

**Minutes of a Meeting of the Council held in the Council Chamber at the  
Town Hall Chapel Road Worthing on**

**21 February 2017**

The Mayor, Councillor Sean McDonald  
The Deputy Mayor, Councillor Alex Harman

Councillor Noel Atkins	Councillor Nigel Morgan
*Councillor Antony Baker	Councillor Louise Murphy
Councillor Paul Baker	Councillor Mark Nolan
Councillor Roy Barraclough	Councillor Luke Proudfoot
*Councillor Keith Bickers	Councillor Clive Roberts
Councillor Joan Bradley	Councillor Jane Sim
Councillor Callum Buxton	Councillor Bob Smytherman
Councillor Edward Crouch	Councillor Elizabeth Sparkes
Councillor James Doyle	Councillor Hazel Thorpe
Councillor Diane Guest	Councillor Bryan Turner
Councillor Lionel Harman	Councillor Val Turner
Councillor Joshua High	Councillor Vicky Vaughan
Councillor Paul High	Councillor Steve Waight
Councillor Daniel Humphreys	Councillor Paul Westover
Councillor Susan Jelliss	Councillor Steve Wills
Councillor Kevin Jenkins	Councillor Mark Withers
Councillor Heather Mercer	Councillor Tom Wye
	*Councillor Paul Yallop

\*=absent

Councillor Bradley left the meeting at 7.50pm during the debate on the item Council Tax 2017/18.

**C/045/16-17 Apologies for absence**

Apologies for absence were received from Councillors Ant Baker, Bickers and Yallop.

**C/046/16-17 Declarations of Interest**

Members were invited to make any declarations of disclosable pecuniary interests.

The following declarations were made:

Councillor Bryan Turner - member of WSCC in relation to the Council Tax item.

Councillor Paul High - member of WSCC in relation to the Council Tax item.

Councillor Steve Waight - member of WSCC in relation to the Council Tax item.

Councillor Bob Smytherman - member of WSCC in relation to the Council Tax item; also as Worthing Town Crier, the Worthing Town Centre Initiative.

*During a debate later in the meeting (item 12) Councillor Vaughan declared a personal interest as a client delivered bus services.*

### **C/047/16-17 Minutes**

**Resolved** that the minutes of the Council meetings held on 20 December 2016, be approved as correct records and that they be signed by the Mayor.

### **C/048/16-17 Questions from the public**

The Mayor announced that there were 30 minutes for public questions, with three registered questions had been received for the meeting from Jim Deen, Katy Parsonage and Luke Angel.

Jim Deen to the Leader

My question concerns the recent decision for the redevelopment of the Bunce's site in Chapel Road with no on-site affordable homes provision and an off-site affordable homes contribution of £25,000 instead of the £769,000 that should have been made.

Does the leader of the Council not agree that this is a slap in the face for the many families living in Worthing who are desperate to get on the housing ladder. The reason given for this derisory contribution was the impact a greater contribution to affordable housing would have on the profitability of this scheme for the developers. Does he think it right that this Council should prioritise maintaining the profitability of developers over providing affordable housing for Worthing residents.

The Leader responded that Worthing needed more housing with developers being encouraged to provide their share of the affordable part of new schemes.

On a supplementary question, Mr Deen invited the Leader to lodge him a Freedom of Information Request (FOI) on viability assessments for planning applications.

The Leader responded that FOI requests were a matter for the Solicitor to the Council not himself.

Katy Parsonage to the Leader

If the recent planning decision for the Bunces' site to unquestioningly accept the developer's proposals with no social housing on an argument of a lack of financial viability is the shape of things to come, how will this affect waiting lists, including the 100 or so households currently in temporary accommodation and the many more in desperate need for suitable housing in the town? Does this close the door to the creation of social housing in Adur and Worthing?

The Leader responded that all Councillors wanted to see social housing in Worthing, the Council had put aside £10M for temporary accommodation. The Council was keen to

see more social accommodation in the Town and it was committed to working towards increased provision.

A supplementary question was ruled by the Mayor as a question for the Planning Committee.

Luke Angel to the Executive Member for Health and Wellbeing

Can the Council explain why so much time and resources was spent on unpopular PSPOs, when nothing has been done to implement them?

The Executive Member for Health and Wellbeing in responding contested that nothing had been done to implement the PSPO's

The introduction of the new Anti Social, Crime and Policing Act in 2014, gave us an opportunity to review and enhance our approach to tackling ASB. An escalation in reports of public based nuisance and disorder, reflected in increased reports from the community and local businesses, prompted the council to consider the use of public space protection orders to contribute to the reduction of anti social behaviour. Public Space Protection Orders (PSPO) were implemented in 2016 as part of a suite of options that allow the Councils to respond to Anti-Social Behaviour. Whilst to date no enforcement activity has taken place, this may in part be due to the fact that the PSPOs being in place, and the ability to enforce remains an integral part of our range of responses to anti-social behaviour which must always be proportionate and follow on from other supportive interventions. Reports of public place nuisance in and around Worthing Town Centre were lower in 2016 than the same period in 2015 which could in part be attributed to the deterrent effect of having the orders in place.

Addressing Anti-Social behaviour is a complex activity, that requires much more than the use of powers of enforcement, albeit it is extremely helpful to have such options available to us. Following the introduction of PSPOs we continue to work with our partners to find ways to support those who come to our attention by demonstrating nuisance behaviour. Partners include Worthing Churches Homeless Project and Broadway St Mungos. This approach has been successful in identifying those who are causing concerns at the earliest possible time, and using strategies that address these concerns, without having to resort to enforcement procedures. Nonetheless, should there be an instance where this is required, the Councils now have the option to make that choice.

On a supplementary, the Member was asked why the Council had done nothing to keep open the night shelters. The Executive Member responded that there was a difference between homelessness and anti-social behaviour; the Council did not fund night shelters whilst the PSPO's were part of a whole package to help rather than hinder.

There being time left in the 30 minutes public speaking time, the Mayor invited other members of the public to put any questions to the Executive.

Mr Geddes highlighted it was 80 years since the Town had taken in refugees from the Spanish Civil War, he asked what the Council was doing to support current refugees.

The Leader responded that he had attended two meetings of Worthing for Refugees an organisation who were working to establish a scheme similar to one in Canada. West Sussex County Council were the main provider of support for refugees with the Council working closely to support those settled in the area. The Council was ready and willing to help.

### **C/049/16-17 Announcements by the Mayor, Leader, Executive Members, Head of Paid Service**

The Mayor reminded those in the Chamber that the Mayor's Charity Swim at Splashpoint would be taking place on Saturday 18 March 2017 from 4.30 p.m - 9.00 p.m. The Mayor encouraged members to take part in the swim or support the event as a lane counter, all help would be mostly appreciated. The Mayor explained that he had been visiting a majority of the local schools to promote the Charity Swim with the response from students and staff being enthusiastic.

The Executive Member for Health and Wellbeing announced to the Council, that in a bid with other partners, £96K had been awarded on a programme of support to victims of domestic abuse.

The Executive Member for Regeneration informed Council of two pieces of good news from the Government on regeneration matters which had recently been announced funds for starter homes from the Homes and Communities Agency and from the LEP for £10.5M for Teville Gate, Union Place and Decoy Farm.

No other announcements were made.

### **C/050/16-17 Items raised under the urgency provisions**

There were no urgent items for Council.

### **C/051/16-17 Council Tax 2017/18**

Council had before it the budget pack from the Director for Digital and Resources, the recommendation from the Executive circulated as items 7 and 8D respectively. Before members in the Chamber was the full recommended council tax on green papers, attached to these minutes as 7 A.

The Leader addressed Council commenting on the changes, nationally and internationally since his last budget speech. The Leader mentioned achievements by the administration in the last few years, the Council had risen to the challenge of the reduction in the RSG, freezing the council tax for the previous 5 years. This had been achieved by innovative policies to cut costs, raise revenue and finding savings. There had been a number of successes in bidding for external funds building a successful economy. Weekly bin collections had been retained, clean streets provided and graffiti removed. Environmental Health had been maintained, support given to cultural and tourism shown by varied theatre programme and new cultural hub. Parks and playing fields maintained, with more outdoor gym equipment being installed.

The Leader mentioned that the increase in homelessness across the country, in Worthing with the Council working closely to engage early and help, there had been no marked increase in rough sleeping comparable with other parts of the country.

At the end of the previous year the Council had adopted a new strategy 'Platforms for Place'. The strategy aimed to ensure that not only would the Council continue to provide excellent public services and be the providers of the essential safety nets for the members of our community in real need, but that it would also create platforms for others (businesses, individuals, community and voluntary organisations) to be able to do great things in the town, that ensured long-term health and prosperity and fostered an increased spirit of self-reliance, independence and interdependence.

Over the last year the Council had achieved a number of successes; with the County Council the new Bohunt Academy had opened and the initial stage of the redevelopment of the town centre had been completed. The Council was leading the delivery of ultrafast broadband speeds for businesses and residents.

The Council had ambitious plans for major projects in the town; Union Place, Teville Gate, Grafton and Decoy farm had all moved forward. Recently over £20M of government funding had been secured to enable development with which he was confident of achieving large regeneration schemes for Worthing.

The Council would be continuing its work with Coastal Care to ensure the needs of residents would be represented in the integration of NHS and Social Care Services; the Council's role as Mental Health Champions would continue.

The Platforms for Place was an ambitious strategy which was matched by a bold budget. The continuing challenge of reducing central revenue funding and growth in demand for services, particularly housing, was one that matched the administration's ambitions for Worthing: maintain essential and excellent services, continue to innovate and deliver a better Worthing.

To support these ambitions the Leader proposed a 1.9% council tax increase as proposed in the budget papers.

The recommendation was seconded by Councillor Nolan.

The Leader of the Lib Dems on the Council, Councillor Thorpe addressed the Chamber. The innovative approach of using specific platforms and partnership working showed how Councils could interact positively with customers and clients, it was welcomed. The withdrawing of financial support by the government of the New Home bonus was criticised particularly as the need for affordable homes in the Borough was high. There needed to be targeted housing to provide smaller units for those on the housing register. The promotion of the 'extra care' model would reduce bed blocking with the suggestion that the Council should work in partnership with the NHS and a local philanthropic developer to design and promotion of this service without waiting for the STPs.

Questions were raised on the cultural offer particularly the ongoing losses by the Theatres. An amendment was tabled and the background explained; ultimately the decision was whether Worthing was a seaside Town or a Town by the Sea, tourism was needed and furthermore needed to be promoted at heart of Worthing.

The proposed budget amendment was made as follows:

- 1) That the extra spend of £160,000 (or significant part of) proposed for Worthing

Theatres be transferred to Tourism to promote Worthing as a destination of first choice;

- 2) The Tourism budget for Worthing should stand alone for monitoring purposes and not be reported as part of the shared arrangements with Adur DC budget

The amendment was seconded by Councillor Smytherman who mentioned the reducing Tourism budget against the increasing Theatres budget. He asked when the Theaters would break even.

On the debate on the amendment other councillors in the chamber expressed the view that there needed to be close scrutiny of the Theaters budget over the next year but that it was necessary to have a wide cultural offer.

On a recorded vote on the proposed amendment:

For (2) : Councillors Bob Smytherman and Hazel Thorpe

Against (30): Councillors Atkins, Paul Baker, Barraclough, Bradley, Buxton, Crouch, Doyle, Guest, L Harman, J High, P High, Humphreys, Jelliss, Jenkins, Mercer, Morgan, Murphy, Nolan, Proudfoot, Roberts, Sim, Sparkes, B Turner, V Turner, Vaughan, Waight, Westover, Wills, Withers and Wye.

Abstain (2): The Mayor, Councillor McDonald and the Deputy Mayor, Councillor A Harman

The amendment was lost.

Councillor Jelliss, Leader of the UKIP group on the Council stood to address the Chamber. Whilst the proposed rate increase was not the maximum it was felt that it would still be a burden on local residents; it was hoped that the Theatres would increase its revenue rather than be a continuing drain although it was noted that the pantomime was very good. Mention was made of local building targets particularly the need to address more affordable homes; the possible shelving of the A27 improvements with knock on effects to the economies of local firms and the strain on the hospital with no spare beds.

Councillor Doyle of the Green Party stood to address Council, he was pleased that the Council was adopting an interventionist approach wondering how this would be effective particularly land regeneration projects such as Teville Gate. Echoing earlier comments Councillor Doyle also mentioned affordability of affordable housing coupled with the risk of homelessness. There was concern that the full details of the new business rates regime had not yet been clarified wondering when it would be resolved.

There was debate on the budget proposals, comments made by party representatives with key themes of business rates, A27 improvements and the Theatres overspend dominating speeches. A number of councillors were concerned that there was continuing overspend in the Theatres making it clear that this would be a key area of monitoring.

On a recorded vote for the setting of the Council Tax for the Borough for 2017/18:

For (28): Councillors Atkins, Paul Baker, Barraclough, Buxton, Crouch, Guest, L Harman, J High, P High, Humphreys, Jelliss, Jenkins, Mercer, Morgan, Murphy, Nolan,

Proudfoot, Roberts, Sim, Sparkes, B Turner, V Turner, Vaughan, Waight, Westover, Wills, Withers and Wye.

Against (0):

Abstain (5): Councillors Doyle, Deputy Mayor (Councillor A Harman), The Mayor (Councillor McDonald), Smytherman and Thorpe.

**Resolved** that

- i. Council noted that the Executive calculated the Council Tax Base 2017/18 as **37,829.30** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")];
- ii. the Council Tax requirement for the Council's own purposes for 2017/18 is **£8,497,970**.
- iii. the following amounts be calculated by the Council for the year 2017/18 in accordance with Sections 31 to 36 of the Act:
  - (a) **£79,866,920** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
  - (b) **£71,368,950** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) **£8,497,970** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. (Item R), in the formula in Section 31B of the Act).
  - (d) **£224.64** being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
  - (e) **£0.00** being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
  - (f) **£224.64** being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year.
- iv. Council noted for the year 2017/18 the West Sussex County Council and the Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each

category of dwellings in the Council's area as indicated in the table below:-

All of the Council's Area 2017/18	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Worthing Borough Council	149.76	174.72	199.68	224.64	274.56	324.48	374.40	449.28
West Sussex County Council	837.06	976.57	1,116.08	1,255.59	1,534.61	1,813.63	2,092.65	2,511.18
<b>Total as split below:</b>								
West Sussex Council – 1.95%	805.46	939.70	1,073.95	1,208.19	1,476.68	1,745.16	2,013.65	2,416.38
West Sussex County Council – Adults Social Care element	31.60	36.87	42.13	47.40	57.93	68.47	79.00	94.80
The Police and Crime Commissioner for Sussex	102.61	119.71	136.81	153.91	188.11	222.31	256.52	307.82

- v. the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts shown in table shown below, as the amounts of Council Tax for the year 2017/18 for each part of its area and for each of the categories of dwellings.

	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
All of the Council's Area	1,089.43	1,271.00	1,452.57	1,634.14	1,997.28	2,360.42	2,723.57	3,268.28

### C/052/16-17 Recommendations from the Executive and Committees to Council

Council had before it recommendations from the Joint Governance Committee of 24 January and the Joint Strategic Committee of 2 February attached to the minutes as item 7.

### Joint Governance Committee - 24 January 2017

### **(i) The Appointment of External Auditors for Adur District Council and Worthing Borough Council**

The Joint Chairman of the Committee introduced the item on page 5 recommending it to Council; it was seconded by Councillor Paul Baker.

On a vote For 31 Against 0 Abstentions 2

**Resolved** that the Council opts into the Appointing Person arrangements made by the Public Sector Audit Appointments (PSAA) for the appointment of external auditors.

### **(ii) Proposed Revisions to Contract Standing Orders**

The Joint Chairman of the Committee introduced the item on page 7 recommending it to Council; it was seconded by Councillor Bryan Turner.

On a vote For 31 Against 0 Abstentions 2

**Resolved** that that the revised Contract Standing Orders be approved.

### **(iii) Elected Member Involvement in the Appointment and Discipline of the Councils' Senior Officers**

The Joint Chairman of the Committee introduced the item on page 9 recommending it to Council; it was seconded by Councillor Paul Baker.

On a vote For 30 Against 1 Abstentions 2

#### **Resolved that**

- I. Worthing Council agrees the adoption of option 2, subject to consultation with Unison;
- II. Worthing Council delegates the authority to the Monitoring Officer to implement the adopted option and in particular to make consequential changes to the Officer Employment Procedure Rules and the terms of reference of the Staffing Committees in each Council's Constitution.

### **Joint Strategic Committee - 2 February 2017**

#### **Joint Treasury Management Strategy Statement and Annual Investment Strategy 2017/18 to 2018/19 Adur District Council and Worthing Borough Council**

The Leader of the Council presented the Committee's recommendation on pages 11 and 12 of the agenda. This proposal was seconded by Councillor Proudfoot.

On a vote For 31 Against 0 Abstentions 2

**Resolved** that the Worthing Borough Council Prudential Indicators and Limits, and MRP Statements of the report be approved.

### **Executive - 6 February 2017**

This item was taken with the Council Tax item above.

### **C/053/16-17 Leader's Report on decisions taken by the Executive**

The Leader of the Council presented his report on decisions taken by the Executive since the last Ordinary meeting of the Council; which were detailed in Item 9, on pages 15 to 17 on the agenda.

The Executive Member for Health and Wellbeing was asked about Welfare reform, the review of grants leading to the Money Tree event not taking place during the year and the progress on the Youth Engagement item particularly in finding a replacement for the facilitator for the Youth Council.

The Executive Member confirmed that the Welfare reform would cover an extensive range of services; the background to the Going Local initiative was elaborated on and work was ongoing to find a facilitator for the youth council - which was not funded by the Council, it being a Youth Service provided by the County Council.

### **C/054/16-17 Schedule of Meetings 2017/18**

Council had before it the schedule of meetings for 2017/18 as item 10, the Leader proposed the dates before Council, seconded by Councillor Sim.

**Resolved** that the dates relating to Worthing Borough Council meetings be approved with those for regulatory meetings and joint working being noted.

### **C/055/16-17 Members Questions under Council Procedure Rule (CPR) 12**

The Proper Officer had received 3 questions from Members under CPR 12, 2 from Councillors Smytherman, 1 from Councillor Doyle.

Question 1 From Councillor Smytherman to the Leader

Can I ask the Leader of the Council the current policy on use of the Borough Crest to promote Worthing as a destination and what is the Council doing not only to preserve the history of our Borough & the Mayoralty but to enhance it and educate our future generations of our much cherished history?

Response made by the Leader

Thank you for your question, as you will know the Civic Office use the Coat of Arms for all Mayoral matters, stationery, Christmas Cards, Past Mayoral Scroll and the Honorary Alderman scrolls to name a few things. There have been a number of requests over the last few years from to use the Coat of Arms - these were for the badges for Mayoral Cadets; Commune de Richebourg for the WW1 commemorations and Worthing Town Football Club, also the Worthing Town Centre Initiative requested permission for the Town Crier's official robe. The most recent request that has been granted is for the Mayor of Worthing's Twin in Germany to use the Coat of Arms for publicity around the 25th anniversary of the Town Twinning Agreement.

Requests for the use of the Coat of Arms are considered on their merits by the Director for Communities in consultation with myself.

Working in partnership with Adur did not mean that the Borough lost its own identity and there was a place for the joint logo and the Borough Coat of Arms.

He would be looking to ensure that the correct logo was used to promote the appropriate message.

#### Question 2 From Councillor Doyle to the Executive Member for the Environment

As electric vehicles are by far the fastest growing sector of the UK car & van market, with a record number of models available, does the Executive member have any plans to make charging points available in more of Worthing's car parks.

#### Response made by Councillor Roberts

We are actively exploring opportunities to install charging points for low emission vehicles. We are pursuing grant funding for work based charging points through the Office for Low Emission Vehicles (OLEV). If successful this would result in charging points being installed at the Town Hall and Commerce Way car parks.

We already promote OLEV grants for home charging schemes on our website which enable residents to apply for grants up to a value of £500 towards the costs of installing charging infrastructure at their house. The grant typically covers half the cost of the installation

Our car parks would require rapid charge facilities which are significantly more expensive. We are exploring other funding opportunities to install such facilities in some of our car parks and I will be able to provide further updates in due course on all of these initiatives once we have completed further work on the options and business cases.

#### Question 3 From Councillor Smytherman to the Executive Member for Regeneration

Can I ask the Executive Member for Regeneration what planning policies does the Council have in place to prevent well established Council buildings named after well known local families such as the 'Denton' lounge from having the name changed and can the Executive Member confirm that Worthing Theatres & Museum have to comply with the same Advertising consent regulations as other organisations and businesses in the town?

#### Response by Councillor Bryan Turner

There are no planning policies in place to 'protect' the name given to public buildings and such policies would not be appropriate for the emerging Local Plan. However, any change that affected the postal address would require the approval of the Council and the Council's Street Naming and Numbering

Section could refuse any new name if the original name was of some local historical significance.

The Council has to comply with the Advertisement Regulations like other organisations and businesses in the town, albeit as a Local Authority there is slightly more freedom to erect signs related to undertaking our statutory duties without advertisement consent. An application to regularise the signs erected at the Pavilion has been received and is currently under consideration and an application to retain the signs at the Museum has also been submitted but further information has been requested to validate the application.

### **C/056/16-17 Motion on Notice**

Council had before it details of a Motion on Notice presented by the Director for Communities as item 12 on the agenda which had been circulated to all members. The proposer of the Motion, Councillor Thorpe addressed Council.

Councillor Smytherman seconded the Motion.

*During the debate Councillor Vaughan declared a personal interest as a client delivered bus services.*

The Leader proposed an amendment to the Motion, which was seconded by Councillor Proudfoot.

‘This Council notes the Bus Services Bill currently passing through Parliament.

‘We support the Local Government Association’s lobby for the removal of Clause 21 of the Bill on the basis that its inclusion would remove powers granted to councils under the 2011 Localism Act and associated General Power of Competence provisions.’

Councillors spoke on supporting the amendment and on a vote there were For 31 Against 0 and Abstain 2; with the amendment accepted.

There was support in the Chamber for the amended Motion; on a vote there were

For 31 Against 0 Abstain 2

**Resolved** that this Council notes the Bus Services Bill currently passing through Parliament.

We support the Local Government Association’s lobby for the removal of Clause 21 of the Bill on the basis that its inclusion would remove powers granted to councils under the 2011 Localism Act and associated General Power of Competence provisions.

The Mayor declared the meeting closed at 9.20 pm, it having commenced at 6.30pm.

Mayor