



COUNCIL MEETING

15 December 2015



Communities Directorate

4 December 2015

**Council Meeting
15 December 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 disclosable pecuniary interests in relation 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. Questions may not be asked in relation to

- 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 the order of receipt. The deadline for submission of questions is Friday 11 December 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 Meeting of the Council held on Tuesday 20 October 2015, previously circulated, a copy is available to view at: <http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/worthing/council/>

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

The Executive Member for Health and Wellbeing will address Council on the 'I'm standing up against child sexual exploitation' pledge.

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 and 7B. Full details of the recommendations under 7B were not available at despatch of the agenda and will be circulated before the Council meeting. Full reports are available on the website as listed below:

	Executive/Committee	Date	Item
A	Joint Governance	24 November 2015	1 Members Allowances http://www.adur-worthing.gov.uk/media/media,137099,en.pdf
			2 Code of Corporate Governance http://www.adur-worthing.gov.uk/media/media,137101,en.pdf
B	Joint Strategic	3 December 2015	1 Capital Investment Programme 2016/17 - 2018/19 http://www.adur-worthing.gov.uk/media/media,137250,en.pdf
			2 2nd Capital Investment Programme and Project Monitoring 2015/16 http://www.adur-worthing.gov.uk/media/media,137251,en.pdf

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

To receive a report from the Leader as item 8. 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 Members to ask Executive Members questions on the report; these questions will not be the same as any to be asked under Item 9.

(**Note:** Papers relating to items under 7 and 8 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/.](http://www.adur-worthing.gov.uk/))

9. Members Questions under Council Procedure Rule 12

Members question time will last up to 30 minutes. Questions will be taken in the order of receipt and in rotation from each political group on the Council. The deadline for submission of questions is Friday 11 December 2015 at 12 noon. Questions to be submitted to democratic.services@adur-worthing.gov.uk

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

10. Motions and Amendments Without Notice

To receive from the Joint Governance Committee, a Motion without Notice
<http://www.adur-worthing.gov.uk/media/media.137102.en.pdf>

- (a) Recording of Committee and Council meetings; Part B Exempt Information

Once proposed and seconded in accordance with Council Procedure Rule 14.5.3 this motion may be considered by Full Council at the meeting at which it appears in the agenda.

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 22 1150
Julia.smith@adur-worthing.gov.uk

For Legal Services enquiries relating to this meeting please contact:

Susan Sale
Solicitor to the Council
01903 22 1119
susan.sale@adur-worthing.gov.uk

Extract from the draft minutes of the Joint Governance Committee

**JGC/15-16/030 Joint Independent Remuneration Panel Report on the
Scheme of Members Allowances for Adur District Council
and for Worthing Borough Council**

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

The Joint Independent Remuneration Panel (JIRP) reports contained proposed changes to the Members allowances for Adur District Council and Worthing Borough Council, for the municipal years 2016/17.

The Chairman of the Panel, Mr Barry Hillman, attended the meeting and advised Members that the Panel's research identified that allowances paid by Adur District Council were the third lowest in the region and significantly lower than those paid by Worthing Borough Council.

The Panel sought to bring the Special Responsibility Allowance multipliers together as the roles of Councillors from both Councils were very similar. In addition, the Panel sought to reduce the differential in the Basic Allowance between both Councils.

Members of Adur District Council proposed and seconded a change to the travelling and subsistence allowances to add the wording *'that the local agreement to pay out of Sussex mileage rates will not apply to Councillors'*.

Resolved,

The Joint Governance Committee:-

- recommended to Adur District Council that it adopt Option 1:-
 - that Members allowances are indexed to the Officer's NJC National Pay Bargaining agreement plus an increase of £100 to the basic allowance for 2016/17;
 - that the unit based multiplier model be revised to mirror that used to set the allowances of Worthing Borough Council. The suggested multiples

to be used for calculating each Special Responsibility Allowance were outlined in Appendix 1 of the report;

- that there should be no limit to the number of special responsibilities paid to an individual Member should they be carrying out multiple special responsibilities;

Childcare Allowance / Carers Allowance / Travel and Subsistence Allowance

- that Childcare Allowance (contribution towards the costs of employing a carer for children) should be paid at £10.25 per hour, the panel investigated this cost and found that £10.25 was sufficient to cover the costs of childcare and should be maintained at this rate;
 - that the rate for carers allowance should be differentiated from the child care allowance and set at up to £15 per hour;
 - that travelling & subsistence should be paid at the appropriate rates set by the National Joint Council for Local Government Services, from time to time, and based on claims submitted by Members, but that the local agreement to pay out of Sussex mileage rates will not apply to Councillors.
- recommended to Worthing Borough Council that it adopt Option 1:-
 - that the basic allowance be referenced to the outcome of the Officers' NJC Pay bargaining agreement for a period of four years until March 2020/2021;
 - that Members be allowed the option to accept more than one Special Responsibility Allowance should they be undertaking more than one special responsibility;
 - that a Special Responsibility Allowance multiplier of (x 0.25) be introduced for the Vice Chairman of the Joint Governance Committee;
 - that the Special Responsibility Allowance for the Chairman of the Licensing Committee be raised to (x 0.75);
 - that a Special Responsibility Allowance multiplier of (x 0.5) be introduced for the Mayor of Worthing;

Childcare Allowance / Carers Allowance / Travel and Subsistence Allowance

- that Childcare Allowance (contribution towards the costs of employing a carer for children) should be paid at £10.25 per hour, the panel investigated this cost and found that £10.25 was sufficient to cover the costs of childcare and should be maintained at this rate;
- that the rate for carers allowance should be differentiated from the child care allowance and set at up to £15 per hour;
- that travelling & subsistence should be paid at the appropriate rates set by the National Joint Council for Local Government Services, from time to time, and based on claims submitted by Members.

Extract from the draft minutes of the Joint Governance Committee

JGC/15-16/032 Code of Corporate Governance

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

The report identified that it was good practice for each Local Authority to have a Code of Corporate Governance, to ensure that an effective internal system encompassing policies, procedures and staff was maintained.

In addition, it recommended the adoption of a Code of Corporate Governance for both Adur District Council and Worthing Borough Council.

Members were happy with the content of the Code of Corporate Governance but identified some grammatical inconsistencies within the document that needed correcting before it went to the Councils.

It was proposed and seconded that the Code of Corporate Governance be delegated for approval to the Monitoring Officer, in consultation with the Joint Governance Committee (JGC) Chairmen.

Resolved,

That the Joint Governance Committee delegated approval of the Code of Corporate Governance, to the Monitoring Officer in consultation with the JGC Chairman, and the recommendation to Adur District Council and Worthing Borough Council for its inclusion in both Council's constitutions.

Extract from the draft minutes of the Joint Governance Committee

**JGC/15-16/033 Recording of Committee and Council meetings; Part B
Exempt Information**

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

The Committee were advised that Worthing Borough Council, on the 20 October 2015, approved the recommendation of the Joint Governance Committee, to digitally record its Council and Committee meetings, including the recording of Part B exempt information discussions - those held in private, when the press and public were excluded, as defined under the Local Government Act 1972 (as amended).

Adur District Council, on the 22 October 2015, approved the recommendation of the Joint Governance Committee, to record its Council and Committee meetings but specifically voted not to record any Part B exempt information discussions.

The Joint Governance Committee was requested to consider the implications of recording the exempt parts of meetings of Joint Committee meetings, (Joint Strategic Committee, Joint Overview and Scrutiny Committee, Joint Staff Committee, Joint Senior Staff Committee, Joint Senior Staff Appeals Committee) where Worthing Borough Council had agreed to the digital recording of such discussions but Adur District Council had not.

The Committee considered the merits and risks associated with the recording of Part B exempt information discussions and sought clarification as to when the recording of all meetings would commence. Officers confirmed that all meetings would be recorded from January 2016.

Resolved,

That the Joint Governance Committee resolved to bring a motion to the next meeting of Worthing Borough Council, to amend the previous decision to resolve to digitally record its Council and Committee meetings, including Joint meetings with Adur District Council, to exclude all parts of all meetings where the press and public are excluded under the Local Government Act due to exempt information being discussed.

Extract from the draft minutes of the Joint Strategic Committee - 3 December 2015

JSC/061/15-16 Capital Investment programme 2016/17 to 2018/19 Adur District Council, Worthing Borough Council and Joint committee

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 7.

The report recommended the schemes for inclusion in the overall Capital Investment Programme for the three years 2016/2017 - 2018/2019 for Adur District Council, Worthing Borough Council and the Joint Strategic Committee.

The report informed the Committee of the resources available for future capital investment, and updated Members about the financing of the proposed three-year programmes; a number of appendices were attached to the report.

In the introduction to the report, the Head of Finance mentioned a number of schemes that fell below the investment line - 3 for Adur and 2 for Worthing that merited further consideration for funding.

The Executive Member for Regeneration in Worthing proposed that the refurbishment of the Windsor Lawns shelter was moved into the programme - this was seconded.

Councillor Sunderland, with the permission of the Chairman of the Committee, questioned the amount of finance proposed for the car park investment and maintenance in Worthing, particularly the Grafton site. He was advised that the investment would be to protect the income stream to the Council until full proposals for future use of the site were considered.

The Executive Member for Health and Wellbeing in Adur proposed that the Lancing Manor Leisure (LMLC) Car Park extension was moved into the programme provided that the scheme was modest rather than 'gold plated', this was seconded.

Decision , the Joint Strategic Committee

- i Considered and agreed to increase the Worthing Borough Council programme by £0.5m to provide for essential maintenance of the car parks;

- ii Considered the three General Fund Capital Investment Programmes for the three-year period 2016/17 to 2018/2019 and confirmed the schemes to be included as detailed in Appendix 2, 3 and 4 as amended by the decision above and the inclusion in the Worthing programme of the Windsor Lawns shelter and the LMLC car park extension into the Adur programme;
- iii Agreed the Adur Housing Renovation Programme for the three-year period 2016/17 to 2018/2019 as detailed at Appendix 5;
- iv Agreed the amendments and additions to the reserve lists as detailed in Appendices 6 and 7;
- v **Recommendation** that the 3 Year Programmes, as amended, be presented for approval by the respective Councils on the 17th December 2015 and 15th December 2015

Extract from the draft minutes of the Joint Strategic Committee - 3 December 2015

**JSC/062/15-16 2nd Capital Investment programme & Projects Monitoring
2015/16**

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 8.

The report updated the Committee on the progress and expenditure position for the capital programme.

Decision, the Joint Strategic Committee

i) With respect to the Capital Investment Programme for Adur District Council

(relate to ADC only)

ii) With respect to the Capital Investment Programme for Worthing

a) noted the reprofiling of the Worthing Borough Council capital schemes listed in paragraph 5.2 and Appendix 4, and the likely slippage of capital schemes as listed in paragraph 5.4. of the report

b) approved the amendment to the 2015/2016 Capital Investment Programme to include the contribution towards an Innovation Hub at the Northbrook College Campus as detailed in paragraph 5.5.1. of the report

c) approved the use of the underspends to fund the urgent repairs required at Grafton MSCP as detailed in paragraph 5.5.3. of the report

d) approved the refurbishment of the Beach House Park public convenience from this year's public convenience refurbishment budget as detailed in paragraph 5.5.4. of the report

e) noted the revised split of the cost of providing the Trade Waste Service between Adur District Council and Worthing Borough Council

f) **Recommendation** to Council to add a new scheme to the capital programme 'Refurbishment of the Tennis Courts at Homefield Park' to provide a new Multi-Use Games Area funded by S106 contributions.

iii) Approved the release of the funding for the schemes detailed in paragraph 7.2 of the report

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 ordinary 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/006/15-16 Representing the Council in the Community on other organisations:
Worthing Homes Ltd - Board of Directors

Executive Member for Regeneration

JAW/002/15-16 Draft List for the Validation of Planning Applications

Executive Member for Resources

W/RES/005/15-16 Irrecoverable Debts - Council Tax and Non-Domestic Rates (Exempt report)

JAW/005/15-16 Application for Voluntary Redundancy

Executive Member for Customer Services

-

Executive Member for the Environment

-

Executive Member for Health and Wellbeing

-

B. Decisions taken by the Joint Strategic Committee on 03 November 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/049/1516 Update on the response to the Shoreham Airshow Tragedy on 22 August 2015

Decision:

That the Joint Strategic Committee noted the contents of the report and agreed to the learning points and achievements identified.

JSC/050/1516 Digital Strategy & Programme Update

Decision:

The Joint Strategic Committee noted the progress that had been made with the digital programme and the savings realised for 2016/17.

JSC/051/1516 Developing a shared ambition for West Sussex children, young people and families: West Sussex Partnership Families Strategic Plan 2020

Decision:

The Joint Strategic Committee:

- 1) considered and signed up to the draft Plan as detailed in the report;
- 2) provided delegated authority to the Head of Wellbeing to sign off the final plan, in consultation with the Executive Members for Health and Wellbeing.

JSC/052/1516 Human Resources Quality, Efficiency & Resilience through shared services

Decision:

The Joint Strategic Committee agreed to defer consideration of this item until the meeting on 1 December 2015.

JSC/053/15-16 Outcome of the feasibility study for the provision of an Anaerobic digester for Adur and Worthing Councils

Decision:

That the Joint Strategic Committee noted the outcome of the feasibility study and agreed not to pursue the project further.

JSC/054/15-16 Secure Approved Premises status for Worthing Town Hall to conduct civil ceremonies (marriage & partnership)

Decision:

The Joint Strategic Committee:

- 1) approved an application for Approved Premises status to conduct ceremonies (partnership and marriage) in Worthing Town Hall and agreed that the nominated rooms be amended to include the Council Chamber;
- 2) agreed that the Director for Customer Service and Director for Economy implement the decision with the aim to secure bookings from spring 2016.

C. Decisions taken by the Joint Strategic Committee on 03 December 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:

** Details of the decisions taken at this meeting will be circulated after the minutes of the meeting have been published*

JSC/059/1516 Joint half year In-house Treasury Management Operations Report 1 April 30 September 2015 for Adur District Council and Worthing Borough Council

Decision, the Joint Strategic Committee

- i Noted the contents of the report;
- ii Agreed to add the words “for more than a week at any time” to the limits imposed on investments in money market funds as detailed in the Annual Investment Strategy.

JSC/060/1516 Outline 5 year Forecast and Savings Proposals

Decision, the Joint Strategic Committee

- i Noted the current 5 year forecast;
- ii Approval was given to the proposed savings as set out in appendix 3 of the report, with the exception, in the Adur part of the report (page 58), ‘ increase in car parking fees’ was removed.

JSC/063/1516 2nd Revenue budget Monitoring 201516

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 noted the changes to allocation of Trade Waste costs highlighted in paragraph 7.1. of the report

JSC/064/1516 Developing our work around Safeguarding children and Adults

Decision: the Joint Strategic Committee

- i Approved the Adur and Worthing Councils' Safeguarding Policy.
- ii Delegated the safeguarding adults responsibility to the Director for Communities.
- iii Agreed to the Council's Safeguarding Group overseeing any amendments to safeguarding policy and practice as stated in the report (paragraph 5.1).

JSC/065/1516 A strategy for Housing Development and Estate Regeneration by Adur and Worthing councils

Decision the Joint Strategic Committee

- i Supported the broad principle of investigating the feasibility of housing development on suitable sites owned by Adur and Worthing Councils.
- ii Delegated authority to the Director for Communities and Director for the Economy in consultation with the Executive Members for Resources and Customer Services to identify and procure arrangements for asset review and a delivery vehicle for housing development on Council owned sites.
- iii Supported the proposals for an innovative modular build scheme at Leconfield Road (subject to Planning consent being granted and a full business case being developed); delegating authority to the Head of Housing in consultation with the Executive Members for Customer Services and Resources (Adur) to deliver the scheme.

JSC/069/1516 Employment Tribunal Proceedings (Paragraph 5)

Decision , the Joint Strategic Committee approved the release of a maximum amount per Council as stated in the exempt report for the settling of legal proceedings as detailed in the report.

JSC/070/1516 Grafton Site Potential Purchase of properties (Paragraph 3)

Decision, the Joint Strategic Committee

- i) Agreed in principle the purchase the properties detailed in the exempt report

subject to a detailed business case. The final decision to purchase to be delegated to the Head of Economic Growth in consultation with the Head of Finance, the Leader and the Executive Member of Resources for Worthing Borough Council.

- ii) in approving the purchase the Committee added this scheme to the draft Capital Investment Programme for 2016/17 earlier considered at the meeting
- iii) Noted the current work being undertaken to carry out essential repairs and the survey work underway to identify costs associated with keeping the car park open for the next 3 5 years.

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:

Joint Strategic Committee - 3 December

General Exemption Notice - Grafton Site - Potential purchase of additional Land

Urgency and General Exemption Notice - Employment Tribunal Proceedings

Councillor Daniel Humphreys
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.

Extract from the draft minutes of the Joint Governance Committee

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The Committee considered the merits and risks associated with the recording of Part B exempt information discussions and sought clarification as to when the recording of all meetings would commence. Officers confirmed that all meetings would be recorded from January 2016.

Resolved,

That the Joint Governance Committee resolved to bring a motion to the next meeting of Worthing Borough Council, **to amend the previous decision to resolve to digitally record its Council and Committee meetings, including Joint meetings with Adur District Council, to exclude all parts of all meetings where the press and public are excluded under the Local Government Act due to exempt information being discussed.**