

**Minutes of a Meeting of the  
Joint Overview & Scrutiny Committee of  
Adur District and Worthing Borough Councils**

**Gordon Room, Worthing Town Hall**

**26 January 2017**

Roy Barraclough (Chairman)  
Keith Bickers (Vice Chairman)

**Adur District Council:**

Carol Albury  
George Barton  
Kevin Boram  
\*Clive Burghard  
\*James Butcher  
\*Stephen Chipp  
Joss Loader  
\*Robin Monk

**Worthing Borough Council:**

\*Nigel Morgan  
Louise Murphy  
Luke Proudfoot  
Bob Smytherman  
Jane Sim  
Steve Waight

\*Absent

**JOSC/16-17/43    Declarations of Interest/Substitutions**

Councillor Paul Baker declared his substitution for Councillor Nigel Morgan.

Councillor Smytherman declared a non pecuniary interest as a member of West Sussex County Council and a non pecuniary interest as Worthing town crier working with the Worthing Town Centre Initiative.

Councillor Smytherman declared a non-pecuniary interest in two schools: St Mary's Catholic School and the Alternative Provision College.

Councillor Mark Nolan declared an interest in any matter concerning Brooklands as an employee of Southern Water.

Councillor Steve Waight declared an interest as a member of West Sussex County Council who had some responsibility regarding waste disposal.

**JOSC/16-17/44    Minutes**

**Resolved** that the Minutes of the Committee held on 17 November 2016 be approved as the correct record and signed by the Chairman

## **JOSC/16-17/45      Public Question Time**

There were no questions from members of the public

## **JOSC/16-17/46      Items Raised Under Urgency Provisions**

There were no urgent items.

## **JOSC/16-17/47      Consideration of any matter referred to the Committee in relation to a call-in of a decision**

There were no items.

## **JOSC/16-17/48      Worthing Borough Council Budget Estimates 2017/18 and Setting of 2017/18 council tax**

Before the Committee was a report by the Director for Digital and Resources, a copy of which was sent to all members, a copy of which was attached to the signed copy of these minutes as item 6. The report before members represented the culmination of the annual budget exercise. Members of the Executive were present to answer questions about the budget, the Committee was asked to consider the report and make any budget proposals to the Worthing Executive.

Members of the Executive answered questions put by the committee as follows:

‘Can the Cabinet Member clarify whether the current situation with Council Tax income is a trend and whether the hardship fund will be continued will be increased to support those in financial hardship.’ *The Executive Member for Resources told the committee that the improved level of Council Tax income reflected two factors:*

- 1. There are a significant number of new homes being built locally which benefits Council Tax income. There was an increase of 438 dwellings in the base figure. We expect this to continue to benefit the base figure in future years although for the purposes of the Outline Forecast we only allow for a modest amount of growth of 0.4% per year from 2018/19 onwards.*
- 2. There has also been a reduction in the amount of Council Tax Support claimed which has benefited the base figure.*

*The Hardship Fund budget is built into the base budget and is annually reviewed. The total value of the annual budget is £80,000 to which the County Council contributes £60,000.*

‘Is the Cabinet confident the budget to support the increases in Homelessness caseload is sufficient to meet future demands for the service.’ *The Executive Member for Customer Services told the committee that the issue with the cost of homelessness is not just caseload but the amount of time spent in Bed and Breakfast and the availability of cost effective emergency and temporary accommodation. The strategy agreed by members in September was as follows:*

- 1. To invest in staff to speed up processes that assess our duty to customers who present as homeless thus reducing the amount of time they spend in*

*emergency / Bed and Breakfast accommodation.. Bed and Breakfast typically costs £151.00 per week per client with clients spending on average 7 weeks in B & B. By improving assessment times by two weeks we can make substantial savings will be made on B&B costs of £150,000. After allowing for the costs of the additional staff the net saving to the Council will be £74,000.*

*2. Improving the supply of temporary accommodation by:*

- Procuring better and cheaper accommodation. Progress has been made on this with two properties being secured recently which will save the Council's significant bed and breakfast costs.*
- Purchasing some Council owned property for the supply of temporary accommodation again with the aim of reducing costs.*

*Good progress had been made against this strategy however there does still remain the risk that demand will outstrip the councils' ability to identify additional accommodation which is highlighted in the report at 8.1.*

*'How will any financial shortfall for the Brooklands lake improvement be met and is the Cabinet Member confident these improvements will be completed during the 2017/18 financial year.' The Leader told the committee that there was not a shortfall in the budget, that both the capital and revenue budgets had been amended to incorporate the cost and that the programme of work would take four years. Tendering for the project was due to commence.*

*'Can the Cabinet confirm the percentage of staff that will benefit from the increase in the living wage.' The Cabinet Member confirmed that 6% of staff would benefit*

*'Are the Cabinet confident of meeting the housing growth targets to qualify for the new home bonus and what financial contingency has been made if we miss the target and the New Homes Bonus in future years?' The Executive Member for Resources told that committee that there were challenges in relation to development including how these came along, and how quickly these could be developed following approval. He gave a recent example of an approved development being put on hold because of an intervention outside of the council's control. There were contingencies within the budget to address this issue.*

*'What will be the financial impact should all Worthing schools move to academy status in the next financial year?' The Executive member informed the committee that there were a number of schools that received rate relief, however, based on 2016/17 figures if the remaining schools were to become academies from 01.04.17 then the collection fund would lose £607k of income, of which 40% would be borne by the Council.*

*'What representations have the Cabinet made to Government to clarify the rate relief position with regards the NHS trusts in the last year?' Members were told that the LGA was co-ordinating actions regarding the NHS trust issue and was the subject of a legal challenge nationally; the councils have obtained specialist legal advice and will be strenuously defending any claims. The councils were participating in the joint action and the Secretary of State for the NHS and the Secretary of State for DCLG were due to meet to discuss the matter.*

'What interventions are the Cabinet undertaking to improve the income from Theatres catering and live events? (This refers to the overspend highlighted in the budget monitoring report)' *The Executive Member for Customer Services told members that theatres catering had improved its financial performance following the appointment of a new manager last year. To the end of December, the catering team's performance had improved when compared to the previous year by £30,000. For live events, the council had recently successfully obtained the cultural exemption which will improve the level of income that the Council receives for ticket sales for live events. The Christmas Pantomime broke the box office record and the value of ticket sales was £458,000 compared with the previous year's sales of £319,000. The net income from the Panto after allowing for show costs is £180,000 which was £86,000 more than the previous year. The Executive Member for Resources told members that meetings were being held monthly to consider the issue. The matter was heading in the right direction and the overspend had been reducing year on year.*

'A Member asked if there could be better use of catering in the town hall and other venues to increase revenue.' *The Executive Member for Customer Services told the committee that there were costs that needed to be met if this was to be put in place. Overall the theatres had reduced operating costs by 50% since 13/14, Revenue across the board had increased there were increases in attendance. Catering was improving and a solid 3 year budget and catering plan had been developed.*

'Why was there no planning associated with the repairs to the Cremators? (This refers to the overspend highlighted in the budget monitoring report).' *The Leader stated that repairs had been identified as part of the planned regular servicing of the cremators.*

'What are the future implications for the budget with regards Grand Avenue planning decision? (This refers to the current overspend highlighted in the budget monitoring report).' *The Executive Member for Resources stated that the council did have contingencies in place, however the councils would not really know in advance which plans may go to appeal and subsequently be costly. Good work was carried out by planning officers so that applications arrived at the planning committee in good order.*

'Why does the Cabinet believe there was a shortfall in car park income despite increase usage following reduction in charges? (This refers to the current overspend highlighted in the budget monitoring report)' *The Leader told members that the car parks brought in over £2m per year and that the small shortfall was about 0.5% of the budget. However the Councils were continuing to keep prices at £1 per hour and were introducing other schemes to encourage further increased use of the car parks.*

'Could the Cabinet set out some of the new initiatives that could be funded from a 2% increase in Council Tax and has the Cabinet ruled out a referendum to increase

Council Tax by more than 2% like their Surrey colleagues?' *Members were told that a referendum could potentially cost £78k and there was no time for referendum to happen given the need for a consultation exercise to take place before hand. Surrey County Council was a very different authority to Worthing Borough Council with different financial pressures.*

*'Could the Cabinet give an example of other associated studies that could be carried out with £70k growth item? (Report highlights the use of the growth to set up joint ventures)' Members were told that a positive approach toward attracting private sector investment made it clear that where necessary, the council would intervene either to assist site assembly or address significant infrastructure issues which affected the overall viability of the projects. As the council sought to take this more proactive stance to ensure the delivery of these sites it is clear that it would need to undertake due diligence to understand in detail the costs of redevelopment and the risks associated with such projects. The council had made a number of bids for Government Funding to help unlock the development potential of some of those sites. In assessing the feasibility of development proposals and the appropriate procurement strategy to identify a joint venture partner a number of additional studies would be required including: land valuation, site appraisals and cost consultants to verify build costs. In addition any joint venture agreement may require specialist legal advice and often consultants to negotiate and protect the council's interests as development proceeds.*

*'What options are being considered for future years should business rates income not increase as predicted, Council Tax benefits not reduce as predicted due to few jobs being created and the number of new homes being delivered?' The Executive Member for Resources told members that the growth indicated in the report was based upon inflation only.*

*'Can the Cabinet provide examples of funding that has been withdrawn by partners and the likely impact this will have on services if we don't make up the shortfall from our own resources?' The committee was told that the most recent example affected Adur District Council where the County withdrew Supporting People funding for the Community Alarm service in the sheltered schemes as part of a reshaping of the programme. As a result residents of sheltered scheme now have to pay for such services which had previously been free. The DWP will be stopping their funding from April (after four years of funding) to the post hosted by Adur and Worthing councils to help people back into work, focusing mostly on those that are long-term unemployed (claiming Employment Support Allowance). There were concerns about this and work was underway to see if other resources can be used to provide this work and capacity. The impact would be the loss of a full time post that had developed some excellent partnership working and capacity between the Councils, the DWP and employers.*

*There are no other cases of funding being withdrawn, however there are examples of funding being reduced, including:*

- *funding for the Wellbeing Hubs (which equates to around 10%), which has reduced slightly the programmes being commissioned,*

- *The WSCC contribution to the Community and Voluntary Sector Infrastructure commission of 20%. This has impacted on some the ability and capacity for delivery for this contract.*

*'Can the Cabinet confirm how many times has the Museum Reserve been used since 1993 and is there plans to incorporate this in single budget for the Museum?' Members were told that the reserve could only be used once and so could not be built into the revenue budget for the museum. Records only went back 12 years to 2003/04. At the end of 2003/04 the reserve stood at £130k at the end of 2015/16 the reserve was £114k. Since 2003/04 there have been no significant movements on the reserve apart from 2007/08 when £20k was withdrawn*

*'What works have been funded from the Theatre Ticket Levy since 2013'.*

*Pavilion Theatre - Replacement carpeting £22,213.93*

*Denton Lounge - Replacement tills £11,000*

*Ritz Theatre - Replacement lighting £8,504.38*

*Pavilion Theatre - Replacement curtains £8,305.00*

*Connaught Theatre - Replacement seating (works in progress) spend to date £7,449.21.*

*'What impact assessment has been carried out about the proposed reduction in Waste Management & Pest Control service in the light of County Council's decision to reduce the hours at the household waste site and potential for fly-tipping increases' The Leader told members that there had not been an increase in the incidents of flytipping and accordingly there had been no increase in workload*

*Can the Cabinet Member confirm the reason for increasing the Allotment budget given the savings achieved from self-management in Worthing? The Leader told members that there had been no increase but there had been a technical change to budget allocations.*

*Following the reduction in budget estimates for abandoned vehicles, compliance and pest control does the Cabinet Member have concerns about cracking down on fly-tipping with WSCC decision to reduce the hours at the Tip? The Leader told members that the council would continue to monitor incidents of fly-tipping although there had been no reported increase.*

*In your JOSC interview of 29th Sept 2015 you were asked about funding for Worthing Symphony Orchestra and told us that the council's goal was to help the organisation to become independent. Given the large and continued over spend in the Theatres' budget, why are Worthing residents continuing to fund what should be a private band with £24,000 in 2017/18? The Executive member for Customer Services told the Committee that there were ongoing discussion with the orchestra regarding self-sufficiency. The symphony orchestra was unique for a town the size of Worthing and was the main reason why music was thriving in Worthing and that a full scale symphony orchestra is a costly enterprise worthy of a small investment. The Executive member told the committee that although the councils were talking*

*with the orchestra about self sufficiency the small payment being made was offset by the cultural enrichment.*

*'On page 14 we are told that the Theatres budget is due to overspend by £132,000 in the current budget. On page 57 we are told that for next year the Theatres' budget is set to increase by £160,000. Have you given up on reining in Worthing Theatres' excessive spending? Rather than throwing more money at the Theatres is it not time for a change of policy and the part or total sale of the theatres into the private sector?' Members were told that the budget was not disproportionate when compared to other council budgets, many of the base budget lines were income targets set out in the five year plan that ended in the current financial year and that the council would shortly be moving on to an improved 3 year programme founded on a more realistic business plan.*

*'South Down's Leisure has been successful in moving to a charitable trust, is that something to considered for Worthing Theatres?' The Executive Member for Customer Services told members that a company had been in the past commissioned to look at moving to a trust and it had been decided that it wasn't in the interests of the theatres at that time. What needed to be appreciated was the South Downs Leisure was an income generation tool which received steady income from its members and that it was not the same when running theatres: the business model was not comparable. The Leader told members that around the country it was shown that public sector investment in culture had generated regeneration in those areas. There would be further decisions to make about the way forward for the theatres.*

*'5.10.7 (on page 19) tells us that each 1% increase in council tax is worth £83,000 to the Council. The 2017/18 budget is looking at a 2% increase, or £166,000 extra for the Council. Could we look at not increasing the Theatres' budget by £160,000 but freeze council tax instead?' The Executive Member for Resources explained that the increase in budget was to account for an increase of pay inflation, the impact of pensions and 2017 business rate evaluation.*

*'The Tourism budget appears to be reduced from £170,890 to £1,810. Presumably this is some sort of a mistake as I know that you are passionate about supporting and encouraging tourism to Worthing. could you please explain this?' The Leader told members that there had been a reorganisation of the budget and it now was the responsibility of the head of place and investment. There was no reduction to the budget in real terms.*

*'Question for Councillor Dan Humphreys - When was the Theatre's annual outturn last within the agreed annual budget?' Members were told that the Theatres were last underspent in 2010/11*

*Question for Councillor Mark Nolan - Why has the employee cost increased by 12.9% between 16/17 and 17/18? The committee was told that there were several factors which have influenced the cost of salaries in both the Theatres and the Museum budgets.*

1. *There has been a restructuring of Culture service area (Theatres and Museums). Pay budget amounting to £91,550 was moved from Museums to Theatres reflecting the new staffing arrangements.*
2. *Pension costs have increased partially due to an allowance for an additional 1% employers pension contribution resulting from the expected outcome of the triennial valuation and partially due to some staff opting to join the pension scheme last year. The Council only budgets for contributions where a staff member is a member of the LGPS.*
3. *The pay award for 2016/17 on scale points 6 to 14 was between 2% to 6% and 1% on scale point 15 onwards. Theatres employs a few staff members on scale point 6 to 14 and additional budget had to be provided to fund the pay awards associated with these posts.*
4. *There were cost pressure due to increments which are estimated to cost £45k*

*Question for Councillor Mark Nolan - Why have the Direct Recharges increased by 17.7% between 16/17 and 17/18? The most significant element of the change is the recharge from the surveying section which has increased from £37k to £76k. Overall the recharge from the Surveying team to Worthing Borough Council had not increased substantially, reflecting only inflationary pressures and the impact of increments which are allowed for in the overall budget. However there had been a reassessment of where time is being spent which had led to an increase for the theatres service. The committee was told that surveyors logged their time and this had led the service to introducing a change in recharges.*

*Question for Councillor Dan Humphreys - Income has been projected to increase by 3.2% between 16/17 and 17/18. In view of the current and previous income figures, what evidence do you have that these figures will be achieved? The Leader told members that the line in the budget related to keeping more of the money than came in via the 'cultural exemption' that the council was eligible for, subsequently less money was going to VAT.*

*A Member asked why the council was unable to set a realistic budget for the theatres. The Leader told members that this was due to a number of factors including the readiness of the catering side of the business to increase its income. There was a tension between setting a challenging budget and a non challenging budget.*

*A Member asked why the theatres weren't running a profile budget given the variable levels of income that could be achieved. The chief financial officer told members that the theatres were using a profile budget although theatres was particularly difficult to profile. Theatres and finance had been asked to work more closely together to improve the profiling in terms of reflecting the upcoming programme of performances.*



Question for Councillor Dan Humphreys - Charges for green bins are set to increase by 7.7% and garden waste bags by 11.1%. How do these increases encourage the recycling of green waste? *The service was a discretionary service paid for directly by those residents who wanted the service. The cost was an appropriate commercial cost and the councils provided an excellent service being the only council in the county that collected bins weekly and the only council that had a bag collection service.*

Question for Councillor Mark Nolan - The increased take up of new bins is shown as 500. The income from these bins at 2017/18 prices is £35,000 if all the extra bins are taken at the beginning of the municipal year. Why is £70,000 shown as the 2017/18 saving proposal? *Members were told that that there was an error in the budget submission and the figure should be 1000 additional bins not 500.*

A Member asked what evidence there was for the need to purchase an additional 1000 bins. *The Leader told members that the service had been a success and the head of waste and cleansing and the executive member for the environment felt that they could grow the service by promoting the service in new ways and the introduction of a new easy to use booking system.*

Members agreed to hold a recorded vote on the recommendation regarding the budget which included an amendment :

Councillor Steve Waight: For  
Councillor Bob Smytherman: Against  
Councillor Jane Sim: For  
Councillor Barraclough: For  
Councillor Joss Loader: For  
Councillor Keith Bickers: For  
Councillor Luke Proudfoot: For  
Councillor Paul Baker: For  
Councillor George Barton: Abstained  
Councillor Kevin Boram: Abstained  
Councillor Carol Albury: Abstained

**Recommendation:** That the following be recommended to the Worthing Executive: that the budget recommendations be approved subject to satisfactory set of prudential codes of practice indicators being produced;

## **JOSC/16-17/49     Joint Overview and Scrutiny Committee - Review of New Ways of Working**

Before the Committee was a report by the Director for Digital and resources, a copy of which had been circulated to all members, a copy of which is attached to a signed copy of these minutes as item 7. The report before members reviewed the new ways of working adopted by the Joint Overview and Scrutiny Committee

(JOSC) in January 2016 and asked the Committee to consider if it would like to make any further changes.

The Scrutiny Officer introduced the report to the Committee. Members were told that there would need to be a further report to the Joint Governance Committee to amend the procedure rules within the constitution, with final sign off by the full council.

*The Chairman announced that the committee would adjourn to split into small investigatory groups, he invited members of the gallery to join one of the groups. The groups were asked to come up with four key areas in which they thought scrutiny could be improved.*

*The Committee adjourned at 8.00pm*

*The Committee reconvened at 8.20pm*

The Chairman asked a member spokesperson from each group to present their findings.

Councillor Stephen Waight introduced his group's findings which were as follows:

- That Joint Overview and Scrutiny Committee recommendations be given a clear reporting path be made to the relevant executive body;
- That In depth budget scrutiny with pre submitted questions for Executive Members for the Worthing Budget to be retained as part of the working arrangements with the suggestion that the Adur Budget should also be scrutinised by JOSC. JOSC should be advised if the answer to a pre submitted question has been supplied by an Officer or an Executive Member;
- Themed meetings for JOSC to be closely aligned with the councils' Strategic objectives. Working parties should be organised to scrutinise issues not aligned with the councils' strategic objectives (i.e things the councils can't directly influence). Executive Members to be invited along to JOSC for relevant items to answer questions;
- That the Joint Overview and Scrutiny Committee make better use of social media and consider webcasting significant items.

Councillor Keith Bickers presented his group's findings

- There should be a stronger promotion of the JOSC Work Programme with meeting dates to encourage public and youth involvement, including a greater use of social media;
- When 'themed' meetings are being held, the background information on each issue should be circulated in advance of the meeting so that all

members of JOSC have the opportunity to understand issues and contribute to meetings;

- A JOSC Member skills audit be undertaken to share expertise and knowledge;
- 'Themed' meeting approach should be continued if issues/topics are considered important enough but the agendas should be restricted to one major item only and the relevant Executive Member should be requested to attend.

Councillor Joss Loader introduced her group's findings to the committee

- A better breadth of Executive Member engagement - Better planning and for JOSC to look at a wider spread of issues and advance identification of attendance by the Executive Members;
- To help improve community engagement a JOSC communications strategy (underpinning the corporate communications strategy) should be developed and better communications should be applied to promote the work of JOSC and JOSC meetings and to explain what Scrutiny is - This should not just be by way of press release;
- JOSC to make better use of Working Groups and for single Council issues, Working Groups should be formed which report back to JOSC;
- Themed meeting topics to be chosen based on issues which can be influenced. Public and councillors to be made aware of the ability to request items to be added to the JOSC Work Programme.

The committee agreed that a further report be put together in consultation with the chairman and reported back to the next meeting.

**Resolved:** that with regard to the committee's findings a further report be put together in consultation with the chairman and reported back to the next meeting.

#### **JOSC/16-17/51      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 9. The report outlined progress on the work contained in the 2016/17 Work Programme.

**Resolved:** that progress on the work programme be noted

The meeting was declared closed by the Chairman at 8.50pm it having commenced at 6.30pm.

**Chairman**