

Extracts from the Joint Strategic Committee – 24 June 2014

JSC/007/14-15 2013/14 Outturn Report (4th quarter)

Before the Committee was a report by the Director for Digital and 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 outlined the financial monitoring position for the end of the 2013/14 financial year for the Joint Strategic Committee, Adur and Worthing Councils. The report identified that the Statement of Accounts would be reported to Members later in the year.

The report also provided information in respect of earmarked reserves and capital receipts for the two authorities. The Committee was asked to agree and recommend to the two Councils proposals for dealing with net underspend by making transfers to reserves and for the carrying forward of certain revenue and capital budgets to allow projects to be completed in 2014/15.

Members of both cabinets identified items in the report relating to their portfolios for which they asked the officers for further information or explanation. The Directors responded to the questions for their areas.

Concern was expressed that Worthing Theatres was overspending although there was considerable Member and public support for the improved programme. Grounds maintenance was also identified as a service of concern.

Decision:

The Joint Strategic Committee noted the report and outturn position for the Joint, Adur and Worthing Budgets proposed use of reserves; and

Recommended that Adur District Council, at its Council meeting on 17 July, 2014 and Worthing Borough Council at its Council meeting on 15 July 2014:-

- (a) note the overall final outturn for 2013/14;
- (b) agree the net carry over of revenue budget to 2014/15 where the original approval for 2013/14 was not utilised which will be funded from the Capacity Issues Reserve as set out in paragraph 5.6 (HRA), 6.1 and 6.2 (General Fund) totalling:-
 - Adur District Council - HRA £50,000

- Adur District Council £139,750
- Worthing Borough Council £165,900

- (c) agree the net carry over of General Fund Capital underspends, as detailed in paragraph 7.8, 7.10, 8.8, 8.9, 8.10 and 8.11.
- (d) approve the appropriation of the net under-spend in General Fund revenue expenditure in the year to reserves as detailed in paragraph 6.3 for Adur District Council of £539,430
- (e) approve a contribution for Adur District Council from the 2013/14 HRA surplus to:
- Adur Housing New Development and Acquisition Reserve of £346,060 being the original budgeted amount; Paragraph 5.6.
 - Major Repairs Reserve of £440,000 to supplement the resources available for new capital investment and repayment of debt (paragraph 5.6);
 - HRA Reserve of £14,100 being the unspent balance for Scanning Carry Forward from 2012-13
- (f) approve the creation for Adur District Council of a new HRA Discretionary Assistance Fund to provide financial support to tenants, and establish the reserve by transferring £50,000 from the 2013/14 surplus (paragraph 5.6);
- (g) approve the creation for Adur District Council of a new HRA revaluation reserve which is to be used to manage the impact of changes to the value of the HRA assets.
- (h) approve the financing of the Capital Investment Programme, including the use of capital receipts as set out in paragraph 7.4, 7.5, 8.4 and 8.5
- (i) note the use of S106 receipts to fund the 2013/2014 Capital Investment Programme, as previously approved, set out in paragraph 7.4 and 8.4.
- (j) approve the use of Adur District Council S106 receipts as set out in paragraph 7.9.

Extracts from the Joint Strategic Committee – 24 June 2014

JSC/010/14-15 Notice of motion – community assets

Before the Committee was a report by the Head of Planning and Economic Development, 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 considered the planning policy issues surrounding the loss of public houses in the context of the Motion proposed by former Councillor Alan Rice at the Worthing's Full Council meeting on the 24 April 2014. The report considered the various proposals put forward in the Motion and agrees that public houses can, in certain circumstances, provide an important role in the local community. It was recommended that Committee accepts certain aspects of the Motion in particular that planning policies should acknowledge the community role of some pubs and that Councils should lobby Government to introduce changes to the permitted development rights to prevent the conversion of public houses to retail uses.

In the discussion on the report Members were supportive of the lobbying of Government to tighten permitted development rights relating to the conversion of public houses.

In considering the recommendations it was felt that the individual Local Development Framework Working Groups had a role in recommending the guidance and criteria for changes to the Local Plans and that these forums were the best place to consider the details and text for the protection of community facilities. Proposed changes were to be reported back to the committee in due course.

The Committee amended (ii) of the recommendations to include 'financial services'

Decision that the Joint Strategic Committee responds to the Motion as set out in the report and in particular to agrees to

Recommended to Worthing Borough Council:

- i) That The Local Development Framework Working Groups consider and report back on the supporting text for the emerging Local Plans to be amended to reflect 'public houses' in the context of Community Assets and for policies relating to the protection of community facilities and further guidance will be

prepared to establish how the potential loss of a public house will be assessed in the future.

- ii) A letter should be sent to the Secretary of State requesting amendments to the current permitted development rights to prevent the change of use of pubs to retail and financial services and other uses.

Extracts from the Joint Strategic Committee – 24 June 2014

JSC/011/14-15 Worthing Homes Scheme – Littlehampton Road

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 sought the approval for the expenditure of £250,000 right-to-buy clawback funds towards the development of 22 affordable rented flats by Worthing Homes. The new homes will be developed to the north west of the Littlehampton Road junction on a site which was most recently occupied by 'Brookers Commercial'. The building would be demolished and replaced by the number of homes listed in the report.

Decision the Joint Strategic Committee agreed to contribute £250,000 to the scheme in order to enable the development of 22 much needed rented homes which to assist Worthing Borough Council in meeting housing need

Recommendation that Worthing Borough Council amend the 2014/15 Capital Investment Programme to include the £250,000 contribution to Worthing Homes for this scheme.

Extracts from the Joint Governance and Audit Committee – 26 June 2014

JGAC/008/14-15 Site Visits Protocol

Before the Committee was a report by the Head of Planning and Economic Development, 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 considered a Site Visit Protocol for Members of the Planning Committee and its inclusion in the Adur District Council and Worthing Borough Council's respective Constitutions.

A Member expressed surprise that site visits were not mandatory prior to the Planning Committee considering an application. The Head of Planning and Economic Development informed the Committee that the Chairman has discretion regarding the necessity of a site visit.

Members asked which types of application required a site visit and which did not. The Head of Planning and Economic Development informed the Committee that generally the larger more complex applications required site visits such as the West Durrington application in Worthing and the Brighton & Hove Albion training facility in Adur.

A Member suggested that where there was a point of contention, Members should go and have a look at the site. Another Member suggested that the protocol shouldn't bind Councillors too tightly. The Head of Planning and Economic Development replied that all Members sitting on the Planning Committee should be encouraged to attend site visits. It was noted that it difficulties could arise if Councillors were invited individually to visit a site by an objector as this could raise a perception issue i.e. had all Members of the Planning Committee heard the same argument and been privy to the same information. Members were advised that there always needed to be a balanced hearing of issues and therefore plenty of visual information was provided to Committee by the Councils Officers.

It was noted that the protocol made provision for Ward Councillors to request that the Committee make a site visit but it would be inappropriate for Ward Councillors to actually attend the site visit in case they sought to influence other Councillors.

Resolved that the Joint Governance and Audit Committee:-

- i. considered the amended Site Visit Protocol;
- ii. **recommended to Adur District Council and Worthing Borough Council the addition of the Site Visit Protocol to the respective Council's Constitutions.**

Extracts from the Joint Governance and Audit Committee – 26 June 2014

JGAC/011/14-15 Change of Start Time of Council and Committee Meetings including Licensing and Control 'B' sub-committee Hearings

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.

The Committee was asked to consider the start time of Worthing Borough Council, Full Council and Committee meetings and the arrangements for Licensing and Control 'B' Sub-Committee Hearings.

The Committee were informed that an internal consultation had been undertaken regarding the start time of Licensing Sub-Committee Hearings, the outcomes of which were set out in the report in paragraphs 3.6 to 3.13.

It was noted that a number of Councillors found it difficult to attend meetings earlier than 6.30pm and the proposals would therefore considerably help with attendance at committee meetings in the future.

Resolved,

That the Joint Governance and Audit Committee:-

- (a) considered the proposal to move the start time of the Worthing Borough Council full Council and Committee meetings from 6.00pm to 6.30pm forthwith;
- (b) recommended that Worthing Borough Council approve a revised start time for its Full Council and Committees meetings to commence at 6.30pm in order to provide a consistent approach to start times for meetings involving Worthing Borough Councillors;
- (c) recommended to Worthing Borough Council that the start time of Licensing Sub-committee meetings be moved to 6.30pm.

Extracts from the Joint Governance and Audit Committee – 26 June 2014

JGAC/012/14-15 Honorary Alderman Appointments

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 12.

The Committee was requested to consider conferring the title of Honorary Alderman or Alderwoman of the Borough on three former Mayors who had retired from or were no longer members of the Council.

Resolved,

That the Joint Governance and Audit Committee:-

- (i) considered the granting of Honorary Aldermanship of the Borough of Worthing to the former Mayors of the Borough; Christine Brown, Major Tom Wye and Charles Etherington James.
- (ii) recommended that Worthing Borough Council convene a Special Meeting of Council under Section 249(1) of the Local Government Act (as amended) for the specific purpose of conferring the titles.**

Extracts from the Joint Governance and Audit Committee – 26 June 2014

JGAC/013/14-15 Appointments to Outside Bodies

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 13.

The report asked the Committee to consider nominations for the appointment of Worthing Borough Council Councillors to various Outside Bodies and make recommendations to the Worthing Council meeting to be held on 15 July 2014.

The Committee was advised that appointments to the Sussex Police and Crime Panel and to the Waves Ahead – Worthing Local Strategic were executive appointments only.

The Executive Head of Corporate and Cultural Services advised the Committee to consider all the appointments set out in the report with the exception of those to the Heene Community Centre (Management Committee). Once these had been agreed, Cllr Noel Atkins would be asked to leave the room in order for the Committee to consider appointments to the Heene Community Centre (Management Committee).

Resolved,

That the Joint Governance and Audit Committee:-

(i) noted that there would be a review of representation on Outside Bodies during 2014/15 as detailed in paragraph 3.10 and 3.11,

(ii) recommended that Worthing Borough Council approve the nominated appointments to Outside Bodies as set out in Annex B.

Annex B

	OUTSIDE BODY	Nominations received
1	Action in Rural Sussex	Cllr Bryan Turner
2	Adur and Worthing Health and Wellbeing Partnership - all ages	Cabinet Member for Health and Wellbeing – Cllr Val Turner
3	Adur and Worthing Safer Community Partnership	Cabinet Member for Health and Wellbeing – Cllr Val Turner
4	Age UK - West Sussex (non voting Member)	Cllr Joan Bradley
5	British Destinations Association	Cllr Noel Atkins
6	Bognor Regis and Worthing Shopmobility	Cllr Michael Cloake
		Cllr Norah Fisher
7	Broadwater Community Association	Cllr Vicky Vaughan
		Cllr Victoria Taylor
8	Coastal West Sussex Partnership Board	Cabinet Member for Regeneration – Cllr Bryan Turner
9	Court of the University of Sussex	Cabinet Member for Regeneration – Cllr Bryan Turner
10	Durrington Community Centre Association	Cllr Sean McDonald
		Cllr Michael Donin
11	East Worthing Community Centre Association	Cllr Callum Buxton
		Cllr Keith Bickers
12	Federation of British Cremation Authorities - Executive Committee	Cabinet Member for the Environment – Cllr Clive Roberts
13	Heene Community Centre (Management Committee)	Cllr Paul Howard
		Cllr Diane Guest
14	High Salvington Mill Trust Committee & Management	No action no current vacancies
15	Local Government Association General Assembly	Leader – Cllr Paul Yallop
16	Local Government Association - Coastal Issues - Special Interest Group	Councillor Bryan Turner
17	Local Democracy Network	Chair JGAC - Cllr Noel Atkins
		Chair JOSC – Cllr Roy Barraclough
18	Northbrook College - Corporate Governing Body (nomination only when required)	No nominations required, remove from List
19	Quality Bus Partnership	Cllr Mary Lermite
		Cllr Roger Oakley
		Cllr Keith Sunderland
20	SCOPAC (Standing Conference on Problems Associated with the Coastline)	Councillor Bryan Turner

21	Sussex Police and Crime Panel	Cabinet Member for Health & Wellbeing – Cllr Val Turner + Sub Cllr Paul Yallop
22	Shoreham Airport Consultative Committee	Cllr Dan Humphreys
		Sub: Cllr Hazel Thorpe
23	Sidney Walter Centre (Management Committee)	Cllr Vino Vinojay
24	South East Employers	Cllr Daniel Humphreys
		Sub: (vacant)
25	South Downs National Park Authority (to 2014)	No action by JGAC (JSC appointed Cllr Paul Yallop)
26	Sussex County Playing Field Association - Executive Committee	Cllr Paul High
27	Tourism South East	Cabinet Member for Regeneration – Cllr Bryan Turner
28	Waves Ahead - Worthing Local Strategic	Cabinet Member for Health & Wellbeing – Cllr Val Turner
		Sub: Cllr Kevin Jenkins
29	West Sussex Forum for Accessible Transport	Cllr Roger Oakley
30	West Sussex County Council Health and Adult Social Care Select Committee	Cllr Heather Mercer
31	Worthing Access and Mobility Group	Cllr Sean McDonald
		Cllr Paul Howard
		(vacancy)
32	Worthing Arts Council	Cllr Heather Mercer
		(vacancy)
33	Worthing Unified Bowls Tournament	Cllr Paul High
34	Worthing Community Partnership	Cllr Joan Bradley
35	Worthing Council for Voluntary Service (WCVS) Board of Directors (Observer)	Cllr Val Turner
36	Worthing Homes Ltd - Board of Directors	Cllr Paul Howard
		Cllr Heather Mercer
37	Worthing Town Centre Initiative	Cllr Clive Roberts
		Cllr Paul Howard
38	Worthing Twinning Association	Cllr Louise Murphy
		Current Mayor – Councillor Vic Walker
39	Dr Chester's (Poor Ten Acres) Charity	Hon Alderman Harold Piggott willing to continue for a further 4 years

40	Adur & Worthing Business Partnership	Cabinet Member for Regeneration – Cllr Bryan Turner
41	Discretionary Housing Payments Board	Cllr Daniel Humphreys
		Cllr Mary Lermite
		Cllr Vicky Vaughn
		Cllr Hazel Thorpe
42	Armed Forces Champion	Cllr Noel Atkins
43	Adur and Worthing Homelessness Forum	Cabinet Member for Customer Services – Cllr Mary Lermite

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Extracts from the Joint Governance and Audit Committee – 26 June 2014

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The Executive Head of Corporate and Cultural Services advised the Committee to consider all the appointments set out in the report with the exception of those to the Heene Community Centre (Management Committee). Once these had been agreed, Cllr Noel Atkins would be asked to leave the room in order for the Committee to consider appointments to the Heene Community Centre (Management Committee).

Resolved,

That the Joint Governance and Audit Committee:-

(i) noted that there would be a review of representation on Outside Bodies during 2014/15 as detailed in paragraph 3.10 and 3.11,

(ii) recommended that Worthing Borough Council approve the nominated appointments to Outside Bodies as set out in Annex B.

Extracts from the Joint Overview and Scrutiny Committee – 3 July 2014

JOSC/14-15/08 Annual Report 2013/14

Before the Committee was a report by the Policy Officer a copy 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. As part of good practice and a requirement in the Council's Governance Action Plan, the Councils are required to produce a Joint Overview and Scrutiny Committee Annual report for 2013/14.

The Committee discussed the Annual Report for 2013/14 and agreed that a summary of the work programme for 2014/15 be added to the final document.

Resolved: That the Joint Overview and Scrutiny Committee Annual Report for 2013/14 be approved as amended

Recommended: That the Joint Overview and Scrutiny Committee Annual Report for 2013/14 be commended to the Adur and Worthing meetings Full Council

Extracts from the Joint Governance and Audit Committee – 10 July 2014

JGAC/018/14-15 Constitution Review

Before the Committee was a report (first brought on 26th June which was deferred until this meeting), presented by the Solicitor and Monitoring Officer to the Councils, copies of which had been circulated to all Members and copies of which are attached to the signed copy of these Minutes as Item 5.

Copies of the revised Constitution (Parts 1 to 4) had been circulated to Members prior to the meeting and copies of the revised Petitions Scheme and revised recommendations to Committee were tabled at the meeting. It was noted that no review had been undertaken, at this time, in respect of Parts 5 to 8 of the Constitution.

The Committee was advised that the revisions to the Constitution were necessary because since it was adopted by both Councils there had been various changes to legislation which had amongst other things:-

- amended the governance arrangements that a Council may have;
- clarified that Executive Decisions can only be made by the Executive;
- imposed a requirement to have a petition scheme which was then subsequently revoked;
- repealed various sections of legislation that were originally Executive functions;
- changed the Gambling regime;
- changed the Standards regime; and
- imposed new rules on the publication of reports and Executive Decisions by Officers.

It was noted that the purpose of the revisions to Parts 1 to 4 were to ensure that the Councils Constitutions:-

- reflect current legislation;
- provide a sound governance structure for the Councils; and
- are streamlined and easy to understand.

Members sought clarification in regards to the future role of the Joint Governance Committee and questioned the need for an increase to the Committee's membership. Officers advised that the Joint Governance Committee would be responsible for standards matters and therefore a larger pool of Members would help in relation to the setting up of Sub-Committees for standards hearings.

Members suggested that, in order to make the document more accessible to the public and demonstrate greater openness and transparency, an Executive Summary should be produced in order to steer the public to the relevant sections of the Constitution. The Director for Digital and Resources confirmed that he would be working with the Monitoring Officer and the Head of Communications to produce such a document.

A number of minor changes were proposed by various members but none were supported through a vote by Committee.

Resolved,

The Joint Governance and Audit Committee:-

- (i) recommended to the Borough Council of Worthing that it adopts parts 1, 2 and 3 of the revised constitution, as set out in Appendix 1 of the report, with effect from 1st November 2014, subject to an amendment to paragraph 5.12(e) to 16 elected Members, being 8 from the Borough Council of Worthing and 8 from the District Council of Adur;
- (ii) recommended to the Borough Council of Worthing that it adopts the amended Worthing Borough Council Petition Scheme from 18th July 2014;
- (iii) recommended to the Borough Council of Worthing that it authorises the Monitoring Officer to make amendments to the terms of reference at paragraph 5 of part 3 of the revised constitution to reflect changes to the Executive Member Portfolios and changes to the Officer structure;
- (iv) recommended to the Borough Council of Worthing that it authorises the Section 151 Officer and the Monitoring Officer to make amendments to the Financial Regulations and the Contract Standing Orders to take account of the changes to the Officer structure;
- (v) recommended to the Borough Council of Worthing that it authorise the Monitoring Officer to make amendments to the Joint Committee Agreement to bring it in line with the amendments agreed in this report;
- (vi) recommended to the District Council of Adur that it adopts parts 1, 2 and 3 of the revised constitution, as set out in Appendix 1 of the report, with effect from 1st November 2014, subject to an amendment to paragraph 5.12(e) to 16 elected Members, being 8 from the Borough Council of Worthing and 8 from the District Council of Adur;
- (vii) recommended to the District Council of Adur that it adopts the amended Adur District Council Petition Scheme from 18th July 2014;
- (viii) recommended to the District Council of Adur that it authorises the Monitoring Officer to make amendments to the terms of reference at paragraph 5 of part 3 of the revised constitution to reflect changes to the Executive Member Portfolios and changes to the Officer structure;

- (ix) recommended to the District Council of Adur that it authorises the Section 151 Officer and the Monitoring Officer to make amendments to the Financial Regulations and the Contract Standing Orders to take account of the changes to the Officer structure;
- (x) recommended to the District Council of Adur that it authorises the Monitoring Officer to make amendments to the Joint Committee Agreement to bring it in line with the amendments agreed in this report;
- (xi) requested a further report in respect of Part 4 of the revised Constitution at its meeting in September 2014.