

JSC/103/14-15 3rd Capital Investment Programme & Projects Monitoring 2014/15

Before the Committee was a report by the Director for Digital & Resources, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 5.

The report updated the Joint Strategic Committee on the progress and expenditure position for the capital programme, the progress of digital programming projects and the intention that other future important Council projects would also be included in the report.

It was noted that the 1st and 2nd capital programme report for 2014/15 had previously been included in the Revenue, Capital and Performance Monitoring Report.

Members requested further information in relation to the following overspends identified in the report:-

- (i) *Queensway and Queens Parade Regeneration* – there had been a number of delays with the project resulting from changes to working practices; delays getting on site; insufficient labour and weather delays. It was noted that the cost of the delays could be considerable; negotiations were ongoing with the contractor and the Executive Member would be updated regularly.
- (ii) *Refurbishment of Beach Green, Lancing Public Conveniences* – the works which went out to tender, had a higher specification than those considered in the initial estimates.
- (iii) *Southwick Square Car Park - rebuild of boundary wall* – the Council's engineers had been unaware of the shallow location of a high voltage cable which required a redesign of the boundary wall. The associated delay resulted in an increase to the cost of the project.

The Committee suggested that Officers investigate whether the company which laid the cable at an incorrect depth, was liable for the increased costs of the project.

A Member also raised concerns about delays to the works at Southwick Recreation Ground, regarding refurbishment of hard surfaces, as it had implications for the security of the site.

Decision:

The Joint Strategic Committee:-

- (a) With respect to the Capital Investment Programme for Adur District Council

- noted the reprofiling of the Adur District Council capital schemes advised in paragraph 5.2 and Appendix 3;
- noted the anticipated overspend on the Queensway and Queens Parade Regeneration Scheme and approve the virement and the use capital underspends to fund the overspend as detailed paragraph 5.4.1.
- approved the virements and the use of revenue maintenance underspends to fund the additional asbestos removal costs from the Shoreham Centre as detailed paragraph 5.4.2.
- approved additional budget required to refurbish the public conveniences at Beach Green, Lancing funded from underspends in the 2014/2015 Capital Investment Programme and virements from the 2015/2016 Capital Investment Programme as detailed in paragraph 5.4.3.
- approved the use of revenue maintenance underspends and the 2014/2015 Capital Investment Programme contingency to fund the overspend on the rebuilding of the Southwick Square Car Park boundary wall as detailed in paragraph 5.4.4.
- approved the revisions to the 2014/2015 ICT Corporate Hardware and Infrastructure Partnership Budget as detailed paragraph 4.1.

(b) With respect to the Capital Investment Programme for Worthing Borough Council

- noted the reprofiling of the Worthing Borough Council capital schemes listed in paragraph 6.2 and Appendix 4, and the likely slippage of capital schemes as listed in paragraph 6.3.
- approved the use of Crematorium maintenance underspends and underspends in the 2014/2015 Capital Investment Programme to fund the replacement cremulator as detailed in paragraph 6.4.1.
- approved the use of Parks maintenance underspends to fund the overspend on the Pond Lane Recreation Ground Pavilion roof renewal as advised in paragraph 6.4.2.
- approved the addition of the contribution of £5,000 to the capital project to provide DDA compliant public conveniences on the seafront as detailed in paragraph 6.4.3.
- approved the capacity issues funding for Denton Lounge catering furniture as detailed in paragraph 6.4.4.
- approved the funding of the 2015/2016 advance works required on the Durrington Cemetery burial extension scheme as detailed in paragraph 6.4.5.
- approved the changes to the Crematorium Driveway Project as detailed in paragraph 6.4.6.

- approved an amendment to the 2015/2016 Capital Investment Programme to include the refurbishment of the Beach House Park New Pavilion to provide changing facilities. The investment would be funded from insurance monies, as detailed in paragraph 6.4.7.
- approved the purchase of additional payment machines for Worthing Borough Council's Multi Storey Car Parks funded from underspends in the 2014/2015 Capital Investment Programme and underspends c/f from 2013/2014 as detailed in paragraph 6.4.8.
- approved the revisions to the 2014/2015 ICT Corporate Hardware and Infrastructure Partnership Budget as detailed paragraph 4.1.
- **recommended to Council the use of capital receipts to repay some of the debt incurred on the building of the new Splashpoint Leisure Centre as detailed in paragraph 6.4.9.**

JOSC/14-15/71 Adur and Worthing Joint Overview and Scrutiny Committee Work Programme – 2014/15 and 2015/16

Before the Committee was a report by the Director for Digital and Resources, a copy of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as item 11. The report outlined progress on the work contained in the 2014/15 Joint Overview and Scrutiny Committee Work Programme and asked the Committee to consider issues to be included in the Work Programme for 2015/16.

A Member asked that the work programme item concerning Food hygiene include detailed information on the number of establishments and the frequency that those establishments were visited.

Resolved:

- i) That the progress in implementing the Work Programme for 2014/15 be noted;
- ii) **That the Committee recommends to the respective meetings of the Full Council that the Joint Overview and Scrutiny Committee Work Programme for 2015/16 be endorsed**

JGC/14-15/024 Constitution Review – Part 5

Before the Committee was a report 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 10.

The Committee was requested to note the progress of the 2014/2015 complete review of the Councils' Constitutions; to consider revisions to Part 5 of the Constitutions of the District Council of Adur ("Adur") and the Borough Council of Worthing ("Worthing"); to consider revisions to the Scheme of Delegations to Officers and to recommend to the Full Councils of Adur and Worthing that the Constitutions be revised accordingly.

A Member asked whether the Deputy Monitoring Officer should be appointment by the Councils. Officers advised that the position could not be a Council appointment, it was a Monitoring Officer appointment. It was noted that historically, the Monitoring has appointed two deputies, 1 to act for Adur sand 1 to act for Worthing.

A Member questioned the timescale for implementation of a Social Media Policy for Members, as referred to in paragraph 4.2.1 of the report. Officers started a preference for a single policy which covered both Officers and Members. It was noted that work was underway and it was anticipated that the revised policy could be brought back to the Committee in June 2015.

Resolved,

7.1 That the Joint Governance Committee recommended to the Borough Council of Worthing:

7.1.1 that it adopts the following documents as set out in the Appendix to the report, to be effective from 1st May 2015:

- **Code of Conduct for Members - subject to an amendment by the Monitoring Officer to include provision for registering Gifts and Hospitality.**
- **Code of Conduct for Officers**
- **Protocol relating to the Relationship between Members and Officers**
- **The Monitoring Officer Protocol**
- **The Protocol relating to Officer Decision Making**
- **The Council Call for Action Protocol**
- **The Protocol Relating to the Pre-Election Period**
- **The Protocol Relating to the Recording of Public Meetings**
- **The Scheme of Delegations to Officers with the exception of paragraphs 1.2.1, 1.2.2 and 1.2.5 which should remain as worded in the current scheme.**

7.1.2 that it authorises the Monitoring Officer to make further minor amendments to the Constitution as required;

7.1.3 that it authorises the Monitoring Officer to make consequential changes to the Joint Committee Agreement;

7.1.4 report re safeguarding protocol and social media policy / or explain why we're not.

7.2 That the Joint Governance Committee recommends to the District Council of Adur:

7.2.1 that it adopts the following documents as set out in the Appendix to this report, to be effective from 1st May 2015:

- Code of Conduct for Members – subject to an amendment by the Monitoring Officer to include provision for registering Gifts and Hospitality.
- Code of Conduct for Officers
- Protocol relating to the Relationship between Members and Officers
- The Monitoring Officer Protocol
- The Protocol relating to Officer Decision Making
- The Council Call for Action Protocol
- The Protocol Relating to the Pre-Election Period
- The Protocol Relating to the Recording of Public Meetings
- The Scheme of Delegations to Officers with the exception of paragraphs 1.2.1, 1.2.2 and 1.2.5 which should remain as worded in the current scheme.

7.2.2 that it deletes the following document from its Constitution with immediate effect

- Members Code of Good Practice

7.2.3 that it authorises the Monitoring Officer to make further minor amendments to the Constitution as required.

7.2.4 that it authorises the Monitoring Officer to make consequential changes to the Joint Committee Agreement

7.3 That the Joint Governance Committee requested a report be brought to a future meeting regarding a possible safeguarding protocol and a revised social media policy.

JSC/117/14-15 Creating the South Down Leisure Trust

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all Members, a copy of which, is attached to the signed copy of these Minutes, as Item 8.

The report recommended approval of the agreements that would transfer the management of Worthing Borough Council's (the Council) Leisure Services and facilities to South Downs Leisure Trust (SDLT).

The Committee were informed that good progress had been made and the Council was on track to transfer the Council's Leisure Services to SDLT on 1st May 2015.

It was noted that despite the considerable work being undertaken to complete the transfer on 1st May 2015, Worthing Leisure continued to perform strongly, growing Fit4 membership and taking on the management of new leisure facilities in Worthing to further enhance the leisure offer in the town.

The creation of SDLT, a locally based Non-Profit Distributing Organisation, represented a significant and important example of the vision for Enterprising Communities set out in the Council's key strategic documents Catching the Wave and Surfs Up.

Members acknowledged the success of the service to date and wished the Trust well for the future. Officers informed the Committee that the relationship between the Council and the Trust would remain strong.

Decision

The Joint Strategic Committee:-

- 1) resolved to transfer Worthing Borough Council's Leisure Services to South Downs Leisure Trust, in accordance with the terms of the management agreement, with effect from 1st May 2015.
- 2) resolved to delegate the Council's Executive functions in respect of leisure services to South Downs Leisure Trust with effect from 1st May 2015.
- 3) resolved to delegate to the Director for Communities to act as the authorised representative of Worthing Borough Council for all purposes connected with the agreements between Worthing Borough Council and South Downs Leisure Trust.
- 4) agreed to recommend to Worthing Borough Council to fund the three capital schemes identified in paragraph 7.5 from prudential borrowing.

- 5) recommended to Worthing Borough Council that authority is delegated to the Director for Communities and the Solicitor to the Council to approve and enter into any outstanding Schedules to the Management Agreements, in consultation with Worthing Borough Council's Leader and Leader of the Opposition.**

- 6) recommended to Worthing Borough Council that the Council**
 - 6.1 notes Joint Strategic Committee's decision to transfer's the provision of leisure services and the delegation of the Executive function and powers to South Downs Leisure Trust in accordance with the terms of the Management Agreement, and**

 - 6.2 delegates to the Solicitor to the Council the power to make consequential changes to the Constitution to reflect the changes in governance arrangements relating to leisure services.**

JSC/119/14-15 Worthing Planning Policy – Local Development Scheme

Before the Committee was a report by the Director for the Economy, copies of which had been circulated to all Members, a copy of which, is attached to the signed copy of these Minutes, as Item 11.

The report advised that Planning Regulations require Local Planning Authorities to produce and keep up to date a Local Development Scheme (LDS) which detailed the documents which comprise the Local Development Framework and the programme for their production. The LDS acted as a public statement which set out a three year management plan for the Planning Policy Team.

The existing LDS for Worthing had been adopted in February 2012 and needed to be updated to ensure that the Council had an up-to date public 'project plan' that identified which planning documents needed to be produced. In response to reforms made to the planning system at the national level, the key change within the local work programme was the Council's commitment to produce a new Local Plan. When adopted, this would replace the existing Worthing Core Strategy (2011) and would form the key Development Plan for the Borough. Given the resources required to prepare and adopt a new Local Plan this would be the key priority for the Planning Policy team over the next three years.

Joint Strategic Committee was asked to formally recommend to Council the adoption of the new LDS.

Decision

The Joint Strategic Committee recommended to Worthing Borough Council:-

- (i) that the revised Local Development Scheme for Worthing (2015-18) be approved and made available on the Council's website;**
- (ii) that any subsequent changes of a minor nature to the timetable be delegated to the Director for the Economy or, in his absence, the Head of Economic Growth, in consultation with the Executive Member for Regeneration.**

JSC/123/14-15 Building New Homes - Providing Loan Capital to Worthing Homes

Before the Committee was a report by the Director for Digital & 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 16.

The report sought member approval to proceed with a £10,000,000 loan to Worthing Homes Limited.

Members stated that this was fantastic news and the type of initiative that Worthing Borough Council should be involved with, the provision of affordable, social housing.

Decision

The Joint Strategic Committee:-

- (i) approved that a loan of £10,000,000 be made to Worthing Homes Limited in accordance with the terms set out in Appendix 2 of the report;
- (ii) recommended to Worthing Borough Council that the capital programme be amended to reflect the proposed loan to Worthing Homes Limited which would be financed through borrowing.**