

## **Extract from the Joint Governance Committee - 19 January 2016**

### **JGC/15-16/039      Use of Electronic Devices in Meetings of the Council and its Committees**

Before the Committee was a report by the Solicitor to the Councils, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 6.

The report asked Members to consider the use of social media and electronic devices by Elected Members, when partaking in both Council and Committee meetings of Adur District Council and Worthing Borough Council.

The Committee was also asked to consider the existing provisions, relating to the use of social media by Councillors in the current Constitution, including Council Procedure Rules and Protocols.

Members challenged why they were being prohibited from using Social Media in regulatory meetings. It was suggested that the government had gone to great lengths to open up the use of Social Media and that these proposals sought to tie Members hands.

Members argued that residents preferred to communicate with their elected representatives through the medium of Social Media and expected Members to update them during public meetings.

The Solicitor to the Councils acknowledged the points raised and confirmed that the proposals only affected the use of Social Media during regulatory committees. The use of Social Media during a Council meeting for example, was encouraged. It was important that during the consideration of regulatory matters there was transparency regarding the information being shared with Members sitting on the Committee.

### **Resolved,**

The Joint Governance Committee recommended to both Adur District Council and Worthing Borough Council that:-

6.1.1 the Solicitor to the Council and Monitoring Officer should not be authorised to replace Council Procedure Rule 32.6 with wording set out in Appendix A of the report;

6.1.2 the existing Protocol for Public / Press Recording of Public Council Meetings be replaced with the revised document as set out in Appendix B to the report;

6.1.3 the Adur and Worthing Councils' Protocol on the Use of Handheld Electronic Devices during Council Meetings, as set out in Appendix C to the report, should not be adopted.

## **Extract from the Joint Governance Committee - 19 January 2016**

### **JGC/15-16/040 Motion on Notice - Worthing Borough Council**

Before the Committee was a joint report by the Director for Communities and 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 7.

The Solicitor to the Councils informed Committee that Councillor Tom Wye had submitted a Motion on Notice to the Worthing Borough Council at its meeting on 20 October 2015. The Motion was attached to the report as Annex A and had been proposed and seconded. As it proposed a change to the Councils' Scheme of Delegations to Officers, and constitutions, it was before the Joint Governance Committee for determination.

Councillor Tom Wye explained the reasons for his motion which included:-

- that the motion had been put to Worthing Borough Council;
- that government should be open and transparent;
- that residents pay the bills and have the right to know how much the bill is and what its for;
- that gagging orders prevented the public from knowing whether a company had made the same complaint previously.

The Solicitor to the Council advised Members that if they wished to discuss an individual case, they would need to do so in closed session.

A Member sought clarification regarding process, in particular, the motion having been proposed to Council then being determined by the Joint Governance Committee.

The Solicitor to the Council advised that Council Procedure Rule 14.5.2 stated that 'subject to sub-rule [14.5.3(iii)], if the subject matter of any motion comes within the remit of any Committee, upon being moved and seconded, it shall be referred without discussion to such Committee for consideration and determination'. In this instance, should the Committee propose a change to the Scheme of Delegations, this would take the form of a recommendation to both Councils. In accordance with the Joint Committee Agreement, both Adur and Worthing Councillors could vote on the item and could choose to make recommendations to their respective Councils.

An amendment to the Scheme of Delegation was proposed and seconded.

### **Resolved,**

The Joint Governance Committee recommended that both Adur and Worthing Councils amend the Scheme of Officer Delegations to limit the Solicitor to the Councils authority to

settle proceedings on behalf of the Council, and to prevent the inclusion of confidentiality clauses unless prior written agreement had been sought from the Leader of the Council (or deputy in their absence) and the Leader of the main opposition (or deputy in their absence).

**Extract from the Joint Strategic Committee - 2 February 2016**

**JSC/083/15-16 Treasury Management Strategy**

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 provided:-

- the capital plans (including prudential indicators);
- a minimum revenue provision (MRP) policy (how residual capital expenditure is charged to revenue over time);
- the treasury management strategy (how the investments and borrowings are to be organised) including treasury indicators; and
- an investment strategy (the parameters on how investments are to be managed).

A Member questioned whether receipts from the Strategic Property Investment Fund would be treated as Capital or Revenue. Officers advised that the Councils would receive a revenue income from the fund and a capital receipt following the disposal of property.

**Decision,**

The Joint Strategic Committee:-

- i) approved and adopted the TMSS and AIS for 2016/17-2018/19, incorporating the Prudential Indicators and Limits, and MRP Statements;
- ii) recommended the Prudential Indicators and Limits, and MRP Statements for approval by Worthing Council at its meeting on 23 February 2016, and by Adur Council at its meeting on 25 February 2016;
- iii) recommended the report for noting to the meeting of the Joint Governance Committee to be held on 22 March 2016.

## Extract from the Joint Strategic Committee - 2 February 2016

### JSC/084/15-16 Strategic Property Investment Fund - Investment Strategy

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 7.

The report set out a joint strategy for the acquisition of commercial property to be held for investment purposes. It considered a set of broad objectives to inform the Strategy along with more detailed criteria for investment.

The Committee were informed that the purpose of the Strategy would be to:

- define the Councils' objectives for acquiring property investments, in the context of the Councils' wider corporate objectives;
- establish the character of investments and desired acquisition criteria;
- identify risks to the Councils and the appetite for risk;
- establish the acquisition (and disposal) process, governance and seek to ensure consistency in approach;
- consider where the properties were to be held (integrated into the existing portfolio or held in a vehicle such as a trading company)

Members expressed their support for the proposals and sought clarification that the Strategy would come back to the Joint Strategic Committee for approval. Officers confirmed that the strategy would come back to the Joint Strategic Committee.

An amendment to recommendation 6.2 (i) was proposed and seconded to read '...in consultation with the Leader and Executive Member for Resources and the Chief Financial Officer.'

### **Decision,**

The Joint Strategic Committee recommended that Adur Full Council and Worthing Full Council:

- (i) approve the key principles and criteria set out in the report to form the basis of the new Joint Investment Strategy in accordance with paragraph 4.03(d) of the Councils' Constitutions;

The Joint Strategic Committee also recommended that the Joint Governance Committee;

- (ii) recommends to both Councils an amendment to the current Officer Scheme of Delegation at paragraphs 3.15.16 to restrict the use of the Head of Growth's authority to acquire land on behalf of the Council, to be exercisable only in

consultation with the Leader and Executive Member for Resources and the Chief Financial Officer.

## Extract from the Joint Strategic Committee - 2 February 2016

### JSC/085/15-16 2016/17 Council Tax Support Schemes

Before the Committee was a report by the Director for Customer Service, 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 informed Committee that since April 2013 Members have had the freedom to set a local Council Tax Support Scheme in respect of 'working age' customers. Both Councils opted to retain the national scheme for 2013/14 and 2014/15 and whilst Adur District Council also retained the national scheme for 2015/16, Worthing Borough Council introduced a £5.00 per week restriction for all working age customers together with a discretionary budget to allow additional assistance to be provided where appropriate.

At the full Council meetings in December 2014 Members decided that their respective decisions in respect of 2015/16 should also form the basis of the schemes for 2016/17 and 2017/18 subject to consultation and formal approval.

The Committee was now asked to recommend the final schemes for 2016/17 (which mirror those agreed for 2015/16 subject to some minor amendment to bring the proposed schemes in line with changes made to the national Housing Benefit scheme) to the respective full Councils.

To help inform the decision, a public consultation exercise had been run and the consultation document (which also contained questions about Council Tax setting and customer service provision) was attached to the report at Appendix 1.

### Decision,

The Joint Strategic Committee:-

- (i) recommended that Adur District Council

(not included here)

- (ii) recommended that Worthing Borough Council
  - a. approve that the Council Tax Support scheme for 2016/17 should be based upon the scheme for 2015/16 with no changes beyond necessary technical amendments required to keep the scheme consistent with the national rules in respect of Housing Benefit;
  - b. agree that the preferred scheme for 2016/17 should form the basis of the scheme for 2017/18 subject to consultation;

- c. delegate authority to determine the scheme for 2017/18 to the Executive Member for Resources in consultation with the Executive Member for Customer Services.



Extract from the Executive meeting 9 February 2016

**W EX/004/15-16 Worthing Overall Budget Estimates 2016/17 and Setting of  
2016/17 Council  
Tax**

The Executive had before it a report by the Director for Digital and Resources, 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 2016/17;
- An updated outline 5-year forecast; and
- The provisional level of Council Tax for 2016/17, prior to its submission to the Council for approval on 23 February 2016. 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 2016/17 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 3.5 in the report);
- The Executive was advised to consider whether to increase Council Tax by the maximum level possible below 2% (1.96%) or by a lower amount (paragraph 5.10 in the report); and, finally
- The Executive needed to consider the new growth items in Appendix 2.

The budget was presented in Executive Member portfolio, prepared in accordance with the requirements of the Service Reporting code of Practice for Local Authorities 2016/17 (except in relation to pension costs adjustments that do not impact either on the Budget Requirement or the Council Tax Requirement).

The Police and Crime commissioner had consulted on an increase to the council Tax for 2016/17 of 3.44% (as one of the lowest precepts in the country they are permitted to

increase by £5) and the proposed 2016/17 budget was due to be considered by the Sussex Police and Crime Panel on 22 January. The Panel had approved the increase.

At the meeting the Head of Finance was able to give an update on the final settlement as recently announced by the Secretary of State. The key features were that no Authority would be worse off, there was increased resources for rural service delivery and a transition grant; Worthing's share of this grant was £99K.

With this information the Head of Finance highlighted paragraph 5.12; there was no requirement to use reserves to balance the budget and with the money in hand (£27K) she suggested that the Executive consider placing this in a separate budget for one off projects.

The Executive Member for Resources thanked the Head of Finance and her team for the work they had undertaken to produce the information for the setting of the budget. In proposing the increase of 1.96% the Member explained this rise required to balance the budget was modest at £3.36 per year, around 8p per week which represented value for money. The proposed increase was part of a range of measures by the Council which included seeking income streams.

Clarification was sought regarding the closure of the Brooklands Golf Course in the Revenue Budget summary on page 33, the Head of Finance responded to the questions raised. The Director for Communities highlighted the commercial potential of the pavilion on the site indicating some opportunities that were being investigating.

#### **Decision the Executive**

- i. Considered and agreed to include the growth items detailed at Appendix 2 within the revenue budget in 2016/17,
- ii. Agreed to recommend to Council the draft budgets for 2016/17 at Appendix 7 as submitted in Executive Member Portfolio order, and the transfer to Reserves leading to a net budget requirement of £13,940,320;
- iii. Considered which band D Council Tax to recommend to Council for Worthing Borough Council's requirements in 2016/17 as set out in paragraph 12.3; determining a 1.96% increase therefore the band D as recommended for 2016/17 was £220.23