



ADUR & WORTHING
COUNCILS

Joint Overview and Scrutiny Committee
21 June 2018
Agenda Item 8

Key Decision [No]

Ward(s) Affected:N/A

Joint Overview and Scrutiny Committee Work Programme 2018/19

Report by the Director for Digital and Resources

Executive Summary

1. Purpose

This report outlines the Work Programme of the Committee for the remainder of the 2018/19 Municipal year and also includes a request for additional scrutiny which has been submitted.

2. Recommendations

2.1 That the Work Programme for 2018/19 be noted;

2.2 That the Committee consider if the additional request for Scrutiny should be added to the Work Programme.

3. Context

- 3.1 The JOSC Work Programme for 2018/19 was approved by the Committee at its meeting on 22 March 2018 and in accordance with the current set of Joint Overview and Scrutiny Procedure Rules, which form part of the Councils' Constitutions, will be submitted for approval by both Councils in July.

4. Issues for consideration

- 4.1 The Committee will receive regular update reports on the implementation of the Work Programme at each meeting. A copy of the proposed 2018/19 Work Programme is attached as Appendix A to this report for reference.
- 4.2 The Committee is requested to review the Work Programme and consider if any further items are required to be added to the Work Programme. During the Municipal year, items may be added to the JOSC Work Programme, where appropriate. Requests for additional matters to be included in the Work Programme will initially be considered by the Joint Chairpersons in accordance with the PAPER criteria and they will make their recommendations to the next JOSC for consideration and determination, following receipt of the Officer report. Consideration should also be given to capacity of the Committee and resources available when considering further Work Programme items.
- 4.3 Since the last JOSC meeting a further scrutiny request has been received for an item to be added to the Work Programme which has been received from Lancing Parish Council. The detail of this issue is set out in Appendix B to the report. Items for the Work Programme need to be chosen guided by how closely they align with the Councils' Strategic objectives, how the Committee can influence the outcomes and also general value and outcomes in accordance with the (PAPER criteria) - (P) - Public Interest, (A) - Ability to Change, (P) - Performance , (E) - Extent and (R) - Replication. An assessment of the request has been undertaken, the suggestions discussed with the Joint Chairpersons and their recommendations are included with the detail of the request set out in Appendix B.

5.0 Engagement and Consultation

- 5.1 The JOSC Chairmen and Vice-Chairmen have been consulted on the proposals contained in this report.

6.0 Legal

- 6.1 Under Section 111 of the Local Government Act 1972, the Councils have the power to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.

- 6.2 Section 1 of the Localism Act 2011 provides a Local Authority to do anything that individuals generally may do (subject to any current restrictions or limitations prescribed in existing legislation).
- 6.3 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 6.4 Paragraph 9.2 of the current Joint Overview and Scrutiny Procedure Rules, which form part of the Councils' Constitutions and are binding on all Members, states that the Work Programme will be approved by both Councils. A report must be taken to both Councils on an annual basis seeking both Councils' approval of the Joint Overview and Scrutiny Committee work programme for the forthcoming year.

7.0 Financial Implications

- 7.1 There are no direct financial implications to consider within this report.

Background Papers

None.

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Sustainability & Risk Assessment

1. Economic

Matter considered and no direct issues identified.

2. Social

2.1 Social Value

Matter considered and no issues identified.

2.2 Equality Issues

Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified.

2.4 Human Rights Issues

Matter considered and no issues identified.

3. Environmental

Matter considered and no issues identified.

4. Governance

Matter considered. When considering items for the Work Programme, JOSOC is guided by the Council's priorities and the governance arrangements for each Council.

APPENDIX A

Joint Overview and Scrutiny Committee Work Programme 2018/19

<u>Date of meeting</u>	<u>Items for discussion</u>	<u>Report Author</u>	<u>Executive Members to be invited</u>
21 June 2018	Annual JOSC report for 2017/18	Joint Chairmen of JOSC	N/A
	Air Quality - Response from West Sussex Director of Public Health	Director for Digital and Resources	N/A
26 July 2018	Attendance by Southern Water to speak about investment works to improve bathing water quality in Worthing in particular and across Adur & Worthing more broadly. This will include an update on investment works at the East Worthing works, plus a brief on proposed investment plans for the area for 2020 and beyond. This follows the sewage spill incident in July 2017	N/A	Adur Executive Member for the Environment, Worthing Executive Member for Regeneration.
	Review of the Public Space Protection Orders (PSPO's) - Bi-annual update	Director for Communities	Executive Members for Environment & Wellbeing
	Effectiveness of parking and road traffic enforcement policy in Adur and Worthing	Director for Digital & Resources/Head of Customer & Digital	Executive Members for Environment
	Joint Revenue Outturn report 2017/18	Director for Digital & Resources/Chief Financial Officer	Executive Members for Resources
	Outline Budget Strategy 2019/20	Director for Digital & Resources/Chief Financial Officer	II
	Report from the JOSC Consultations review Working Group	Chairman of the Working Group	N/A

20 September 2018	<p>Review of the Progress in delivering the activities in Platforms for our Places - Questioning Chief Executive</p> <p>Annual interviews with Council Leaders</p> <p>Progress report on the implementation of the outcomes from the Youth Engagement scrutiny report</p>	<p>Chief Executive</p> <p>Director for Digital & Resources</p> <p>Director for Communities/Head of Wellbeing</p>	<p>Adur & Worthing Executive Members</p> <p>Leaders</p> <p>Executive Members for Wellbeing</p>
18 October 2018	<p>Crime and Disorder scrutiny themed session - Interview with Chairman of Safer Communities Partnership</p> <p>Health Scrutiny themed session - Interview with Chairman of the West Sussex Health and Adult Social Care Committee (HASC) on the work of the Committee and the impact on Adur and Worthing</p>		<p>Executive Members for Wellbeing</p> <p>Executive Members for Wellbeing</p>
29 November 2018	<p>Adur and Worthing and Joint Outline 5 year forecast and savings proposals - Executive Member interviews.</p>	<p>Director for Digital & Resources/Chief Financial Officer</p>	<p>Adur and Worthing Executive Members</p>
24 January 2019	<p>Review of the Public Space Protection Orders (PSPO's) - Bi-annual update.</p> <p>Adur and Worthing Budget Estimates 18/19 and setting of 2018/19 Council Tax</p> <p>Progress report on the work of Officers to deal with Housing issues</p>	<p>Director for Communities</p> <p>Director for Digital & Resources/Chief Financial Officer</p> <p>Director for Communities/Head of Housing</p>	<p>Executive Members for Environment & Wellbeing</p> <p>Adur and Worthing Executives</p> <p>Executive Members for Customer Services</p>

21 March 2019	<p>Review of the Progress in delivering the activities in Platforms for our Places - Questioning Chief Executive</p> <p>Leader interviews</p> <p>Annual Work Programme setting 2019/20</p>	<p>Chief Executive</p> <p>Director for Digital & Resources</p> <p>Director for Digital & Resources</p>	<p>Adur and Worthing Executives</p> <p>Leaders</p> <p>N/A</p>
Date to be confirmed	<p>Major Projects being undertaken in partnership with West Sussex County Council - Update</p> <p>Report on the review of the potential loss of public car parking spaces in Worthing given the closure of Teville Gate and future development planned at Grafton Car Park.</p> <p>Report from the JOSCS Effectiveness of OSC's Working Group</p>	<p>Director for the Economy</p> <p>II</p> <p>Chairman of the Working Group</p>	<p>Executive Members for Regeneration and relevant West Sussex County Council Cabinet Members</p> <p>Worthing Executive Members for the Environment and Regeneration</p> <p>N/A</p>

Working Group to be set up to review transport strategy issues for Adur & Worthing - Members = Councillors Alden and Boram (Adur) and Smytherman and Waight (Worthing).

Note - A progress report on the delivery of the work contained in the Work Programme will be presented to each meeting.

All timings are provisional and subject to change in agreement with the Joint Chairmen and the Committee.

APPENDIX B

Joint Overview and Scrutiny Committee - Scrutiny Request

Issue - Consideration to be given for a trial scheme involving an enforcement agency to issue fixed penalty notices for litter and dog fouling offences.

This review has been proposed and assessed below in accordance with the 'PAPER' criteria approved by JOSOC.

Request from - Lancing Parish Council

Public interest - The issue of dog fouling and littering was highlighted as a major concern of Lancing residents at the Annual Residents Meeting in May 2017. As such, the Parish Council is running a Litter Campaign, and was hoping to trial a scheme involving an enforcement agency to issue fixed penalty notices for litter and dog fouling offences under respective law and within the Parish Council's own areas of land ownership. However, Public Space Protection Orders can only be put in place by specific local authorities, e.g. district, boroughs, but which does not extend to town or parish councils. Furthermore, PSPO legislation does not permit principal authorities to delegate enforcement powers to Parish councils. Town and Parish councils are therefore reliant on their principal authority to put PSPOs in place on all relevant land in the area and to carry out enforcement. There have been very few people in the Adur and Worthing area who have been fined since PSPO's came into force, which is very disappointing. Examples should be made of those who flout litter and dog fouling laws and orders, and raises the question as to whether ADC currently has the relevant resources to police the issue. With that in mind, the Parish Council enquires whether ADC has already or will consider introducing additional measures to enforce PSPO's etc. on its own land as well as Lancing Parish Council's. If ADC contracted an agency to issue Fixed Penalty Notice's, any costs should be sufficiently covered by the income received from the FPN' income.

Ability to change - The Anti-social Behaviour, Crime and Policing Act 2014, chapter 2, paragraph 68 is the relevant legislation to Public space Protection Order stating how the authority can issue fixed penalty notices. This does allow for the contracting of an enforcement agency.

Performance - Since the introduction of Public Space Protection orders, very few people have been fined in the ADC area. If more people were issued fixed penalty notices for flouting respective litter/dog fouling laws and orders and this was positively publicised, local residents would be assured that ADC was working hard to address one of their major concerns.

Extent - The area this problem refers to for the purpose of this request is Lancing. However, the Parish Council is certain that the issue is district wide.

Replication - During investigations of this issue and correspondence with ADC officers, none have indicated that the contracting of an enforcement agency has been previously considered.

Expected Outcomes - For additional enforcement to be put in place and public awareness to be raised that littering and dog fouling will not be tolerated and for the district to become a cleaner place for its residents to live, work and play in.

Does the proposed review link with the Council strategic objectives or does the Joint Overview and Scrutiny Committee have the ability to influence and/or add value on the subject?

Platforms for our Places - Platform 2 - Our Social economies -

Commitment 2.6 - Promotion of our communities as safe places - Use of PSPO's in relation to dogs and environmental issues.

The issue for review would need to be referred to relevant Executive Members and the Joint Strategic Committee for approval but JOSC has the ability to review the suggestion and refer its views to the Executives to influence future policy development.

How could this review be undertaken? By report to JOSC or JOSC Working Group.

Recommendations from Joint Overview and Scrutiny Committee Chairmen/Vice-Chairmen:-

That a more detailed report setting out the issues and cost implications of introducing a scheme of this type should be presented to JOSC in due course. The Chairmen were also of the view that any report should consider other parts of Adur and Worthing as well.