



ADUR DISTRICT  
**C O U N C I L**

**31 October 2019**





**Adur Council Meeting  
31 October 2019**

Queen Elizabeth II Room,  
The Shoreham Centre, Pond Road,  
Shoreham-by-Sea

**7.00 pm**

**Agenda**

**23 October 2019**

**ALL MEMBERS OF THE COUNCIL are hereby summoned to attend for the following business:**

**Part A**

- a) Report of the Leader on Decisions taken by the Executive (Pages 1 - 14)

To Receive a report from the Leader on Decisions taken by the Executive



Director for Communities

**Recording of this meeting**

The Council will be voice recording the 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:

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Democratic Services Officer

For Legal Services enquiries relating to this meeting please contact:

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ADUR DISTRICT  
COUNCIL

Council  
31 October 2019  
Agenda Item 10

## **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.

[www.adur-worthing.gov.uk/committee/agendas-minutes.htm](http://www.adur-worthing.gov.uk/committee/agendas-minutes.htm)

#### **Leader**

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#### **Executive Member for Regeneration**

JAW/006/19-20 Joint Adur & Worthing Statement of Community Involvement

#### **Executive Member for Resources**

JAW/007/19-20 2019/2020 Local Schemes for Business Rates Discretionary Relief

JAW/012/19-20 Gas and Electricity Contract Awards

#### **Executive Member for Customer Services**

JAW/009/19-20 Release of the Affordable Housing Budget to Secure Additional Affordable Housing

JAW/014/19-20 Release of the Affordable Housing Budget to Secure Additional Affordable Housing

JAW/016/19-20 Adaptations for People with Disabilities (Adur Homes) Contract Award

JAW/019/19-20 Community Alarm System Replacement Contract Award

#### **Executive Member for the Environment**

JAW/005/19-20 Brooklands Masterplan Development

JAW/010/19-20 Extension of both the agency agreement with WSCC and the NSL Contract

JAW/011/19-20 Worthing Parking Review

JAW/013/19-20 Household Waste and Recycling Collection Policy

JAW/017/19-20 Wadurs Award of Contract

## **Executive Member for Health and Wellbeing**

JAW/008/19-20 Falls Prevention Tender

JAW/015/19-20 Adur Community Grants - Allocation of Funds for 2019/20 - Round Two

### **B. Decisions Taken by the Joint Strategic Committee on 10 September 2019**

#### **JSC/028/19-20 1st Revenue Budget Monitoring Report (Q1)**

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

The report updated the Joint Strategic Committee with the latest expenditure and income projections for each Council in the financial year 2019/20, compared to the Revenue Budget approved by both Councils in February. Whilst the 'spend to date' would be the position as at the 30 June 2019, the forecast position would reflect the latest information available to ensure an up-to-date forecast was presented.

A Member raised questions regarding the 'higher than expected repair costs on the new fleet' highlighted in paragraph 4.10.3, the 'additional net income anticipated in relation to Business Rates S31 grants by Worthing of £160k' highlighted in paragraph 4.10.11 and the overspend on water across all sites of £50k highlighted in paragraph 4.12. Officers confirmed that most of the vehicle fleet had been replaced 2 to 3 years ago but they would investigate why repair costs were higher than expected and report back after the meeting. Officers also advised that Business Rates went through the collection fund and there had been a loss of income arising from the conversion of office blocks (as a result of reduced business rates). The question regarding an overspend on water across all sites would be shared with the Head of Technical Services for a response.

The Committee commended the Major Projects Team for their work in relation to the Strategic Property Investment Fund.

#### **Decision:**

The Joint Strategic Committee noted the report and projected outturn position for the Joint Committee, Adur District Council and Worthing Borough Council against the approved revenue budgets and proposed use of reserves (Appendix 1b and 2b).

#### **JSC/029/19-20 1st Quarter Capital Investment Programme & Projects Monitoring 2019/20**

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 updated the Joint Strategic Committee with the progress made on the 2019/20 Capital Investment Programmes for Adur District Council and Worthing Borough Council. The programmes included schemes which supported the delivery of services by the Joint Services Committee.

Clarification was sought regarding the cost of a replacement digital camera for the Connaught Studio (£65k). Officers advised that the equipment was a digital camera / projector which was used to livestream events and that the cost would be repaid by the Trust over the next three years by reducing down the annual contract payment by £15k per year.

A Member queried whether the virement of £50k from the DDA coastal footpath, to the Southwick Leisure Centre, was premature. Officers advised that colleagues in Technical Services were confident that the tender would come in under budget but agreed to provide additional information following the meeting.

Another Member sought an assurance that the timeline for delivery in relation to the Decoy Farm site was realistic and questioned the £42k provision for replacement Boundary Signs. Officers advised that timescales for delivery of the Decoy Farm site were anticipated in 2020/21. The Leader of Worthing Council agreed to investigate the provision for Boundary Signage.

**Decision:**

The Joint Strategic Committee:-

**a) with respect to the Capital Investment Programme of Adur District Council**

- i) noted the reprofiling of the Adur District Council capital schemes as advised in paragraphs 8.2.1 and Appendix 3;
- ii) noted that a virement of £50,000 from the DDA coastal footpath to the Southwick Leisure Centre outdoor all weather pitch, as detailed in paragraph 8.2.3, was approved by the Director of Communities to resolve a potential overspend against this budget;
- iii) noted the confirmation of £590,000 external funding from the Environment Agency towards the Coast Protection Works at Shoreham Western Harbour Arm as detailed in paragraph 8.2.5;
- iv) approved the addition of the purchase of Trade Refuse Bins to the 2019/20 and 2020/21 Capital Investment Programme funded from revenue contributions of £7,500 p.a.as detailed in paragraph 8.1.2;

- v) approved the inclusion of Play Area Improvements at Sompting Recreation Ground funded from a virement of £100,800 from the Middle Road Play Area Improvements as detailed in paragraph 8.2.4.

**JSC/030/19-20 Reconsideration of the locally-determined Council Tax “long-term empty” premium and discounts**

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 7.

The Committee were informed that since 1 April 2013, local authorities had been able to charge an additional fifty percent Council Tax in respect of properties that had been unfurnished and unoccupied for more than two years. This was known as the “long-term empty premium”.

Legislation had now been introduced allowing local authorities the ability to increase the premium to one hundred percent from 1 April 2019, thereby charging two-hundred percent of the Council Tax that would otherwise be due.

The report invited Members to consider whether they wished to increase the long-term empty premium and also to amend the periods when no Council Tax was payable in respect of properties that were:-

- Unoccupied and unfurnished
- Undergoing or requiring structural alteration or major repair

A Member sought clarification regarding the rules following bereavements. Officers advised that there were a number of statutory exemptions (class F) for properties that become empty following a bereavement which covers the period up to the point of probate being granted and then 6 months thereafter.

Another Member sought clarification regarding the terminology of unoccupied and unfurnished. Officers informed the Committee that Council Tax liability was based on what legislation referred to as sole or main residence. These were residents homes which were their sole or main residence. Properties referred to as ‘second homes’ were generally used as holiday homes or were infrequently occupied and would be subject to the normal 100% Council Tax charge. The proposals were specifically in relation to properties that were unoccupied and unfurnished.

The Committee discussed the proposals relating to properties that were unoccupied and unfurnished for a period of up to 1 month. They requested further information in regards to the administrative costs associated with such situations be provided in a future report.

**Decision:**

## The Joint Strategic Committee

- (i) noted the content of the report;
- (ii) agreed that public consultations should be conducted for both Adur and Worthing Councils in respect of the “long-term empty premium”, the local discount in respect of properties undergoing structural alterations or major repairs and the local discount in respect of unoccupied & unfurnished properties;
- (iii) delegated authority to the Head of Revenues & Benefits, in consultation with the respective Executive Members for Customer Services, to conduct a public consultation, with the results and any recommendations to be reported back to a future meeting of the Joint Strategic Committee.

### **JSC/031/19-20 Annual Treasury Management Report 2018-19 Adur District Council and Worthing Borough Council and Revised Treasury Management Policy and Practices**

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 asked Members to note the Treasury Management performance for Adur and Worthing Councils for 2018/19 as required by regulations issued under the Local Government Act 2003.

Members were recommended to approve the revised Treasury Management Policy and Practices, which had been updated to incorporate new CIPFA and MHCLG guidance and were attached as appendices 1 and 2.

#### **Decision:**

The Joint Strategic Committee noted the annual report and approved the revised Treasury Management Policy and Practices

### **JSC/032/19-20 Wadurs - Changing Room extension and M&E Works**

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 10.

The purpose of the report was to seek approval to move funding from other approved Adur Community Leisure (ACL - known as Impulse Leisure) capital projects to fund the new changing room and M&E works at Wadurs Swimming Pool. This was due to an identified budget shortfall following a recent tender process for the project.

Members welcomed the proposals, acknowledging that they would provide the very well used Wadurs Swimming Pool, with a new lease of life.

**Decision:**

The Joint Strategic Committee

1. noted the increased cost of the extension to WADURS swimming pool and replacement boilers;
2. approved the use of the following budgets allocated for 2 projects; roofing and glazing (£84,750.00) and electrical rewiring (£34,000.00) for Lancing Leisure Centre to be re-allocated in order to fund the changing room and M&E works project at WADURS;
3. as a result of the failed bid to Veolia, approved the use of £40k of the current revenue budget underspend to ensure that the project progressed in the current financial year;
4. noted that planning approval had been granted for the project at the September 2019 Adur Planning Committee.

**JSC/033/19-20 Referral of Motion on Notice from Adur District Council**

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 11.

The report set out a motion referred to the Joint Strategic Committee, from the meeting of Adur District Council on the 18 July 2019, for consideration and determination.

The motion was attached to the report as Appendix 1 and asked Members to consider declaring a 'Climate Emergency', to sign up to the pledges proposed and request a report to Full Council within six months of the date of the motion, setting out the relevant actions.

It was noted that Members could accept the motion, requesting that further work be carried out in this regard, or, Members could reject the motion.

As the proposer of the motion, Councillor Catherine Arnold attended the meeting and presented it to the Committee.

During consideration of the motion, the Committee stated that it had already declared a Climate emergency at its July meeting and requested the production of an outline strategy on how the Councils would work towards the carbon neutral target, which was to be produced by January 2020 at the latest. This strategy document would cover the type of detail set out in the motion before the committee.

It was also stated that the Council had no powers to deliver change in areas outside of its control but would seek to use its influence to effect change in these areas. Adur and Worthing Councils were already leading on Sussex Air, a wider partnership looking at a number of these issues and both Councils were also involved with the West Sussex County Council review of Sustainable Transport that was currently underway.

Members highlighted that the motion did not provide any specification regarding BREEAM standards neither was there any mention of costs to deliver the proposed outcomes.

It was proposed and seconded that the motion be refused as the Committee had already commissioned the production of a strategy to address these issues and therefore could not agree something, which had already been agreed.

**Decision:**

That the Joint Strategic Committee rejected the motion.

**C. Decisions Taken by the Joint Strategic Committee on 8 October 2019**

**JSC/043/19-20 Proactively managing our Natural Resources - The Councils planned approach to the threat of Ash Dieback**

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 informed the Committee on the proposed management approach to the known risk of Ash dieback to our ash trees.

Adur and Worthing Councils' tree stock had already been affected by the disease and going forward, it was essential that the Councils planned to manage the current and future risks of the disease spreading. Defra and the Tree Council had created a toolkit to assist land managers with the effective and safe management of their tree stock and the disease.

The report recommended that both Councils adopt this toolkit / approach to enable the Councils to prepare and manage for the spread of the disease.

During consideration of the item, Members sought clarification regarding a number of aspects including:-

- the DEFRA toolkit;
- the number of trees affected and the types of trees that were to be replanted;
- whether conversations were being held with external organisations and key stakeholders, including West Sussex County Council, the RSPB and the Wildlife Trust;
- whether there was any realisable value from the wood.;

- the advice being provided to local residents and the mechanisms in place for residents to report into the Councils.

**Decision:**

The Joint Strategic Committee:-

1. approved the approach in using the DEFRA tool kit as best practice;
2. approved the removal of infected tree stock where needed;
3. approved to commit to a replanting programme to preserve our landscapes and work towards climate change mitigation.

**JSC/044/19-20      Bereavement Services - New Adur & Worthing Councils  
Burial Ground Regulations**

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 Committee were informed that existing cemetery rules and regulations were last updated in November 2011 and last revised in January 2012. The report presented a complete review and update to the rules and regulations which incorporated the Memorial Garden at Worthing Crematorium.

The report also asked for consideration to be given to separating two rights, the first to the exclusive right of burial and the second, the right to erect and maintain a memorial. This was to further support the key issue of management of burial grounds, in particular in relation to memorial safety.

A Member sought clarification regarding the opening times of Heene Cemetery. Officers advised that the opening hours would remain the same.

The Committee queried the sort of control would there be if the guidelines were not adhered to and whether there would be additional costs associated with memorial management. Officers advised that additional costs would arise from memorial management and inspections were required to ascertain the quantity and condition of existing memorials.

Clarification was sought regarding the opening times (until dusk) and why the right to erect and maintain a memorial for 10 years as opposed to alternative timescales. Officers advised that closing at dusk enabled the security teams to ensure that people had left the cemeteries before it was dark and that the 10 year time period proposed enabled a practical approach to dealing with memorials before they fell into disrepair. Over longer periods of time, families often moved or passed away, leaving memorials which fell into disrepair.

## **Decision:**

The Joint Strategic Committee:-

- (i) approved the separation of the two rights. The right to erect and maintain a memorial for 10 years (with the option to renew) and that the right for exclusive right of burial to remain at 50 years, to be adopted in January 2020 in line with the publication of the new fees and charges.
- (ii) approved the adoption of the ICCM's Management of Memorials guidance;
- (iii) approved the new rules and regulations for burial grounds.

## **JSC/045/19-20 Annual summary of Corporate Risks and Opportunities**

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 provided the annual updates on the Councils' Corporate Risks and Opportunities and their management.

The Committee noted that it had received notification that the Joint Governance Committee (JGC) had raised concerns regarding the progress on the delivery of major projects and the Corporate Risk relating to those projects, in particular Teville Gate and Union Place. Details of these risks were included in the report before the Committee.

It was noted that JGC had requested that an Officer attend its next meeting in November to speak about the risks associated with the delivery of major projects and that JGC had also requested that the Committee be made aware of its concerns.

A Member sought clarification regarding the significant impacts that were expected from budget cuts to be made next year by West Sussex County Council and the work that the Councils had been doing to mitigate the impacts of those cuts (as highlighted in the appendix to the report). Officers advised that they were a feature of the medium term financial strategy as reported in July. The details related in particular to the changes in funding for supported housing and recycling credits and those significant cost pressures had been factored into the Councils budget setting process for next year.

The Member also sought clarification regarding progress with the delivery of an Integrated Health Care Facility identified within the opportunities section of the

appendix to the report. Officers advised that there was nothing causing a delay. Officers were working in partnership with a number of health providers and commissioners and anticipated bringing forward a planning application in the next couple of months.

**Decision:**

The Joint Strategic Committee

1. noted progress in the managing of Corporate Risks and Opportunities; and
2. agreed to receive a further annual progress report in October 2020.

**JSC/046/19-20      Adur Homes Responsive Repairs Policy**

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 9.

The report shared a new draft Responsive Repairs Policy for Adur Homes and set out the reasons for developing this policy, the benefits and the key changes proposed.

The Draft Responsive Repairs Policy was attached to the report as Appendix 1.

During consideration of the item, members discussed a number of issues including:-

- the number of policies under review and the schedule for reviewing them;
- the expectation that tenants report disrepairs;
- the housing departments responsibility for homes where the tenancy started before the new legislation;
- resident access to the internet;
- the membership of the Housing Improvement Board and how frequently it meets.

Officers confirmed that the Adur Housing Improvement Board convened every three months and that the Board's membership included the ACF as well as a number of councillors including Cllr Carson Albury. The Board considered issues relating to Adur Homes and its performance.

A Member sought clarification regarding the servicing of domestic boilers. Officers confirmed that the servicing of domestic boilers was not covered by this policy.

**Decision:**

The Joint Strategic Committee



1. agreed that the draft Responsive Repairs Policy could be put out to consultation with Adur Homes Tenants and Leaseholders;
2. delegated authority to the Head of Housing, in consultation with the Adur Executive Member for Customer Services, to agree any changes to the draft policy, following consultation; and
3. agreed that, following consultation, the draft, as amended, be put before Adur District Council, at its meeting on 19 December 2019 for final approval.

#### **D. Urgent Executive Decisions Taken**

Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000 as amended. The following is reported to Council:

#### **Joint Strategic Committee on 8 October 2019**

##### **JSC/042/19-20 Items Raised Under Urgency Provisions**

It was within the Chairman's discretion to accept an urgent item, in accordance with Section 100B(4) of the Local Government Act 1972 as amended.

The Chairman approved an urgent item relating to Ropetackle Arts Centre as 'failure to make a decision regarding funding could have had significant adverse effects on the operation of the centre'.

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 4.

The report proposed moving swiftly to secure a fixed term funding agreement with The Ropetackle Centre Trust (Ropetackle), highlighting the organisational development and financial changes necessary to secure longer-term resilience for this important cultural facility.

The Committee was informed that earlier in the year Ropetackle's Board of Directors approached Adur District Council and raised concerns around the centre's financial stability. In doing so the Ropetackle's Chair issued an urgent request for funding.

Since then, members and officers had been working with the Ropetackle team on governance and finance matters.

Ropetackle had prepared a proposal for the way forward, focussing on organisational growth, financial stability and improved profitability.

Adur District Council needed to respond quickly to ensure that Ropetackle could move forward with confidence. Urgency was needed to allow for crucial artistic programming and staff recruitment.

Cllr Boram addressed the Committee advising that Ropetackle was a centrepiece of the High Street and an important part of the night time economy. It had been very successful with a turnover between £700-800k and as a result, the Board had difficulty understanding the financial situation resulting from this success. He assured the Committee that a robust business plan was being developed to look ahead for the next 3 years.

The Leader of Adur District Council thanked Officers and Cllr Boram for their hard work on this issue and advised that the trust also wished to thank those involved. He informed the Committee that the Council had already given a significant amount of money to Ropetackle but the additional amount requested should help them to turn the corner. An SLA agreement was in place to ensure that the proposed changes had taken place before the funding was provided.

**Decision:**

That the Joint Strategic Committee

- (i) noted the progress made by Ropetackle in putting in place plans for improved governance and a more robust financial model;
- (ii) resolved that Adur District Council enter into a 3 year funding agreement with Ropetackle Trust, providing a subsidy of £20,000 per year (2019, 2020, 2021) to create financial stability.

**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 may contain exempt information and not fully published on the websites.

Councillor Neil Parkin  
Leader of the Council

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