



COUNCIL MEETING

17 February 2015

**Council Meeting
17 February 2015**

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. 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.

- 3. Questions and Statements from the public**

To receive any questions from Members of the public addressed to any Member of the Executive in accordance with Council Procedure Rule 11. There is up to 5 minutes for each question, one supplementary question may be asked arising from the original question.

Questions must relate to any matter the Council has power or which affects the Borough except no question may be asked on

- a) A specific planning or licensing application
- b) A specific staffing appointment or appeal, or Standards determination

Public question time will last up to 30 minutes; questions will be taken in order of receipt. The deadline for submission of questions is Friday 13 February at 12 noon.

Questions to be submitted to democratic.services@adur-worthing.gov.uk

No prior notice of a Statement to Council is required.

For further information contact Julia Smith, Democratic Services Manager on Julia.smith@adur-worthing.gov.uk

4. Confirmation of Minutes

To confirm the minutes of the Meetings of the Council held on 16 December and 26 January, previously circulated, copies can be found on the web site at: <http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/worthing/council/>

5. Announcements by the Mayor, Leader of the Executive, Executive Members and/or Head of Paid Service

Mayoral announcements will include acknowledging:

- Claire Moyle Head Coach of Worthing Harriers' Special Olympics and Disabled Athletics Group
- Council employees Ian Power and Adam Samuel (Adur and Worthing Council Services) for their speedy assistance to a member of the public in an emergency in Pavilion Road Worthing
- Commonwealth Day on Monday 9 March

6. Items raised under urgency provisions

To consider any items the Mayor has agreed are urgent.

7. Recommendations from the Executive and Committees to Council

To consider recommendations to the Council, details of which are set out in the attached items as 7A, 7B and 7C. Full reports are available on the website as listed below:

	Executive/Committee	Date	Item
A	Executive	02.02.15	i. Revenue Estimates and Council Tax for 2015/16 http://www.adur-worthing.gov.uk/media/media,131077.en.pdf This item will be taken as item 8
B	Joint Strategic Committee	05.02.15	i. Joint Treasury Management Strategy Statement and annual Investment Strategy 2015/16 to 2017/18 http://www.adur-worthing.gov.uk/media/media,131227.en.pdf

ii. Adoption and Implementation of the

<http://www.adur-worthing.gov.uk/media/media,131231,en.pdf>

- C Joint Governance Committee 20.1.15 i. Proposed Revision of Joint Contract Standing Orders

<http://www.adur-worthing.gov.uk/media/media,130794,en.pdf>

8. Council Tax 2015/16

To consider the report of the Director of Digital and Resources together with the recommendation from the Executive on 2 February 2015 which is attached as item 7A.

9. Report of the Leader on Decisions taken by the Executive

Report from the Leader as item 9.

The report contains decisions taken by the Executive, Executive Members and/or the Joint Strategic Committee since the last Council meeting. There is up to 15 minutes for Executive Members to make any statements on the report.

There is up to 15 minutes for Executive Members to respond to questions on the report; these questions will not be the same as any to be asked under the next item.

(**Note:** Papers relating to items under 7 and 9 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/.)

10. Members Questions under Council Procedure Rule 12

Members question time will last up to 30 minutes, questions will be taken in order of receipt, in rotation from each political group on the Council. The deadline for submission of questions is Friday 13 February 2015 at 12 noon.

Questions received will be circulated at the meeting.

Questions can be asked of the following:

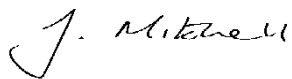
- a) The Mayor
- b) A Member of the Executive
- c) The Chairman of any Committee
- d) The Council's representative on any outside body

Questions cannot be asked in relation to the following:

- a) A specific planning or licensing application
- b) A specific staffing appointment, appeal or Standards determination

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

W EX/004/14-15 Worthing Overall Budget Estimates 2014/15 and Setting of 2014/15 Council Tax

The Executive had before it a report by the Director for Digital and Resources, copies of which had been circulated prior to the meeting and a copy of which is attached to the signed record of these decisions as item 4.

The report represented the culmination of the annual budget exercise and asked the Executive to consider the following:

- The final revenue estimates for 2015/16;
- An updated outline 5-year forecast; and
- The provisional level of Council Tax for 2015/16, prior to its submission to the Council for approval on 17 February 2015. Details in the report were subject to any proposals to change the draft revenue budget following the consideration at the meeting.

The budgets in the report reflected the decisions taken by Members to date in relation to agreed savings proposals. The report also updated the Executive about the impact of the draft 2015/16 settlement.

The major points raised within the report included:

- A full update on the impact of settlement. The Council should prepare itself for a continuation of the austerity measures for another 2-5 years (paragraph 3.7 in the report);
- The Executive was advised to consider whether to increase Council Tax by 1.5% or to freeze Council Tax for the fifth successive year and accept the Council Tax freeze grant (paragraph 5.12 in the report); and, finally
- The Executive needed to consider the new growth items in Appendix 3.

The budget is analysed and presented by Executive Member portfolio. In addition, the draft estimates for 2015/16 had been prepared, as always, in accordance with the requirements of the Service Reporting Code of Practice for Local Authorities 2015/16 (except in relation to pension costs adjustments that do not impact either on the Budget Requirement or the Council Tax Requirement).

The Executive was further advised that the Police and Crime Commissioner has consulted on an increase to the Council Tax for 2015/16 of 1.98% and the proposed 2015/16 budget was due to be considered by the Sussex Police and Crime Panel (PCP) on 23 January

2015. If the proposals are vetoed by the PCP, revised proposals will be considered by the Panel on the 20 February 2015 at which point the Commissioner would then be in a position to confirm the Council Tax for 2015/16. If the proposals for the PCC's share of the Council Tax were not confirmed until 21 February, then the planned Council date of 17 February will be rearranged to the 24 February 2015.

The precept for West Sussex County Council had not yet been finalised and would not be confirmed until 13 February 2015. Therefore the formal detailed resolution setting the overall Council Tax for next year will be presented direct to the Council Meeting on 17 February 2015.

The Head of Finance introduced the report making reference to the information in the report on the Council Tax reduction scheme, lower interest rates and a healthy balance in the business rates account of £52K - this was due to a number of appeals being settled at a lower rate than expected. The Executive had two decisions to make; what Council tax rate would be recommended to the Council meeting – either increase by 1.5% or freeze the rate and to determine the growth items at Appendix 3.

The Leader mentioned the role played by the Council in achieving, via local spending reductions, the targets set by Central Government (the Department for Communities and Local Government) to reduce the national deficit. He commended the work of officers in continuing to find savings and efficiencies in the Borough's budgets.

Members of the Executive questioned the Head of Finance on the inflation figure used to make the budget calculations; how negotiations on the Business rate pooling was progressing and the use of the surplus in the car parks budget.

The Head of Finance responded that the rate used was 2% for goods and services; that the business rate pooling was progressing although there was always a risk of unexpected appeals being received; the car parks surplus was being used for maintenance in the 2015/16.

Regarding the growth bids on Appendix 3, the legal services bid was not approved whilst all the other submitted items were approved for inclusion in the budget.

The Executive pointed out that the budget as proposed contained limits for expenditure rather than targets to spend and there was a high expectation that officers would underspend on their budgets.

Decision the Executive

- i. Considered which of the growth items detailed at appendix 3 should be included within the revenue budget in 2015/16, with the exception of the legal services bid which was not supported, all other bids were approved for inclusion in the budget;
- ii. Recommend to Council the draft budgets for 2015/16 at Appendix 7 as submitted in Executive Member Portfolio order, and the transfer to Reserves leading to a net budget requirement of £13,824,240, subject to the adjustments required in (i) above;
- iii. Approved the rationalisation of the reserves as outlined in paragraph 7.7 of the report;
- iv. Considered which band D Council Tax to recommend to Council for Worthing Borough Council's requirements in 2015/16 as set out in paragraph 12.3; this was

determined as 0% increase therefore the band D as recommended for 2015/16 was £216.00.

Reason for Decision

Statutory requirement to set a budget

Alternative Options considered

As detailed in the report; growth bids were considered, increasing the Council Tax was considered against the availability of the Council Tax support Grant.

JSC/092/14-15 Joint Treasury Management Strategy Statement and Annual Investment Strategy 2015/16 to 2017/18 for Adur District Council and Worthing Borough Council

Before the Committee was a report by the Director for Digital & Resources, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 6.

The report fulfilled the requirements under the Treasury Management Code to present the Treasury Management Strategy Statement (TMSS) and Annual Investment Strategy (AIS) before the start of the new financial year, including the Prudential Indicators, for the next three years 2015/16-2017/18.

The report also considered the expected treasury position, the proposed strategy for borrowing, and the prospects for interest rates in the prevailing economic conditions, all of which together set the context in which treasury management decisions would be taken.

A Member sought clarification regarding the level of protection afforded to the Councils against banks failing and whether this had been reduced by recent changes to legislation. Officers advised that there was always a risk but the Councils minimised this by spreading its investments and that advice would be sought regarding the recent legislative changes.

Decision

The Joint Strategic Committee:

- i) approved and adopted the TMSS and AIS for 2015/16-2017/18, incorporating the Prudential Indicators and Limits, and MRP Statements;
- ii) forwarded the Prudential Indicators and Limits, and MRP Statements in the report for approval by Worthing Council at its meeting on 17 February 2015, and by Adur Council at its meeting on 19 February 2015;**
- iii) forwarded the report to the meeting of the Joint Governance Committee to be held on 24 March 2015 for noting;
- iv) agreed that Lloyds Bank be instructed to carry out all of the normal functions for the Councils' Bank accounts provided that in all cases the instructions are given in accordance with the authority provided by the Councils to the Bank: and
- v) agreed that the signatories named by the Councils are authorised to act on behalf of the Councils in providing instructions to Lloyds Bank.

JSC/095/14-15 Adoption and Implementation of the Worthing Community Infrastructure Levy (CIL)

Before the Committee was a report by the Director for the Economy, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 10.

The report recommended that the CIL Charging Schedule be adopted and set out a timetable for the Council to begin charging CIL. The proposed date of implementation would allow Worthing Council time to develop and adjust to new processes required by the CIL Regulations.

The Committee noted that the report related to the Worthing CIL and that the advancement of the levy for Adur was expected to follow the timetable for the adoption of the Adur Local Plan.

It was noted that other authorities had recommended a long lead-in and therefore it was proposed that Worthing's CIL commenced from October 2015.

Decision:

The Joint Strategic Committee:-

(i) agreed that the CIL Charging Schedule be adopted subject to the recommendations set out in (ii) below;

(ii) recommended to Worthing Borough Council:

a. that the Worthing Community Infrastructure Levy Charging Schedule (appendix B) be adopted;

b. that the Community Infrastructure rates for Worthing are charged from 1st October 2015;

c. that the Instalment Policy (Appendix C) is adopted alongside the Charging Schedule;

d. that the Regulation 123 list (Appendix D) is adopted alongside the Charging Schedule;

e. that the Executive Member for Regeneration be authorised to agree any minor presentational changes to relevant CIL documents prior to implementation.

Joint Governance Committee – 20 January 2015

JGC/14-15/012 Proposed Revision of Joint Contract Standing Orders

Before the Committee was a report, presented by the Procurement and Contracts Officer, 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.

The report proposed a number of amendments to the joint Contract Standing Orders which had been the subject of consultation with both Executive Members for Resources, both Chairmen of the Joint Governance Committee and the Council's Leadership Team.

Members sought clarification on how 'Social Value' was calculated. Officers confirmed that a social value policy would be produced in conjunction with the commissioning policy and a report would be provided to Members at a later date.

The Committee noted that it was proposed to remove standing lists from the process in order to avoid challenge as they were seen as anti-competitive and the information contained within became dated very quickly.

Officers confirmed that 'consultation with the Mayor', as identified in paragraph 8.3.2, had been included within Contract Standing Orders for a long time. The Mayor would not be the first point of contact, but could be called upon in special circumstances or emergencies.

Members questioned what processes were in place to manage Contract Performance, covered in paragraphs 8.19.1 to 8.19.3. It was noted that contract management training would be provided to all officers involved with quotations or tender processes, a contract register would be maintained and there would be a contract management portal.

A Member questioned how local businesses could compete for contracts with the Councils and whether they had been consulted about the revisions to Contract Standing Orders. Officers advised that the procurement portal listed all upcoming contracts providing transparency in regards to the Council's business. It was also noted that all contracts exceeding £10k in value would be advertised on a government portal.

Members raised concerns at the number of typographical, spelling and grammatical mistakes within the revised Contract Standing Orders document. Officers advised that there was a degree of urgency regarding the adoption of the revised framework and that the deficiencies identified would be addressed before publishing the final document.

Resolved,

That the Joint Governance Committee recommended that Adur and Worthing Councils approve the revised Joint Contract Standing Orders, subject to the amendments identified by the Committee. The final amended version, to be approved by the Councils' Chief Financial Officer, in consultation with, the Committee Chairmen.

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

A Decisions Taken by Individual Executive Members

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

Leader

W/LDR/005/14-15 Representing the Council in the Community on other organisations

JAW/003/14-15 Risk Management Strategy

Executive Member for Regeneration

W/REG/006/14-15 Street Velodrome cycling weekend event

Executive Member for Resources

W/RES/004/14-15 Irrecoverable Debts – Housing Benefit

JAW/005/14-15 Request for Retirement in the Interests of Efficiency of the Service

JAW/006/14-15 Application for Voluntary Redundancy

JAW/007/14-15 Transforming our Visitor Services Offer and Closure of the Worthing Visitor Information Centre

JAW/008/14-15 Application for Voluntary Redundancy

JAW/009/14-15 Efficiency of Service – Productivity & Innovation Unit

Executive Member for Customer Services

JAW/010/14-15 Enforcement of Letting Agent and Property Management Redress Scheme

Executive Member for the Environment

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Executive Member for Health and Wellbeing

JAW/004/14-15 Funding for the Wellbeing Programmes Older People's Services contract

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B. Decisions taken by the Executive on 02 February 2015

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

C. Decisions taken by the Joint Strategic Committee on 05 February 2015

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/090/14-15 Use of the Manor Sports Ground by the Bohunt School Worthing - 'the landlord decision'

Decision:

That the Joint Strategic Committee:-

- i) affirmed its support for the principle of school sports use on the Manor (Sports) Ground;
- ii) affirmed its desire to be a reliable partner to the Education Sector in the Borough of Worthing;
- iii) is sympathetic to the concerns of Bohunt School and requests that Officers consider the scope for zoning part of the Manor Ground for dog walkers away from the formal sports areas, reviewing existing byelaws and considering further enforcement to ensure dogs are kept on a lead;
- iv) agreed that Worthing Borough Council (WBC) shall enter into a new Licence agreement to enable the Bohunt Academy to use the Manor Ground together with the existing users (including the Worthing Cricket and Hockey Clubs) with the precise terms to be agreed by the Director for the Economy in consultation with the Leader and Executive Member for the Environment of Worthing Borough Council;
- v) agreed that Worthing Borough Council shall enter into a lease with Worthing Cricket and Hockey Clubs for the use of the Pavilion building, the precise terms to be agreed by the Director for the Economy in consultation with the Leader of Worthing Borough Council.

JSC/091/14-15 Outline 5-Year Forecast and Savings Proposals

Decision

The Joint Strategic Committee:

- i. noted the non-committed growth items outlined in Appendix 2, which had already been considered at the individual Executive meetings;
- ii. agreed the budgets for 2015/16, as set out in Appendix 3, which would be adjusted by any non-committed growth items approved by the individual Executives.

JSC/093/14-15 Planned Maintenance Programmes for 2015/16 Onwards

Decision

The Joint Strategic Committee agreed the planned maintenance programmes proposed for 2015/16 and beyond for both Adur District Council and Worthing Borough Council.

JSC/094/14-15 Accessing External Funding Opportunities for Adur and Worthing Councils

Decision

The Joint Strategic Committee:-

- i) considered the opportunities being considered with partners under the 2 Seas Programme and agreed that concept notes around the identified Projects be submitted by the 15th February deadline; and,
- ii) delegated authority to the Director for the Economy and the Director for Customer Services, in consultation with the relevant Executive Members, to develop the initial projects identified in the report into a bid for submission in June 2015.

D. 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.

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Councillor Daniel Humphreys
Leader of the Council

