



ADUR DISTRICT
COUNCIL

16 December 2021

**Adur Council Meeting
16 December 2021**

QE2 Room, Shoreham Centre
7.00 pm

Agenda

8 December 2021

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 Members 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 District except no questions may be asked on

- 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 minute; questions will be taken in order of receipt. The deadline for submissions is 14 December 2021 at 12 noon.

Questions to be submitted to democratic.services@adur-worthing.gov.uk

4. Confirmation of Minutes

Interim Director for Communities
Tina Favier
Adur & Worthing Councils
Town Hall, Chapel Road
Worthing, West Sussex BN11 1HA

To approve the minutes of the meeting of the Council on 28 October 2021, copies of which have been previously circulated.

5. Returning Officer's Return of Persons Elected on 2 December 2021

To note the following return of person's elected

Ward	Name of Member	Party Description	Year of Retirement
Hillside	Leila Yasmin Williams	The Conservative Party candidate	2022

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

7. Items raised under urgency provisions

To consider any items the Chairman has agreed are urgent

8. Recommendations from the Executive and Committees to Council (Pages 1 - 10)

To consider recommendations to the Council, details of which are set out in the attached items as 8. Item 8c and 8d were not available at the time of publication and will follow in a separate pack. Full reports are available on the website as listed below:

	Executive/Committee	Date	Item
8 a	Joint Senior Staff Committee	8 October 2021	JSnSC/012/21-22 Salary review and proposed recruitment process for the post of Head of Legal Services and Monitoring Officer
8 b	Joint Overview and Scrutiny Committee	25 November 2021	JOSC/XX/21-22 Joint Overview and Scrutiny Committee Work Programme for 2021/22
8 c	Joint Strategic Committee	7 December 2021	JSC/XX/21-22 Investing in our Places - Capital Programme 2022/23 to 2024/25
8 d	Joint Strategic Committee	7 December 2021	JSC/XX/21-22 Council Tax Support Schemes for 2022/23

9. Report of the Leader on decisions taken by the Executive (Pages 11 - 18)

To receive a report from the Leader. The report contains executive decisions 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 Executive Members to respond to questions on the report; these questions will not be the same as any asked under 'Members Questions under Council Procedure Rule 12'

10. Members question time under Council Procedure Rule 12

Members question time will last up to 30 minutes, questions will be taken in order of receipt, in rotation from each political group on the Council. The deadline for submission of questions is 14 December 2021 at 12 noon. Questions to be submitted to democratic.services@adur-worthing.gov.uk

Questions received can be asked of the following:

- a) The Chairman
- b) A Member of the Executive
- c) The Chairman of any Committee
- d) The Councils representative on any outside body

Questions cannot be asked on the following

- a) A specific planning or licensing application
- b) A specific staffing appointment, appeal or Standards determination

11. Motion on Notice (Pages 19 - 22)

To consider a report by the Interim Director for Communities, a copy of which is attached as item 11



Tina Favier
Interim Director for Communities

Recording of this meeting

The Council will be live streaming this meeting, including public question time. A 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:

For Legal Services enquiries relating to this meeting please contact:

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Democratic Services Officer
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Email chris.cadman-dando@adur-worthing.gov.uk

Maria Memoli
Head of Legal Services and Monitoring
Officer
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ADUR DISTRICT
COUNCIL

Council
16 December 2021
8

Recommendations from the Executive and Committees to Council

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Extract from the minutes of the Joint Senior Staff Committee - 8 October 2021

JSnSC/012/21-22 Salary review and proposed recruitment process for the post of Head of Legal Services and Monitoring Officer

Before the Committee was a report from the Director for Digital, Sustainability and Resources as item 6.

The report provided the rationale for a review of the salary of the Head of Legal Services and Monitoring Officer role for Adur and Worthing Councils, required in advance of recruitment activities for this role.

The report also provided an overview of the recruitment and selection process for the new Head of Legal Services and Monitoring Officer role.

The Committee considered the timing of the salary review and recruitment process in light of the recruitment of the Chief Executive post and the need for their involvement in the process. The Committee noted that the Head of Legal Services and Monitoring Officer was a statutory post and there were associated risks with delaying an appointment. It was noted that the interim post holder was keen to retire but would be willing to stay on until the process of recruitment was concluded. Officers advised that it would be pragmatic for the Councils to be ready to move with an appointment but to not press go at this stage.

To alleviate concerns about timings, Councillor Jenkins proposed the following amendments to the recommendations:-

- 2.1 To add the following words at the end of recommendation 2.1.....
subject to the agreement with the Chief Executive;
- 2.2 That the recommendation of the evaluation panel be put forward to Full Councils for approval in December 2021 instead of October 2021; and
- 2.3 To add the following words at the end of recommendation 2.3.....
subject to the agreement with the Chief Executive;

The recommendations, as amended, were proposed by Councillor Kevin Jenkins,

seconded by Councillor Angus Dunn and unanimously supported by the Committee.

Resolved,

The Joint Senior Staff Committee

1. Agreed that the Head of Legal and Monitoring Officer role should be revaluated using the Councils' job evaluation process and delegated authority to the Director of Digital, Sustainability & Resources to accept the recommendations of the panel subject to the agreement with the Chief Executive.
2. Agreed that the recommendation of the job evaluation panel is put forward to Full Councils for approval in December 2021, with a maximum level of remuneration of £80,794.
3. Agreed to the proposed recruitment process for the Head of Legal Services and Monitoring Officer role subject to the agreement with the Chief Executive.

**Extract from the minutes of the Joint Overview and Scrutiny Committee - 25
November 2021**

**JOSC/XX/21-22 Joint Overview and Scrutiny Committee Work Programme
for 2021/22**

Before the Committee was a report by the Director for Digital, Sustainability and Resources, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes. The report outlined the progress in implementing the work contained in the Joint Overview and Scrutiny Committee (JOSC) Work Programme for 2021/22 which was confirmed by the Councils in April 2021. The report recommended that the changes made to the Work Programme since it had been agreed be reported to the next Council meetings in December 2021 for noting.

Members discussed the Work Programme and approved its recommendation to the meetings of Council in December

Resolved:

- i) That JOSC note the progress in delivering the JOSC Work Programme for 2021/22 as set out in the Appendix to the report;
- ii) That the meetings of Adur District Council and Worthing Borough Council in December 2021 note the changes made to the JOSC Work Programme since it was agreed by both Councils in April 2021;

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Extract from the minutes of the Joint Strategic Committee - 7 December 2021

**JSC/XX/21-22 Investing in our Places - Capital Programme 2022/23 to
2024/25**

Details To follow the JSC meeting on the 7th December 2021

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Extract from the minutes of the Joint Strategic Committee - 7 December 2021

JSC/XX/21-22 Council Tax Support Schemes for 2022/23

Details to following the meeting of the Joint Strategic Committee on the 7 December 2021

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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 Decisions webpage](#) .

Leader

Executive Member for Regeneration

REG/004/21-22 Update of the Adur Local Plan
REG/007/21-22 Conservation Area Character Appraisal Reviews

Executive Member for Resources

RES/006/21-22 Irrecoverable Debts - Overpaid Housing Benefit
JAW/011/21-22 Two rooftop solar schemes for Adur
JAW/012/21-22 Compulsory Redundancy
JAW/013/21-22 Mutual Agreement
JAW/014/21-22 Town Centre Improvements Programme - Worthing Town Centre

Executive Member for Customer Services

CSE/005/21-22 Award of Inner Rooms remedial works contract

Executive Member for the Environment

JAW/010/21-22 Award of contract for disposal of commercial waste

Executive Member for Health and Wellbeing

B. Decisions Taken by the Joint Strategic Committee on 9 November 2021

Full details can be found by [clicking on this link](#)

The matters not appearing elsewhere on the agenda:-

JSC/052/21-22 *Supporting the Armed Forces Community Covenant*

Adur & Worthing Councils were committed to supporting the armed forces and as part of this commitment had been signatories to the Armed Forces Community Covenant since 2013. The Covenant aimed to ensure that members of the armed forces community received the support and access to public services they required.

Adur & Worthing Councils had, as part of this work, developed a range of new commitments and actions to uphold the principles of the Covenant by:

- Recognising the sacrifices made by the armed forces community
- Encouraging support for the armed forces community
- Promoting understanding and awareness amongst the public
- Encouraging activities to help the community integrate into local life
- Supporting veterans and service families in employment with the Councils.

The recommendations as set out in the report were unanimously supported.

Decision

The Joint Strategic Committee noted and approved the work being undertaken to uphold the principles of the Armed Forces Community Covenant.

JSC/053/21-22 *Procurement of Services for Civil Parking Enforcement & New Agency Agreement with West Sussex County Council (WSCC)*

West Sussex County Council had agency agreements with Adur District Council and Worthing Borough Council (who acted as agents) for the provision of on-street civil parking enforcement in the council areas. The agreement was due for renewal on 1st April 2022.

Adur District Council and Worthing Borough Council had a joint contract with NSL Services for the provision of decriminalised traffic and parking enforcement services and controlled parking zone management in the council areas. The agreement expired on the 31st March 2022 and a procurement exercise was required in order to procure services to commence 1st April 2022.

By agreeing to enter the new contract with West Sussex County Council and procure enforcement services for 5 years (with the option to extend for a further 2 years) the Councils were ensuring a level of influence over on-street arrangements, and

involving West Sussex County Council in discussions about positively impacting on the regeneration of the town centre.

The report sought approval for the following:

- To enter into a new Agency Agreement to start 1st April 2022 with West Sussex County Council and to act as their parking enforcement agents in relation to Civil Parking Enforcement;
- To procure services for Civil Parking Enforcement; and
- To delegate authority to the Director for Digital, Sustainability and Resources to award the contract to the most economically advantageous supplier and for the contract to start 1st April 2022 for 5 years with the option to extend for a further 2 years.

A member queried whether the contract would be able to address the issue of parking on grass verges. It was noted that the Councils had no legal power to do so at the current time, however, the LGA were lobbying the government to provide that power.

Questions were received from Members in relation to the renewal date of the agency agreement with West Sussex County Council, break clause conditions in the contract with NSL and the cost allocation between Adur and Worthing Councils. Officers confirmed that the renewal date was April 2022, that there were relevant break clauses in the contract and that the cost allocation was attributable to the difference in parking controls across Adur and Worthing.

The recommendations as set out in the report were proposed by Councillor Kevin Boram, seconded by Councillor Ed Crouch and unanimously supported by the Committee.

Decision

The Joint Strategic Committee:

- 1) authorised Adur District Council and Worthing Borough Council entering into a new agency agreement with West Sussex County Council, on the terms set out in this Agreement, for the delivery by the Councils of Civil Parking Enforcement services for West Sussex County Council, to commence 1st April 2022;
- 2) authorised officers to procure services for a Civil Parking Enforcement Supplier to carry out those Services; and
- 3) delegated authority to the Director of Digital, Sustainability & Resources to enter into a contract with the most economically advantageous supplier from the tender process to commence on 1st April 2022 for a term of 5 years with the option to extend for a further 2 years.

JSC/0054/21-22 Transfer of s106 Monies to the Capital Programme for the delivery of Affordable Housing

This report sought to transfer s106 contributions received from the Bayside development to the Capital Programme specifically to deliver affordable housing in the Borough. This funding has to be used towards the delivery of affordable housing under the terms of the legal agreement but this can include the direct delivery of emergency or temporary accommodation or payment to a Registered Provider to deliver additional affordable housing.

A number of options for the use of this funding are being investigated by your Officers and it is recommended that the drawdown of the funding for specific schemes be delegated to the Executive Member for Housing.

It was noted that the figure quoted in paragraph 2.1 of the report, £1,765,800, had been increased through indexing and should be £1,948,268.

Members discussed the take up of properties in developments such as Bayside by registered social landlords (RSLs) and the high service charges associated with seafront developments. It was noted that the Councils claimed money back from developers in circumstances where properties were not taken up by RSLs which would be invested in the provision of affordable housing in Worthing.

The recommendations, as amended, were supported by the Committee.

Decision

The Joint Strategic Committee approved a budget virement of £1,948,268 funded from the s106 monies from the Bayside development to the Worthing Borough Council Capital Programme to increase the budget for the delivery of affordable housing under the portfolios for the Executive Member for Customer Services.

JSC/0056/21-22 Using Sport England Funding to Support Leisure Services in Adur

The purpose of the report was to recommend a way forward for utilising a grant received from Sport England for the reopening of Adur's leisure facilities.

The recommendations, as set out in the report, were proposed by Councillor Emma Evans, seconded by Councillor Angus Dunn and supported by the Committee.

Decision

The Joint Strategic Committee

- i) note the progress in reopening the Adur facilities following the ending of restrictions; and
- ii) approved the proposed reopening payment of £104,000 funded from the grant received from Sport England.

JSC/057/21-22 Referral of Motion on Notice from Adur District Council

The report set out a motion referred from the meeting of Adur District Council on the 28th October 2021.

Members of the Joint Strategic committee were asked to consider and determine the Motion.

Members could either support the motion and ask for further work to be carried out in this regard, or, members could reject the motion.

Councillor Robina Baine attended the meeting to present the motion to the Committee.

During consideration of the motion, Members raised a number of issues including net zero targets for the District, the importance of Local Partnerships, the leading role Shoreham Port and Ricardo's were playing with hydrogen fuel and the lobbying of farmers.

It was proposed by Councillor Angus Dunn and seconded by Councillor Carson Albury that the motion be supported. This proposal was supported by the Committee.

Decision

That the Joint Strategic Committee supported the motion.

JSC/058/21-22 Referral of Motion on Notice from Adur District Council

The report set out a motion referred from the meeting of Adur District Council on the 28th October 2021.

Members of the Joint Strategic committee were asked to consider and determine the Motion.

Members could either support the motion and ask for further work to be carried out in this regard, or, members could reject the motion.

Councillor Lee Cowen attended the meeting to present his motion to the Committee.

Members debated the motion and it was proposed by Councillor Angus Dunn and

seconded by Councillor Kevin Boram, that the motion be rejected on the basis that events had overtaken the motion. The proposal to reject the motion was supported by the Committee.

Decision

The Joint Strategic Committee rejected the motion.

JSC/059/21-22 Referral of Motion on Notice from Adur District Council

The report set out a motion referred from the meeting of Adur District Council on the 28th October 2021.

Members of the Joint Strategic committee were asked to consider and determine the Motion.

Members could either support the motion and ask for further work to be carried out in this regard, or, members could reject the motion.

Councillor Jeremy Gardner attended the meeting to present the motion to the Committee.

Members debated the motion, noting that JOSOC had summoned a representative from Southern Water to attend the JOSOC meeting in January 2022 and that Southern Water had appointed a new Chief Executive since the spills who had met with the Executive Member for Health & Wellbeing and the MP. The company was highly regulated by Ofwat and investment in infrastructure would be necessary to deal with changes to weather patterns delivering heavier rainfall and additional development.

Members expressed support for the sentiment of the motion but could not support the actions outlined within it.

It was proposed by Councillor Kevin Boram and seconded by Councillor Angus Dunn that the motion be rejected. The proposal was supported by the Committee.

Decision

The Joint Strategic Committee rejected the motion.

C. Decisions taken by the Joint Strategic Committee on 7 December 2021

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

Full details can be found by [clicking on this link](#)

The matters not appearing elsewhere on the agenda:-

To follow the meeting on the 7th December 2021.

Local Government Act 1972

Background papers

Reports and Record of decisions of various are available on the Council's web site www.adur-worthing.gov.uk or as indicated in each of the paragraphs above. Some of the reports may contain exempt information and not be fully published on the websites.

Councillor Neil Parkin
Leader of the Council

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Council
16 December 2021

Ward(s) Affected: All

Motion on Notice

Report by the Director for Communities

Executive Summary

1. Purpose

- 1.1. The report before Council sets out a motion received from Councillor Lee Cowen and seconded by Councillor Catherine Arnold
- 1.2. Council is asked to deal with the motion under provisions set out in paragraph 14 of the Council Procedure Rules (under part 4 of the Council Constitution - Rules of Procedure).

2. Recommendations

- 2.1. The Council is asked to determine the motion as set out in Annex A to this report.

3. Context

- 3.1 A motion on notice has been received from Councillor Lee Cowen, (attached as Annex A).
- 3.2 The content of the motion is relevant to a matter in relation to which the Council has powers or duties and which affects the District.

3.3 There is nothing substantive within the motion that would cause its rejection under the terms of the Constitution.

3.4 The motion before Council is declaratory in nature, as defined in para 14.4.4 of the Council's Procedure Rules. Therefore, it may be considered and debated by the Full Council without being automatically referred to a future meeting of Full Council, as defined in para 14.4.5 of the Council's Procedure Rules, or, being referred to the Executive or Committee without debate, as defined in paragraphs 14.4.1, 14.4.2 and 14.4.3 of the Council's Procedure Rules.

4. Issues for consideration

4.1 Motions considered by Full Council are done so under part 14 of the Council's Procedure Rules and are debated under rules set out under part 16 of the Council procedure rules and the Council is asked to debate the motion under these rules accordingly.

5. Financial Implications

5.1 The motion is declaratory in nature and therefore there are no direct financial implications.

6. Legal Implications

6.1 As the motion is declaratory in nature, there are no direct legal implications arising from it.

Background Papers

None

Officer Contact Details:-

Chris Cadman-Dando

Democratic Services

01903 221364

chris.cadman-dando@adur-worthing.gov.uk

Motion - Opposing Central Government plans for voter ID

Proposed by: Cllr Lee Cowen

Seconded by: Cllr Catherine Arnold

This Council notes:

- The Queen's Speech earlier this year contained government proposals to require people to show identification including a photograph in order to vote in a General Election.
- Voting at elections is the cornerstone of democracy at both local and national level and all residents in Adur district should have the right to vote in local and national elections
- According to the Electoral Commission, 11 million UK citizens have no driving licence or passport and 3.5 million no access to photo ID at all
- Participation in elections should be encouraged in all those who are qualified regardless of age, ethnicity or income

This Council further notes:

- Central Government's own data shows that white people are most likely to hold one form of photo ID – 76% hold a full driving licence. But 38% of Asian people, nearly a third of people of mixed ethnicity (31%), and more than half of Black people (48%) do not
- Gypsies and Irish Travellers are much less likely than the average to have a passport.
- The claim is that voter ID will “tackle electoral fraud” yet there is no evidence of large-scale electoral fraud. In 2019 there were 47 million registered electors with 33 allegations of electoral personation with one caution and just one conviction
- When the Government trialled voter ID in 2019, around 2000 people were initially turned away from the polling station for not having ID, with around 750 of them not returning to vote
- The burden to provide “free voter cards” for people in this position would fall on local authorities, at an estimated cost of £20m per election
- Unnecessary barriers to voting are likely to reduce voter participation in elections, proper representation of all parts of the community and so legitimacy of those elected to office

This council resolves:

to note that the introduction of photo ID as a requirement to vote would be a threat to our democratic traditions and would be likely to reduce participation in our elections.

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