



WORTHING BOROUGH  
COUNCIL

**25 April 2017**



**Council Meeting  
25 April 2017**

The Council Chamber, Town Hall,  
Chapel Road, Worthing

**6.30pm  
Agenda**

**13 April 2017**

**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 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 21 April 2017 at 12 noon**.

Questions to be submitted to [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk)

For further information contact Julia Smith, Democratic Services Manager on [Julia.smith@adur-worthing.gov.uk](mailto:Julia.smith@adur-worthing.gov.uk)

#### **4. Confirmation of Minutes**

To confirm the minutes of the Meeting of the Council held on Tuesday 21 February 2017, 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**

#### **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, as items 7A, 7B, 7C and 7D. Full reports are available on the website as listed below:

<b>Executive/Committee</b>	<b>Date</b>	<b>Item</b>
A Joint Strategic	7 March 2017	Adur and Worthing Housing Strategy <a href="https://www.adur-worthing.gov.uk/media/media391.en.pdf">https://www.adur-worthing.gov.uk/media/media391.en.pdf</a>
B Joint Overview and Scrutiny Committee	16 March 2017	Work Programme 2017/18 <a href="https://www.adur-worthing.gov.uk/media/media550.en.pdf">https://www.adur-worthing.gov.uk/media/media550.en.pdf</a>
C Joint Governance Committee	28 March 2017	(1) JOSC Procedure Rules <a href="https://www.adur-worthing.gov.uk/media/media814.en.pdf">https://www.adur-worthing.gov.uk/media/media814.en.pdf</a>  (2) Executive Procedure Rules <a href="https://www.adur-worthing.gov.uk/media/media815.en.pdf">https://www.adur-worthing.gov.uk/media/media815.en.pdf</a>  (3) Constitution Provisions on Licensing Functions <a href="https://www.adur-worthing.gov.uk/media/media816.en.pdf">https://www.adur-worthing.gov.uk/media/media816.en.pdf</a>
D Joint Strategic Committee	4 April 2017	(1) Becoming Dementia Friendly Councils <a href="https://www.adur-worthing.gov.uk/media/media912.en.pdf">https://www.adur-worthing.gov.uk/media/media912.en.pdf</a>  (2) Worthing multi-storey car park improvement programme: approval to commence capital works <a href="https://www.adur-worthing.gov.uk/media/media3915.en.pdf">https://www.adur-worthing.gov.uk/media/media3915.en.pdf</a>

## **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 11.

(**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. Selecting the Mayor for 2018/19**

To receive nominations for the appointment of Deputy Mayor for 2017/18 who will be Mayor from May 2018.

## **10. 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 21 April at 12 noon**. Questions to be submitted to [democratic.services@adur-worthing.gov.uk](mailto: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

## **Part B - Not for Publication – Exempt Information Reports**

None.



Director for Communities

## **Recording of this meeting**

The Council will be voice recording this meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:

Julia Smith  
Democratic Services Manager  
01903 22 1150  
[Julia.smith@adur-worthing.gov.uk](mailto: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](mailto:susan.sale@adur-worthing.gov.uk)

**JSC/099/16-17      Adur and Worthing Housing Strategy**

Before the Committee was a report by the Director for Communities, 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 outlined the new three year joint Housing Strategy and targets for the Councils, and recommended that Adur and Worthing Councils adopted the Strategy.

A Member questioned how the strategy would be marketed to the public. Officers advised that public engagement would be the next step and that a combination of digital and written information would be employed to get the message out.

The importance of partnership working with neighbouring local authorities and organisations was discussed as was the need for consistency in approach across the local area. Officers advised that a network of Directors had been established, including West Sussex County Council, which would consider need across the wider area.

The merits of fixed term tenancies and the practicalities of how these would work alongside lifetime tenancies was considered and a Member sought clarification regarding differences in the LHA's between Adur and Worthing. Officers advised that Adur's LHA was aligned with Brighton's.

**Decision,**

The Joint Strategic Committee recommended to both Adur and Worthing Councils that the Housing Strategy and targets for 2017 to 2020 be agreed.

Full report:

<https://www.adur-worthing.gov.uk/media/media,143391,en.pdf>





**JOSC/16-17/61      Adur and Worthing Joint Overview and Scrutiny  
Committee Work Programme – 2016/17**

Before the Committee was a report by the Director for Digital and Resources, a copy of which was sent to all Members and a copy of which is attached to the signed copy of these minutes as item 10. The report outlined progress on the work contained in the 2016/17 Work Programme and proposals for the Committee's work programme for 2017/18

The Policy Officer introduced the report to the Committee and set out Scrutiny requests that had been received along with recommendations made by the Joint Chairs.

In relation to a proposal to set up a review to look at the Worthing Theatres budgets the Committee noted that a Theatres Working Group had been set up previously but were concerned that its recommendations had not been carried out. The Committee agree to set up a working group to investigate the progression of previous recommendations in preparation to present and question the Executive Member for Customer Services with their findings at the meeting in November. The Working Group was set up to consist of Keith Bickers, Luke Proudfoot, Bob Smytherman and Joss Loader.

With regards to a request to review the dredging of Brooklands Lake and the condition of the play area, Members agreed to add to the work programme an item on a review of Adur and Worthing play areas and review the situation relating to the dredging of Brooklands Lake following the Joint Strategic Committee meeting taking place in July 2017.

Members agreed to look at a report on solar panels at its meeting in June 2017.

**Resolved:** that progress on the work programme be noted

**Recommendations:** that the Joint Overview and Scrutiny Committee Work Programme for 2017/18 be recommended to Full Councils for approval

Full report

<https://www.adur-worthing.gov.uk/media/media.143550.en.pdf>



**JGC/16-17/057      Joint Overview and Scrutiny Committee Procedure Rules**

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 11.

The report updated Committee on the ongoing work, by the Joint Overview and Scrutiny Committee (JOSC), to introduce and review 'New Ways of Working' to ensure the Committee was able to robustly, efficiently and effectively, scrutinise decisions of the Councils, take a lead role in policy development and generally add value to the work of the Councils.

The review of JOSC's New Ways of Working had coincided with a timely periodic review of the Councils' JOSC Procedure Rules, which formed part of each Councils' constitution. The proposed revisions to the JOSC Procedure Rules, for both Adur and Worthing Councils, were attached to the report as Appendix 1.

Members acknowledged the importance of the scrutiny function and a Member questioned whether the new procedure rules would restrict what the Joint Overview and Scrutiny Committee could consider or who could propose items. Officers advised that the new procedure rules were not restrictive although additional criteria had been included within the procedure rules.

**Resolved,**

That the Joint Governance Committee recommended to both Adur District Council and Worthing Borough Council the adoption of the revised Joint Overview and Scrutiny Procedure Rules and inclusion of the rules in each Council's Constitution.

Full report:

<https://www.adur-worthing.gov.uk/media/media.143814.en.pdf>



**JGC/16-17/058      Executive Procedure Rules**

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 12.

The report made proposals for changing the Executive Procedure Rules and revised versions were appended to the report as Appendix 1, for Adur District Council and as Appendix 2 for Worthing Borough Council.

The Joint Governance Committee was asked to consider the proposed new rules and to make a recommendation to each Council for the new Executive Procedure Rules to be adopted and become part of each Council's Constitution from the date of the Annual Council Meetings in 2017.

It was noted that consultation had been undertaken with both Leaders by way of a report, asking them to provide comment to the Joint Governance Committee. The Committee was updated with the decision of the Leaders' and feedback received.

A Member questioned whether the 28 Day Notice of Key and / or Exempt Decisions could be shared with Members when published. Officers agreed that Democratic Services would email Members with a link to the notice at least once a month.

A Member sought clarification as to whether informal briefing meetings had been reintroduced by Adur and Worthing Councils. Officers confirmed that there were informal briefing meetings but they had no decision making powers as the public were excluded.

**Resolved,**

That the Joint Governance Committee

- recommended that Adur District Council adopt the revised Executive Procedure Rules, as set out at Appendix 1, as part of their Constitution; and
- recommended that Worthing Borough Council adopt the revised Executive Procedure Rules, as set out at Appendix 2, as part of their Constitution.

Full report:

<https://www.adur-worthing.gov.uk/media/media,143815.en.pdf>



**JGC/16-17/059      Constitutional Provisions relating to Adur and Worthing  
Councils' Licensing Functions**

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 13.

Constitutional and procedural arrangements relating to Licensing at Adur District Council and Worthing Borough Council vary significantly and the report provided an opportunity for governance arrangements and procedure rules to be reviewed; to streamline procedures and to combine best practice from both authorities.

The Solicitor to the Council advised the Committee that determining individual applications by way of a hearing before a full Committee of either 10 or 15 Members may be disproportionate and may be contrary to the principles of natural justice and the Human Rights Act, particularly where the individual is not represented and there is a risk that the hearing may result in a loss of livelihood. The Solicitor to the Council advised the Committee that all other West Sussex local authorities determine such matters by way of sub committees, and advised that, to minimise the risk of challenge, greater use of sub committees for Licensing matters be adopted at Adur and Worthing.

The Committee noted that Worthing Licensing and Control Committee considered the proposals at its meeting on the 30 January 2017 and had strongly rejected the proposals. The Licensing and Control Committee had reasoned that the best possible judgements were achieved by a Committee of 15 Members.

A Member questioned what the quorum would be for a sub-committee of 3 Members. Officers advised that quorum would be 2 Members. A Member asked what would happen if there was disagreement between 2 Members sitting on a sub-committee. Officers advised that the appointed chairman would have a casting vote.

A Worthing Member stated that the proposals within the report seemed sensible but the Licensing and Control Committee had not supported them. Therefore, he could not see how the Joint Governance Committee could support the proposals.

An Adur Member proposed that the recommendations put forward by the Adur Licensing Committee be recommended to Adur Council by the Joint Governance Committee. The proposal was seconded.

The reasons given for this proposal were that the larger committee reflected a true democratic approach to Licensing by providing a broader breadth of experience and opinion.

**Resolved,**

1. That the Joint Governance Committee noted the comments received from both Adur District Council and Worthing Borough Council's Licensing Committees.
2. That the Joint Governance Committee recommended to Worthing Borough Council that no changes be made to the Constitutional Provisions relating to Worthing Councils' Licensing Functions.
3. *(relate to Adur District Council only).*

Full report:

<https://www.adur-worthing.gov.uk/media/media.143816.en.pdf>



**JSC/107/16-17      Becoming Dementia Friendly Councils - A paper to propose the councils join the Adur and Worthing Dementia Action Alliances**

Before the Committee was a report by the Director for Communities, 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 information on dementia and proposed that the Council's demonstrate their commitment to becoming dementia friendly organisations, by becoming a member of the Dementia Action Alliances.

The report outlined what becoming dementia friendly meant for local communities and organisations and how the Councils could further develop some of the great services they deliver, to be equipped to respond to the needs of people living with dementia and their carers.

It was noted that there were many things the Councils were already doing to support people to reduce their risk of developing dementia and some of these were detailed in the report.

Members expressed their support for this work and the proposals outlined in the report.

**Decision:**

The Joint Strategic Committee

- 1) recommended to Adur and Worthing full Councils that they sign up to the Adur Dementia Action Alliance and Worthing Dementia Action Alliance as 'Local members';
- 2) delegated approval of the draft Action Plan (Appendix II) for submission, to the Director for Communities in consultation with the Executive Members for Wellbeing and Customer Services;
- 3) noted that the Action Plan on working towards becoming dementia friendly Councils reports to the Public Health Plan Delivery Group, chaired by the Director for Communities, and requested that this be reported to the Joint Strategic Committee on an annual basis.

Full report : <https://www.adur-worthing.gov.uk/media/media.143912.en.pdf>





**JSC/110/16-17      Worthing multi-storey car park improvement programme:  
approval to commence capital works**

Before the Committee was a report by the Directors for Customer Service and 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 9.

The report provided Members with an update on the progress being made in assessing the condition and structural surveys of each of the four Multi Storey Car Parks (MSCPs) in Worthing and the proposed improvement works for each site. The four car parks were:-

- Grafton MSCP, Augusta Place, Worthing
- Teville Gate, MSCP, Railway Approach, Worthing
- Buckingham Road, MSCP, Buckingham Road, Worthing
- High Street MSCP, High Street, Worthing

The report sought Members approval to progress works included within the Capital Investment Programme, as detailed in Appendix 1. It also sought Members approval to proceed with an invest to save scheme, replacing lighting at High Street and Buckingham Road car parks.

A Member challenged the business case for LED lighting and sought assurances that this was reliable long term technology. Officers advised that detailed research and market testing would be undertaken to ensure longevity.

The Committee acknowledged that bringing Worthing MSCPs back under Council control had been the right decision and a success story. Many years of mismanagement and neglect were being reversed and necessary investment and maintenance work would safeguard future income.

Members debated the cost of maintaining the Grafton MSCP given the Council's long term ambitions for the site.

**Decision,**

That the Joint Strategic Committee

- approved the 2016/17 and 2017/18 schedule of works detailed in Appendix A to be funded from the Worthing Capital Investment Programme;
- **recommended to Worthing Borough Council, the replacement LED lighting at Buckingham MSCP and High Street MSCP, on an invest to save basis, to be funded from prudential borrowing.**

Full report : <https://www.adur-worthing.gov.uk/media/media,143915.en.pdf>



**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**

JAW/007/16-17 Executive Decision Making

**Executive Member for Regeneration**

-

**Executive Member for Resources**

-

**Executive Member for Customer Services**

-

**Executive Member for the Environment**

-

**Executive Member for Health and Wellbeing**

JAW/006/16-17 Funding for the Wellbeing Programmes Older People's Services Contract

**B. Decisions taken by the Joint Strategic Committee on 07 March 2017**

*Items related to Adur District Council are not reproduced on this agenda*

Full details can be found at: [www.adur-worthing.gov.uk/your-council/](http://www.adur-worthing.gov.uk/your-council/)

*Items not appearing elsewhere on the agenda:*

**JSC/097/16-17      3rd Quarter Capital Investment Programme & Projects Monitoring  
2016/17**

**Decision,**

That the Joint Strategic Committee

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

- noted the reprofiling and possible slippage of the Worthing Borough Council capital schemes listed in paragraphs 5.2 and 5.3, and Appendix 4;
- approved the additional funding of £50,000 required to complete the replacement of the Worthing Leisure Centre service pipework, funded from underspends in the 2016/2017 Capital Investment Programme as detailed in paragraph 5.4.1;
- approved the additional funding of £20,000 required to complete the replacement of the Worthing Leisure Centre fire alarm system, funded from underspends in the 2016/2017 Capital Investment Programme, as detailed in paragraph 5.4.2;
- approved the additional funding of £115,000 required to repair the Crematorium gas main and complete the resurfacing of the Crematorium driveway, funded from underspends in the 2016/2017 Capital Investment Programme, as detailed in paragraph 5.4.3;
- approved the amendment to the 2016/2017 Capital Investment Programme to include the refurbishment of the Connaught Studio backstage toilet at an estimated cost of £15,680, funded from underspends in the overall 2016/2017 Capital Investment Programme, as detailed in paragraph 5.5.1;
- noted the removal of the budget for the Grounds Maintenance building for vehicles and equipment from the current Capital Investment Programme as the scheme is unable to proceed at this time, as advised in paragraph 6.1;
- approved the amendment to the 2016/2017 Capital Investment Programme to include the purchase of a new microphone system at a cost to Worthing Borough Council of £15,900, funded from underspends in the overall 2016/2017 Capital Investment Programme, as detailed in paragraph 6.2.

#### **JSC/098/16-17      3rd Quarter Revenue Budget Monitoring 2016/17**

##### **Decision:**

The Joint Strategic Committee noted the report and projected outturn position for the Joint, Adur and Worthing Revenue Budgets and proposed use of reserves (Appendix 1b and 2b).

#### **JSC/101/16-17      Strategic Property Acquisition by Worthing Borough Council**

##### **Decision,**

That the Joint Strategic Committee, agreed in principle, to purchase the proposed site subject to due diligence. It was also agreed that the final decision to purchase, be delegated to the Head of Place & Investment in consultation with the Chief Financial Officer and the Leader of Worthing Borough Council.

#### **C.      Decisions taken by the Joint Strategic Committee on 04 April 2017**

*Items related to Adur District Council are not reproduced on this agenda*

Full details can be found: [www.adur-worthing.gov.uk/your-council/](http://www.adur-worthing.gov.uk/your-council/)

*Items not appearing elsewhere on the agenda:*

#### **JSC/108/16-17      Worthing Local Plan**

##### **Decision,**

## The Joint Strategic Committee

- a) approved the timetable for the progression of the Worthing Local Plan set out in the revised Local Development Scheme (Appendix A);
- b) expressed support for the emerging Spatial Strategy based on the currently available evidence;
- c) agreed the principle of supporting development coming forward on the two edge of town sites that lay within the existing built up area in advance of the Local Plan (subject to a robust consideration of all issues relevant to the determination of any similar planning application).

### **JSC/109/16-17      Worthing Town Centre Business Improvement District**

#### **Resolved**

That the Joint Strategic Committee:-

- requested the Director for the Economy seek an assurance from the TCI to work collaboratively with the Council, in a spirit of mutual trust and cooperation; to align resources and activities that support shared priorities; and to communicate the work of BID partners in a way that enhances their reputation and that of the Town;

and that subject to the above:

- supported the proposal for a third term of the Worthing Town Centre BID for a period of five years commencing on 1 April 2018, and agreed to paying a levy of 1.25%; and agreed that the Director for the Economy be authorised to vote in support of the BID on all the ballot papers issued to the Council.

#### **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

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](http://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.





