

**Minutes of a Meeting of the Joint Strategic Committee of  
Adur District and Worthing Borough Councils**

**QEII Room, Shoreham Centre, Shoreham-by-Sea**

**Tuesday 5 March 2019**

Councillor Neil Parkin (Chairman)

**Adur District Council:**

Councillor Angus Dunn  
Councillor Brian Boggis  
Councillor Emma Evans  
Councillor Carson Albury  
Councillor David Simmons

**Worthing Borough Council:**

Councillor Daniel Humphreys  
Councillor Kevin Jenkins  
Councillor Edward Crouch  
Councillor Heather Mercer  
Councillor Elizabeth Sparkes  
Councillor Val Turner

\*Absent

**Other Members Present**

Adur District Council:- Councillors Catherine Arnold, Les Alden, David Balfe and Lee Cowen  
Worthing Borough Council:- Councillors Rebecca Cooper and Margaret Howard

**JSC/092/18-19      Declarations of Interest**

There were no declarations of interest.

**JSC/093/18-19      Minutes**

**Resolved** that the minutes from the Joint Strategic Committee meeting held on 31 January 2019, the Worthing Executive meeting held on 4 February and the Adur Executive meeting held on the 5 February, be approved as accurate records and signed by the Chairmen.

**JSC/094/18-19      Public Question Time**

A Worthing resident asked the following questions:-

1. Can you provide evidence of additional funding for arts venues elsewhere, that would not have been accessible by the Local Authority?
2. The contract is advertised as being for a term of 25 years without provision for a break clause. What will the Council do if it becomes dissatisfied with the performance before the 25 years?

The Chairman agreed to provide a written response within 3 working days of the meeting in accordance with the Councils constitutions.

Another Worthing resident asked a question in relation to the Commercial Property Investment Strategy.

*'The Councils were considering further investments in the retail sector, do you think that it is a good idea to continue to do this whilst the retail sector continues to deteriorate, certainly in high streets? Have the Councils taken into account any of the possible Brexit consequences as part of their considerations'.*

The Chairman advised that Officers would answer the questions during consideration of Item 7.

### **JSC/095/18-19      Items Raised Under Urgency Provisions**

There were no items raised under urgency provisions.

### **JSC/096/18-19      3rd Quarter Revenue Budget Monitoring 2018/19**

Before the Committee was a report by the Director for Digital & Resources, 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 5.

The report updated the Joint Strategic Committee with the latest expenditure and income projections for each Council in the current financial year 2018/19, compared with the Revenue Budget approved by both Councils in February.

Whilst the 'spend to date' would be the position as at the 31 December 2018, the forecast position would reflect the latest information available to ensure an up-to-date forecast was presented.

Members asked whether the projected surplus in Adur car park income could be used to fund street scene work or refurbish the car parks. Officers advised that it would be possible once the final position was known for the year end and that any proposal for carry forward would come before the Committee for approval.

A Member also clarified that the surface car park at Teville Gate would open in April 2019.

#### **Decision:**

The Joint Strategic Committee noted the report and projected outturn position for the Joint Committee, Adur District Council and Worthing Borough Council against the approved revenue budgets and proposed use of reserves as set out in Appendices 1b and 2b.

#### **Call In:**

The call-in deadline for this decision will be 5.00pm on 15 March 2019.

**JSC/097/18-19      3rd Quarter Capital Investment Programme & Projects Monitoring  
2018/19**

Before the Committee was a report by the Director for Digital & Resources, 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 updated the Joint Strategic Committee on the progress made on the 2018/19 Capital Investment Programmes for Adur District Council, Worthing Borough Council. The programmes included schemes which supported the delivery of services by the Joint Strategic Committee.

The Committee considered the replacement railings for the East Beach Walkway and the replacement of the Councils Financial Management System.

A Member requested an update regarding the Phase II South development of the Civic Centre Site and the associated levels of social housing provision proposed. Officers advised that a report would be presented to the June meeting of the Joint Strategic Committee dependent on the interest received for the site.

**Decision,**

The Joint Strategic Committee:-

**(a) with respect to the Capital Investment Programme of Adur District Council**

- i) noted the reprofiling of the Adur District Council capital schemes as advised in paragraphs 8.1.1 and Appendix 3;
- ii) noted the additional award of £69,038 for the Better Care Grant for Disabled Facilities Grants and the amendment to the 2018/19 Capital Investment Programme to increase the budget in line with anticipated expenditure funded from Better Care Grant as detailed in paragraph 8.1.2 (i).

**(b) with respect to the Capital Investment Programme of Worthing Borough Council**

- i) noted the reprofiling of the Worthing Borough Council capital schemes as advised in paragraphs 8.2.1 and Appendix 4;
- ii) noted the additional award of £138,075 Better Care Grant for Disabled Facilities Grants and the amendment to the 2018/19 Capital Investment Programme to increase the budget in line with anticipated expenditure funded from Better Care Grant as detailed in paragraph 8.2.2 (i);
- iii) approved the carry forward of £50,000 from the overall 2018/19 Capital Investment Programme underspends to fund the anticipated shortfall in funding for the Highdown Gardens Infrastructure Scheme as detailed in paragraph 8.2.2 (ii);

- iv) approved the funding of £44,800 for the East Beach Walkway replacement of railings funded from the overall 2018/19 Capital Investment Programme underspends and the inclusion of the scheme in the 2018/19 Capital Investment Programme as detailed in paragraph 8.2.2 (iii).

**Call In:**

The call-in deadline for these decisions will be 5.00pm on 15 March 2019.

**JSC/098/18-19 Strategic Property Investment Fund 2019 (SPIF) and the Commercial Property Investment Strategy (CPIS) 2019/20**

Before the Committee was a report by the Director for the Economy, 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 set out a robust commercial property investment strategy, building upon the existing portfolio, 2018/19 CPIS (link provided under background documents) and previous Strategic Property Investment Fund (SPIF) reports.

The Committee note that in order to meet the statutory guidance on investment strategy, as detailed under s12 below, the councils were required to prepare an annual investment strategy which had to be approved before the start of the forthcoming financial year by both Adur and Worthing Councils.

The report would support the Councils' Medium Term Financial Strategy, providing a basis for expansion and management of each Council's portfolio, by setting : -

- Robust parameters to guide and support the development of risk managed, financially resilient, income generating commercial property portfolios;
- Governance criteria to facilitate purchase of investment property, ensuring diligent analysis and transparency, supporting an informed decision making process, which remained unchanged from last year's CPIS.
- Governance criteria to facilitate a commercial approach to the asset management of the investment properties, supporting proactive management, analysis and forecasting, in order to support strategic decisions, whilst qualifying risk and opportunity. This remains unchanged from last years CPIS.

It was noted that Worthing Borough Council had invested £25.14m which had delivered a net income, after borrowing, of £522,210k. Adur District Council had currently invested £24.98m delivering a net income, after borrowing, of £521,730k.

The Committee was informed that Citicentric had provided an independent review of the Councils investment activity. A number of recommendations were made in relation to fund size, asset management, resourcing of the fund and flexibility to spend. The advice relating to fund size was included in section 7 of the report, with Citicentric recommending that 'the

optimal fund size for a local authority investment fund is in the order of £250m' (£125m per Council).

The Committee was advised that 'retail assets' covered a diverse range of investments, not just high street. Each property was considered on a case by case basis with the Councils adopting a careful, prudent approach to their investments.

A Member asked how Officers decided which investments were allocated to Adur District or Worthing Borough Councils investment portfolio. Officers advised that the decision was based on the type of properties already held in existing funds, the budget available and the need to create balanced portfolios.

It was proposed and seconded that recommendations 2.2.5 and 2.2.8 be amended to include approval from the Leaders of the Councils as well as the Executive Members for Resources.

### **Decision,**

The Joint Strategic Committee:-

- 2.2.1 noted the requirement to create a further additional post as part of the 2020/21 revenue budget to ensure the delivery of the Commercial Property Investment Strategy to provide additional necessary resourcing (Ref 9);
- 2.2.2 agreed the suggested delivery and governance model as set out in the report;
- 2.2.3 recommended to Adur District Council the adoption of the 2019 Commercial Property Investment Strategy;
- 2.2.4 recommended that Adur District Council:
  - i) increase their Commercial Property investment fund from the current £75,000,000 to £125,000,000 with a maximum investment in any year of £50,000,000;
  - ii) increase the operational and authorised borrowing limits by £25,000,000 in 2019/20.
- 2.2.5 recommended that Adur District Council resolve that the Strategic Property Investment Fund budget for future years may be brought forward with the approval of the Leaders and the Executive Members for Resources, following their consideration of a business case.
- 2.2.6 recommended to Worthing Borough Council the adoption of the 2019 Commercial Property Investment Strategy;
- 2.2.7 recommended that Worthing Borough Council:

- i) increase their Commercial Property Investment fund from the current £75,000,000 to £125,000,000 with a maximum amount invested in any year of £50,000,000;
- ii) increase the operational and authorised borrowing limits by £25,000,000 in 2019/20.

2.2.8 recommended that Worthing Borough Council resolve that the Strategic Property Investment Fund budget for future years may be brought forward with the approval of the Leaders and the Executive Members for Resources, following their consideration of a business case.

**Call In:**

The call-in deadline for decisions 2.2.1 and 2.2.2 will be 5.00pm on 12 February 2019.

There is no call-in for recommendations to Council, decisions 2.2.3 to 2.2.8.

**JSC/099/18-19 easitADUR&WORTHING - transport discount scheme**

Before the Committee was a report by the Director for Digital & Resources, 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 8.

The report updated members on progress with establishing 'easitADUR&WORTHING', the transport discount scheme for businesses and their staff working in Adur and Worthing.

easitADUR&WORTHING had been setup to help local businesses and council staff adopt sustainable transport behaviours, easing congestion, reducing pollution, and increasing staff satisfaction.

A Member sought clarification regarding the projected percentage of employers / number of employees who would be signed up by the end of the financial year. Officers advised that over 5,000 staff had already signed up, which had exceeded the targets set.

The Committee expressed support for the proposals and welcomed the news that a number of large employers were getting involved with the project.

**Resolved,**

That the Joint Strategic Committee approved the proposed continuation of the easitADUR&WORTHING transport discount scheme.

**Call In:**

The call-in deadline for this decision will be 5.00pm on 15 March 2019.

## **JSC/100/18-19 Investing in Domestic Abuse support and increasing physical activity**

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 9.

The report informed the Committee about a successful external funding bid, to provide support for our communities in relation to Domestic Abuse and an opportunity to work with our partners to co-invest in a new innovative programme that built intergenerational activity in our communities.

The Committee was asked to approve the amendment of the budget to allow this funding to be accepted and approve authority to spend.

Members expressed their support for the work proposed and congratulated the team on their successful bidding for the additional resources.

### **Resolved,**

The Joint Strategic Committee:-

- (i) approved the amendment of the budgets to include the supporting victims of Domestic Abuse projects funded by the Ministry of Housing, Communities and Local Government (MHCLG) (£303,268 in 18/19 and £99,838 in 19/20);
- (ii) approved an amendment of the budgets of £144,000 for Beat the Street which was part funded by the Councils (£35,000) and with additional funding of £109,000 from other partners including West Sussex County Council and Arun District Council; and
- (iii) delegated authority to the Director for Communities to let any contracts associated with these projects.

### **Call In:**

The call-in deadline for the decisions will be 5.00pm on 15 March 2019.

## **JSC/101/18-19 Waste & Street Cleansing Vehicle Replacements**

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 10.

The report sought consent to proceed with the purchase of waste and street cleansing vehicles, the budget for which, was included in the 2018/19 Capital Investment Programme.

It was noted that an options appraisal had been carried out and that capital borrowing was identified as the best option for financing the purchases.

Members sought clarification regarding the value of commercial vehicles at end of life and what the Councils were doing to ensure that the environmental impact of the fleet was minimised. Officers advised that the Council sent old vehicles to trade auctions to obtain best value and were talking to manufacturers and exploring all alternative options in regards to alternative fuels for the fleet.

**Decision:-**

The Joint Strategic Committee approved the acquisition of the waste and street cleansing vehicles included in the 2018/19 Capital Investment Programmes as detailed in the report.

**Call In:**

The call-in deadline for the decision will be 5.00pm on 15 March 2019.

**JSC/102/18-19      The Future of Public Spaces Protection Orders for Dogs**

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 11.

Members were informed that on 18 December 2019, two Public Space Protection Orders (PSPO) for Dogs would expire.

The Committee noted that the orders could be extended or amended for a further 3 years if certain conditions were met.

The report outlined the conditions for extending or amending the orders, the process and the timeline that needed to be followed if members wished to extend or amend the orders and recommendations as to next steps.

Officers advised the committee of some amendments to the recommendations to reflect the consultation timeline outlined in paragraph 3.9 of the report.

The Committee discussed the issue of dog fouling and the number of complaints received in relation to it. The need to mobilise responsible dog owners was raised as was the need to educate.

A Member questioned whether increasing fines would make any difference as only 1 fine had been issued in the past 12 months and suggested that the lack of fines was due to a lack of enforcement.

Another Member stated that the in house team was doing a good job and, in his opinion, that was the right way to go. It was suggested that the level of fines was probably set too low in the first place as they didn't cover the cost of the process.

**Decision:-**

The Joint Strategic Committee:-



1. approved in principle, the proposed amendments to the orders outlined in paragraphs 4.5 and 4.8 of the report;
2. approved the undertaking of a public consultation survey as outlined in paragraphs 3.8 and 3.9 of the report; and
3. requested that a further report be brought to JSC in September 2019 with the results of the public consultation and options for consideration.

#### **Call In:**

The call-in deadline for the decision will be 5.00pm on 15 March 2019.

*\* Councillors Brian Boggis, Angus Dunn, Emma Evans and David Simmons left the meeting at 7.55pm in accordance with the Joint Committee Agreement.*

*\*\* The Chairman adjourned the meeting at 7.55pm and reconvened it at 8.00pm.*

#### **JSC/103/18-19      Worthing Theatres & Museum - The Future of Culture for Worthing**

Before the Committee was a report by the Director for the Economy, 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 12.

The report updated the Committee on the outcome of the procurement exercise for the provision of cultural services and the award of the contract to the successful bidder.

Members acknowledged the importance of the cultural offer to the town of Worthing both culturally and financially and the significant work that had been put into the in house bid. It was noted that the Councils had already established successful Leisure Trusts and this was a great opportunity to do something really special for Worthing.

A Member sought clarification regarding a provision in the current proposal where there was a condition enabling the modification of the contract in relation to modifying services by adding or removing whole facilities. This condition seemed to allow the trust to remove any unprofitable parts of cultural services. Officers advised that the trust could not remove parts of the cultural service unilaterally. This could only be achieved theoretically through consultation and agreement with Worthing Borough Council. The wording of the contract was designed to allow all options to be considered whilst enabling the Council to retain contractual control.

A Member sought clarification regarding the protection of staff's terms and conditions and the measures being put in place to protect staff. In addition, would future losses be absorbed by the Council. Officers advised that this was not an in house trust, it was an in house bid to establish a trust and staff would transfer with full TUPE rights. In relation to future profits or losses, the trust would be operating in a commercial environment and the Council would be incentivising the team to make profit.

The Committee thanked Officers for all of their work and expressed their support for the proposals.

**Decision:-**

The Joint Strategic Committee:-

1. resolved to delegate Worthing Borough Council's Executive function of Cultural Services to an Independent Trust;
2. supported the creation of a new Independent Trust for the delivery of Cultural Services and delegated the authority to establish the Trust vehicle to the Director for the Economy, subject to compliance with the relevant governance, legal and financial advice;
3. approved the award of the Cultural Services contract to the Council's in house team, and delegated authority to the Director for the Economy to approve and execute the contract with the newly formed Trust, subject to an agreed contract consistent with the provisions of this report;
4. resolved to transfer the employment contracts of relevant Council Officers to the Independent Trust and delegated authority to the Director of Digital and Resources to make necessary arrangements.

**Call In:**

The call-in deadline for the decision will be 5.00pm on 15 March 2019.

**JSC/104/18-19      Delivering our Sports and Activity Strategy - Opportunities for Worthing Leisure Site**

Before the Committee was a report by the Director for Communities and the Director for the Economy, 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 13.

The report updated the Committee on progress to develop a Sports and Activity Strategy for Adur and Worthing, setting out the Strategic Case for investment in the development of a detailed feasibility study and accompanying business case for the redevelopment of the Worthing Leisure Centre site.

The report contained a number of recommendations which supported the development of an overarching Sports and Activity Strategy that,

- helped to inform the emerging Worthing Local Plan;
- would help to inform a Sport and Leisure Asset and Capital Strategy to ensure the best long term plans for Council owned sites reviewing capital investment and an options appraisal of funding strategies;

- enabled the Councils to apply for Sport and Leisure related grants e.g. from Sport England, Football Foundation and the Football Association; and
- developed a site specific proposal for Worthing Leisure Centre.

The Committee considered the use of space on the Worthing Leisure Centre site and the potential inclusion of a new pool in any future proposals.

Members welcomed the proposals, acknowledging the pressures that an increasing population placed on existing leisure facilities.

### **Decision:-**

The Joint Strategic Committee:-

- 1.1. noted that the Director for Communities would lead the development of a Sport and Activity Strategy. This work would be coordinated by an officer group called the Sports and Activity Panel with representation from both Adur and Worthing including the two Leisure Trusts, led by the Director for Communities;
- 1.2. agreed to appoint a master-planner for the Worthing Leisure centre site to develop a range of options for consultation as to how the site could be developed, to include leisure use, public open space and housing;
- 1.3. agreed to the preparation of a detailed feasibility study and business case for the redevelopment of the Worthing Leisure Centre, informed by those options developed by the masterplan;
- 1.4. noted the allocation of up to £150,000 from the Major Projects revenue budget in the 2019/20 financial year for the preparation of the detailed feasibility study and accompanying business case to support the proposal outlined in recommendation 2.3;
- 1.5. delegated authority to the Director for Communities to award any contract required to carry out the above recommendations in consultation with procurement and legal services;
- 1.6. requested a report back on the feasibility study and business case for the Worthing Leisure site which detailed the options available and the release of any associated funding.

### **Call In:**

The call-in deadline for the decision will be 5.00pm on 15 March 2019.

## **JSC/105/18-19      Development of a Natural Burial Area**

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 14.

The Committee was advised that in order for Bereavement Services to continue to meet the religious and environmental wishes of its community and maintain its high quality offer to families throughout the local geographical area, it needed to diversify.

It was proposed delivering this objective by offering a natural burial area adjacent to Worthing Crematorium, in the South Downs National Park.

The report sought authority to enter into an exclusivity agreement with the landowner for the conditional contract sale of 10.32 hectares (25.52 acres) of agricultural land adjacent to Worthing Crematorium, with the ultimate aim of converting this to be a natural burial area.

It also outlined the comprehensive due diligence that had taken place to date and the next steps that needed to be satisfactorily completed before the land could be purchased at the agreed price.

Members acknowledged the importance of the issue and expressed their support for the proposals.

### **Decision:-**

The Joint Strategic Committee:-

- i) approved the Council entering into an exclusivity agreement with the Seller to enable the Council to: carry out due diligence on the proposed purchase; investigate the particular planning and environmental issues arising from the proposed use; and prepare a conditional contract for sale with the landholder to purchase the land shown in Appendix 1 for the agreed price for development as a natural burial area subject to Worthing Borough Council obtaining:
  - Satisfactory environmental impact assessment results
  - Planning permission being granted from the South Downs National Park for change of use to a natural burial area
- ii) agreed to release £100k from the Worthing Borough Council capacity issues reserve to carry out the due diligence, investigate planning issues and to fund the environmental studies;
- iii) noted that once the environmental studies had been concluded, that a further report would be prepared outlining the next steps and seeking approval for a

new capital scheme to be added to the capital programme to purchase and lay out the land as a natural burial site.

**Call In:**

The call-in deadline for the decision will be 5.00pm on 15 March 2019.

The meeting was declared closed by the Chairman at 8.51pm, having commenced at 6.30pm.

**Chairman**