

**Minutes of the Meeting of the Council held at the  
Town Hall Chapel Road Worthing**

**15 July 2014**

The Mayor, Councillor Vic Walker  
The Deputy Mayor, Councillor Michael Donin

*Councillor Noel Atkins	Councillor Heather Mercer
*Councillor Roy Barraclough	Councillor Sean McDonald
Councillor Keith Bickers	Councillor Louise Murphy
Councillor Joan Bradley	Councillor Mark Nolan
*Councillor Callum Buxton	*Councillor Roger Oakley
Councillor Michael Cloake	Councillor Luke Proudfoot
Councillor Edward Crouch	Councillor Clive Roberts
Councillor James Doyle	*Councillor Elizabeth Sparkes
Councillor Graham Fabes	Councillor Keith Sunderland
*Councillor Norah Fisher	Councillor Bob Smytherman
Councillor Diane Guest	Councillor Victoria Taylor
Councillor Paul High	Councillor Hazel Thorpe
*Councillor Paul Howard	Councillor Bryan Turner
Councillor Daniel Humphreys	Councillor Val Turner
Councillor Susan Jelliss	Councillor Vicki Vaughan
Councillor Kevin Jenkins	Councillor Vino Vinojan
Councillor Mary Lermite	Councillor Paul Yallop

One vacancy

\*=absent

Councillor Roberts arrived at 6.10pm during the item 'Public Question Time'.  
Councillor Thorpe arrived at 7pm during the item 'Leader's Report'.

**C/013/14-15 Apologies for absence**

Apologies for absence had been received from Councillors Atkins, Sparkes, Fisher, Barraclough and Oakley.

**C/014/14-15 Local Government Act 1972, Section 85, Notice of Casual Vacancy**

Council noted that a by-election was due to be held in the Castle Ward on Thursday 7 August 2014, the vacancy was caused by the non-attendance of David Potter at Council meetings during a six month period.

**C/015/14-15 Declarations of Interest**

Members were invited to make any declarations of disclosable pecuniary interests, none were declared.

## **C/016/14-15 Petitions**

No Petitions were presented to Council.

## **C/016/14-15 Public Question Time**

The following questions were asked:

Mr Steve Waight, County Councillor for Goring asked a question on the Goring Road Car Park, behind the Mulberry Road Shops, to Councillor Roberts. He sought a personal comment as to whether the Councillor supported a public car park in Goring Road. Councillor Roberts confirmed that in a personal capacity he supported a public car park in Goring Road.

Mr Jeremy French representing a number of businesses in Goring Road asked Councillor Roberts a number of questions regarding the recent closure of the Goring Road Car Park - the lack of transparency in the decision, the lack of respect for shopkeepers and shoppers; further he sought confirmation of the immediate release of documents he had requested under the Freedom of Information Act.

Councillor Roberts responded that the closure had not been handled as well as he would have expected, the matter was a health and safety issue as the car parking area was an old gravel pit and also a former landfill site that had become unstable. He went on to give detailed figures of car park usage in visits, length of stay in the car park and regularity of users. He confirmed that he expected between 10 or 12 car park spaces to be ready for use by Monday of the following week and he expected that the car park would be managed better than it had in the last few years. The Director for the Economy confirmed that the Freedom of Information request would be considered in the statutory time period.

The Mayor intervened when the question session became a debate between Mr French and Councillor Roberts.

Mr Trevor White asked Councillor Roberts if temporary iron sheet coverings could be placed over the car park surface to make it usable, especially for those, like himself, who had limited capacity for a lengthy walk to the shops.

Councillor Roberts confirmed that part of the car park would be open on Monday and he would be pushing the officers to open up other parts of it as soon as practical.

Mr James Pearson questioned whether the Council had considered the Arts locally particularly a dedicated Arts Centre.

Councillor Turner gave examples as to where the Council gave support to Arts locally; he encouraged Mr Pearson to contact him direct with the full details of his question so he could give a fuller response.

Mr Steve Anning asked whether the Council had considered a short term lease of the forecourt of the former Caffyns Garage in Goring Road as a temporary car park as an alternative option when closing the car park.

Councillor Roberts explained that whilst not in a position to comment on the current status of the Caffyns Garage site; this was a business consideration for the Council

but with the current financial situation he did not consider the expense to be justifiable.

### **C/017/14-15 Minutes**

**Resolved** that the minutes of the Annual Meeting of the Council on 13 June 2014 be approved as a correct record and that they be signed by the Mayor.

### **C/018/14-15 Mayor's Announcements**

The Mayor reminded Members that there was to be a Drumhead Service on Sunday 3 August in front of the Town Hall at 11am, the Service was to commemorate the commencement of World War 1; full information would be sent to Members from CESA.

The Annual Officers v Members Annual Cricket Match would be held on Sunday 17 August at 1pm at the Goring Recreation Cricket Ground, Members were encouraged to speak to Councillor High for further details.

The Mayor announced two Mayoral Charity Events; a Cabaret Night 'a Night on the Ocean Waves' at the Pavilion Theatre on Friday 10 October tickets would be from £15 upwards, full details available now from the Theatre Box Office.

A Charity Golf Day at Worthing Golf Club was to be held on Thursday 4 September at 9 am, further details from the Mayor.

The Mayor announced that he had received a request from Councillor Roberts seeking consent to address Council; as Mayor he was using his discretion to allow Councillor Roberts to make a statement to Council.

Councillor Roberts stood to address Council making reference to his statement at a previous Council meeting; he had not intended to mislead Council he had been unprepared for the question and he could not recall actual dates for when he had been appointed to the Cabinet member position. He explained that the announcement of his appointment to the Cabinet Member portfolio had been delayed during the departure of the former Leader and not confirmed until the September; what he did confirm to Council that whilst he was in post when the variation document was signed but he had not taken part in any of the main negotiations with the NCP Directors on the terms of the variation, these had taken place before he had been appointed to the Portfolio.

### **C/019/14-15 Urgent Items**

There were no urgent items for Council.

### **C/020/14-15 Recommendations from the Executive and Council Committees**

Council had before it recommendations from various Committees as detailed on pages 6 to 19 of the Council agenda. Papers relating to item 9D were circulated separately to the agenda and placed on the table at the Council meeting. Items 9A to 9 D had been circulated to all members and are attached to the signed copy of the minutes.

## Item A Joint Strategic Committee – 24 June 2014

### 9 A (i) Outturn Report 2013/14

The Leader presented the Committee's recommendation on pages 6-7 of the agenda, the recommendation was seconded by Councillor Humphreys.

The Leader explained that the report highlighted the difficult financial position of the Theatres and Grounds Maintenance services; it highlighted the good performance in Leisure and Treasury Management.

He welcomed the forthcoming scrutiny review of the Theatres, he and the Cabinet Member for Resources would be closely monitoring this service budget.

On a vote the following was noted: For: 26, Against: 0 Abstention 0

**Resolved** that the Council

- (a) noted the overall final outturn for 2013/14;
- (b) agreed 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) agreed 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) *ADC only*
- (e) *ADC only*
- (f) *ADC only*
- (g) *ADC only*
- (h) approved 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) noted 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) *ADC only*

### 9 A (ii) Notice of Motion on Community Assets

This item was to be taken under 13 A later in the meeting.

### **9 A (iii) Worthing Homes Scheme – Littlehampton Road**

The Leader presented the Committee's recommendation on page 10 of the agenda; the recommendation was seconded by Councillor Bickers.

On a vote the following was noted: For: 25, Against: 0 Abstention 0

**Resolved** that the 2014/15 Capital Investment Programme be amended to include the £250,000 contribution to Worthing Homes for this scheme.

### **Item B Joint Governance and Audit Committee – 26 June 2014**

#### **9 B (i) Site Visit Protocol**

In the absence of the Joint Chairman and Vice-chairman of the Committee, the Mayor invited Councillor Nolan to present the Committee's recommendation, (ii) on page 11 of the agenda; it was seconded by Councillor Smytherman.

The Site Visit Protocol had been developed since the Council adopted the Probity in Planning document last year.

On a vote the following was noted: For: 26, Against: 0 Abstention 0

**Resolved** that the Council agreed with the recommendation of the Joint Governance and Audit Committee to approve the Site Visit Protocol to be added to the Council's Constitution.

#### **9 B (ii) Start times of Meetings**

Councillor Nolan to present the Joint Committee's recommendations (b) and (c) page 12 of the agenda, it was seconded by Councillor Smytherman.

The Committee considered a proposal to move the start time of the Worthing Borough Council full Council and Committee meetings from 6.00pm to 6.30pm forthwith to enable those working outside of the Town to travel to meetings in peak times and to provide a consistent start time for Councillors and residents.

Councillors rose to speak in support of the change of meeting start times.

On a vote the following was noted: For: 25, Against: 1 Abstention 0

**Resolved** that Council supported the consideration and determination of the Joint Governance and Audit Committee and

(a) approved a revised start time of 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;

(b) the start time of Licensing Sub-committee meetings be moved to 6.30pm.

### **9 B (iii) Honorary Alderman appointments**

Councillor Nolan presented the Joint Committee's recommendation (ii) on page 13 of the agenda; it was seconded by Councillor Doyle.

The Committee recommended that three former Mayors who had left the Council at the recent elections be conferred with the title Honorary Alderman or Alderwoman namely Christine Brown, Major Tom Wye and Charles James.

On a vote the following was noted: For: 26, Against: 0 Abstention 0

**Resolved** that Council supported the recommendation of the Joint Governance and Audit Committee and agreed that a Special Meeting of Council be convened under Section 249(1) of the Local Government Act (as amended) for the specific purpose of conferring the titles.

### **9 B (iv) Outside Bodies appointments**

Councillor Nolan presented the Joint Committee's recommendation (ii) shown on Annex B on page 14 of the agenda, and proposed three amendments as inclusions in the list:

No 24, add for the substitute vacancy – Councillor Vinojan  
No 32, add for the second position Councillor Thorpe  
No 41, add Councillor Crouch

Councillor Crouch seconded the proposal and the amendments.

Councillor Bryan Turner's attendance at SCOPAC meetings was questioned.

On a vote the following was noted: For: 25, Against: 0 Abstention 1

**Resolved** that the Worthing Borough Council Appointments to Outside Bodies for the period to the Annual Meeting in 2015 be as set out in Annex B to these minutes.

### **Item 9 C – Joint Overview and Scrutiny Committee – Annual Report**

The Mayor called on the Joint Vice-Chairman of the Committee, Councillor Vinojan to present the Committee's recommendation on page 19 of the agenda, Councillor Bickers seconded the recommendation. The Annual Report 2014/15 was commended to Council for approval.

On a vote the following was noted: For: 25, Against: 0 Abstention 0

**Resolved** that Council accept the Joint Annual Report for 2013/14

### **Item 9 D Joint Governance and Audit Committee – Review of the Constitution**

Councillor Nolan presented the Joint Committee's recommendation on the additional pages circulated to Council, which included a revised petitions scheme; the renaming and expansion of the Joint Governance and Audit Committee to become a Joint Governance Committee – with new terms of reference to include standards

matters and an increased membership from 6 to 8 from each Council. A new Joint Senior staff (appeals) committee and the removal of the Joint Planning Committee. These recommendations were contained on the papers before councillors as items 1 to 5.

The proposal was seconded by Councillor High.

On a vote the following was noted: For: 26, Against: 0 Abstention 0

**Resolved that**

- (i) the Borough Council of Worthing adopts parts 1, 2 and 3 of the revised constitution, as set out in Appendix 1 of the report to the Committee, with effect from 1<sup>st</sup> 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) the Borough Council of Worthing it adopts the amended Worthing Borough Council Petition Scheme from 18<sup>th</sup> July 2014;
- (iii) the Borough Council of Worthing 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) the Borough Council of Worthing 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) the Borough Council of Worthing authorises the Monitoring Officer to make amendments to the Joint Committee Agreement to bring it in line with the amendments agreed in this report;

**C/021/14-15 Committee Resolutions**

The Mayor invited questions on the following committees; Planning of 27 May and 25 June, Joint Strategic of 24 June and Joint Overview and Scrutiny of 26 June.

No questions were asked.

**C/022/14-15 Leader's Report on Decisions Taken by the Executive**

The Mayor invited the Leader of the Council to present his report on decisions taken by the Executive since the last meeting of the Council; these were contained in Item 11 to the minutes and were detailed on pages 20 - 23 on the agenda.

The Leader commended the Money Tree which had involved young people of the Borough and on a question explained that the next meeting of the Joint Strategic Committee would be receiving some proposals for modifications to the event.

A comment was made that the Council ought to consider devolving revenue budgets to a more local level providing the opportunity for local areas to spend more locally for their needs and priorities.

There being no further questions to the Leader the Mayor invited general questions from Members to the Leader and Cabinet Members on matters in their portfolios.

Councillor Roberts earlier statement was challenged in particular the lack of maintenance by NCP of the car parks which had been highlighted earlier in the meeting with the current closure of the Goring Road car park; he was questioned on the monitoring of the contract. During the question time the Leader indicated that further information on the matter would be in the public domain soon.

### **C/23/14-15 Questions under Standing Order 2.6**

Due notice having been given to the Proper Officer the following questions were put:

a) Councillor Thorpe asked Councillor Roberts the following question

*Local residents have for long time queried the lack of attention to the NCP Goring car park near the Mulberry. When back in May, on residents behalf, I asked about what could we do to improve it, I was told that "It is not a planning issue that we would be able to do anything about."*

*Q When and how was the decision made by WBC to cordon off the car park used by many residents in the Goring and Castle area, and why weren't local people consulted, and when can residents expect to have the car park returned for the use it was intended, given that the locals have already lost another car park in the immediate vicinity?*

On a challenge to the validity of the question, the Mayor explained that the question had been submitted correctly and was valid, however due to the earlier public question time, for which due to personal circumstances Councillor Thorpe had not been present, he felt that the question had been previously answered.

b) Councillor Sunderland asked a question of Councillor Roberts

*Now it has been established that you were in post in Sept 2009 you were obviously privy to the fact that on Oct 5th officers were authorised by the cabinet to Negotiate the Deed of Variation with NCP.*

*Could you please explain why you did not ask for the planned 6 month report on how the experiment was going? If this had been asked for, at that time, it might have become apparent that the contract had no end date or financial cap.*

*The fact that there was no formal meeting on this until May 14th 2013 demonstrates a ridiculously laid back approach which should have been spotted by the Cabinet Member.*

*As you are so keen to claim credit for those things that seem to be going well, it only seems fair that you should also accept the blame for failing to see the unfolding of this debacle. Therefore I repeat Alan Rice's demand for your resignation.*

Councillor Roberts responded that it was the role of officers to bring forward reports not for Councillors to remember that a report was required.

On a supplementary question Councillor Sunderland asked Councillor Roberts in light of his response, what was the role of a Cabinet member?



Councillor Roberts responded that there was a lot of strategic work; day to day matters were dealt with by officers.

c) Councillor Taylor asked a question of Councillor Bryan Turner

*Given that West Sussex has allocated the first tranche of the £202 million 'Growth Fund' received from central Government to the Coast to Capital LEP could the Cabinet Member inform the Council what specific bids were put in by Worthing Borough Council for projects in Worthing and which were successful and which were not. Will any potential funding advance the refurbishment and development of Montague Street, Portland Road and Warwick Street desired by the Worthing Town Centre Initiative and what projects does the council have ready to go to bid for later tranches?*

Councillor Turner responded that the amount of money was not just for West Sussex; it included Brighton and Hove City, Surrey and Croydon and was for projects ready to be implemented in 2015/16. Projects for later years had not yet been announced. Worthing had bid for money for regeneration of the sea front, works in the Town Centre, the gateway projects of Teville Gate and Union Place, for support to create vibrant, flexible shopping areas and workplaces that were accessible. A particular scheme that needed finalisation for the Borough, Decoy Farm, was to be considered at Joint Strategic the following week. There was ongoing work to support 4000 SEM's to expand through supporting growth into the markets in SE Asia through grants ranging between £5k and £250K. On specifics WSCC would be resurfacing Montague Street; there would be some public realm work in Portland Place.

Councillor Taylor asked a supplementary question on particular successful bids in this round or the 2<sup>nd</sup> round.

Councillor Turner explained that bids were considered and money awarded to those ready for implementation hence the Decoy Farm report to Joint Strategic in the near future, he would be pushing on for schemes in 2016/17 and 2017/18.

### **C/24/14-15 Notice of Motion - Community Pubs**

Details of the Original Notice of Motion were set out on page 24 of the agenda with the recommendation of the Joint Strategic Committee on page 8. Copies of these items are included in with the minutes. As the Notice of Motion was formally proposed and seconded at the meeting on 15 April the Mayor invited the Leader to present the recommendation of the Joint Strategic Committee.

The Leader detailed the discussions at the Joint Strategic Committee and the general feelings of members at that Committee meeting relating to support for Community Pubs. The recommendations were seconded by Councillor High.

Members debated the recommendations and the issues highlighted in the original notice of motion.

Members on the Local Development Framework Working Group were encouraged to consider the views expressed in the Chamber, particularly in relation to consultation with Ward councillors and build this consultation into the policy framework.

On a vote the following was noted: For: 22, Against: 5 Abstention 0

**Resolved**

- 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.

The Mayor declared the meeting closed at 7.38 pm, it having commenced at 6pm.

Mayor

	<b>OUTSIDE BODY</b>	<b>Appointed Councillor(s)</b>
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	Councillor Bryan Turner

	Problems Associated with the Coastline)	
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 Viojan
24	South East Employers	Cllr Daniel Humphreys
		Sub: Cllr Vino Viojan
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
		Cllr Hazel Thorpe
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
		Cllr Edward Crouch
42	Armed Forces Champion	Cllr Noel Atkins
43	Adur and Worthing Homelessness Forum	Cabinet Member for Customer Services – Cllr Mary Lermite