

13 December 2022

Worthing Council Meeting 13 December 2022

Council Chamber, Worthing Town Hall, Worthing

6.30 pm

Agenda

5 December 2022

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. Confirmation of Minutes

To approve the minutes of the Council Meeting held on Tuesday 18 October 2022, copies of which have been previously circulated.

A copy is available to view at

https://democracy.adurworthing.gov.uk/ieListDocuments.aspx?Cld=158&Mld=1730&Ver=4

4. 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.

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

Questions must relate to any matter the Council has power or which affects the Borough, except no questions may 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 **8th December 2022 at 12 noon**. Questions to be submitted to democratic.services@adur-worthing.gov.uk

5. Announcements by the Mayor, Leader of the Council, Executive Members or the 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 (Pages 7 - 14)

To consider recommendations to the Council, details of which are set out in the attached items as 7A, 7B, 7C and 7D(i) & (ii).

Reports are available on the website as listed below:

	Executive / Committee	Date	Item
Α	Worthing Joint Strategic Sub-Committee	8 November 2022	Worthing Local Plan
В	Joint Overview and Scrutiny Committee	24 November 2022	Joint Overview and Scrutiny Committee Work Programme Report Work Programme
С	Joint Audit and Governance Committee	29 November 2022	Members Allowances 2022/23
D	Worthing Joint Strategic Sub-Committee	5 December 2022	(i) 2023/24 Budget Update (ii) Outcome of the public consultation in respect of the working age Council Tax Support Scheme for Worthing Borough Council in respect of 2023/24

8. Report of the Leader on Decisions taken by the Executive (Pages 15 - 20)

To receive a report from the Leader as item 8. The report contains decisions taken by the Cabinet, Cabinet Members, the Joint Strategic Committee and the Worthing Joint Strategic Sub-Committee since the last Council meeting.

There will be up to 15 minutes for Cabinet Members to make any statements on the report. There will also be up to 15 minutes for Cabinet Members to respond to questions on the report. These questions will not be the same as any to be asked under Item 9.

9. Members Questions under Council Procedure Rule 12

Members question time will last up to 30 minutes, with questions being taken in the order of receipt and in rotation from each political group on the Council. The deadline for submission of questions is **8th December 2022 at 12 noon**. Questions to be submitted to democratic.services@adur-worthing.gov.uk

Questions can be asked of the following:

- a) The Mayor
- b) A Member of the Cabinet
- 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

10. Motion on Notice (Pages 21 - 24)

To consider a Motion on Notice, submitted by the Proper Officer on behalf of Councillor Kevin Jenkins, detailed as item 10.

11. Motion on Notice (Pages 25 - 28)

To consider a Motion on Notice, submitted by the Proper Officer on behalf of Councillor Sally Smith, detailed as item 11.

Part B - Not for Publication - Exempt information Reports

None.

Tina Favier Director for Communities

dafane

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:

Neil Terry Democratic Services Lead 01903 221073 neil.terry@adur-worthing.gov.uk For Legal Services enquiries relating to this meeting please contact:

Joanne Lee Head of Legal Services and Monitoring Officer 01903 221134 jo.lee@adur-worthing.gov.uk



Agenda Item 7



Council 13 December 2022 Item 7A

Extract from the minutes of the Worthing Joint Strategic Sub-Committee - 8th November 2022

JSS-C(W)/031/22-23 Worthing Local Plan

The Sub-Committee noted that Worthing Borough Council had to prepare a Local Plan to establish local planning policies for the Borough. After a number of years of preparation the Worthing Local Plan was entering the final stages towards adoption.

The Local Plan was Submitted for Examination in June 2021, the Hearing Sessions were held in November 2021 and a Schedule of Modifications was consulted on earlier this year

The Local Plan Inspector had now issued his Report to the Council.

The report to the Worthing Joint strategic Sub-Committee summarised the Inspector's key findings and his conclusion that the Plan, as modified, was sound and legally compliant. It also set out the steps required to formally adopt the Local Plan.

The Sub-Committee wished to place on record its thanks to former Regeneration Portfolio holders Nicky Waight and Kevin Jenkins, former Planning Committee Chairman Paul High and Planning Officers James Appleton and Ian Moody for all of their associated work in preparing and progressing the plan.

The recommendations in the report were proposed by Councillor Martin McCabe, seconded by Councillor Vicki Wells and unanimously supported.

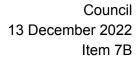
Resolved

That the Worthing Joint Strategic Sub-Committee

- (a) noted the Inspector's Report containing the Inspector's main modifications to be made to the submitted Worthing Local Plan in order for it to be found sound;
- (b) noted the process of Sustainability Appraisal that had been followed and the likely significant effects of the Local Plan (together with Main Modifications):

- (c) noted the schedule of Main Modifications to the Worthing Local Plan;
- (d) recommended to Full Council the adoption of the Worthing Local Plan and Policies Map including main modifications and additional modifications relating to presentational improvements, factual updates, grammatical and typographical corrections;
- (e) noted that if the Local Plan was adopted, a copy of the Final Sustainability Appraisal report, including a Sustainability Appraisal Post-Adoption Statement, would be made available for inspection alongside the Local Plan; and
- (f) approved use of the Capacity Issues reserve to fund the additional £15,000 cost of the examination.

(Link to the report on the website e.g. Worthing Joint Strategic Sub-Committee - 8 November 2022)





Extract from the minutes of the Joint Overview & Scrutiny Committee - 24 November 2022

JOSC/015/22-23 JOSC Work Programme Review - Including items for forthcoming meetings

The Scrutiny Officer introduced the report to the Committee and set out changes and matters for determination.

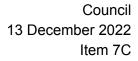
Members noted the report and in particular discussed how missed Cabinet interviews should be considered. They also discussed how to manage the potential effect of changes to the constitution.

Resolved -

The Joint Overview & Scrutiny Committee

- 1) Noted the status of the work programme and agreed to refer the work programme to the council meetings in December
- 2) Noted the changes that have been made to the Work Programme since it was agreed by both Councils in April.
- 3) Agreed to defer the interview with the Worthing Cabinet Member for Community Wellbeing to the JOSC meeting in February
- 4) Agreed to defer the interview with the Adur Cabinet Member for Finance and Resources to the meeting in March.
- 5) Considered if any amendments were required to the Work Programme
- 6) To monitor the effect on its work programme arising from the changes to the Constitution as set out at Paragraph 4.5

(Link to the report on the website e.g. Worthing Joint Overview & Scrutiny Committee - 24 November 2022 / Appendix)





Extract from the minutes of the Joint Audit and Governance Committee - 29 November 2022

JGC/042/22-23 Members Allowances 2022/23

The report provided details of the Officers' National Joint Council (NJC) pay bargaining agreement for 2022/23 and requests that the Joint Audit & Governance Committee consider the percentage rise to be applied to Members Allowances for 2022/23.

The Committee was asked to consider recommending to Adur and Worthing Councils an increase in the basic allowance of either:

- 5.82% in line with the median average of the NJC pay bargaining agreement for 2022/23; or
- 2% in line with the amount that was budgeted for in the 2022/23 budget.

Members sought clarification in regards to the two options proposed in the report; when the increase would be implemented; whether the Joint Independent Remuneration Panel (JIRP) had been consulted; whether different recommendations could be made to the respective councils and whether the recommendations were binding or subject to a vote at the full council meetings. Officers confirmed that the increases would be back paid from May 2022. The JIRP Chairman had been consulted and was supportive of the proposal to increase allowances by 5.82% in line with the weighted average of the NJC pay bargaining agreement for 2022/23. It was also noted that different recommendations could be made to the respective sovereign councils.

Members debated the proposals whilst acknowledging that the earlier recommendations from the Joint Independent Remuneration Panel and decisions by both Councils were for an increase in allowances in line with the NJC settlement.

The Committee noted that the financial situation had changed since April 2022 and that Members could choose to refuse or take a reduced allowance on an individual basis.

The committee agreed to vote on a separate recommendation to each council.

A proposal from Cllr Boram, that Adur Allowances be increased by 5.82%, was seconded by Cllr McGregor and supported by the Committee following a vote.

A proposal from Cllr James, that Worthing Allowances be increased by 5.82%. The motion was seconded by Cllr White and supported by the Committee following a vote.

Resolved

The Joint Audit & Governance Committee recommended to Adur and Worthing Councils that Members Allowances for 2022/23 be increased by 5.82% in line with the weighted average of the NJC pay bargaining agreement for 2022/23.

(Link to the report on the website e.g. <u>Joint Audit and Governance Committee - 29 November 2022</u>)





Extract from the minutes of the Worthing Joint Strategic Sub-Committee - 5 December 2022

WJSSC/00x/22-23 2023/24 Budget Update

Details to follow the Worthing Joint Strategic Sub-Committee meeting on the 5th December

Resolved

The Worthing Joint Strategic Sub-Committee:

(Link to the report on the website e.g. <u>Worthing Joint Strategic Sub-Committee - 5 December 2022</u>)



Council 13 December 2022 Item 7D(ii)

Extract from the minutes of the Worthing Joint Strategic Sub-Committee - 5 December 2022

WJSSC/00x/22-23 Outcome of the public consultation in respect of the working age Council Tax Support Scheme for Worthing Borough Council in respect of 2023/24

Details to follow the Worthing Joint Strategic Sub-Committee meeting on the 5th December

Resolved

The Worthing Joint Strategic Sub-Committee:

(Link to the report on the website e.g. <u>Worthing Joint Strategic Sub-Committee - 5 December 2022</u>)



Agenda Item 8



Council
13 December 2022

Report of the Leader on Decisions taken by Cabinet Members and the Joint Strategic Committee since the last meeting of Council

A Decisions Taken by Individual Cabinet Members

Listed below is a summary of decisions taken by the individual Cabinet Members since the dispatch of the agenda for the last Ordinary Council Meeting. Details can be found on the Cabinet Members Decisions webpage.

Leader

None

Deputy Leader

None

Cabinet Member for Regeneration

None

Cabinet Member for Resources

W/RES/003/22-23 Irrecoverable Debts – overpaid Housing Benefit
W/RES/004/22-23 Irrecoverable Debts - Council Tax and National Non-Domestic
Rates

Cabinet Member for Citizen Services

* JAW/010/22-23 Procurement of contract for Asbestos Remedial and Repair Works - Via NHS Framework

Cabinet Member for the Environment

None

Cabinet Member for Community Wellbeing

None

Cabinet Member for Culture & Leisure

None

Cabinet Member for Climate Emergency None

* The Worthing Cabinet Member abstained as this was a matter relating to Adur District Council

B. Decisions taken by the Worthing Joint Strategic Sub-Committee on 8 November 2022

Details can be found by clicking on this <u>link</u>.

The matters not appearing elsewhere on the agenda:-

JSS-C(W)/027/22-23 Corporate Debt Policy and Supporting the Most Vulnerable

The report presented the results of the first stage of work by the ethical debt working group, a group established as part of the Councils' response to the Cost of Living crisis, outlined in the report to the sub-committee in September 2022.

A Corporate Debt Policy for the Council was proposed, providing the framework to build further on our ethical approach to debt recovery - identifying the vulnerable early on, and helping those in financial hardship, particularly in these times.

The report sought to drive alignment of debt recovery methods to *Proactive* ways of working, a model which has been piloted and is expected to be increasingly mainstreamed, through embedding multidisciplinary teamwork and joined up, more personalised support.

A Member asked how the shared prosperity funding would be used and given that the work proposed was to be funded through the shared prosperity fund, how would this work progress if the bid for funding was unsuccessful. It was noted that a maximum of £1m was available from the shared prosperity fund and consideration was being given to how this funding could best be spent. It was anticipated that the cost of living emergency plan was the area where this funding could have the greatest effect. There was confidence in the bid but Officers were also working on contingency plans should the bid not be successful. The Council was awaiting a response from the national government in relation to the outcome of the bid and would share the details when it was able to do so.

The recommendations in the report were proposed by Councillor Emma Taylor, seconded by Councillor Vicki Wells and unanimously supported.

Decision

That the Worthing Joint Strategic Sub-Committee

- 1. approved the Corporate Debt Policy and supported the proposed ethical approach to debt recovery;
- requested an update report in six months, outlining the changes that had been made to practices, processes and systems in support of a more proactive and holistic way of working.

JSS-C(W)/028/22-23

Reconsideration of the locally-determined 100% one-month Council Tax discount in respect of unoccupied & substantially unfurnished properties

The Worthing JSC Sub-Committee was informed that since 1 April 2013, local authorities had been able to amend the period when no Council Tax was payable in respect of properties that were unoccupied and substantially unfurnished.

In September 2019 and January 2020, the Joint Strategic Committee considered reports about a number of Council Tax discounts and additional charges. From 1 April 2020, Adur District Council decided to abolish the 100% discount for a maximum period of one month whilst Worthing Borough Council decided to retain the discount.

The report invited Worthing Members to reconsider the decision with the aim of maximising the availability of housing in the local community and reducing periods of vacancy and, on this basis, to undertake a public consultation.

The Sub-Committee thanked officers for the report whilst also acknowledging and thanking Councillor Margaret Howard for her work on this issue.

The recommendations in the report were proposed by Councillor Emma Taylor, seconded by Councillor Vicki Wells and unanimously supported.

Decision

The Worthing Joint Strategic Sub-Committee

- 1. requested that a public consultation be conducted in respect of the local discount for unoccupied & unfurnished properties, with a view to amending the period when no Council Tax is payable;
- delegated authority to the Head of Revenues & Benefits, in consultation with the Cabinet Member for Citizen Services, to finalise the consultation content, with the results and any recommendations to be reported back to a future meeting of the Joint Strategic Sub-Committee.

JSS-C(W)/029/22-23 Carbon Emissions for 2021/22

It was noted that on 9 July 2019, the Joint Strategic Committee (JSC) declared a 'Climate Emergency'. As part of the declaration, Members committed to work towards Adur & Worthing Councils becoming carbon neutral by 2030.

The report presented the third annual update on progress towards this target.

Since the previous report, the Council had continued to improve the accuracy of its monitoring (particularly of gas consumption) and the easing of Covid-19 restrictions also saw office use increase as more staff returned to offices. As a result, reported emissions for 21-22 increased by 2% when compared with the previous year.

The report provided an update on current carbon reduction projects and a trajectory of future carbon emissions to 2030. This used indicative pipeline projects to map a potential route to meeting the 2030 target, subject to viable business cases being developed.

A question was asked in relation to when the Council would start to measure Scope 3 emissions. It was noted that Scope 3 was very much in development for next year. However, it was important to recognise that establishing this programme over a 10 year period, the Council had made a conscious decision to start where it knew it could place as much emphasis as possible on the key emission areas that the Council had direct control over and could leverage funding to make a difference. Insulation, solar panels, replacing heating systems in the buildings the Council controlled were the initial areas of focus. Whilst the 2030 target could and should be expanded to include Scope 3, it was a very conscious decision to start with Scopes 1 and 2. Scope 3 would be a significantly different challenge which took the Council into more of an influencing rather than direct control role.

The recommendations in the report were proposed by Councillor Vicki Wells, seconded by Councillor John Turley and unanimously supported.

Decision

That the Worthing Joint Strategic Sub-Committee noted

- the councils' current carbon emissions and carbon reduction work programme;
- the trajectory of future emissions reductions which aimed to ensure the Councils met their carbon neutral 2030 target; and
- that further funding bids may be made, in consultation with the relevant cabinet member, and that if required, further reports would brief members on the outcome of the bidding process.

That the Worthing Joint Strategic Sub-Committee approved the publication of the carbon emissions report on the council website and the submission of these figures to external bodies where required by membership (e.g. UK100).

JSS-C(W)/030/22-23 Delivering an alternative bike share network

The Sub-Committee was informed that due to the financial pressures being faced, the Council's Officers had been tasked with developing an alternative to joining the BTN Bikeshare scheme.

In partnership with Adur District Council, an extended active travel network of 75 bikes and 19 hubs had been developed which would run East to West through town centres and along the seafront in Adur and Worthing, improving sustainable and active travel, reducing car use, and improving the health and wellbeing of scheme users.

Both the capital and operating costs for the Donkeybikes extension were significantly lower than those for BTN Bikeshare.

The report provided detail of the extended scheme, and funding strategy that had been produced and requested approval to progress to the procurement stage to seek an operator for an Adur and Worthing extended Donkeybikes scheme.

The recommendations in the report were proposed by Councillor Vicki Wells, seconded by Councillor Carl Walker and unanimously supported.

Decision

That the Worthing Joint Strategic Sub-Committee

- 1. Agreed to work in partnership with Adur District Council and proceed with the Donkey Bikes extension rather than join the BTN Bikeshare Scheme.
- 2. Delegated authority to the Director of Digital, Sustainability and Resources to run an appropriate procurement exercise to secure an operator.
- 3. Delegated authority to the Director of Digital, Sustainability and Resources to enter into all relevant contracts and purchases associated with the alternative scheme providing they are within the approved budget.
- 4. Noted that the monitoring of this scheme would be carried out under the active and sustainable travel mission in *Our Plan*.

JSS-C(W)/032/22-23 Referral of Motion on Notice from Worthing Borough Council

Following consideration of the motion, Councillor John Turley proposed that it be supported and that a report be brought back to the Sub-Committee setting out the substantive issues for consideration. The motion was seconded by Councillor Emma Taylor and unanimously supported.

Decision

The Worthing Joint Strategic Sub-Committee supported the motion and requested that a report be brought back to the Sub-Committee setting out the substantive issues for consideration.

C. Decisions taken by the Worthing Joint Strategic Sub-Committee on 5 December 2022

Details can be found by clicking on this <u>link</u>.

The matters not appearing elsewhere on the agenda:-

This report will be updated following the meeting on the 5th December 2022.

D. Decisions taken by the Joint Strategic Committee on 6 December 2022

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

Details can be found by clicking on this link.

The matters not appearing elsewhere on the agenda:-

This report will be updated following the meeting on the 6th December 2022.

E. Urgent Decisions taken by the Cabinet

Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended).

None.

Local Government Act 1972 Background papers

Councillor Dr Beccy Cooper Leader of the Council

Agenda Item 10



Council 13 December 2022

Ward(s) Affected: All

Motion on Notice

Report by the Director for Communities

Officer Contact Details:-

Neil Terry
Democratic Services Lead
01903 221073
neil.terry@adur-worthing.gov.uk

Executive Summary

1. Purpose

- 1.1. The report before Council sets out a motion received from Councillor Kevin Jenkins which has been seconded by Councillor Russ Cochran.
- 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 Kevin Jenkins, (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 specifically affects the Borough.
- 3.3 There is nothing substantive within the motion that would cause its rejection under the terms of the Constitution.

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. The Council is asked to debate and determine the motion under these rules accordingly.

5. Financial Implications

The financial impact of the motion will depend on the outcome of the review. If, as a result of any change, an additional meeting is required then this will result in minor additional costs such as members expenses and refreshments. However, these costs are likely to be minor and can be absorbed within the current budget for meetings.

6. Legal Implications

Rules concerning motions are set out in the Council's Constitution under paragraph 14 of the Council's Procedure Rules.

Background Papers

None.

Motion on Notice

Full Council meetings are an integral part of the public's right of access to its council and provide an open and transparent process whereby the council, its officers and elected councillors can be held accountable for its decisions.

This council has recently introduced a new constitution, one of the inadvertent effects of that introduction is that it now requires that the Full Council meeting in February 2023 and for any Budget meeting thereafter, is set aside solely for the purposes of Council Budget setting.

Under the budget setting procedure rules it states:

- 7.3 The agenda for the Budget Setting Council Meeting will be limited to the following substantive items:
- (a) Consideration of the Leader's recommendations for the Budget, Capital Programme,

Borrowing Policy, Council Tax, and the limits defining key financial decisions

(b) Other items the Chair agrees be taken as urgent.

This means that no public or members questions can be asked of the council at this meeting and this means that the Leader of the Council or Cabinet members of the administration cannot be asked questions or held accountable for their decision making.

This has the effect of this council being unaccountable between its meeting in December 2022 until April 2023, a period of 4 months or one third of the municipal year.

Democracy, transparency, scrutiny and holding elected members to account should not be sacrificed on the basis of procedural expediency.

This group calls on all elected members of Worthing Borough Council to support and pass a motion today requesting that the proposed Schedule of Meetings for 2023/2024 onwards, to be approved at Full Council, takes into account the new Budget Procedure Rules and provides that Council meetings are scheduled in such a way so as to avoid a gap in the Schedule between December and April.

Proposer Councillor Kevin Jenkins - Leader of the Conservative group Seconder - Cllr Russ Cochran



Agenda Item 11



Council 13 December 2022

Ward(s) Affected: All

Motion on Notice

Report by the Director for Communities

Officer Contact Details:-

Neil Terry
Democratic Services Lead
01903 221073
neil.terry@adur-worthing.gov.uk

Executive Summary

1. Purpose

- 1.1. The report before Council sets out a motion received from Councillor Sally Smith which has been seconded by Councillor Sam Theodoridi.
- 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 Sally Smith, (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 specifically affects the Borough.
- 3.3 There is nothing substantive within the motion that would cause its rejection under the terms of the Constitution.

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. The Council is asked to debate and determine 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

Rules concerning motions are set out in the Council's Constitution under paragraph 14 of the Council's Procedure Rules.

Background Papers

None.

Annex A

Motion on Notice

This Council is shocked by the death of Awaab Ishak in 2020, eight days after his second birthday, as a direct result of black mould in the flat he lived in. The health impact of mould is well understood: the NHS advises that mould can produce allergens, irritants and toxic substances that cause respiratory problems. We as a Council extend our sincerest sympathies to the bereaved family of this child and hope that his death will truly act as a 'wake up call'.

This Council reaffirms its commitment to developing and maintaining healthy, sustainable housing for the residents of Worthing.

Proposer: Cllr Sally Smith

Seconder: Cllr Samuel Theodoridi

