

**Minutes of the Meeting of the Council  
held in the Queen Elizabeth II Room  
at the Shoreham Centre, Pond Road, Shoreham-by-Sea**

**20 July 2017**

Councillor Peter Metcalfe - Chairman  
Councillor Joss Loader - Vice-Chairman

*Councillor Carol Albury	Councillor Emma Evans
Councillor Carson Albury	Councillor Jim Funnell
Councillor Les Alden	Councillor Paul Graysmark
Councillor George Barton	*Councillor Liz Haywood
Councillor Ken Bishop	*Councillor Emily Hilditch
Councillor Ann Bridges	Councillor Barry Mear
Councillor Brian Boggis	Councillor Robin Monk
Councillor Kevin Boram	Councillor Neil Parkin
Councillor Clive Burghard	Councillor Geoff Patmore
Councillor James Butcher	Councillor Lyn Phillips
Councillor Stephen Chipp	Councillor David Simmons
Councillor Brian Coomber	Councillor Ben Stride
Councillor Angus Dunn	Councillor Sami Zeglam

One vacancy

\* = Absent

**C/010/17-18 Apologies for absence**

Apologies for absence were received from Councillors Hayward and Carol Albury.

**C/011/17-18 Mash Barn Ward - Resignation by David Lambourne**

Council noted the resignation on 5 July 2017 of David Lambourne from the office of councillor for the Mash Barn Ward of the District.

**C/012/17-18 Declarations of Interest**

Members were invited to make any declarations of disclosable pecuniary interests.

Councillor Chipp declared a personal interest in property management, the subject of one of the questions to be asked under Members Questions on Notice.

**C/013/17-18 Questions from members of the Public**

There was one registered question from Mr Rob Lewis.

## **Question Rob Lewis to the Executive Member for Customer Services**

Will the member responsible please let me know the number of residential properties which received planning approval in each of the last five years (2012/13 to 2016/17, or calendar years if easier)? How many of these were affordable housing units? Please provide a breakdown between a) 'affordable' rents, b) social rents and c) shared ownership. What steps are the council taking to ensure that the council's 30% target for affordable homes is met?

## **Response by Councillor Carson Albury**

Councillor Albury explained that a written answer would be forwarded to Mr Lewis.

## **C/014/17-18 Confirmation of Minutes**

**Resolved** that the minutes of the meeting of the Annual Council on 18 May 2017 be approved as a correct record and they be signed by the Chairman.

## **C/016/17-18 Announcements by the Chairman, Leader, Executive Members and / or Head of Paid Service**

The Chairman announced that St Barnabas House had held a charity walk on 24 June. He had welcomed the walkers, who had started at Worthing Leisure Centre, to Adur during the afternoon—a total of £116,000 had been raised by those walking. When he was away on holiday Councillor Loader as Vice-Chairman had officially welcomed the Captain and Crew of HMS Shoreham to the District during their stay.

Councillor Loader had also attended the Schools' Eco-Summit event at Davison's High School; primary and secondary schools from across the Worthing and Adur area (around 250 pupils) had attended the event that focused on how to save the Planet in an interactive and fun way. Elmcroft and Mount Hermon residential homes had been visited to mark National Care Homes Day and the Early Summer Horticultural Flower Show in Shoreham had shown off the Town's green-fingered gardeners.

A mention was made of Mrs Linda Lewis, Lancing resident who had recently received the honour of Medallist of the British Empire for services as a volunteer with the West Durrington Phoenix Youth Group.

The Leader announced that the Council beat off stiff competition to win another digital award last week, this time at Computing Magazine's national Digital Leaders Awards. Working in partnership with the NHS Coastal West Sussex Clinical Commissioning Group the County Council, and our own Well-being team, our digital unit designed and built an app to support a new community service, called 'Going Local'. The service allows doctors to refer patients to local social and community based solutions to improve their health and well-being, thus freeing up GPs to concentrate on people with medical conditions. The Going Local team were delighted with the way the app is helping them manage and monitor their new service. It's great to see how our digital skills are now benefitting local public services more widely, and a great example of how we are making our ambitions in

Platforms for Our Places a reality. Barbara Bastible of the Digital Team received the award from the Chairman.

No other announcements were made.

### **C/017/17-18 Items Raised Under Urgency Provisions**

There were no items under the urgency provisions.

### **C/018/17-18 Recommendations from the Executive and Committees to Council**

Council had before it recommendations from the Joint Governance Committee of 27 June 2017 and the Joint Strategic Committee of 11 July. These had been circulated to members and are attached as item 8 A and revised 8B to the minutes.

#### **(A) Joint Governance Committee - 27 June 2017**

The Chairman of the Joint Committee presented the recommendations of his Committee as item 8A before Council. This was on page 5 of the agenda.

#### **Revisions to Contract Standing Orders**

The Joint Chairman explained that training for staff in the new procurement process was being rolled out to all staff.

The recommendation was seconded by Councillor Graysmark.

On a vote For 25 Against 0 Abstentions 0

**Resolved** that the amended Contract Standing Orders be approved.

#### **(B) Joint Strategic Committee - 11 July 2017**

The Leader presented and proposed the recommendations from the meeting of the Joint Strategic Committee as item 8B on the revised cream sheets.

##### **(i) Revenue Outturn Report**

The recommendation was seconded by Councillor Evans.

There were no speakers on the item.

On a vote For 24 Against 0 Abstentions 0

**Resolved** that the Council

(a) noted the overall final outturn for 2016/17;

(b) *related to Worthing Borough Council*

(c) approved the net appropriation to General Fund reserves in the year, totalling:

Adur District Council £80,854

Worthing Borough Council £669,409 (as amended)

(d) agreed the net carry over of revenue budget to 2017/18 funded from reserves:

Adur District Council £8,000

Worthing Borough Council £89,970

(e) approved the consolidation into Adur's Capacity Issues Reserve of the Health & Safety Fund (£32,545) and the New Technology Fund (£22,300) in 2017/18; and

(f) approved a contribution for Adur District Council from the HRA to the Adur Housing New Development and Acquisition reserve of £306,000

## **(ii) Capital and Projects Outturn for 2016/17**

The recommendation was seconded by Councillor Albury.

There were no speakers on the item.

On a vote For 23 Against 0 Abstain 0

**Resolved** that the Council

(a) noted the overall capital final outturn for 2016/17;

(b) agreed the net carry over of General Fund Capital underspends for Adur District Council as detailed in the report;

(c) approved the financing of the Capital Investment Programmes, including the use of capital receipts;

(d) noted the use of S106 receipts to fund the 2016/17 Capital Investment Programme, as previously approved.

## **(iii) Towards a sustainable future - Budget Strategy for the 2018/19 Budget**

The recommendation was seconded by Councillor Dunn .

There were no speakers on the item.

On a vote For 24 Against 0 Abstain 0

**Resolved** that the Budget Strategy for 2018/19 outlined in Section 9 of the report be approved.

#### **(iv) Investing in Service Delivery - Capital Strategy 2018/21**

The Leader explained that this was a three year Capital Strategy for the Councils.

There were no speakers on the item.

The recommendation was seconded by Councillor Chipp

On a vote For 24 Against 0 Abstain 0

**Resolved** that the Capital Strategy 2018/21 be approved.

#### **(v) Building the Councils' Investment Portfolios: An update and future direction for Strategic Investment Fund**

The recommendation was seconded by Councillor Dunn

On a vote For 24 Against 0 Abstain 0

**Resolved** that an additional allocation of £15m to the Strategic Property Investment Fund from 2017/18 be approved

#### **(vi) Developing New Affordable homes for Adur Residents - Additional contribution to Worthing Homes**

On a question it was confirmed that residents in the social housing on the site would be charged the Adur Homes rental rate.

The recommendation was seconded by Councillor Dunn

On a vote For 24 Against 0 Abstain 0

**Resolved** that a release of £379,602 of the retained RTB receipts to enable grant funding to Worthing Homes for the provision of further family homes and amend the current 'Affordable Housing Grant - Worthing Homes' capital budget to £753,430.

#### **C/019/17-18 Report of the Leader on decisions taken by the Executive**

The Leader of the Council presented his report on decisions taken by the Executive since the last ordinary meeting of the Council; which were detailed in Item 9 on pages 19 to 21 and revised cream pages.

No questions were asked of the Executive.

#### **C/020/17-18 Decision making by Adur District Council 2017-18**

Council had before it a report from the Director of Communities noting the resignation of Councillor Bishop from the UKIP group on the council and recommended changes to the

Planning Committee membership and the Licensing Committee membership. The report was at item 10.

The report was proposed by Councillor Parkin, seconded by Councillor Boggis.

A minor amendment to the report was proposed by the Leader of the UKIP group, that recommendation 6.2 to read 'Councillor Robin Monk' rather than Councillor Paul Graysmark as full member of the planning committee. This was seconded by Councillor Graysmark.

On a vote For 24 Against 0 Abstain 1 , the amendment was agreed.

On the amended recommendations For 22 Against 0 Abstentions 0

**Resolved** that Council

i) noted the resignation of Councillor Bishop from the UKIP Group and the resulting changes to the Political Balance on the Council as detailed at 2.4 in the report

ii) approved the following committee changes by the UKIP Group:

Councillor Robin Monk becomes a member of the Planning Committee  
Councillor Geoff Patmore becomes a member of the Joint Governance Committee

iii) approved the following committee change by the Labour Group:

Councillor Les Alden becomes a member of the Licensing Committee

iv) notes that the result of a by-election in the Mash Barn Ward may require that the political balance is recalculated at a future meeting of the Council.

### **C/021/17-18 Annual Pay Statement**

Council had before and noted the Pay Policy Statement from the Director for Digital and Resources as item 11. Council was invited to approve the Statement as Appendix 1.

The acceptance of the statement was proposed by Councillor Parkin, seconded by Councillor Albury.

On a vote For 22 Against 0 Abstentions 0

### **C/022/17-18 Members Questions under Council Procedure Rule 12**

#### **Councillor Monk to the Executive Member for the Environment**

Councillor Emma Evans has indicated that there is currently a review of the Council's enforcement capability.

The amount of litter and Dog poo in our environment is an enormous problem on our beaches, parks, open spaces and pavements etc. Many Authorities have employed

specialist enforcement companies who are funded on the amount of fines they impose, mostly on the spot fines. The major problem is the lack of enforcement and fines handed out, perpetrators know they can litter and not pick up with impunity. The commissioning of an enforcement company would be at nil cost to the Community charge payer in fact part of the revenue from the fines would accrue to the Council.

Therefore what is the current status of the enforcement review and will the Council engage an enforcement company to reduce this unpleasant and growing blight to our environment and public space?

**Response by Councillor Evans:**

Enforcement of non removal of dog faeces and littering is presently overseen by the Dog Wardens and Compliance Officers respectively. This however is only one aspect of their roles.

The Dog Warden's duties for example also involves:

- Education on responsible dog ownership
- Dealing with and rehoming stray dogs
- Animal welfare cases
- Pet shop and home boarding licence checks
- Dog related complaints and general enquiries

The Compliance Officer's duties for example also involves:

- Abandoned vehicle inspections and enforcement
- Flytipping inspections and investigations
- Littering complaints
- Advice and guidance on ensuring householders follow bin instructions
- Commercial waste inspections (duty of care and bin management)
- Toilet cleaning inspections

The Heads of Service responsible for these Services have recently started to review how the Councils can deliver their Enforcement responsibilities more effectively. They are exploring what the present Enforcement delivery is, what synergies could be explored further to improve service delivery. The review will also consider all options available for future Enforcement delivery.

**Councillor Zeglam to the Executive Member for Regeneration**

What steps are the council taking to ensure that the iconic Shoreham Post Office building remains as a community asset should the post office business be relocated?

## **Response by Councillor Boggis :**

The Shoreham Post Office has been nominated as a community asset that should be added to the Council's Register of Community Assets. In line with the Council's adopted procedures and guidance in the Localism Act the Council has been in correspondence with the freehold owner of the building the Royal Mail. A lengthy objection to the request was made by the Royal Mail on two principal grounds. Firstly the building forms part of the Royal Mails 'operational land' and therefore it is exempt from inclusion on the Register of Community Assets and secondly that there was no compelling case made that the Post Office service in this building furthers the social well-being or social interests of the local community.

After taking legal advice it has been decided that the land is operational land as defined by the Town and Country Planning Act and therefore is regrettably exempt from listing as a community asset.

## **Councillor Alden to the Executive Member for Health and Wellbeing**

The executive member will be aware of the numerous complaints by residents in my ward in respect of noise created by operations at Parker Steel.

Will the Executive member please let me know what action is being taken in respect of the claimed breaches of Planning consent conditions by Parker Steel?

When may residents expect a reduction in the overnight disturbances to their sleep?

## **Response by Councillor Simmons:**

In approving the steel processing building at the Port the Council imposed conditions to restrict maximum noise levels from the production plant. As yet there has been insufficient evidence to demonstrate that the planning conditions relating to noise emissions from the building have been breached.

A number of the complaints of noise have related to the steel storage areas on the quayside. It was noted at the time of the planning application that the storage of steel could not be controlled as it was a Port related activity. The movement of steel is an activity that generates noise and unfortunate residents living next to a working Port will experience noise disturbance on occasion.

At the present time the Planning Authority is investigating two alleged breaches of planning conditions on the site. Firstly, that Parker Steel is bringing in steel to the site by lorry, contrary to the condition which restricts the processing of steel unloaded by ships onto the quayside. Secondly, there have been complaints that the doors on the northern elevation continue to be left open beyond the permitted hours.

In respect of the noise issues, the Public Health & Regulation Team periodically review all complaints received and where there is an issue that appears to be out of the norm ie a material change, they will respond. The last review suggested the pattern of noise remains as previously assessed and there has been no significant increase in complaint volume or type. Based on this, there is not any justification for



formal action on the complaints received, i.e. there is no "statutory nuisance" for which the Council has powers.

This does not mean that there is no noise from the site, but at present the Public Health & Regulation Team are of a view that best practicable means are being employed to minimise the noise to neighbours.

### **Councillor Chipp to the Executive Member for Customer Services**

Firstly I would like to place on record my thanks to the executive member for customer service for responding so quickly to my personal email following the Grenfell Tower tragedy. Your response and the subsequent press release from the council really did reassure me that we are council that truly cares for all of our residents safety in Adur. Thank you.

Can the executive member provide any update on any recent investigations of our council stock and provide assurance that our residents are safe in the homes we provide and manage? Furthermore what steps are being taken for the private rented sector to ensure safety standards are met and maintained?

### **Response by Councillor Carson Albury:**

All blocks with communal areas had a fire risk assessment carried out in 2015. A new schedule of fire risk assessments is currently being carried out and we have recently completed assessments for all our sheltered schemes and the two six storey blocks.

All fire safety works for the two six storey blocks have been completed and post inspected by the fire service. We are about to implement a programme of works for upgrading individual flat entrance doors to further improve fire safety within our blocks.

We carry out regular inspections of the internal communal areas of our flats to ensure they are kept clear of obstructions. Electrical NICEIC condition survey reports will be implemented to all communal Landlord distribution boards across the estates following the FRA inspections and recommendations. Both emergency lighting and fire alarm services records are being reviewed for any recommendations against the FRA's will be actioned and centrally filed.

Our Building Control and Private Sector Housing teams reacted quickly to identify and assess high-rise buildings throughout our areas as a result of the Grenfell incident.

The teams, in conjunction with the Communications team, quickly put together information that would be useful to both owner-occupiers and tenants and coordinated responses to numerous Freedom of Information requests.

Although none of the 46 buildings in the Adur and Worthing areas that are 6 storeys or more in height have external cladding of the type that appears to have contributed

to the fire at Grenfell,

The Council has a legal duty to investigate complaints about living conditions and there are a significant number of such complaints received each year. The Council recognises that poor housing conditions can and do have serious adverse effects on an occupant's health and wellbeing. We do, however, take the issue of poor housing seriously and we have an excellent record in responding positively and effectively to any such complaints.

At a time when local authorities are being criticised nationally for only taking an average of 2 prosecutions a year for poor housing, the Private Sector Housing team has completed 6 in the past twelve months, as well as serving more formal notices to resolve hazardous conditions than any other authority in Sussex.

In addition to their reactive work, the Council also has a programme of identifying and inspecting houses in multiple occupation to ensure that owners are meeting their additional responsibilities for this type of property. This proactive work seeks to preempt the imminent legal requirement for all HMOs with 5 or more residents to be licenced.

### **Councillor Patmore to the Executive Member for Environment**

Impulse Leisure contract

Impulse Leisure has been formed to provide sporting, exercise facilities for Adur.

Recently it has been made apparent that Adur District Council subsidise Manor Leisure (impulse Leisure ) at Manor Park in the amount of £130 k per year for the next 25 years reducing by £10k per year over that period. ADC is responsible for the maintenance of the complex at Manor Park and has recently refurbished the building at cost to the Community charge payer.

ADC has also or is in the process of spending / allocating £250k to extend the Manor Park car Park to accommodate an additional 30 cars. An approximate estimate of current expenditure is £500 K in the last year.

Manor Leisure has reserves of £90k apparently and is a Private business with with charitable status providing services to a niche market. Could the council provide details of the overall contract with Impulse Leisure?

Can the Council please justify value for money given the potential allocation of £500k to Manor Leisure amenities from Community Charge payers?

Why has not Manor Leisure a private business not contributed any funding to ADC whatsoever with regard to improvements at Manor Park which obviously benefit the users of Manor Leisure facilities?

### **Response by Councillor Evans**

Thank you for your questions Cllr Patmore.

The ADC & impulse contract was signed in 2005. It is a 30yr contract.

ADC were originally paying £405,000 pa to Impulse to run leisure provision across Adur including Wadurs and Southwick, not just Manor Park in Lancing.

Year on year reductions have dramatically reduced this amount and a further £10,000 pa reduction is written into the Impulse business plan which runs to 2021.

As part of the 2005 contract ADC is responsible for capital works required at all 3 Impulse sites.

As part of the capital works programme in Dec 2015 the full council meeting unanimously approved funding for the car park extension (voted for by your colleagues). This car park is for use by all park users not just those using the leisure centre. It will provide approximately 45 new spaces.

Impulse have agreed to pay towards the maintenance of this new area & will litter pick & pay for electricity for any additional lighting that may be required.

In the last year ADC has spent approximately £95, 000 on capital projects for Impulse Leisure. I am unsure where you have got the figure of £500,000 from Geoff.

Impulse for their part have invested approximately £400,000 over the last 3 years, inc new gym equipment, solar panels, a new cafe area, main hall heating and 3G pitches, they are currently refurbishing the reception area at Lancing.

With regard to the other Impulse sites in Adur full council in December 2015 also voted for inclusion into the capital programme a project to develop the changing rooms at Wadurs and the courts at Southwick. Both projects are subject to Impulse obtaining additional match funding which they are actively pursuing and officers are working closely with colleagues at Impulse on these proposals.

Impulse Leisure have been key supporters of many of the Council's wellbeing initiatives, including supporting care leavers and those with disabilities. It is these additional benefits, provided by a community based, charitable company, that are hard to quantify, but offer so much value to many in our communities.

## **Councillor Patmore to the Chairman of Planning**

Community infrastructure Levy .

The Community Infrastructure Levy has been in operation since 2010  
The Emerging Local plan was agreed in 2013 since that time all developments in Adur have been subject to S106 funding only Adur has not adopted the current government's Community Infrastructure Levy which is currently under review

The Review is A system put forward by a government-commissioned review to replace the Community Infrastructure Levy (CIL) would see all developments face a low-level charge, with no - or very few - exemptions, the removal of the need for an

examination process, and a mandatory requirement placed on town halls to adopt the new mechanism

The Community Infrastructure Levy is for improvements to infrastructure as a result of development and cannot be ring fenced or hijacked for other purposes e.g. BHAFC S106 funding of £1.3 million for sports facilities only.

CIL is far more beneficial to our community in that 10% goes to Parish councils 60 %to District councils and 40% to County Councils.

The Community Infrastructure Levy does not require a local plan before it is implemented

The government is pushing strenuously for the phasing out of S106 in favour of CIL or equivalent under the review.

Notwithstanding the review Why have ADC not implemented the CIL in the intervening 7 years which has resulted in the loss of much needed infrastructure improvements and income.

Will ADC be adopting the current CIL requirements, if not why not?

When will ADC be adopting CIL or equivalent as required by Government

**Response by Councillor Carson Albury for Councillor Carol Albury:**

Thank you Councillor Patmore for your detailed question.

I appreciate that planning is a subject you feel passionate about, I believe that your question is premature in this Chamber tonight as my Committee has a full report on the Community Infrastructure Levy on Monday night and I can not preempt the decision of the democratic debate at that meeting.

Therefore I invite you to fully participate in the debate on Monday.

**Councillor Patmore to Chairman of the Joint Staff Committee**

Reduction in staffing levels

Over the past 3 years there have been a plethora of compulsory redundancies and voluntary redundancies and vacant jobs being deleted . I have spoken to a number of staff who have indicated that the pressures upon them if absorbing additional duties as a consequence of staffing cuts are reaching or have reached intolerable levels. There is also the added pressure of not being able to recruit adequately experienced applicants to the vacant posts .This results in those vacant posts being deleted and the duties either not being carried out or the duties subsumed into existing staff duties or Agency staff / consultants being employed

Could the Council please provide the current FTE staffing complement in Adur compared to 2013 /14 ?

## **Response by Councillor Brian Boggis**

In 2013/14 the Council budgeted for 672 full-time equivalent staff members working across the General Fund, Joint Services and the Housing Revenue Account. In 2017/18 we budgeted for 626. This is an average of 11 posts per year across the whole organisation, and demonstrates that we have been very successful in managing the serious reductions in central government funding through our strategic work on commercial income, property investment, and smarter procurement.

It is the case that in some areas it is difficult to recruit suitably skilled staff, and we are working hard to ensure roles are well designed and are advertised in the right places. We are also developing our approach to apprenticeships to develop the skills of both new and existing staff. In some cases it is necessary to bring in external support with specialist or new skills, for example in digital. But we are very focussed on making sure those skills are transferred to our employed staff to minimise costs and upskill our own people.

## **Councillor Phillips to the Chairman of the Planning committee**

Consistency of decisions made on impact to the Community by development in Adur

There is a disparity in decisions upon development and the degree to which Residents are affected

One major community impact development was agreed in the middle of a densely polluted area 2 other comparatively minor impact developments were refused

Could this Council justify the disparity in relation to the impact of development upon communities.

## **Response by Councillor Carson Albury for Councillor Carol Albury:**

It is difficult to comment without knowing the individual cases that are being referred to but as Members will be aware each planning application is dealt with on its individual merits and it is very difficult to compare decisions on different development proposals. The Planning Committee has to determine the application having regard to all material planning considerations.

The Chairman announced that the 30 minutes question time allowed by the Council Procedure Rule had been reached.

The Chairman declared the meeting closed at 8.05pm having commenced at 7pm.

Chairman