be added to the 2017/18 Capital Programme with £155,000 to be externally funded;
- noted the commissioning of the Artists (Jane Fordham and David Parfitt) to carry out the detailed design work (Stage 1 contract) and that commissioning production and installation of the works would follow under a separate contract (Stage 2) once the designs had been approved by the Council.

JSC/112/16-17 Building Homes for Adur - HRA Development and the Formation of a Housing Company

Decision,

That the Joint Strategic Committee:-

- agreed the overall approach to the Phase 1 programme; scale, phasing, mix and funding;
- agreed to invest £20,000 in new software, £20,000 to commission an asset review of Adur Homes, and £20,000 for expert advice on forming a housing company to assist Phase 1 delivery and Phase 2 development, funded from within existing budgets;
- requested detailed evaluation of a range of housing company vehicles and delivery / investment models to enhance next phase delivery capacity for Members consideration.

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:

CSE/0022/16-17 Developing New Affordable Houses

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.

