



WORTHING BOROUGH
C O U N C I L

23 July 2019

**Worthing Council Meeting
23 July 2019**

Council Chamber
Town Hall, Chapel Road,
Worthing

6.30 pm

Agenda

15 July 2019

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 Annual Council Meeting held on Friday 17 May 2019, copies of which have been previously circulated. A copy is available to view at <http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/worthing/council/>

Director for Communities:
Mary D'Arcy
Adur & Worthing Councils,
Town Hall, Chapel Road,
Worthing, West Sussex, BN11 1HA

4. Questions from the Public

To receive any questions from members of the public addressed to 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, 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 Friday 19 July 2019 at 12 noon. Questions to be submitted to democratic.services@adur-worthing.gov.uk

5. Petition Submitted to Worthing Borough Council - 'Worthing to be Zero Carbon by 2030' (Pages 1 - 6)

To consider a report and associated petition attached as item 5.

6. Announcements by the Mayor, Leader of the Council, Executive Members or the Head of Paid Service

7. Items raised under Urgency Provisions

To consider any items the Mayor has agreed are urgent.

8. Recommendations from the Executive and Committees to Council (Pages 7 - 22)

To consider recommendations to the Council, details of which are set out in the attached items as 8A and 8B(i) to 8B(v).

Full reports are available on the website as listed below:

| | Executive/Committee | Date | Item |
|---|-------------------------------------|--------------|--|
| A | Joint Overview & Scrutiny Committee | 20 June 2019 | <p>i) Joint Overview and Scrutiny Annual Report 2018/19</p> <p>https://www.adur-worthing.gov.uk/media/media,154164,en.pdf</p> |
| B | Joint Strategic Committee | 9 July 2019 | <p>i) JSC/013/19-20 Financial Performance 2018/19 – Revenue Outturn</p> <p>https://www.adur-worthing.gov.uk/media/media,154334,en.pdf</p> <p>ii) JSC/014/19-20 Financial Performance 2018/19 - Capital and Projects Outturn</p> <p>https://www.adur-worthing.gov.uk/media/media,154335,en.pdf</p> <p>iii) JSC/015/19-20 Becoming financially sustainable - Revenue Budget Strategy for 2020/21</p> <p>https://www.adur-worthing.gov.uk/media/media,154336,en.pdf</p> <p>iv) JSC/016/19-20 Becoming financially sustainable - Capital Strategy 2020/21</p> <p>https://www.adur-worthing.gov.uk/media/media,154337,en.pdf</p> <p>v) JSC/023/19-20 Supporting further and higher education provision: Strategic loan to local education provider GBMet</p> <p>https://www.adur-worthing.gov.uk/media/media,154345,en.pdf</p> |

9. Report of the Leader on Decisions taken by the Executive (Pages 23 - 32)

To receive a report from the Leader as item 9. The report contains decisions taken by the Executive, Executive Members and the Joint Strategic Committee since the last Council meeting.

There will be up to 15 minutes for Executive Members to make any statements on the report. There will also be up to 15 minutes for Executive Members to respond to questions on the report. These questions will not be the same as any to be asked under Item 10.

(Note: Papers relating to items under 8 and 9 have been previously circulated and can be viewed here on the Council's website

<https://www.adur-worthing.gov.uk/meetings-and-decisions/>)

10. 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 Friday 19 July 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 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

11. Motions on Notice (Pages 33 - 36)

Motion from Councillor Martin McCabe - *Food Waste Collection*

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

12. Motions on Notice (Pages 37 - 42)

Motion from Councillor Richard Mulholland - *Climate Change*

To consider a Motion on Notice, submitted by the Proper Officer on behalf of Councillor Richard Mulholland, detailed as item 12.

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:

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

For Legal Services enquiries relating to this meeting please contact:

Andrew Mathias
Senior Solicitor
01903 221032
andrew.mathias@adur.worthing.gov.uk



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:

Neil Terry
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For Legal Services enquiries relating to this meeting please contact:

Edwina Adefihinti
Solicitor
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edwina.adehinti@adur-worthing.gov.uk



WORTHING BOROUGH
COUNCIL

Council
23 July 2019
Agenda Item 5

Ward(s) Affected: All

Petition Submitted to Worthing Borough Council - 'Worthing to be Zero Carbon by 2030'

Report by the Solicitor to the Council and the Director for Communities

1.0 Purpose

- 1.1. A Petition was received on 15 May 2019 from Ms Joanne Paul containing 1055 signatures. The petition was received by the Proper Officer.
- 1.2. The Petition is in regards to a proposal to declare a Climate Emergency and make Worthing Borough Carbon Neutral by 2030.
- 1.3. Any action to be taken in response to the Petition, is to be determined, following debate, at the Worthing Borough Council Meeting.

2.0 Recommendations

- 2.1. Worthing Borough Council is recommended to debate the Petition and determine what action, if any, it shall take in response to the Petition.

3.0 Background

- 3.1. The Worthing Borough Council adopted Petition Scheme is available on the Council's website:

<https://www.adur-worthing.gov.uk/media/media.129314.en.pdf>

- 3.2. The details of the petition state:

We call on Worthing Borough Council to declare a Climate Emergency:

1. Pledge to make Worthing Borough Council carbon neutral by 2030, taking into account both production and consumption of emissions;

2. Ensure Worthing Council's leadership continues by practising and promoting investment in renewable technologies by Worthing Borough Council, its business delivery partners, suppliers and businesses trading within and from the Worthing area;

3. Work with other councils to insist that Westminster and the County Council provide the powers and resources to make the 2030 target possible and to determine and implement the best practice methods to limit Global Warming to less than 1.5°C;

4. Continue to work with partners across Worthing and more widely to deliver this new goal through all relevant strategies and plans;

5. Provide an outline strategy by 1st September 2019 to ensure the transition to a zero carbon future by 2030 is initiated.

- 3.3. Qualifying petitions are defined in the Petition Scheme as those petitions containing more than 1,000 signatures and including a minimum of 50 names, addresses and signatures of people who live, work or study in the Borough of Worthing. The petition contains 1,055 signatures, exceeding the 50 person minimum and meets the relevant criteria to be considered as a qualifying petition.
- 3.4 Under the Worthing Borough Council Petition Scheme the Petition Organiser, Ms Joanne Paul, is to be provided with the opportunity of five minutes to address Council on the petition. The Leader then has five minutes to address Council with their right of reply to the petition.

- 3.4. It is a requirement of the Scheme that where a qualifying petition is received, and where time permits, the petition is to be debated by the Council to determine how to respond to it.

Members of the Council are recommended to consider and determine the Petition and any Member of the Council may move a specific motion as a proposal for the appropriate disposal of this matter. Such a proposal will need to be seconded, debated and voted upon in accordance with the Council Procedure Rules. A range of suggested responses and ways of disposal are available and set out within the Scheme, and include, but are not limited to:

- taking the action requested;
- holding an enquiry or undertaking research into the matters arising;
- referring the petition for consideration to the Overview & Scrutiny Committee; or
- taking no further action.

- 3.5. The Petition Organiser was notified on 15 May that the petition amounted to a qualifying petition.

4.0 Proposals

- 4.1. The person submitting the petition has five minutes to address Council to support their petition.
- 4.2. The Leader has five minutes to address Council as the Council's right of reply to the petitioner.
- 4.3. Council will then debate the petition and determine what action to take in response to the petition.

5.0 Financial Implications

- 5.1. There are no financial implications in considering a petition at the Council Meeting.
- 5.2. However, if the decision taken at the Council Meeting, in response to the petition, is likely to have significant financial implications for the Council and requires action by the Executive, then the action to be

taken and financial implications should be considered by the Executive at a meeting of the Joint Strategic Committee.

6.0 Legal Implications

- 6.1. Full details of the Borough Council's adopted Petition Scheme can be found in Part 5 of the Council's Constitution.
- 6.2. The usual rules of debate set out at paragraph 16 of the Council Procedure Rules in Part 4 of the Constitution, apply to the Council debate upon the petition.
- 6.3. The requirement to have a Petition Scheme was contained in the Local Democracy, Economic Construction and Development Act 2009 (as amended).

Background Papers

Worthing Borough Council Constitution containing the Petition Scheme.

Officer Contact Details:-

Susan Sale

Solicitor to the Councils

Worthing Town Hall, Chapel Road, Worthing

01903 221119

Susan.sale@adur-worthing.gov.uk

Sustainability & Risk Assessment

1. Economic

Matter considered and no issues identified.

2. Social

2.1 Social Value

Matter considered and no issues identified.

2.2 Equality Issues

Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified.

2.4 Human Rights Issues

Matter considered and no issues identified.

3. Environmental

There are environmental implications for the management, custodianship and protection of our natural resources arising from the proposals within the petition, but not from the proposal to debate the petition at Full Council.

4. Governance

The Council has a Petition Scheme in compliance with legislation, which has been adopted formally as part of the Council's Constitution. All petitions submitted to the Council should be determined in accordance with the published Scheme.

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Council
23 July 2019
Agenda Item 8A

Extract from Joint Overview and Scrutiny Committee - 20 June 2019

JOSC/008/19-20 Joint Overview and Scrutiny Committee Annual Report 2018/19

Purpose

The report set out the draft Annual report for the Committee covering the 2018/19 Municipal year in accordance with the terms of the Councils' constitutions.

Summary of discussion:

The report set out the draft Annual report for the Committee covering the 2018/19 Municipal year in accordance with the terms of the Councils' constitutions.

Members discussed the report before them and wider issues such as the political affiliation of the Chairs of Overview and Scrutiny Committees. Some members expressed the opinion that the Chair should not be from the dominant party and noted recommendations from the Centre for Public Scrutiny to that effect. The Chairman expressed that he disagreed, the Committee as a whole was responsible for the business examined and that he personally sought to run meetings in an apolitical and open manner as fairly as possible. A Member stated that the Centre for Public Scrutiny disagreed with the Chairman's take on the Chair.

A Member commented that the public needed to be made more aware of the work of the Committee to increase engagement in its work and made the following proposal *'that the Councils' Communication Department be asked to put the Annual Report into more user friendly and publicly accessible format'* the proposal was seconded and approved unanimously.

Resolved:

- i) That the Committee approves the Joint Overview and Scrutiny Committee Annual report for 2018/19; and
- ii) **That the Annual report be reported to the Adur and Worthing Council meetings in July 2019 for approval;**
- iii) That the Communication Department be asked to put the Annual Report into more user friendly and publicly accessible format

Extract from Joint Strategic Committee - 9 July 2019

JSC/013/19-20 FINANCIAL PERFORMANCE 2018/19 - REVENUE OUTTURN

Purpose

This report outlines the revenue financial monitoring position for the end of the 2018/19 financial year for Joint Strategic Committee, Adur District and Worthing Borough Councils. At the time of publication of this report, the Statements of Accounts are in the process of being audited. Any adjustments that emerge as the audit proceeds will be reported to members later in the year.

The outturn positions for operational spend were moderate overspends at both Adur (£158k) and Worthing Councils (£76k), which represents some improvement on the positions reported at Q3.

Overall outturn positions are underspends of £511,979 in Adur District Council, and £1,147,435 in Worthing Borough Council. After allowance for proposed carry forward of budgets in 2018/19, this represents a 4% underspend against budget for Adur and 5% for Worthing.

The table at 4.5 in the report sets out the components contributing to the underspend, with the most significant being business rate relief grant (received early, to be spent in the current year), lower capital borrowing costs in 2018/19, and project funding carry forwards.

The outturn figures include proposed carry forward requests, detailed in appendix 6, that will need to be met from these underspends which relate to committed spend that is now planned for 2019/20: Adur District Council £151,720 and Worthing Borough Council £407,900 (including the Joint Services proposals).

In addition there are some variances that relate specifically to 2018/19, some of which occurred in the last quarter of the year. Worthing Borough Council received additional income from planning fees and both Adur District and Worthing Borough Councils were allocated additional housing grant.

This is an improved outcome to what was projected in the quarter 3 monitoring report when net underspends of £291,000 and £1,105,000 were being forecast in Adur and Worthing respectively. The areas that have contributed to the net movement are highlighted in the report and appendix 5(b).

Decision,

The Joint Strategic Committee recommended that Adur District Council, at its meeting on 18 July 2019 and **Worthing Borough Council at its meeting on 23 July 2019:-**

- (a) **NOTE the overall final outturn for 2018/19;**
- (b) **APPROVE the net appropriations to General Fund Reserves in the year as detailed in paragraph 6.2 totalling:**

| | |
|---------------------------------|-------------------|
| Adur District Council | £563,683 |
| Worthing Borough Council | £1,450,685 |

- (c) **AGREE the net carry over of revenue budget to 2019/20 funded from reserves as detailed in appendix 6:**

| | |
|---------------------------------|-----------------|
| Adur District Council | £151,720 |
| Worthing Borough Council | £425,900 |

- (d) **APPROVE the transfer of additional business rates income to the Business Rates Smoothing Reserves to earmark funds to address the timing difference between the Business Rates income received in the General Fund in year (net of relief), and the grant income paid from Central Government to reimburse lost revenue as a consequence of Government policy decisions on reliefs.**

| | |
|---------------------------------|-----------------|
| Adur District Council | £328,161 |
| Worthing Borough Council | £480,174 |

Extract from Joint Overview and Scrutiny Committee - 20 June 2019

**JOSC/008/19-20 Joint Overview and Scrutiny Committee Annual Report
2018/19**

Purpose

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Summary of discussion:

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Members discussed the report before them and wider issues such as the political affiliation of the Chairs of Overview and Scrutiny Committees. Some members expressed the opinion that the Chair should not be from the dominant party and noted recommendations from the Centre for Public Scrutiny to that effect. The Chairman expressed that he disagreed, the Committee as a whole was responsible for the business examined and that he personally sought to run meetings in an apolitical and open manner as fairly as possible. A Member stated that the Centre for Public Scrutiny disagreed with the Chairman's take on the Chair.

A Member commented that the public needed to be made more aware of the work of the Committee to increase engagement in its work and made the following proposal *'that the Councils' Communication Department be asked to put the Annual Report into more user friendly and publicly accessible format'* the proposal was seconded and approved unanimously.

Resolved:

- i) That the Committee approves the Joint Overview and Scrutiny Committee Annual report for 2018/19; and
- ii) **That the Annual report be reported to the Adur and Worthing Council meetings in July 2019 for approval;**
- iii) That the Communication Department be asked to put the Annual Report into more user friendly and publicly accessible format

Extract from Joint Strategic Committee - 9 July 2019

JSC/013/19-20 FINANCIAL PERFORMANCE 2018/19 - REVENUE OUTTURN

Purpose

This report outlines the revenue financial monitoring position for the end of the 2018/19 financial year for Joint Strategic Committee, Adur District and Worthing Borough Councils. At the time of publication of this report, the Statements of Accounts are in the process of being audited. Any adjustments that emerge as the audit proceeds will be reported to members later in the year.

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The outturn figures include proposed carry forward requests, detailed in appendix 6, that will need to be met from these underspends which relate to committed spend that is now planned for 2019/20: Adur District Council £151,720 and Worthing Borough Council £407,900 (including the Joint Services proposals).

In addition there are some variances that relate specifically to 2018/19, some of which occurred in the last quarter of the year. Worthing Borough Council received additional income from planning fees and both Adur District and Worthing Borough Councils were allocated additional housing grant.

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Decision,

The Joint Strategic Committee recommended that Adur District Council, at its meeting on 18 July 2019 and **Worthing Borough Council at its meeting on 23 July 2019:-**

- (a) **NOTE the overall final outturn for 2018/19;**
- (b) **APPROVE the net appropriations to General Fund Reserves in the year as detailed in paragraph 6.2 totalling:**

| | |
|---------------------------------|-------------------|
| Adur District Council | £563,683 |
| Worthing Borough Council | £1,450,685 |

- (c) **AGREE the net carry over of revenue budget to 2019/20 funded from reserves as detailed in appendix 6:**

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| Adur District Council | £151,720 |
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- (d) **APPROVE the transfer of additional business rates income to the Business Rates Smoothing Reserves to earmark funds to address the timing difference between the Business Rates income received in the General Fund in year (net of relief), and the grant income paid from Central Government to reimburse lost revenue as a consequence of Government policy decisions on reliefs.**

| | |
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| Adur District Council | £328,161 |
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Extract from Joint Strategic Committee - 9 July 2019

**JSC/014/19-20 Financial Performance 2018/19 - Capital and Projects
Outturn**

Purpose

The report outlined the financial monitoring position for the end of the 2018/19 financial year for capital schemes included in the capital programmes of the Joint Strategic Committee, Adur District Council and Worthing Borough Council.

Information was also provided in respect of capital receipts for the 2 constituent authorities.

Summary of discussion:

The Leader of Worthing Borough Council sought an update on the status of works to replace railings along the East Beach Walkway as the installation had been anticipated in June 2019. Officers advised that work had commenced.

Decision,

The Joint Strategic Committee

- i) noted the outturn position for 2018/19,
- ii) recommended that Adur District Council at its Council meeting on 18 July 2019:
 - (a) Note the overall capital final outturn for 2018/19.
 - (b) Agree the net carry over of General Fund Capital underspends for Adur District Council as detailed in paragraph 5.4.
 - (c) Approve the financing of the Adur District Council 2018/19 Capital Investment Programme, including the use of capital receipts as set out in paragraphs 5.1 and 5.2.

- (d) Approve the carry forward of Council resources underspends to fund budget pressures as detailed in paragraph 4.2.2. and summarised in paragraph 5.6.
- (e) Approve the use of capital receipts to fund redundancy costs associated with the Environmental Services restructure and the resulting Capital Flexibilities Strategy as detailed in paragraph 5.3.

iii) recommended that Worthing Borough Council at its Council meeting on 23 July 2019:

- (a) Note the overall capital final outturn for 2018/19.**
- (b) Agree the net carry over of General Fund Capital underspends for Worthing Borough Council as detailed in paragraph 5.10.**
- (c) Approve the financing of the Worthing Borough Council 2018/19 Capital Investment Programme, including the use of capital receipts as set out in paragraphs 5.7 and 5.8.**
- (d) Approve the carry forward of Council resources underspends to fund budget pressures as detailed in paragraph 4.2.2. And to fund a contingency budget as detailed in paragraph 5.13 and summarised in paragraph 5.14.**
- (e) Approve the use of capital receipts to fund redundancy costs associated with the Environmental Services restructure and the resulting Capital Flexibilities Strategy as detailed in paragraph 5.9.**

Extract from Joint Strategic Committee - 9 July 2019

**JSC/015/19-20 Becoming financially sustainable - Revenue Budget
Strategy for 2020/21**

Purpose

2020/21 is an unprecedented year for uncertainty. The timescales and quantum of the proposed changes arising from the new Comprehensive Spending Review and the associated Fairer Funding Review are very uncertain and it against this background that this year's budget strategy has been prepared.

The Council has a clear strategy for facing the challenges of rapidly changing local government finance and preparing for the reduction in retained business rates and the end of New Homes Bonus in the next few years. The Councils have already successfully addressed the removal of the Revenue Support Grant, and are actively and constructively working to mitigate the impacts of budget announcements by partners, in particular West Sussex County Council.

This strategic effort has involved the development of new and critical capabilities in the organisation, including strategic property investment, affordable housing investment, nationally recognised digital service design, and high quality, successful commercial services.

It has also required careful financial management, including managed and prudent increases in council tax, and a clear focus on driving efficiency and productivity.

Adur and Worthing Councils have responded to the challenge of falling government grant by promoting economic regeneration, investing in property, growing our commercial offer, and through business efficiency from the customer and digitisation transformation programmes. Despite the inevitable challenges brought about by reducing resources, the Councils have continued to maintain good core services across the board and have a clear focus on customer service excellence.

This report aims to set out how the Councils will continue to address the changing financial climate over the next 10 years, outlining the revenue forecast and setting out our strategic response to the challenges ahead. With the detailed budget proposals for 2020/21 coming forward to Joint Strategic Committee in December,

this report sets out the broader context for the detailed work that will be undertaken over the intervening months.

As set out in the following pages, the Councils will be increasingly reliant on council tax income, business rate income, and our own income generating services. Our Councils have a good track record in innovation, working creatively in partnership, transforming our digital capabilities and putting the customer at the heart of our services, so that the Councils had capacity to continue to deliver their aspirations for our Places.

Our strategy, 'Platforms for our Places' was approved by the Councils in February 2017 is sets out how we can play an even greater role in helping to shape the future of our places. The refresh of this strategy is elsewhere on this agenda. The 5 'Platforms' that provide the direction for all our work are:

- Our Financial Economies
- Our Social Economies
- Stewarding our Natural Resources
- Services and Solutions for our places
- Leadership of our Places

Work has been underway for some time to address the financial challenge in 2020/21 and beyond. This will continue over the summer and autumn, and the Operational Leaders Group (Heads of Service) will be working with the Councils Leadership Team to produce new service plans designed to deliver a balanced budget over the next 3 years. The outcome of the service planning process will be presented to the Joint Strategic Committee for approval in December 2019 as part of the development of the 2020/21 budget.

Decision,

The Joint Strategic Committee:-

- (a) noted the report and the outline 5-year forecasts in Appendix 2;
- (b) approved the proposed budget process as set out in section 6 of the report;
- (c) **recommended to Adur and Worthing Councils to approve the Budget Strategy for 2020/21 outlined in Section 9 of the report.**

Extract from Joint Strategic Committee - 9 July 2019

JSC/016/19-20 Becoming financially sustainable - Capital Strategy for 2020/21

Purpose

The report sought the approval of the Council's Capital Strategy for 2020/23. The Strategy outlined the Councils approaches to capital investment and how the Councils ensured that capital investment was directed to their priorities. It also set out the basis for prioritisation of capital bids included in the 3 Year Capital Investment Programme and the monitoring of the programme.

Summary of discussion:

The Committee noted that the new occupants of the office block development on the old car park site in Ham Road were currently taking up residence.

Decision,

The Joint Strategic Committee recommended to Adur and Worthing Councils that the Capital Strategy 2020/23 be approved.

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Extract from Joint Strategic Committee - 9 July 2019

**JSC/023/19-20 Supporting further and higher education provision:
Strategic loan to local education provider GBMet**

Purpose

The Committee was informed that the Greater Brighton Metropolitan College was embarking on a major new scheme to create a Centre for Creative and Digital Industries (CCDI) involving the construction of a 3,000m² of new build development and partial redevelopment of Pelham Tower, in the centre of Brighton.

Over the last three years 1,142 students from Adur (499) & Worthing (643) had studied at the Pelham Campus. The new CCDI would deliver 100 new advanced-level and higher-level apprentices, 140 higher or technical level graduates and 260 additional level 3 students by 2020/21, creating an exciting local offer for Adur and Worthing residents.

The development of the CCDI centre of excellence at the Pelham Campus would also enable the delivery of a creative and digital higher education offer in Worthing, in a partnership with the University of Arts London (UAL), through the development of a University Centre in West Durrington.

Worthing Council had been approached for a £5m loan by Greater Brighton Metropolitan College to facilitate the development of the Pelham Street campus, within an overall scheme value of £21m, with funding from the sale of assets (also reducing overheads going forward) and the Coast to Capital local enterprise partnership.

The report briefed members on the proposal and sought approval for the granting of a £5,000,000 loan secured on the Worthing Campus at Durrington, which would generate an annual income for the Council of £100,000 alongside delivering the significant benefits to the further and higher education offer for Adur and Worthing residents.

Decision,

The Joint Strategic Committee recommended that Worthing Borough Council:-

- i. note support for the Greater Brighton Metropolitan College in its ambitions to create a Centre for Creative and Digital Industries at Pelham Street and a University Centre at West Durrington in partnership with the University of Arts London;**
- ii. note the significant benefits expected from these developments for students from the local area, in particular the provision of a higher education offer in Worthing as well as the improved offer at Brighton readily accessible to our local students;**
- iii. agree to a loan of £5m to Greater Brighton Metropolitan College to facilitate the delivery of the scheme, funded by prudential borrowing, and providing an income to Worthing Borough Council of circa £100,000 per year;**
- iv. agree to amend the capital programme accordingly, and increase the operational and authorised borrowing limits by £5m to accommodate the proposed borrowing;**
- v. agree to amend the approved investments listing to include GBMet as an authorised investment;**
- vi. approve the amendment of the Minimum Revenue Provision (MRP) Policy to enable a provision to be set aside in line with the repayments principal, in respect of loans to third parties funded by borrowing.**

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

W/LDR/002/19-20 Representing the Council in the Community

JAW/003/19-20 South Down National Park Authority Appointment

Executive Member for Regeneration

-

Executive Member for Resources

W/RES/001/19-20 Irrecoverable Debts (*decision taken in Executive Member for Resources' absence*)

Executive Member for Customer Services

JAW/004/19-20 Cecil Norris House - Award of Contract for demolition and construction

Executive Member for Digital and Environmental Services

-

Executive Member for Health and Wellbeing

JAW/001/19-20 Adur and Worthing Community Transport Grants Allocation of funds for 2019/20

JAW/002/19-20 Adur Community Grants Allocation of Funds for 2019/20 - Round One

B. Decisions taken by the Joint Strategic Committee on 4 June 2019

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

Full details can be found: www.adur-worthing.gov.uk/your-council/

The matters not appearing elsewhere on the agenda:-

JSC/005/19-20 Delivering New Homes for our Communities - Fulbeck Avenue

The report outlined a proposal to work in partnership on an innovative approach to delivering upto 162 new homes at Fulbeck Avenue, Worthing, in conjunction with BoKlok UK, through the granting of a license to build on the Council's land.

As part of the deal Worthing Borough Council would receive an option on 30%, at cost, of the completed new homes in lieu of a capital receipt for the license to build on the land.

The report recommended that Worthing Borough Council agree to work in collaboration with Boklok to develop a wider programme to deliver 500 new homes for Worthing residents.

The Committee noted the following amendments to the recommendations:-

- 2.1 (a) to be amended to read 'Delegate to the Director for the Economy in consultation with the Leader of Worthing Borough Council and Executive Member for Regeneration, the authority to enter into a Collaboration Agreement, in accordance with the principles set out in the Heads of Terms set out in Appendix 2 for the purpose of securing the development of the Fulbeck Avenue site;
- 2.1 (b) to be amended to read 'agree to delegate authority to the Director for the Economy, in consultation with the Executive Member for Resources, to dispose of land known as Fulbeck Avenue by way of a building lease at a value to be agreed, subject to an independent valuation and in accordance with the Council's statutory best value obligations;
- 2.1 (c) to be amended to read 'appoint the Director for the Economy and Head of Major Projects & Investment to sit on a jointly established Steering Group with Senior Officers of BoKlok and to act as the Council's representatives, and to have the authority to exercise all relevant Executive functions, (subject to paragraph 2.1 (d) below) relevant to the development of the site, on behalf of Worthing Borough Council, subject to them acting within approved budgetary limits and legal, constitutional and governance arrangements

During consideration of the item, the Committee sought clarification on a number of points, including:-

- the level of control over maintenance fees being charged for apartments;
- the scope for ongoing political oversight;
- responsibility to obtain best value when disposing of land;
- Boklok's experience of delivering major house-building projects;
- the life expectancy of modular build properties;
- the split between social and affordable housing to be delivered;
- associated time restrictions to be imposed before the resale of properties.

The Committee welcomed the report, acknowledging that the proposals would deliver additional housing for Worthing through the innovative use of Council assets.

Decision:

The Joint Strategic Committee

- a. delegated authority to the Director for the Economy in consultation with the Leader of Worthing Borough Council and Executive Member for Regeneration, to enter into a Collaboration Agreement, in accordance with the principles set out in the Heads of Terms in Appendix 2, for the purpose of securing the development of the Fulbeck Avenue site;
- b. delegated authority to the Director for the Economy in consultation with the Executive Member for Resources to dispose of land known as Fulbeck Avenue by way of a building lease at a value to be agreed, subject to an independent valuation and in accordance with the Council's statutory best value obligations;
- c. appointed the Director for the Economy and Head of Major Projects & Investment to sit on a jointly established Steering Group with Senior Officers of BoKlok and to act as the Council's representatives, and to have the authority to exercise all relevant Executive functions, (subject to paragraph 2.1(d) below) relevant to the development of the site, on behalf of Worthing Borough Council, subject to them acting within approved budgetary limits and legal, constitutional and governance arrangements;
- d. agreed that a report be brought back to the Joint Strategic Committee by December 2019 in order to provide an update as to progress and developments on the Fulbeck Avenue site;

- e. agreed to receive a report back in due course with any proposals in respect of other sites being incorporated into the Collaboration Agreement.

C. Decisions taken by the Joint Strategic Committee on 9 July 2019

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

Full details can be found: www.adur-worthing.gov.uk/your-council/

The matters not appearing elsewhere on the agenda:-

JSC/011/19-20 Climate Emergency...Becoming Carbon Neutral by 2030

The report encouraged members to consider reports from the UN Intergovernmental Panel on Climate Change (IPCC) which urged radical action to combat the causes of climate change.

Members were informed that a growing number of local authorities were declaring a 'Climate Emergency' and pledging to work towards becoming carbon neutral. Adur & Worthing Councils were making good progress on carbon reduction towards their 2050 target. However, the target could be brought forward to 2030 in light of the catastrophic impacts predicted if global warming continues at its current rate.

Officers advised that the figure of £400k in paragraph 4.3.6 of the report was incorrect and that £735,680 had been allocated.

The Committee highlighted the importance of this work and the need to act swiftly and do things properly. Members acknowledged that a number of things happening along the coastal strip were outside of the Councils direct control and therefore there was a need to work closely with other local authorities and to support the excellent work being undertaken by a number of local community groups.

A member suggested that more innovative solutions were required and challenged whether the proposed targets for carbon reduction went far enough. It was noted that an Action Plan would be developed to identify the actions and targets required.

Decision:

The Joint Strategic Committee:-

1. declared a 'Climate Emergency';
2. agreed to go beyond the previously set 2050 target adopted by Adur & Worthing Councils in 2018 and work towards becoming carbon neutral by 2030;
3. called on the government to provide the powers and resources to make the

- 2030 target possible;
4. agreed to continue to work with partners across the county and region to deliver this goal; and
 5. requested the production of an outline strategy on how the Councils would work towards the carbon neutral target. The strategy was to be produced by January 2020 at the latest.

JSC/012/19-20 Platforms for our Places Progress Report (January to June 2019)

The report provided the Joint Strategic Committee with an update on the Councils' progress in delivering the ambitions and commitments set out in *Platforms for our Places* for the period January to June 2019, and highlighted certain areas of strategic importance.

The Councils continued to implement the commitments adopted in January 2018 (and refreshed in July 2018). It was noted that 8% were now complete (blue), 67% of activities were on track (green) and 25% were at potential risk (amber).

The report provided an opportunity for JSC to report to both Full Councils and the Joint Overview and Scrutiny Committee on progress.

The Committee welcomed the update.

Decision:

The Joint Strategic Committee:-

- 1) noted the progress made and challenges experienced in the implementation of *Platforms for our Places* over the period January to July 2019;
- 2) requested the final update in December 2019 concluding the *Platforms for our Places* programme; and
- 3) agreed to refer the report to Joint Overview & Scrutiny Committee for their consideration.

JSC/017/19-20 Waste and Street Cleansing Vehicle Replacements: Moving to an ultra low emission fleet

The report sought the Joint Strategic Committee's approval to proceed with the purchase of six new waste and street cleansing vehicles. These vehicles had been included in the 2019/20 Capital Investment Programme.

Electric models for all six replacement vehicles had been investigated in line with policy commitments to move to a cleaner fleet (*Platforms for our Places* and

SustainableAW). Of the vehicles required by the waste and street cleansing services, two had been found suitable to purchase as electric models. If approved, these would be the first vehicles within the councils' fleet to become electric; providing air quality benefits, and financial and carbon emissions savings.

Members wished to place on record their thanks to Andy Edwards, Head of Environmental Services, for all his work for Adur and Worthing Councils and wished him well in his new post at Reading Borough Council.

Decision:

The Joint Strategic Committee approved the acquisition of the six replacement waste and street cleansing vehicles, included in the 2019/20 Capital Investment Programmes and as set out in the report.

JSC/018/19-20 Joint Overview and Scrutiny Committee - Review of Transport Issues

The Joint Strategic Committee (JSC) was asked to receive and note the findings and recommendations of the Joint Overview and Scrutiny Committee (JOSC) review on Adur and Worthing transport strategy issues. The recommendations follow on from the discussions of a Working Group set up by JOSC. A copy of the report to JOSC and Working Group report were attached as Appendix 1 to the report.

The evidence assembled as part of the Scrutiny review provided the JOSC Working Group with a good analysis of the transport strategy activities being delivered in Adur and Worthing and more widely across West Sussex. However, the Working Group had identified some issues that it wished to submit to JSC for consideration as it is recognised that they were key issues which needed to be addressed as part of the overall transport strategy implementations to ensure that the proposals were taken forward.

A Member questioned why the A27 Action Group had not been asked to comment on the review. The Chairman of the Working Group advised that the A27 was not within the remit of the review as it was the responsibility of Highways England not Worthing Borough Council or West Sussex County Council.

A Member questioned why the team leading on car parking provision in Worthing Town Centre had not been asked to make any representations or been consulted on this matter. The Chairman of the Working Group advised that West Sussex County Council were currently undertaking a road space audit around Worthing which would be looking at both car parks and the use of roads for parking and for transport purposes.

The Committee requested that comments from the team leading on car parking provision in Worthing be included in the report being brought back to the Joint Strategic Committee in October.

During consideration of the report, the Committee made the following observations:-

- times attached to CPZs should be reviewed;
- idling cars and vehicles, especially at railway crossings and outside of schools were an avoidable source of pollution;
- representation from disabled transport user groups should have been included in the report;
- engagement with the major projects team should have been included in the report;
- there was a lack of evidence supporting recommendation 13.11
- how could the Councils reduce car parking in town centres?

In relation to recommendation 13.11, the Chairman of the Working Group advised that Members had spoken to Officers from West Sussex County Council and did take into account other schools and their strategies in relation to safety and transport. The Working Group found that the Sir Robert Woodard Academy and the Thomas A Beckett schools had the weakest strategies in relation to safety and transport which is why they had been included in the recommendation. It was noted that in comparison, the Shoreham Academy had over 50% of their pupils using bicycles every single day.

The Committee was also advised that although the Working Group had attempted to contact Network Rail, no response had been received to date.

Decision:

That the Joint Strategic Committee

1. noted the report, findings and amended recommendations from the Joint Overview and Scrutiny Committee; and
2. agreed to receive a report in October 2019 on the issues raised by the Joint Overview and Scrutiny Committee and consideration of the implications for each recommendation contained in the Scrutiny report at Appendix 1 in order for the Executive to provide a formal response to the Joint Overview and Scrutiny Committee.

JSC/020/19-20 Worthing Theatres and Museum - The Future of Culture for Worthing

The report updated Members on the procurement exercise for the provision of Cultural Services; sought authority to make a direct award to the Council's in house team; and updated the Committee on the successful contractual discussions that had taken place.

Officers advised that the Barristers advice was a matter of legal privilege and so it wasn't something that Officers would issue to the Committee, but it was entirely appropriate and legitimate to quote from it.

A Member asked what would happen to assets in the case of insolvency of the trust. Officers advised that the assets would revert back to the Council and this would be enshrined into any contractual arrangement.

Another Member raised concerns that expert advice and guidance which had been provided through a number of reports and emails, was being ignored. He suggested that a pause in this process was the right course of action at this time and that the additional £200k required in 2021, would be better spent on other services.

The Leader of the Worthing Borough Council replied that the budgetary issues had been considered on numerous occasions. It was the Leaders belief that the Theatres supported the local economy and that there was a wealth of evidence to show this. In parts of the country where culture had been cut, it had a very detrimental effect. These proposals sought to put the Councils cultural services on a stable footing and to keep doing that. Officers advised that the two reports prepared and presented by apse solutions, had been considered carefully. However, it was the Officers view that the proposal outlined in the report, was the right course of action.

A Member sought clarification in relation to European Procurement Guidance and the criteria used to justify an exceptional procedure. Officers advised that Regulation 32(2)(a) of the Public Contract Regulations 2015 provided for a negotiated procedure, as outlined in paragraph 6.2 of the report.

A Member sought clarification in relation to the Arts Council Funding and what evidence supported the view that a trust could access funding that the in house team could not. Officers advised that they had been in consultation with the Arts Council who had advised that it was beneficial to be outside the Council structure to access grant funding.

Decision:

The Joint Strategic Committee

1. resolved to make a direct award to the Council's in-house team, subject to the finalisation of the contract price, with a feature of that award being the setting up of a new charitable organisation to deliver the service and contract with the Council.
2. authorised the Director for Economy to enter into the contract on behalf of Worthing Borough Council;
3. in accordance with its earlier decision in March; approved the use of £100k from the Capacity Issues Reserve to support the in-house team set up a Trust.

JSC/021/19-20 Delivering new employment opportunities at Decoy Farm - a proposed development partnership approach

The report updated the Committee on progress towards the remediation of Decoy Farm funded by the LEP and confirmed the intention to procure for a Developer to assist and inform the remediation process to maximise best use of LEP funding.

The Committee was informed that the procured Developer would also assist the Council with a design for the site and with an application for Planning Permission. This would enable the Council to maximise the market value of the site.

In consideration of the Developer's consultancy work, the Developer would be granted an Option to purchase the site (for the purposes of the Development) at full market value on terms to be set out in the procurement process.

A Member queried how the Council would get the best deal out of the site. Officers advised the Committee of the benefits associated with working with a developer who had significant experience in delivering this type of site. This included maximising the deliverable floor space on a challenging site.

Decision:

The Joint Strategic Committee

1. authorised the Director for the Economy to undertake a procurement process to identify a preferred developer for Decoy Farm as set out in section 4.5 of this report;
2. noted the progress of the work to date set out in section 4.1 - 4.3 of this report;
3. noted the Coast to Capital Local Enterprise Partnership Board's approval of the business case to release £4.84million for decontamination and development of the Decoy Farm site;
4. approved the inclusion of the Decoy Farm project, £4.84m in the capital programme, fully funded from LEP funding; and
5. agreed to receive a further report following the conclusion of the procurement process, to consider awarding a contract to the preferred bidder and disposal of the site.

JSC/022/19-20 Highdown Gardens - Preserving Stern's Legacy

The report confirmed that Worthing Borough Council had been successful in its application to the National Lottery Heritage Fund (HF) (formerly HLF Heritage Lottery Fund) for funding of £813,200 to preserve the horticultural heritage and increase and improve accessibility to the gardens.

A Member sought clarification regarding HF approval of leases or lets as outlined in paragraph 4.5 of the report. Officers advised that there was a clause for use over the next 20 years which required HF approval if Worthing Borough Councils sought to divest or change the use of any part of the garden.

The Committee welcomed the proposals for Highdown Gardens as it was a place of international significance.

Decision:

The Joint Strategic Committee

1. resolved to accept the terms of the grant;
2. resolved to approve the addition of the £813,200 HF funding to the Capital Programme; and
3. resolved to release the Council resources allocated to the project.

Reports and decisions 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 contain exempt information and not fully published on the websites.

Councillor Daniel Humphreys
Leader of the Council



WORTHING BOROUGH COUNCIL

Council
23 July 2019
Agenda Item 11

Ward(s) Affected: N/A

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 Martin McCabe.
- 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 That Council 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 Martin McCabe, (attached as Annex A).
- 3.2 The content of the motion is relevant to a matter which affects the Borough.
- 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 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:-

Neil Terry

Democratic Services Lead

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Annex A

Food Waste Collection

This Council recognizes that cutting down on food waste is a crucial part of the fight against climate change.

We agree with the government's ambition to cut down household food waste, as detailed in the Resources and Food Waste Strategy for England.

We call on the Leader of Worthing Borough Council to write to West Sussex County Council urging them to make provision for the disposal of food waste, allowing Worthing to consider providing a food waste collection.

Proposed by Martin McCabe
Seconded by Sally Smith

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WORTHING BOROUGH COUNCIL

Council
23 July 2019
Agenda Item 12

Ward(s) Affected: N/A

Motions 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 Richard Mulholland which has been seconded by Councillor Helen Silman.
- 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. That the motion, upon being moved and seconded, be noted by Council and referred without debate to the Joint Strategic Committee and Joint Overview and Scrutiny Committee.

3. Context

- 3.1. A motion on notice has been received from Councillor Richard Mulholland, (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 Borough.
- 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 contains part of the subject matter that is within the remit of the Joint Strategic Committee and the Joint Overview and Scrutiny Committee, as defined in para 14.4.1 and 14.4.3 of the Council's Procedure Rules. Therefore, it shall be moved and seconded, immediately noted by the Council and referred without debate to the Joint Strategic Committee and Joint Overview and Scrutiny Committee for consideration and determination.
- 3.5. If a motion on the agenda at Full Council is to be referred automatically to the Executive, a Regulatory Committee or another Council Committee, in accordance with Council Procedure Rule 14.4, the proposer of the motion will confirm to the Chairperson their proposal of the motion as set out in the report before Council **without** a speech.
- 3.6. Where a motion has been referred by Full Council to the Joint Strategic Committee, the mover, or the seconder in the absence of the mover, shall be entitled to attend the relevant meeting and explain the motion.

4. Issues for consideration

- 4.1. Motions considered by Full Council are done so under part 14 of the Council's Procedure Rules

5. Financial Implications

- 5.1. The motion has subject matter that comes within the remit of the Joint Strategic Committee and should the Joint Strategic Committee determine that the motion be accepted there may be financial implications in the future.

6. Legal Implications

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

Background Papers

None

Officer Contact Details:-

Neil Terry

Democratic Services Lead

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Annex A

CLIMATE CHANGE MOTION

This Council recognises that Climate Change is proceeding unabated and that we are fast approaching the point of no-return.

We are not doing enough to cut back on human-created carbon emissions. In fact, they continue to increase.

International political will has not succeeded in overcoming the entrenched cultural and commercial interests that keep us going down the same road to disaster.

Every organization, every individual and everyone engaged with politics **at every level** must do more.

In 2018, the Climate Change Committee, an independent body advising the UK government, stated, “We’re off track to meet our own emissions targets for the 2020s & 30s”.

Leading climate scientists warn that we have only eleven years to ensure that global temperature increase is kept to a maximum of 1.5 degrees C.

If temperature increases by 2°C it will result in catastrophic food shortages, floods, droughts, widespread poverty and mass migration.

The UK is the first country to legislate for net zero emissions by 2050 and the first to declare a ‘Climate Emergency’.

As a Council we accept that politicians of all parties, at all levels, have a duty to diminish the causes of Climate Change. We cannot wait for national governments to do it all.

This Council accepts all the recommendations set out in item 10 of the Joint Strategic Committee’s agenda for the 9th July 2019 as an essential first step to working towards carbon neutrality within Worthing Borough Council’s and Adur District Councils asset base by 2030.

By adopting more ambitious programmes Worthing Borough Council can become a leader in a green technological revolution. Our location, particularly our coastline, facilitates local energy generation such as wind and solar. This could be one of our fastest growing job creation areas.

To fulfill long- term aims carbon reduction must come from build, transport, energy production and use.

THEREFORE, this Council adopts the following policies additional to those adopted by the Joint Strategic Committee at its July 9th 2019 meeting

- 1) The incorporation of climate change mitigation into Sustainability & Risk assessments throughout its reports, plans and reviews, including every planning application, whatever the size of the development.
- 2) Compliance with BREEAM standards in all new builds.
- 3) The development and implementation of a Community Engagement Plan to fully inform residents about the need for urgent action on Climate Change. This should offer residents a vision of a healthier, more child friendly and greener town that is a model of best practice. The Plan must include actions to mobilise residents in the delivery of the action plan.
- 4) Report to full Council within six months of the date of this motion setting out the relevant actions taken and a detailed plan for further actions.

The Council calls on the Joint Overview and Scrutiny Committee to set up a Task and Finish Group to review policies and to develop better practice and strategies.

We acknowledge this is an ambitious motion. But we must go further and faster, not only for our own benefit, but for the sake of our children and our children's children.

Motion brought by Cllr Richard Mulholland and seconded by Councillor Helen Silman

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