



Communities Directorate

10 October 2014

**Council Meeting
21 October 2014**

The Council Chamber, Town Hall,
Chapel Road, Worthing

**6.30pm
Agenda**

ALL MEMBERS OF THE COUNCIL are hereby summoned to attend for the following business:

Part A

- 1. Apologies for absence**
- 2. Castle Ward By-Election – Returning Officer’s Return of Person elected**

Council is informed by the Returning Officer of the following result of the by-election held on 7 August 2014 for the Castle Ward:

Name and Details	Party	Year of retirement
Charles John Ellerington James 22 Harley Court Downview Road Worthing BN11 4QT	UKIP	2016

- 3. Declarations of Interest**

Members and Officers must declare any discloseable pecuniary interests to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Director for Communities:
John Mitchell 01903 221049
Adur & Worthing Councils, Town Hall, Chapel
Road,
Worthing, West Sussex, BN11 1HA
web: www.adur-worthing.gov.uk

4. Public Question Time

To receive any questions from Members of the public in accordance with Standing Order 2.11.

5. Minutes

To confirm the minutes of the Meeting of the Council held on 15 July 2014, previously circulated, copies can be found on www.adur-worthing.gov.uk.

6. Mayor's Announcements

The Mayoral Announcements will include the following:

Presentation to Council of the Mayoral Cadets from TS Vanguard and the Army Cadet Force.

Commending Sian Honnor on her Gold Medal at the Commonwealth Games.

Congratulating local resident, Mike Kerr, Bass Player with 'Royal Blood' on recent success with his debut Rock album

Presentation of the Vote of Thanks to the past Mayor, Councillor Bob Smytherman.

Result of the Mayor XI v Officers XI Cricket Match

7. Items raised under urgency provisions

To consider any items the Mayor considers to be urgent.

8. Recommendations from the Executive and other Committees to Council

To consider recommendations to Council from the Executive and other Committees, details of which are set out in the attached items 8A, B and C. Full reports are available on the website.

Committee or Executive Body	Date	Item
A Joint Strategic Committee	22.07.14	i. Outline Forecast 2015-16 to 2019-20 and Budget Strategy http://www.adur-worthing.gov.uk/media/media,125630,en.pdf
		ii. Capital Strategy 2014/17 http://www.adur-worthing.gov.uk/media/media,125631,en.pdf

Other Committees

- B Joint Governance and Audit 23.09.14
- i. Review of Constitution Part 4
<http://www.adur-worthing.gov.uk/media/media,127114,en.pdf>
 - ii West Sussex Scrutiny Arrangements
<http://www.adur-worthing.gov.uk/media/media,127074,en.pdf>
 - iii. Representative on Outside Bodies
<http://www.adur-worthing.gov.uk/media/media,127075,en.pdf>
- C Licensing and Control 'B' 28.07.14
- Gambling Act 2005 – Review of Statement of Policy
<http://www.adur-worthing.gov.uk/media/media,125785,en.pdf>

9. (A) Political Balance following the Castle Ward by-election

(B) Notification of new political group on the Council

(C) New committee memberships from 1 November as a result of the by-election and the changes to the Constitution

Report of the Director for Communities, copy attached as item 9.

10. Councillor Norah Fisher – extension of six month attendance rule

Report of the Director for Communities, copy attached as item 10.

11. Committee Resolutions

To receive any questions from Members on the resolutions of the following Committees:-

Committee	Date
Planning	23 July, 20 August, 17 September
Joint Overview and Scrutiny	31 July, 11 September
Joint Strategic	22 July, 2 September, 7 October
Joint Governance and Audit	23 September
Joint Planning	25 September
Licensing and Control B	16 September

Minutes of these meetings can be found at: www.adur-worthing.gov.uk

12. Leader's Report on Decisions taken by the Executive

To receive a report from the Leader on decisions taken by the Cabinet, Cabinet Members and the Joint Strategic Committee since the last Council meeting and to receive questions/comments from Members thereon.

Following specific questions/comments on the report, Members will have an opportunity to put general questions to Leader and Cabinet Members on matters for which they are responsible (maximum of 20 minutes duration).

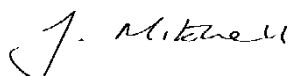
(**Note:** Papers relating to items under 8, 11 and 12 have been previously circulated. If any Member requires further copies please contact Democratic Services or visit the Council's website www.adur-worthing.gov.uk/.)

13. Questions under Standing Order 2.6

(If any).

Part B - Not for Publication – Exempt Information Reports

None.



Director for Communities

Notice to Councillors, Press and members of the Public – this meeting will be voice recorded and available on the Council's website in due course.

For Democratic Services enquiries relating to this meeting please contact:

Julia Smith
Democratic Services Manager
01903 221150
Julia.smith@adur-worthing.gov.uk

For Legal Services enquiries relating to this meeting please contact:

Susan Sale
Solicitor to the Council
01903 221119
susan.sale@adur-worthing.gov.uk

Extracts from the Joint Strategic Committee – 22 July 2014

JSC/018/14-15 Outline Forecast 2015-16 to 2019-20 and Budget Strategy

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 6.

Officers informed Committee that the General Election in 2015 threw some uncertainty over future forecasts and Officers outlined the options for addressing the budget gap in 2015/16 which were also detailed in paragraph 5.0 of the report.

Members expressed concern that although shows being performed in Worthing's theatres were sold out, the service was still running at a loss. Officers acknowledged that the profit margin on performances was a key issue as was catering.

The Committee noted that catering in theatres would be the subject of forthcoming scrutiny and officer reviews.

Decision:

That the Joint Strategic Committee:-

- a) noted the report and the outline 5-year forecast in Appendix 3;
- b) approved the proposed budget process as set out in section 8 of the report;
- c) recommended to Adur and Worthing Councils approval of the Budget Strategy for 2015/16 outlined in Section 10 of the report.

Extracts from the Joint Strategic Committee – 22 July 2014

JSC/019/14-15 Capital Strategy 2014/17

Before the Committee was a report by the Director for Digital and Resources, copies of which had been circulated to all Members, a copy of which is attached to the signed copy of these Minutes as Item 7.

The Committee sought clarification in respect of the allocation of £100,000 for essential replacement of ICT desk top equipment and local network equipment in both Councils. Officers confirmed that the Councils would need to replace old equipment over the next couple of years.

Decision

The Joint Strategic Committee recommended the approval of the Capital Strategy for 2014/17 to both Adur and Worthing Councils

Extracts from the Joint Governance and Audit Committee – 23 September 2014

JGAC/027/14-15 Constitution Review

Before the Committee was a report, presented by the Monitoring Officer, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 9.

The report considered the revisions to Part 4 of the Constitutions of the District Council of Adur and the Borough Council of Worthing, and sought their agreement to recommend to the Full Councils at Adur and Worthing that their Constitutions be revised.

The Monitoring Officer informed Members that Officers had looked at the Constitutions of other Local Authorities, for example Brighton & Hove County Council and Southampton City Council, for the purposes of comparison and identifying good practice.

Members were advised Part 4 of the Constitutions dealt with the Procedure Rules of the Council and Appendix 1 of the report comprised the proposed revised Part 4 for Worthing Borough Council's Constitution and Appendix 2 the proposed Part 4 for Adur District Council's Constitution.

Appendix 3 referred to the Joint Independent Remuneration Panels Procedure Rules, which included those Members of the Panels to receive the following allowances to be reviewed every 4 years, i.e. Chairman £100 per meeting attended and Panel Member receiving £75 per meeting attended. Therefore, an additional recommendation was to be added:

7.10 That the Committee recommends to both Adur District Council and Worthing Borough Council to agree the amended Joint Independent Remuneration Panels Procedure Rules.

Members were also advised that Council Procedure Rule 29.2 and 29.3, under Record of Attendance, should be deleted. They were further advised that under Council Procedure Rule 39.0 Appointment of the Leader of the Main Opposition, at paragraph (a) the phrase "who shall be entitled to receive any special responsibility allowance payable to that office" should be amended to "who may be entitled to receive any special responsibility allowance payable to that office" as that decision would be down to the Joint Independent Remuneration Panel. Members were further advised that in the Officer Employment Rules at paragraph 4.2.2 on page 623 of the papers,

there is a typographical error and the words “subject to paragraph error reference source not found” needs to be deleted.

Members were advised that the Officer Scheme of Delegations had not been included in this Report and that the Monitoring Officer was seeking delegated authority to make amendments to the Scheme of Delegations, to reflect likely forthcoming changes to the management structure of the organisation.

Following the presentation of this report there was a query from a Member regarding Council Procedure Rule 2.4 which deals with appointment of Substitute Members to Committees and Sub-Committees. Councillor Thorpe sought clarification in respect of Ward Councillors speaking on behalf of residents, when sitting on Planning Committees. The Monitoring Officer clarified that Council Procedure Rule 2.4(f) provides that a Substitute Member can only substitute for the whole of the meeting. It is not therefore permissible for a Member of the Planning Committee to be substituted for one particular item on the agenda to allow them to go into the public gallery and speak on behalf of residents. They would need to either substitute themselves for the entire meeting or absent themselves for a particular item on the agenda without appointing a substitute for that item.

The Chairman advised Committee Members that Cllr Mark Nolan was unable to attend the meeting but had handed him a number of queries regarding Part 4 of the Constitution. There was discussion concerning the quorum needed for a Meeting of Full Council, the power of the Director for Communities in rejecting written questions submitted in advance by members of the public, the scope of questions from members of the public, the Procedure Rules concerning record of attendance at meetings and the term ‘clear working days’. However, no additional amendments were proposed.

Resolved,

That the Joint Governance and Audit Committee:-

- recommends to the Borough Council of Worthing that it adopts the revised Part 4 of the Constitution, as set out in Appendix 1 of this report, with effect from 1 November 2014;
- recommends to the Borough Council of Worthing that it authorises the Section 151 Officer and the Monitoring Officer to make amendments to the Financial Procedure Rules and the Contract Procedure Rules to take account of the changes to the Officer structure;
- recommends to the Borough Council of Worthing that it authorises the Monitoring Officer, in consultation with the Chairman of the Joint Governance Committee and the Leader of the Council, to make amendments to the Scheme of Officer Delegations to reflect changes to the management structure of the Council;

- recommends to the Borough Council of Worthing that it authorises the Solicitor to the Council to make amendments to the Joint Committee Agreement to bring it in line with the amendments agreed in this report;
- recommends to the Borough Council of Worthing that it adopts the amended Joint Independent Remuneration Panel Procedure Rules, with effect from 1 November 2014;
- recommends to the District Council of Adur that it adopts the revised Part 4 of the Constitution, as set out in Appendix 2 of this report, with effect from 1 November 2014;
- recommends to the District Council of Adur that it authorises the Section 151 Officer and the Monitoring Officer to make amendments to the Financial Procedure Rules and the Contract Procedure Rules to take account of the changes to the Officer structure;
- recommends to the District Council of Adur that it authorises the Monitoring Officer, in consultation with the Chairman of the Joint Governance Committee and the Leader of the Council, to make amendments to the Scheme of Officer Delegations to reflect changes to the management structure of the Council;
- recommends to the District Council of Adur that it authorises the Solicitor to the Council to make amendments to the Joint Committee Agreement to bring it in line with the amendments agreed in this report;
- recommends to the District Council of Adur that it adopts the amended Joint Independent Remuneration Panel Procedure Rules, with effect from 1 November 2014; and
- resolved to receive a further report from the Monitoring Officer in November 2014 concerning proposed amendment.

Extracts from the Joint Governance and Audit Committee – 23 September 2014

JGAC/029/14-15 West Sussex Joint Scrutiny arrangements

Before the Committee was a report, presented by the Corporate Policy Officer (Scrutiny), copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 11.

The report set out proposals for the Council to consider whether or not to take part in the West Sussex Joint Scrutiny arrangements which had been operating since 2010.

The Chairman introduced Cllr Liza McKinney who spoke in support of the Councils' involvement in the West Sussex Joint Scrutiny arrangements. It was in her opinion the right time to join this group.

The Member advised the Joint Scrutiny Steering Group was made up of the relevant Chairmen of the Overview & Scrutiny Committees in West Sussex and had held 4 meetings in total with two joint scrutiny projects being completed.

Resolved,

The Joint Governance and Audit Committee recommended to the full Council meetings in October, the Council's involvement in the Joint Scrutiny Steering Group.

Extracts from the Joint Governance and Audit Committee – 23 September 2014

**JGAC/030/14-15 Worthing Borough Council - Outside Bodies
Appointments – High Salvington Mill Trust Ltd**

Before the Committee was a report, presented by the Democratic Services Manager, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 12.

The report requested the Committee consider two nominations for Worthing Borough Council appointments to High Salvington Mill Trust Limited following the resignation of two previous nominees to the organisation and make recommendations to the Council meeting on 21 October 2014.

Resolved, that

the Joint Governance and Audit Committee had considered the request from High Salvington Mill Trust Ltd for Councillors Noel Atkins and Vino Vinojan to be appointed as replacement Trustees, and recommended to Worthing Borough Council that Councillors Noel Atkins and Vino Vinojan be nominated to the High Salvington Mill Trust Ltd as Trustees.

Extracts from the Licensing and Control 'B' Committee – 28 July 2014

LCCB/14-15/15 Gambling Policy

Before the Committee was a report by the Director for Customer Services, a copy of which had been sent to all members and a copy of which is attached to the signed copy of these minutes as item 3. In accordance with the statutory requirements of the Gambling Act 2005 (the act) the Council's Statement of Gambling Licensing Policy had been reviewed. Following consultation with the 'Responsible Authorities' & public. Members were requested to consider and recommend the updated draft policy for adoption by full Council on 21 October 2014.

The Committee discussed the report and were in agreement that the policy could go forward to Council for adoption

Recommendation: that the draft statement of Gambling Licensing Policy under the Gambling Act 2005 be recommended to Council for adoption.

(A) Political Balance following the Castle Ward by-election

(B) Notification of new political group on the Council

(C) New committee memberships from 1 November as a result of the by-election and the changes to the Constitution

Report by the Director for Communities

Summary

1.1 To note the political balance on the Council following the by-election result for Castle Ward.

1.2 To formally note a new political Group on the Council.

1.3 To appoint members to the revised committee structure taking into account the by-election result and the commencement of the revised Constitution.

2.0 Background

2.1 In July 2014 Council adopted changes to its Constitution to come into affect on 1 November 2014.

2.2 The changes adopted include a revised decision making structure that removes some committees; makes revisions to the terms of reference and membership of the Joint Governance Committee.

2.3 The Castle Ward by-election on 8 August changes the political balance on the Council, including the creation of a UKIP Group. This is new Group is taken into account in the political balance of the Council in Annex A to this report.

3.0 Proposals

3.1 That the political balance on the Council following the Castle Ward by-election is noted, as is the formal notification of the UKIP Group on the Council.

3.2 Council notes the implications of the new political balance on the revised decision making structure.

3.3 Group Leaders have been consulted about the appointments to the revised decision making structure and have submitted their nominations (Annex B) for allocation to the non-executive Committees detailed in bold as paragraph (a) on Annex A.

4.0 Legal

4.1 s106 Local Government Act 1972 provides that Councils may make standing orders for the regulation of their proceedings and business

4.2 s111 Local Government Act 1972 provides that the Council shall have the power to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of their functions.

4.3 s15, 16 and 17 of the Local Government and Housing Act 1989 set out powers and duties in relation to political balance on Committees and the exceptions and exemptions therein.

4.4 Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007 sets out regulations regarding appointments to Cabinet and Committees in Councils that have adopted Executive arrangements.

5.0 Financial implications

5.1 There are no direct financial implications arising from this report.

6.0 Recommendation

6.1 That the Council notes the political balance on the Council and various Committees as detailed at (b) on Annex A

6.2 That the Council receives the formal notification of the formation of the UKIP group on the Council, detailed at (c) on Annex A

6.3 That in noting 6.1 above the Council confirms the political groups and the number and proportion of seats allocated to the committees set out in paragraph (a) of Annex A to this report;

6.4 Council takes into account the wishes of the Group Leaders in appointing the membership to non-executive Committees, confirming the Chairman and Vice-Chairmanships as detailed in Annex B for the period from 1 November 2014 to the Annual Council meeting in 2015

Local Government Act 1972

Background Papers:

Local Government Acts 1972 & 2000

Local Government and Housing Act 1989

Local government and Public Involvement in Health Act 2007

Knowles on Local Authority Meetings – A manual of Law and Practice

Council Constitution, revised in 2014, commencing on 1 November 2014 – minutes of the Council meeting on 15 July 2014

Contact Officer:

Julia Smith

Democratic Services Manager

Town Hall, Worthing

01903 221150 Julia.smith@adur-worthing.gov.uk

Schedule of Other Matters

1.0 Council Priority

1.1 Matter considered and no issues identified

2.0 Specific Action Plans

2.1 (A) Matter considered and no issues identified
(B) Matter considered and no issues identified

3.0 Sustainability Issues

3.1 Matter considered and no issues identified

4.0 Equality Issues

4.1 Committees must take proper account of the Council's duties to promote compliance with the convention rights scheduled in the Human Rights Act 1988, to reduce crime and disorder and to promote equalities

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no issues identified

6.0 Human Rights Issues

6.1 Matter considered and no issues identified

7.0 Reputation

7.1 Matter considered and no issues identified

8.0 Consultations

8.1 Leaders of the Political Groups and other elected individuals on the Council were advised and consulted on memberships of the non-executive committees .

9.0 Risk Assessment

9.1 Matter considered and no issues identified

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified

12.0 Partnership Working

12.1 The Committee structure of Worthing Borough Council contains a number of Joint Committees with Adur, Horsham and Mid-Sussex Councils

(a) Committee Structure and Number of Seats

To confirm the committee structure and numbers of seats applicable to each, in accordance with the revised Constitution:

(i) The Executive:

Cabinet 6 seats

(ii) Regulatory Committees

Planning Committee **8 seats**
Licensing and Control Committee A **15 seats**
Licensing and Control Committee B 15 seats

(iii) Overview and Scrutiny:

Overview and Scrutiny Committee **15 seats**

(iv) Joint Working Arrangements:

With Adur District Council

Joint Governance Committee **8 seats**
Joint Overview and Scrutiny Committee **8 seats**
Joint Senior Staff Committee **3 seats**
Joint Staff Committee **3 seats**
Joint Strategic Committee 6 seats
Joint Senior Staff Appeals Committee **3 seats**

With Horsham and Mid Sussex Councils

CenSus Joint Committee 2 seats

Seats in bold are subject to political balance: 63 Seats

(b) Representation of Political Groups on the Council

To confirm the political groups and the number and proportion of seats held.

Representation on the Council and the number and proportion of seats held are as follows;

Number of seats on Council:		Proportion of seats	*No. of seats on committees
27	Conservative	72.97%	46
6	Liberal Democratic	16.22%	10
1	Independent Conservative	2.70%	-
1	Green	2.70%	-
2	UKIP	5.41%	3

*In accordance with the rules on political representation the number of seats to be taken by each political group on the Council's Committees and Sub-Committees. A political group comprises 2 or more members.

The following are not included in the above figures because the political balance requirements do not apply:

- Cabinet (6 seats)
- Joint Strategic Committee (6 seats)
- Census Committee (2 seats)
- Licensing and Control Committee 'B'

As a result of discussions by members of the Opposition the following is the recommended allocation taking into account the political balance rules and negotiations:

Committee	No. of Seats	Conservative	Indep Conserv.	Liberal Democratic	UKIP	Green	Unallocated
Joint Governance	8	6		1~			1~
Licensing	15	11		2	1	1*~	1*~
Planning	8	6		1		1~*	1*~
Overview and Scrutiny	15	11	1#	2	1		1#
Joint Overview and Scrutiny	8	6		1	1\$		1\$
Joint Staff	3	2	1#				1#
Joint Senior Staff	3	2		1			
Joint Senior Staff (Appeals)	3	2		1			
TOTAL	63	46		9			
							0
Seats = 63		46	2	10	3	2	

(C) Notification of Political Group on the Council:

Party	Leader	Deputy Leader
UKIP	Charles James	Susan Jelliss

**JOINT NON-EXECUTIVE COMMITTEE MEMBERSHIP / APPOINTMENTS
2014-2015**

Joint Governance Committee <i>(requirement for political balance)</i> <i>Not more than one member (from each Council) to be an Executive Member</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair: Noel Atkins	Conservative
2	Vice-Chair: Elizabeth Sparkes	Conservative
3	Sean McDonald	Conservative
4	Mark Nolan	Conservative
5	Luke Proudfoot	Conservative
6	Louise Murphy	Conservative
7	Robert Smytherman	Liberal Democrat
8	Hazel Thorpe	Liberal Democrat
Adur District Council		
1		
2		
3		
4		
5		
6		
7		
8		

3 independent co-opted members and one co-opted member from each of the parish councils:

Independent Members: Mr Anthony Case, Mr John Todd, Mrs Susan Clarke

*{One representative from Lancing Parish Council

*{One representative from Sompting Parish Council

*Sitting for parish matters only

Joint Staff Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair: Keith Bickers	Conservative
2	Vice-Chair: Kevin Jenkins	Conservative
3	Graham Fabes	Independent Conservative
Adur District Council		
1		
2		
3		

Joint Senior Staff Committee (requirement for political balance)		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair: Paul Yallop	Conservative
2	Vice-Chair: Bryan Turner	Conservative
3	Keith Sunderland	Liberal Democrat
Adur District Council		
1		
2		
3		

Note: Each Council must have one Executive member

Joint Senior Staff (Appeals) Committee (requirement for political balance)		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair: Paul Yallop	Conservative
2	Vice-Chair: Bryan Turner	Conservative
3	Keith Sunderland	Liberal Democrat
Adur District Council		
1		
2		
3		

Note: Each Council must have one Executive member

Joint Overview & Scrutiny Committee (requirement for political balance)		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair: Roy Barraclough	Conservative
2	Vice-Chair: Vino Vinojan	Conservative
3	Keith Bickers	Conservative
4	Edward Crouch	Conservative
5	Heather Mercer	Conservative
6	Mark Nolan	Conservative
7	Keith Sunderland	Liberal Democrat
8	Charles James	UKIP
Adur District Council		
1		
2		
3		
4		
5		
6		
7		
8		

Worthing Planning Committee (requirement for political balance)		
No	Councillor	Political Group
1	Chair: Joan Bradley	Conservative
2	Vice-Chair: Vicky Vaughan	Conservative
3	Michael Cloake	Conservative
4	Edward Crouch	Conservative
5	Diane Guest	Conservative
6	Kevin Jenkins	Conservative
7	Hazel Thorpe	Liberal Democrat
8	James Doyle	Green
Substitute Member Nomination		Political Group
1	Noel Atkins	Conservative
2	Elizabeth Sparkes	Conservative
3	Norah Fisher	Liberal Democrat
4	Bob Smytherman	Liberal Democrat

It is a requirement that Members of this Committee must receive appropriate training.

Overview and Scrutiny Committee (requirement for political balance)		
No	Councillor	Political Group
1	Chair: Roy Barraclough	Conservative
2	Vice-Chair: Vino Vinojan	Conservative
3	Noel Atkins	Conservative
4	Keith Bickers	Conservative
5	Callum Buxton	Conservative
6	Kevin Jenkins	Conservative
7	Sean McDonald	Conservative
8	Louise Murphy	Conservative
9	Roger Oakley	Conservative
10	Luke Proudfoot	Conservative
11	Vicky Vaughan	Conservative
12	Keith Sunderland	Liberal Democrat
13	Victoria Taylor	Liberal Democrat
14	Charles James	UKIP
15	Graham Fabes	Independent Conservative

Licensing and Control Committees 'A' and 'B'
(requirement for political balance)

No	Councillor	Political Group
1	Chair: Paul High	Conservative
2	Vice-Chair: Mark Nolan	Conservative
3	Roy Barraclough	Conservative
4	Keith Bickers	Conservative
5	Callum Buxton	Conservative
6	Diane Guest	Conservative
7	Paul Howard	Conservative
8	Kevin Jenkins	Conservative
9	Sean McDonald	Conservative
10	Heather Mercer	Conservative
11	Louise Murphy	Conservative
12	Norah Fisher	Liberal Democrat
13	Robert Smytherman	Liberal Democrat
14	James Doyle	Green Party
15	Susan Jelliss	UKIP
#Substitute Member Nomination		Political Group
1	Luke Proudfoot	Conservative
2	Michael Cloake	Conservative
3	Michael Donin	Liberal Democrat
4	Robert Smytherman	Liberal Democrat
5	Charles James	UKIP

Note:

*** Chair for Sub-Committees*

Although two separate Committees operating under different rules, it is suggested that Membership/Chairman/Vice-Chairman are the same for both.

In exceptional cases e.g. where a named substitute is unable to attend due to illness, absence or some other sufficient reason, the respective Group Leader may nominate another member to act as a substitute.

It is a requirement that Members of this Committee must receive appropriate training.

Substitutes are not permitted for 'B' Committee.

Requirement for Political balance is dependent on which Committee is meeting. Officers will ensure this is correct in each case.

Councillor Norah Fisher – extension of six month attendance rule

Report by the Director for Communities

1.0 Summary

- 1.1 Councillor Norah Fisher last attended a formal meeting of the Council on 15 April 2014. As Mayoress, Councillor Fisher last attended an official engagement with the Mayor on 16 May before ill health prevented her from continuing her Official duties; Councillor Fisher required surgery and recuperation, which is ongoing.
- 1.2 The Chief Executive used his urgency powers to extend Councillor Fisher's six month attendance dates from 16 October 2014 to 21 October 2014 to enable the Council to consider her continuing absence and to formally determine this application for an extension; this is contained in Officer decision notice CE/001/14-15 on the website.
- 1.2 Formal approval of Councillor Fisher's absence over the six month rule is sought on her behalf from Council.

2.0 Background

- 2.1 Councillor Fisher last attended a formal meeting of Council on 15 April 2014 (full Council); her attendance is recorded in the minutes.
- 2.2 Councillor Fisher, as Mayoress attended a full diary of engagements with the Mayor up to and including Friday 16 May 2014; further engagements were planned however, Councillor Fisher was unable to fulfil her role due to increasing ill health.
- 2.3 Councillor Fisher carries out her Civic Duties with endeavour and commitment, and she has continued her ward councillor role alongside that of her representative role on outside bodies and her personal interests whilst being an active Mayoress for the Borough.
- 2.4 Councillor Fisher required surgery, hospital in patient care and recuperation before expecting to return home in late September 2014. Actual dates of her hospital stay and ongoing convalescence are not known to officers however contact and her lengthy recovery was confirmed in a telephone conversation on 3 September 2014 with Councillor Thorpe. Councillor Fisher was at that time expecting to remain in convalescence for a further two weeks then return home.

3.0 Proposals

- 3.1 Council is invited to consider approving Councillor Fisher's absence from Official duties and attendance at meetings for a further six months, to April 2015.
- 3.2 By extending to April 2015, Councillor Fisher will have the option to attend meetings (which are held in the evenings) as the weather improves. This will enable Councillor Fisher to recover sufficiently to undertake some Ward duties as she feels able and to fulfil the requirements of the legislation of attending meetings as her health allows.

4.0 Legal

- 4.1 The Local Government Act 1972, Section 85 requires that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority'.
- 4.2 Calculation of Councillor Fisher's six month attendance is from full Council on 15 April to 15 October; however in her capacity as Mayoress, Councillor Fisher was attending Official engagements with the Mayor up to and including Friday 16 May.
- 4.3 The Chief Executive used delegated powers as contained in the officer decision notice CE/001/14-15.

5.0 Financial implications

- 5.1 There are no additional costs to approving Councillor Fisher's continuing absence, however if the absence were not approved by Council, there would be by-election costs for the ensuing vacancy in Tarring Ward.

6.0 Recommendation

- 6.1 That Councillor Fisher's continuing absence is approved by Council,
- 6.2 That Councillor Fisher's absence be approved up to and including the full Council meeting on Tuesday 14 April 2015
- 6.3 That if Council does not approve 6.1 and 6.2 above then Council declares a vacancy in the Tarring Ward of the Borough Council

Local Government Act 1972

Background Papers:

Minutes of the Council meeting on 15 April 2014
Official Engagement Form for the Mayor, 16 May 2014

Contact Officer:

Julia Smith
Worthing Town Hall, Chapel Road, Worthing BN11 1HA
01903 221150

Schedule of Other Matters

1.0 Council Priority

1.1 This report does not link to any Corporate Priority

2.0 Specific Action Plans

2.1 (A) none
(B) none

3.0 Sustainability Issues

3.1 Matter considered.

4.0 Equality Issues

4.1 Matter considered and included within the report

5.0 Community Safety Issues (Section 17)

5.1 Matter considered, no issues identified

6.0 Human Rights Issues

6.1 Matter considered

7.0 Reputation

7.1 Council will need to balance the reputational damage of not extending the six month rule for Councillor Fisher due to her ill-health and convalescence with previous extensions granted for ill-health; former Councillor, Mary Harding, made a similar request in December 2010 which was approved.

8.0 Consultations

8.1 (A) Chief Executive consulted the Leader of the Council, Leader of the Liberal Democratic Group, Councillor James Doyle
(B) Chief Executive extended the six month rule to enable Council to give formal consideration to the request and make a determination.

9.0 Risk Assessment

9.1 Should Council not agree to extend the six month attendance rule then Council will need to declare the vacancy in Tarring Ward; Councillor Fisher's term of office ends in May 2014 therefore a by-election is most probable with the financial costs.

10.0 Health & Safety Issues

10.1 Risk Assessment will need to be updated.

11.0 Procurement Strategy

11.1 Matter considered, no issues identified

12.0 Partnership Working

12.1 Matter considered, no issues identified

Report of the Leader on Decisions taken by Cabinet Members and the Joint Strategic Committee since the last meeting of Council

A Decisions Taken by Individual Cabinet Members

Listed below is a summary of decisions taken by the individual Cabinet Members since the despatch of the agenda for the last Council Meeting. Full details can be found on the Cabinet Members and Portfolios, Reports and Decisions webpage <http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/worthing/cabinet-member-decisions/>

Leader

-

Cabinet Member for Regeneration

-

Cabinet Member for Resources

W/RES/002/14-15 Efficiency of Savings

JAW/002/14-15 Proposed Voluntary Redundancy

Cabinet Member for Customer Services

-

Cabinet Member for the Environment

W/ENV/001/14-15 Attendants – Worthing Parks

Cabinet Member for Health and Wellbeing

JAW/001/14-15 Food Safety Service Plan for 2014/15

B. Decisions taken by the Joint Strategic Committee on 22 July 2014

Items related to Adur District Council are not reproduced on this agenda

Full details can be found: www.adur-worthing.gov.uk/your-council/

The matters not appearing elsewhere on the agenda:

JSC/017/14-15 “Catching the Wave” - A progress update on organisational change

Decision

The Joint Strategic Committee:-

- noted progress in the Catching the Wave programme for the period January to June 2014;
- agreed the creation of the new role of Head of Organisational Development as outlined in the report;
- authorised the Chief Executive and the Councils Leadership Team to take forward the next set of organisational changes reporting back to Members of JSC on progress in a further 6 months;
- approved an initial virement of £42,000 from the Learning & Development budget and £14,000 from the Adur Homes budget to the Organisation Development salary budget.

JSC/020/14-15 ICT Position Statement

Decision

That the Joint Strategic Committee:-

- (i) noted and agreed the immediate actions being taken by the Director for Digital and Resources and Census ICT to address the urgent issues with telephony and ICT services;
- (ii) approved the Methods Discovery Consultancy work;
- (iii) approved the staged approach to creating a digital road map for the Councils, agreeing the emergent nature of the strategy and the commitment to developing it with a range of stakeholders.

JSC/021/14-15 Arrangements for the Enforcement of Unlawful Encampments

Decision

That the Joint Strategic Committee agreed to defer consideration of the report to it's next meeting on 2nd September 2014.

JSC/022/14-15 Events Co-ordinator Post

Decision

That the Joint Strategic Committee approved the release of funding to enable the recruitment of an Events Co-Ordinator.

JSC/023/14-15 Localising Support for Council Tax in England

Decision

That the Joint Strategic Committee:-

- (a) supported considering making changes to the 2015/16 schemes for Adur and Worthing Councils subject to the outcomes of the consultation;

- (b) agreed that residents should be consulted about the options over the Summer;
- (c) agreed that the restrictions detailed in paragraph 4.8 with the exceptions of (ii) and (iii) should be included in the budget consultations;
- (d) agreed that war widows and widowers should continue to receive the same level of protection as they do at present;
- (e) agreed to consult on a 2 year residency restriction.

JSC/024/14-15 Building Services Invest to Save Procurement of Vehicles

Decision

The Joint Strategic Committee approved the 'invest to save' proposal to procure 9 vehicles funded by prudential borrowing as detailed in paragraph 3.8 of the report.

JSC/028/14-15 Worthing's The Money Tree 2015

Decision

That the Joint Strategic Committee:-

- i) approved that all the £16,000 be released from Capacity reserve;
 - £15,000 to top up the grants pot
 - £1,000 to put on the event
- ii) agreed the proposed timetable set out in the report;
- iii) approved that £10,000 be released from the Insurance reserve to be put towards a 'seaside improvement pot'.

JSC/029/14-15 Worthing Borough Council MSCP Off-Street Parking Charges

Decision

That the Joint Strategic Committee:-

- (i) noted the decision by the Leader and Cabinet Member for the Environment to continue with the tariff trial for a further 3 months;
- (ii) authorised Officers to report back to the Leader and Cabinet Member for the Environment on the results of the tariff changes on a monthly basis with an additional report going to the Joint Strategic Committee on 2nd September.

JSC/030/14-15 Worthing Planning Policy Review – Housing

Decision

That the Joint Strategic Committee:-

- (i) noted the changes to the planning system and the implications that this has had on the timetable for Plan-making in Worthing;

- (ii) approved that work commence on a full review of the existing Worthing Core Strategy and the development of a new Local Plan for the Borough;
- (iii) noted that the detailed work programme for this review would be established within a revised Local Development Scheme (LDS) to be considered by Members in the autumn.

JSC/031/14-15 Decoy Farm Contaminated Land Survey

Decision

That the Joint Strategic Committee:-

- (i) agreed that bringing forward Decoy Farm as an employment site was a priority project for Worthing Borough Council;
- (ii) recommended that Worthing Borough Council fund survey work costing up to £150,000 from the Capacity Issues Reserves;
- (iii) supported the establishment of a Corporate Project Board and agreed that the Cabinet Member for Regeneration be part of the Board;
- (iv) agreed to the submission of an outline planning application for the Decoy Farm site;
- (v) agreed to the marketing of the site on the basis that planning permission is granted.

C. Decisions Taken by the Joint Strategic Committee on 02 September 2014

Full details can be found: www.adur-worthing.gov.uk/committee/cab-docs-joint-strategic.htm

Items relating to Adur District Council are not reproduced on this agenda

JSC/036/14-15 1st Capital, Revenue Budget and Performance Monitoring 2014/15

Decision

The Joint Strategic Committee:-

- i. noted the report and projected outturn position for the Joint, Adur and Worthing revenue Budgets and proposed use of reserves (Appendix 1b and 2b);
- ii. with respect to the revenue budget, approved the funding from the Capacities Issues Reserves for Community Safety (£10,070 from Adur and £15,100 from Worthing).

With respect to the Capital Investment Programme for Worthing Borough Council

- i. noted the reprofiling of the Worthing Borough Council capital schemes listed in paragraph 9.2 and Appendix 7, and the possible reprofiling of capital schemes as listed in paragraph 9.3.

- ii. approved the use of the underspend from the Worthing Leisure Centre “invest to save” scheme to replace the astroturf for the provision of additional car parking spaces at Worthing Leisure Centre as detailed in paragraph 9.5.
- iii. approved an amendment to the 2014/2015 Capital Investment Programme to include the purchase of elections hardware funded from a capital grant from the Cabinet Office as advised in paragraph 9.6.
- iv. approved the increase of the budget for the replacement of Splashpoint Leisure Centre fitness bikes funded from income from the Splash Point Leisure Centre as advised in paragraph 9.7.
- v. approved the ring-fencing of capital receipts, generated from the sale of 2 properties, to pay off the borrowing incurred on the building of the Splashpoint Leisure Centre as advised in paragraph 9.8 and 9.9.

JSC/037/14-15 Proposals to Advance Loans to Registered Social Landlords for Housing Investment & Progress Report on the Local Government Association Plans for a Municipal Bonds Agency

Decision:

The Joint Strategic Committee

Part 1 Loans to RSL’s

- i) approved in principal, that loans to RSLs may be made for housing development in accordance with the framework described in Section 3 of the report;
- ii) agreed that any such loan is to be made by the Council who will benefit from the construction of new affordable homes within its area;
- iii) agreed that the request from WHL for Worthing Borough Council to advance a loan of £5m be further considered, and the Council appoint Arlingclose treasury management consultants to perform further due diligence work as outlined in Paras 3.20-3.31;
- iv) approved the costs associated with the appointment in recommendation (iii) being funded from the debt management budget of Worthing Borough Council;
- v) requested a further report later in the year on the final WHL loan proposals, whereby approval would be requested to make such amendments to the Capital Programme and prudential borrowing limits as may be required;

Part 2 Municipal Bonds Agency Update

- vi) approved in principal a contribution to the MBA of no more than £50,000 per Council by 30th September, 2014, as documented in the letter of intent submitted to the LGA by both Councils on 16th July 2014;
- vii) granted delegated powers for the Chief Financial Officer to consult with the Cabinet Member (Resources) of both Adur and Worthing Councils to agree

whether they wish to proceed with the proposed participation in the MBA, following consideration of the matters to be conveyed at the LGA meeting to be held later in September, and

- viii) arising from the delegations issued in recommendation (vii), approved the Chief Financial Officer agreeing, with the respective Cabinet Member for Resources, the exact amount of the Phase 1 financial contribution each Council wishes to pay the MBA by 30th September 2014, up to a maximum of £50,000;
- ix) requested a further report later in the year, following the LGA meeting in September 2014, as to whether Adur and Worthing Councils may wish to make a further financial contribution to Phase 2 of the MBA by the end of 2014.

JSC/038/14-15 Adur and Worthing Councils' Action on Public Health

Decision

The Joint Strategic Committee considered and approved the proposed Public Health Plan for Adur and Worthing.

JSC/039/14-15 Strategic Human Resources Consultant Support

Decision

That the Joint Strategic Committee approved the release of £21,000 from the Capacity Issues Reserves of both Adur and Worthing Councils to allow for a 6 month appointment of a temporary Strategic Head of Human Resources.

D. Decisions Taken by the Joint Strategic Committee on 07 October 2014

Full details can be found: www.adur-worthing.gov.uk/committee/cab-docs-joint-strategic.htm

Items relating to Adur District Council are not reproduced on this agenda

JSC/047/14-15 Worthing Borough Council Multi-Storey Car Parks Off-Street Parking Charges

Decision

The Joint Strategic Committee

- (i) agreed to the permanent reduction of MSCP tariffs in Worthing, based on the success of the 6 month tariff trial from April to September 2014;
- (ii) authorised Officers to report back to the Cabinet Member for Environment and the Leader, on a monthly basis going forward so that income and usage could be closely monitored, with further reports being brought back to the Joint Strategic Committee as required.

**JSC/048/14-15 Worthing Borough Council Teville Gate Multi-Storey
Car Park and Surface Car Parks Review**

Decision

The Joint Strategic Committee:-

- (i) noted the recommendations for the Worthing Borough Council surface site car parks;
- (ii) agreed to retain the current position in relation to Lyndhurst, Beach House and High Street Surface Car Parks, save for the removal of the night-time tariff from Lyndhurst car park; agreed option 2 for Brooklands car parks, save for the removal of the night-time tariff from all 3 Brooklands car parks; resulting in the possible loss of income of £43.000 per year;
- (iii) approved the removal of charges from Marine Crescent car park and replace these with a free 4 hour limited waiting restriction with a no return of 2 hours, resulting in a possible loss of income of £2,000 per year but saving on operational and cash collection costs;
- (iv) approved retention of the current charges in the Civic Centre car park but asked that the weekday tariff at Teville Gate Multi-Storey car park be reduced from £3 per day to £2.50 per day;
- (v) approved the introduction of a free 2 hour limited waiting restriction with a no return of 2 hours in Goring Road, Poulters Lane and Sea Lane Café car parks;
- (vi) instructed Officers to investigate the sale of Elm Grove and Tudor Buildings car parks, and allow any sale of Durrington Station car park to proceed as part of the development of the former Lloyds TSB building;
- (vii) approved the retention of no charges or restrictions in Storrington Rise, Coombe Rise, Bost Hill, Honeysuckle Lane, and West Hill car parks; and
- (viii) authorised Officers to proceed with making any necessary changes as soon as possible, in order to be able to carry out public consultations, amend any charges and prepare sites as soon as is practical.

**JSC/049/14-15 Proposal to participate in a West Sussex Business
Rate Pool**

Decision

The Joint Strategic Committee:-

- i) approved in principle that the Councils participate in a business rate pool with other partners in the County;

- ii) delegated to the Chief Financial Officer, in consultation with the Leader and Cabinet Members of Resources for each Council, the finalisation of the 'Agreement for the operation and governance of an arrangement for the pooling of business rates between local authorities in West Sussex' including agreeing how any additional income should be dealt with.

JSC/050/14-15 Annual Treasury Management Report 2013/14 for Adur District Council and Worthing Borough Council

Decision:

The Joint Strategic Committee noted the contents of the report.

JSC/051/14-15 Digital Discovery Feedback and Next Steps

Decision

The Joint Strategic Committee:-

- (i) approved the Methods Blueprint Consultancy work;
- (ii) approved the move to soft-market testing for fixed and mobile telephony and the position taken with the current supplier;
- (iii) approved the release of funds from the Capacity Issues Reserves of both Councils as set out in 5.1 of the report.

JSC/052/14-15 Funding arrangements for a Community Advice Service from 2015

Decision

That the Joint Strategic Committee

- (i) accepted the findings of the West Sussex Joint Scrutiny Task and Finish Group which had considered the current operation and future procurement of the West Sussex Community Advice Service (WS CAS) contract;
- (ii) agreed to act jointly with West Sussex County Council and the other District and Borough Councils to jointly procure the advisory service, with due regard to Contract Standing Orders, the Public Contract Regulations 2006 and the Treaty on the Functioning of the European Union;
- (iii) noted the process was still subject to discussions with WSCC and the other District and Boroughs and therefore delegated the procurement process to the Director for Communities, in consultation with the Adur and Worthing Cabinet Members for Health and Wellbeing and the Solicitor to the Council;
- (iv) agreed that the current service specification for the existing CAB service (as set out in Appendix 1 of the report), included a suitable specification in its terms and conditions for the new service post March 2015;

(v) agreed that the new contract be offered for a period of five years, dependent upon funding received by the Council, with suitable break clauses throughout the five year period, and with an option to extend the contract on the same or more favourable terms for a further 5 year period, such terms being subject to review and agreement between the parties;

(vi) agreed that the ADC and WBC annual funding contribution be increased by 6%, as outlined in paragraph 5.1 of the report, for the duration of the contract period, which is currently provided for within the base budget.

**JSC/053/14-15 The impact of the DWP Work Experience Co-ordinator
Decision**

That the Joint Strategic Committee:-

- i) considered the good progress made and the lessons that had been learned from the project; and
- ii) supported the ongoing development of this work post April 2015, which was subject to securing further funding from the DWP.

**JSC/054/14-15 Introduction of the Anti-Social Behaviour, Crime and
Policing Act 2014**

Decision

The Joint Strategic Committee agreed and adopted the ASB Policy for Adur and Worthing Councils.

E. Urgent Decisions taken by the Executive

Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000 (as amended)

The following is reported to Council: Nil

Councillor Paul Yallop
Leader of the Council

**Local Government Act 1972
Background papers**

Reports and Record of decisions of various are available on the Council's web site www.adur-worthing.gov.uk or as indicated in each of the paragraphs above. Some of the reports contain exempt information and not fully published on the websites.