



ADUR & WORTHING
COUNCILS

30 May 2023

Joint Overview & Scrutiny Committee

Date:	8 June 2023
Time:	6.30 pm
Venue:	QEll Room, Shoreham Centre, Pond Road, Shoreham

Committee Membership:

Adur District Council: Councillors; Joss Loader (Adur Chair), Mandy Buxton (Adur Vice-Chair), Carol Albury, Tony Bellasis, Ann Bridges, Lee Cowen, Paul Mansfield and Sharon Sluman

Worthing Borough Council: Councillors; Heather Mercer (Worthing Chairman), Elizabeth Sparkes (Worthing Vice-Chairman), Dan Hermitage, Cathy Glynn-Davies, Margaret Howard, Daniel Humphreys, Richard Mulholland and Hilary Schan

Agenda

Part A

1. Declaration of Interests

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.

2. Substitute Members

3. Confirmation of Minutes

To approve the minutes of the Joint Overview and Scrutiny Committee meeting held on 16 March 2023, copies of which have been previously circulated.

4. Public Question Time

So as to provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by 12.00 noon Monday 5 June 2023.

Where relevant notice of a question has not been given, the person presiding may either choose to give a response at the meeting or respond by undertaking to provide a written response within three working days.

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

(Note: Public Question Time will operate for a maximum of 30 minutes.)

5. Members Questions

Councillors who are not members of this committee can ask questions under CPR 12 Questions should be relevant to the committee where the question is being asked and also relevant to an item on the agenda. Please contact Democratic Services for more information

Members question time is 30 minutes and questions should be submitted no later than **12.00pm noon on Monday 5th June 2023.**

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

(Note: Members' Question Time will operate for a maximum of 30 minutes.)

6. Items Raised Under Urgency Provisions

To consider any items the Chairman of the meeting considers to be urgent

7. Consideration of any matter referred to the Committee in relation to a call-in of a decision (Pages 5 - 10)

A Call in Report from the Monitoring Officer is attached as item 7

8. Planning Enforcement (Pages 11 - 28)

To consider a report by the Director for Place, copy attached as item 8

9. Interview with Adur Cabinet Member for Finance & Resources (Pages 29 - 32)

To consider a report by the Director for Sustainability and Resources copy attached as item 9

10. Annual JOSC report 2022/23 (Pages 33 - 50)

To consider a report by the Director for Sustainability and Resources copy attached as item 10

11. Improving the effectiveness of JOSC (Pages 51 - 72)

To consider a report by the Director for Sustainability & Resources attached as item 11

12. Review of JOSC Work Programme (Pages 73 - 94)

To consider a report by the Director for Sustainability and Resources, copy attached as item 12

Recording of this meeting

The Council will be livestreaming 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:	For Legal Services enquiries relating to this meeting please contact:
Simon Filler Democratic Services Officer 01903 221364 simon.filler@adur-worthing.gov.uk	Joanne Lee Head of Legal Services & Monitoring Officer 01903 221134 joanne.lee@adur-worthing.gov.uk

Duration of the Meeting: Three hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

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ADUR & WORTHING
COUNCILS

Joint Overview and Scrutiny Committee
8 June 2023

Key Decision [Yes/No]

Ward(s) Affected:

Request for Call-in of an Executive Decision

Report by the Monitoring Officer

Executive Summary

1. Purpose

- 1.1. The Council's Overview and Scrutiny Procedure Rules provide that where the Monitoring Officer receives a request to call-in a decision of the Executives, and rejects that request, they must report to the Joint Overview and Scrutiny Committee with details of the request and reasons for the rejection.

2. Recommendations

- 2.1. The Joint Overview and Scrutiny Committee is recommended to note the contents of this report.

3. Context

- 3.1. Part 1A Local Government Act 2000 sets out the arrangements in respect of Local Authority Governance in England. Where an authority is exercising Executive arrangements, it is required to have an Overview and Scrutiny

Committee. Section 9F of the Act sets out the functions of an overview and scrutiny committee which includes “to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Executive” and “to make reports or recommendations to the Authority or the Executive with respect to the discharge of any functions which are the responsibility of the Executive”.

3.2. It is prudent for a Local Authority to have locally adopted procedures to enable the JOSCS to implement this scrutiny function. In this regard Adur & Worthing Councils have adopted Overview and Scrutiny Procedure Rules.

3.3. At paragraph 18 of the Procedure Rules, call-in of decisions is dealt with and the rules provide that at least three Members must request a call-in and the request must include the detailed reasons for the call-in.

4. Issues for consideration

4.1. On 16th March 2023 the Worthing Cabinet Member for Regeneration and the Adur Cabinet Member for the Environment & Leisure approved a delegation for the Director for Digital, Sustainability and Resources to implement the proposed tariff changes for the three multi-storey car parks, the proposed season ticket tariff changes for the three multi-storey car parks, the proposed tariff changes in a number of Worthing surface car parks, and the proposed season ticket tariff changes in a number of Worthing surface car parks. The decision was published on the Councils’ website and the call-in deadline was 5pm on 23rd March 2023.

4.2. On 22nd March 2023, within the prescribed deadline, the Monitoring Officer received a request, in writing, for a call-in of the decision from three Elected Members: Councillors Jenkins, Humphreys and Mercer.

4.3. In summary, the reason for the request for call-in of the decision alleged was because the Members requesting the call-in could see no evidence of alternative options being considered; that the proposal had not received any preliminary discussion with key stakeholders, namely the TCI and Chamber of Commerce whose members would be affected by this proposal; that the statutory consultation period crossed into the pre-election period and was therefore contrary to Council guidance and best practice; and that the Council's financial position had changed in the last 48 hours and should be reflected in the decision.

5. Issues for consideration

5.1. The Monitoring Officer considered the request for call-in and determined not to uphold the call-in of this decision because under the Overview and Scrutiny Procedure Rule 17.5, a matter may not be called-in if it has already been considered by the Scrutiny Committee.

5.2. In terms of the matter already having been considered by the Joint Overview and Scrutiny Committee, the Monitoring Officer took into account the following:

5.2.1. On 24th November 2022 the Joint Overview and Scrutiny Committee reviewed Agenda Item 12 which, at page 26 of Appendix 3, referred to ‘a review of parking prices, minor increases proposed in consultation with the Cabinet Member’. Members had the opportunity to, and did, ask for further detail on the parking increases.

5.2.2. On 28th December 2022 information was shared by Mr Lowe with the Joint Overview and Scrutiny Committee. That information set out the proposed parking increases to the multi-storey car parks and surface car parks which form the subject matter of this decision. There was sufficient information shared with the Members of JOSOC for those Members to ask further questions on the proposals, had they chosen to do so.

5.2.3. At the meeting of the Joint Overview and Scrutiny Committee on 19th January 2023, the following minute was taken: *“Members also discussed if the Cabinet Member for Resources should return to elaborate about information concerning car parking charges, it was purported that information had been previously withheld about this issue when questioned at a previous meeting”*. There are two points here, the elaboration of further information about car parking charges and whether or not Cllr Turley had intentionally withheld information. It was open for JOSOC Members to ask the Cabinet Member for more detail on the information that had been shared in December.

5.2.4. On 16th March 2023 the Cabinet Member for Resources attended to be interviewed and confirmed a number of points around the charges, commenting that alternative options on the charges had been presented to the Cabinet. There was an

opportunity here for JOSC Members to ask further questions. The Cabinet Member also confirmed consultation would take place with West Sussex, Ward Members and relevant businesses.

5.3. With regard to the grounds raised for the call-in request, the Monitoring Officer considered the following:

5.3.1. The decision notice confirms that alternative options were considered, although the Notice might reasonably have enlarged upon those options. However, it was open to JOSC Members to ask this question on receipt of the information in December.

5.3.2. The TCI were consulted upon the proposed increases, that said, further statutory consultation is to be published.

5.3.3. The decision had been made, prior to receipt of the call-in request, to postpone this statutory procedure until after the pre-election period.

5.3.4. The Council's financial position may have changed, but this was not relevant to the call-in of this decision.

6. Engagement and Communication

6.1. The Council's Monitoring Officer contacted the Joint Chairmen of the Councils' Joint Overview and Scrutiny Committee by email, by way of consultation, as to the determination of the request for call-in of the decision. The Monitoring Officer then notified the Members who made the request, the Director for Digital, Sustainability & Resources, and the Decision-Maker.

7. Financial Implications

7.1 There are no direct financial implications arising from the Monitoring Officer rejecting the request for Call-in. The financial implications of the decision that was called-in were reported to the Cabinet Members at the time of the decision.

8. Legal Implications

- 8.1 The Call-in procedure is set out at paragraph 18 of the Joint Overview and Scrutiny Procedure Rules found in Part 4 of the Councils' Constitutions.
- 8.2 The Local Government Act 2000 provides the power for the Joint Overview and Scrutiny Committee to review or scrutinise decisions made but not implemented by the Cabinet and includes a power to recommend that the decision be reconsidered by the person who made it.

Legal Officer: Joanne Lee

Date:31/05/2023

Background Papers

- Decision Notice reference number JAW/015/22-23
- Worthing Borough Council Constitution

Officer Contact Details:-

Joanne Lee

Assistant Director and Monitoring Officer, Legal & Democratic Services

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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

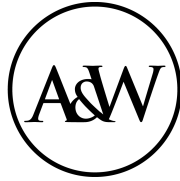
Matter considered and no issues identified.

3. Environmental

Matter considered and no issues identified.

4. Governance

Governance issues have been addressed in the body of the report.



Joint Overview and Scrutiny Committee
8 June 2023

ADUR & WORTHING COUNCILS

Key Decision [Yes/No]

Ward(s) Affected:

Planning Enforcement - The Committee is asked to review planning enforcement issues, planning enforcement policy and the Councils approach to planning enforcement.

Report by the Director for the Economy

Executive Summary

1. Purpose

- 1.1 This report responds to a JOSOC request for a review of planning enforcement issues, planning enforcement policy and the Council's approach to planning enforcement.
- 1.2 The report sets out the legislative background and national planning policies relating to the enforcement of Planning Control. The report highlights the Council's Enforcement Policy and the relevant planning considerations in deciding whether to take enforcement action.
- 1.3 The report also highlights resourcing issues and compares the resources currently available to other Councils.

2. Recommendations

- 2.1 The Committee is requested to note the report and the Council's adopted Enforcement Policy.

3.0 Background

Legislative Framework and Advice

- 3.1 A breach of planning control is defined in [section 171A of the Town and Country Planning Act 1990](#) as:
- the carrying out of development without the required planning permission; or
 - failing to comply with any condition or limitation subject to which planning permission has been granted.
- 3.2 Any contravention of the limitations on, or conditions belonging to, permitted development rights, under the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), constitutes a breach of planning control against which enforcement action may be taken.
- 3.3 The planning system operates to regulate the use and development of land in the public interest. In considering any enforcement action, Government guidance makes it clear that the decisive issue for Councils is whether or not the breach of control would unacceptably affect public amenity, or the existing use of land and buildings meriting protection in the public interest, and that any enforcement action should always be commensurate with the breach of planning control to which it relates.
- 3.4 Local planning authorities have discretion to take enforcement action, when they regard it as expedient to do so having regard to the development plan and any other material considerations. This includes a local enforcement plan, where it is not part of the development plan.
- 3.5 In considering any enforcement action, Government advice states that local planning authorities should have regard to the National Planning Policy Framework, in particular paragraph 59. This states that,

‘Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions,

investigate alleged cases of unauthorised development and take action where appropriate.'

4.0 Adur and Worthing Planning Enforcement Policy and Guidance

- 4.1 The Councils will always attempt to resolve enforcement matters amicably in the first instance. Where these initial attempts by the Councils fail to persuade the owners or occupiers of sites voluntarily to remedy the harmful effects of unauthorised development, negotiations will not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop.
- 4.2 Breaches of planning control are taken very seriously by the Councils and it is our policy to take effective enforcement action when it is justifiable for sound planning reasons, exercising such powers as are available proportionately depending on the level of harm being caused. The Council has adopted an Enforcement Policy and this is reviewed periodically to keep up to date with relevant legislation (see Appendix I).
- 4.3 It is important to highlight, however, that the resources available to the Enforcement team are limited and generally Officers are only able to provide a reactive service responding to complaints rather than deliver a more proactive service. This means that the team effectively responds to complaints from the public but do not have the resources to monitor compliance with conditions and following the grant of planning permission the onus is on the developer to ensure conditions are discharged and development proceeds in accordance with the approved plans.
- 4.4 A more proactive service would monitor developments to ensure that planning conditions have been discharged, check building regulation plans to ensure they follow any approved planning drawings and ensure that local fencing contractors and builders are aware of permitted development rights etc. However, this level of service is difficult to deliver with the resources currently available. This is explored in more detail below.

5.0 Current Workload and Resources

The number of complaints received fluctuates from year to year and can be influenced by how many complaints are registered. In some years due to fluctuating staff numbers complaints that can be quickly resolved are done so without setting up a file, sometimes distorting the number of complaints received in any one year. The following figures for the last few years show

that generally the level of complaints has reduced. It is also noticeable that the number of formal notices served has increased although this is also linked to additional legal support for the team in the last couple of years.

5.1 Number of complaints received across Adur and Worthing::

Financial Year	Adur Complaints	Worthing Complaints	Number of Enforcement Notices Served	Number of Breach of Condition Notices
2018-19	129	245	1	1
2019-20	130	273	4	2
2020-21	130	246	3	6
2021-22	106	187	1	8
2022-23	86	180	7	3

5.2 The Council's Enforcement team comprises 3 Officers, a Senior Enforcement Officer (Jenny Blower 0.66 FTE), and two Enforcement Officers (Phil Jones 0.6 FTE) and one FTE post which is currently vacant, but will be filled from mid-June.

6.0 **Comparison with other Councils**

6.1 Comparing resources between Councils is always difficult as most planning departments vary considerably in terms of structures and available resources. In some authorities, for instance, planning officers are far more involved with complaints and enforcement compared to others. However, the following tables give some comparisons with some of our adjoining Districts and Boroughs.

LPA	Adur & Worthing	Arun	Crawley	Horsham	Mid Sussex
Complaints per FTE	159	163	130	89.3	142.6

6.2 FTE Officers in Enforcement/10 square miles

Adur & Worthing	Arun	Crawley	Horsham	Mid Sussex
0.44	0.33	0.57	0.37	0.27

6.3 FTE Officers in Enforcement/10 000 population

Adur & Worthing	Arun	Crawley	Horsham	Mid Sussex
0.07	0.17	0.08	0.37	0.27

6.4 The above table illustrates quite a range between different authorities, however, one would expect a lesser caseload for larger rural authorities given the distance that needs to be covered to undertake visit sites. It is also difficult to read too much into these figures as different authorities have different thresholds for creating a complaint file. However, resources generally are low across the County as enforcement is often seen as a relatively low priority compared with the statutory requirement to determine planning applications.

6.5 Furthermore, in reality not every enquiry may be registered through the enforcement process. For example, an enquiry relating to a recently approved development may well be received by the case officer for the planning application and in many cases are able to be resolved by that particular officer.

6.6 In the past, enquiries may also have been received regarding the non compliance with a Section 106 agreement or Community Infrastructure Levy (CIL) regulations. As the Council now employs a dedicated S106/CIL Officer whose role includes monitoring such agreements, it is usual that any such breaches are now picked up very early and before there is a necessity to record a formal complaint. This is an example, therefore, where a more

proactive approach, where resources allow, can reduce the number of complaints received.

6.7 A previous report regarding enforcement was considered by the Committee in 2013 where it was primarily concluded that there may be a greater role for Building Control in identifying potential breaches of planning control given a Building Regulations application most commonly follows a planning application and if, for example there is a clear discrepancy between the plans submitted at the respective stages, this can be identified early before a development progresses.

6.8 Although Development Management and Building Control do work together more effectively than was previously the case, the likelihood of Building Control identifying a breach which has not already been brought to the attention of Officers by neighbours appears to be relatively rare. Moreover, with applicants now being able to use Approved Inspectors rather than the Council's own service means that the Council is not necessarily on site at an early stage. Nonetheless, it remains good practice for closer partnership working to be carried out where possible and Building Control Officers have been able to visit sites and, for example, advise on methods of construction that may not be in accordance with a Construction Management Plan.

6.9 The government has recognised that planning enforcement can be a time consuming resource for local planning authorities. In its February 2023 consultation on increasing planning fees, the government stated:

'Where someone has deliberately or inadvertently carried out development without first obtaining the necessary planning permission, they are able to submit a retrospective planning application. At present, the fee for such an application is the same as it would have been if the application had been submitted before the development had taken place.. However, local planning authorities may incur additional costs in respect of these types of application. This is because in many cases they are likely to have started down the route of investigating the suspected breach of planning control and considering the need for enforcement action...We therefore propose to double the fee payable for retrospective applications. This should discourage unauthorised development and would reflect the additional work carried out by local planning authorities in respect of such applications.'

6.10 It is hoped that, if this fee increase is incorporated in the eventual new application fees legislation, it will discourage some unauthorised developments. However, where at present the Council requests a

retrospective application for unauthorised development, it is not uncommon for no response to be received, and it would seem that if the application fee is to be increased, then it is even more unlikely that an application will be received, meaning that it falls on the Council to consider whether enforcement action will be pursued. Unauthorised development is not an offence in itself (except in relation to listed buildings, preserved trees and adverts) and since enforcement is a discretionary function where the government also advises that action should only be undertaken as a last resort, it can be seen that it is often quite difficult to justify pursuing enforcement action on relatively minor breaches of planning control.

- 6.11 It is also noted that the doubling of the fee will not apply to householder applications where it is suggested that many of the breaches of planning control are often inadvertent. This indeed is quite often the case, given the relative complexity of permitted development rights relating to domestic properties and does also emphasise that there is often a need for sensitivity in dealing with certain complaints where a resident has simply misunderstood planning regulations or may have been incorrectly advised by a contractor.
- 6.12 The above perhaps demonstrates the difficulty, with current resources, to identify the complaints which are likely to have the most material adverse impact on residents and the character of the town. Such unauthorised development is, in practice, a very small percentage of the overall complaints received, yet are likely to result in a considerable impact upon time and resources. It is considered that Officers, with the assistance of legal advice, are identifying such cases as quickly as possible even though in general the service is reactive.

Background Papers

- Previous Report - JOSC Review of Enforcement 2013
- Adur and Worthing Enforcement Policy

Officer Contact Details:-

Gary Peck / Jenny Blower

Planning Services Manager / Senior Enforcement Officer

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**Adur & Worthing Councils Planning Enforcement
Policy & Guidance**

Introduction

Breaches of planning control are taken very seriously by the Councils and it is their policy to take effective enforcement action when it is justifiable for sound planning reasons, exercising such powers as are available proportionately depending on the level of harm being caused.

The planning system operates to regulate the use and development of land in the public interest. In considering any enforcement action, Government guidance makes it clear that the decisive issue for Councils is whether or not the breach of control would unacceptably affect public amenity, or the existing use of land and buildings meriting protection in the public interest, and that any enforcement action should always be commensurate with the breach of planning control to which it relates. The Councils will always attempt to resolve enforcement matters amicably in the first instance. Where these initial attempts by the Councils fail to persuade the owners or occupiers of sites voluntarily to remedy the harmful effects of unauthorised development, negotiations will not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop.

This document has been prepared to set out the service provided when you contact the Councils about the enforcement of development control under the Town and Country Planning Act 1990 ('the Act') and related legislation. It is mainly concerned with:

- unauthorised development including building operations or uses of buildings or land;
- breaches of conditions imposed on planning permissions and consents;
- unauthorised advertisements on buildings or land;
- unauthorised alterations to Listed Buildings or demolition of buildings in Conservation Areas
- unauthorised works to trees protected by Tree Preservations Orders or within Conservation Areas;
- untidy and neglected land and buildings the condition of which adversely affects the amenity of the neighbourhood.

The Councils follow the national **Enforcement Concordat** which sets out the principles of good enforcement policy as:

- Standards: draw up clear standards setting out level of service and performance that public and businesses can expect
- Openness: clear and open provision of information and advice
- Helpfulness: helping businesses by advising on and assisting with compliance
- Complaints: having an effective and timely complaints procedure
- Proportionality: ensuring that enforcement action is proportionate to the risks involved to avoid incurring unnecessary expense
- Consistency: ensuring fair, equitable and consistent enforcement practice

Co-operation with other Council services and with other agencies is an integral part of the approach to planning enforcement, in order to make the most effective use of the resources available.

Submission of Complaints

The Council will investigate written complaints (by letter or email) concerning individual cases falling within the above matters; those made by telephone; those made in person at the Council's offices or made via an elected local Councillor. If a complaint is made by telephone or in person, you will be asked to put the complaint in writing (by letter or email). In all cases, you must provide:-

- the exact address of the alleged unauthorised development or use;
- the details of the alleged unauthorised development or use;
- the reasons that have caused you to complain about it and, if you consider the Council should take enforcement action, the reasons why, setting out the environmental or other problems it is causing.

To avoid malicious complaints, anonymous allegations of breaches of planning control will not normally be accepted. Every effort, however, will be made to reassure anybody wishing to make a complaint that his or her details will be kept confidential so far as other legislation permits it to be. Should they still wish to remain anonymous, then every effort will be made to encourage the complainant to refer the matter to either their local ward member or to their Parish Council representative.

Disclosure of Identity of Complainant

The identity of complainants will not be disclosed without first advising them of an intention to do so. However, if formal enforcement action is taken and an appeal is subsequently submitted against such action, then it may be necessary to reveal their identity as part of the evidence to support the Council's case. Similarly, where prosecution proceedings are instituted, it may be necessary to reveal identities to the Court or, more rarely, seek the attendance of complainants to provide evidence. In such cases, these matters will be discussed with complainants beforehand.

Prioritisation

Complaints will be prioritised upon receipt and acknowledged in writing (letter or email) within 5 working days of receipt informing you of the case officer's name and contact details, unless you have already been advised of this information verbally on the telephone or in person.

Planning Enforcement will not investigate a complaint or undertake a site inspection if your complaint is not a planning matter. Any complaint relating to another function of the Council will be referred to the relevant Service for their consideration. You will be advised of this in writing, or by telephone, within 10 working days of the receipt of your complaint.

Complaints about breaches of planning control will be investigated in accordance with the following order of priority and, depending on the available resources, within the target response times indicated:

1. High Priority - A site visit will be made normally within 24 hours

- Unauthorised development causing irreversible and substantial environmental damage (including significant development within sensitive areas such as the South Downs National Park and Sites of Special Scientific Interest).
- Unauthorised demolition, partial demolition or significant alteration of a Listed Building or demolition of a significant building within a Conservation Area.
- Unauthorised works likely to cause serious harm to trees covered by a Tree Preservation Order or to significant trees in a Conservation Area.

2. Medium Priority - A site visit will be made normally within 5 working days

- Unauthorised development or use causing substantial harm to the local environment (including the living conditions of neighbouring residents) or to highway or public safety.
- Breach of a condition of planning permission which results in substantial harm to the local environment (including the living conditions of neighbouring residents) or to highway or public safety.
- Less significant unauthorised development within a sensitive area such as the South Downs National Park and Sites of Special Scientific Interest.

3. Low Priority - A site visit will be made normally within 10 working days

- Other unauthorised development where planning permission is unlikely to be granted, with priority to those cases where permission would not be granted without substantial modification to the development.

- Breach of a condition of planning permission not resulting in substantial harm to the local environment (including the living conditions of neighbouring residents) or to highway or public safety.
- The display of unauthorised advertisements or breaches of conditions of consents for advertisements.
- Untidy or overgrown land and buildings in need of proper maintenance.

Investigation of Alleged Breach

Once investigations commence, the priority may change following the initial site visit or on receipt of additional information. The Council will ensure that resources are made available in order to conclude high priority cases satisfactorily. This will mean that lower priority cases will have less resource allocated to them. As the investigation progresses, complainants will be advised of the outcome by telephone or in writing (email or post) as appropriate.

The aim will be to complete the enforcement investigation within 8 weeks, reaching one of the following possible outcomes set out below. However, in some cases enforcement investigations can be extremely complex and exceed this timescale.

- Case is closed because the investigation identifies that **no breach** of planning control has occurred. What constitutes 'development' is defined in section 55 of the Act as broadly comprising most types of building operation (including alterations which materially change the external appearance of a building) and also material changes of use. However, some do not require applications for planning permission because they constitute 'permitted development' or fall in the same Use Class. The Planning Portal (planningportal.gov.uk) provides further detail on permitted development rights.
- Case is closed because the investigation identifies that the **breach took place too long ago** to be within the scope of planning enforcement action. Section 171B of the Act requires enforcement action to be taken within 4 years in the case of unauthorised building operations (and use of a building or part of a building as a dwelling) and 10 years in the case of material changes of use and breaches of conditions. An application for a Certificate of Lawfulness can be made in such cases and the property owner will be encouraged to do so. The Localism Act proposes to exclude the above time limits in cases where it can be shown that there has been 'deliberate concealment'.
- **Unclear whether a breach has occurred.** This may be because it involves a change of use of land or buildings and it is unclear whether that change is a material one. Or because complex interpretation of the legislation is required necessitating legal advice. It may be unclear as to when the breach first took place or the use may be spasmodic in its effects. For example, use of a dwellinghouse in connection with a business does not always need planning permission; it depends upon whether its

effects are so significant as to have changed the character of the use of the property materially. Site inspections over a longer time period and carrying out interviews may be necessary. The assistance of complainants will be required in monitoring activity, for example, by the **complainant keeping a log or diary** of events witnessed. If necessary to obtain more information, the Council will serve a **Planning Contravention Notice** on the owner/occupier of the property forming the subject of the alleged breach in order to obtain relevant information to establish whether or not a breach has occurred, the persons responsible for it and whether they intend to make a retrospective application. It will often not be possible to establish/gain sufficient evidence to show that an unauthorised change of use has occurred in the absence of a log being produced by the complainant.

- Case is closed because a Breach of planning control has been identified but no retrospective application has been received and the officer's assessment, having regard to planning policies and any other material planning considerations, is that **planning permission would have been granted and that it is therefore not expedient to take enforcement action**. The unauthorised development will be assessed as if a retrospective application had been submitted.

- Case is closed because the alleged **breach has been remedied** by negotiation and no longer exists as a breach. Officers will normally first seek the co-operation of the owner/occupier of the property in rectifying the breach through the cessation of an unauthorised use or the removal of unauthorised building works.

- **Retrospective planning application** has been submitted. This will instigate the normal application process, usually taking up to 8 weeks, with notification of neighbours, consultations, assessment and decision to approve or refuse having regard to planning policies and any other material planning considerations. Retrospective applications are treated on their individual merits in the same way as proposed developments. If the decision is refusal, enforcement action would normally follow without delay. Similarly, if conditional permission is granted, but the conditions are not complied with, a breach of condition notice would normally be issued.

- Authority to serve a notice because a breach of planning control has been identified but no retrospective application has been received and the planning assessment, having regard to planning policies and any other material planning considerations, is that, **if the development were modified, planning permission could be granted and that it is expedient to take action by under-enforcement** (i.e. by taking enforcement action that requires lesser steps to be taken than removal or cessation of the entire unauthorised development). The steps required to be taken (or the activities required to cease) by an Enforcement Notice must not exceed what is necessary to remedy the breach or remedy any injury to amenity caused by the breach.

- Authority to serve an enforcement notice because a breach of planning control has been identified but no retrospective application has been received and the planning assessment, having regard to planning policies and any other material

planning considerations, is that the development cannot be rendered acceptable (including by imposition of conditions) and that planning permission **would have been refused and that it is therefore expedient to take enforcement action**. The unauthorised development will be assessed as if a retrospective application had been submitted.

With regard to section 215 (proper maintenance of land), the case will be closed if it is considered that the condition of the land/building does not cause material harm to the amenity of the area. If it does warrant action, the co-operation of the owner/occupier will first be sought in securing the necessary level of improvement to the property within an appropriate timescale. If this is not fulfilled, a section 215 Notice will be served.

Deciding whether to take Enforcement Action

As stated above, unauthorised developments will be assessed as if a retrospective application had been submitted, whether or not an application has actually been received, and the decision as to whether enforcement action is expedient will be based on the planning policies of the Development Plan relevant to the unauthorised development concerned and any other relevant material planning considerations. Currently, policies are contained in central Government Planning Policy Statements (to be replaced by the National Planning Policy Framework), the South East Plan 2009 (intended under the Localism Act to be rescinded) and:-

Worthing Borough: the adopted Worthing Local Plan 2003 (saved policies) and the adopted Worthing Core Strategy 2011

Adur District: the adopted Adur District Local Plan 1996 (saved policies)

Matters to be taken into account will also include both Councils' Supplementary Planning Guidance and Good Practice Guidance, as well as Government Circulars and Planning Policy Guidance where relevant to the case, and normal development control criteria.

For enforcement action to be taken, the breach concerned must result in demonstrable harm to the environment, including unacceptable detracting from visual appearance or residential amenity (noise disturbance or loss of daylight or privacy), or significant detriment to highway safety, being matters warranting action in the public interest. The decisions made by the Council will be capable of substantiation and reasonable having regard to valid planning considerations in order to be defensible at appeal and not result in an award of costs against the Council. The decisions made will take into account all relevant planning considerations and not be based, whether partially or otherwise, on irrelevant considerations as this can make the decision subject to judicial review in the High Court with resultant costs implications.

With regard to Human Rights, Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns

noninterference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those who have carried out unauthorised developments as well as those affected by them and the relevant considerations which may justify interference with human rights will form part of the assessment process in deciding whether enforcement action is expedient.

Where appropriate, the opinion of the Council's Legal Services will be sought on individual cases, especially where the sufficiency of the evidence available and the expediency of enforcement or other legal action is in doubt. Normally, the decisions as to whether or not to take enforcement action will be made by the Council's Planning Services Manager under delegated powers (the adopted Schemes of Delegation under the Councils' Constitutions). On occasions, it may be considered necessary to refer the matter to the relevant Council's Planning Committee for a decision in which event the complainant(s) and the owner/occupier(s) of the property concerned will be informed of the date of the Committee meeting.

Service of Breach of Condition, Enforcement and Untidy Site Notices

Issue of a Breach of Condition Notice/Untidy Site Notice

Where the service of these Notices has been authorised, we will normally issue within 15 working days of the authorisation where all those persons responsible are known to us, or within 35 working days where there is a need to serve a formal Requisition for Information Notice and/or obtain information from the Land Registry to identify all affected parties.

Issue of an Enforcement Notice

Where the service of this Notice has been authorised, we will identify all affected parties (which normally involves the service of a Requisition for Information Notice and/or obtain information from the Land Registry) and normally issue the Notice within 35 working days of the date of the authorisation.

Whilst the above identifies the general timescales the Council will aim to comply with, where there is harm being caused we will endeavour to serve the relevant notices as quickly as possible.

Checking Compliance with Notices

Upon the expiry of the relevant period for compliance with any Notice, we will inspect the site within 10 working days of the date for compliance, to check whether or not a Notice has been complied with.

Where a Notice has been complied with, no further action will be taken unless a recurrence of the breach is brought to our attention. After compliance, Enforcement Notices will not normally be withdrawn unless they are clearly 'spent' with no

possibility of a recurrence of the breach.. If not withdrawn the notice will be marked as "complied with" on the land charges register.

Where a Notice has not been complied with, the Council's Legal Services will be requested to consider whether prosecution proceedings are appropriate. If there has been a material change of circumstances since the issue of the Notice or the Notice has been complied with partially, then prior to instructing Legal Services to institute action, the matter will be re-assessed within 30 working days of the inspection.

Appeals

The recipients of an Enforcement Notice, but not the complainants or any other party, have a right of appeal to the Planning Inspectorate. The Act (section 174) provides certain specific grounds for appeal regarding the breach alleged in the Notice, namely that:

- (a) planning permission ought to be granted;
- (b) the breach has not taken place;
- (c) it does not constitute a breach of planning control;
- (d) it took place too long ago and is exempt by passage of time;
- (e) the Notice was not served properly as required by the Act;
- (f) the steps required to be taken or the activities required to cease exceed what is necessary to remedy the breach or remedy any injury to amenity caused by the breach
- (g) the period for compliance is unreasonably short.

Where an appeal is submitted against an Enforcement Notice, we will notify complainants and other property owners/occupiers affected by the breach within 14 days of the appeal 'start date' set by the Planning Inspectorate. We will provide the appeal reference number and the address and timescale for the submission of representations to the Planning Inspectorate.

The grounds for an appeal against a Listed Building Enforcement Notice are more complex and are set out in section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The recipients of a section 215 (proper maintenance of land) Notice, but not the complainants or any other party, have a right of appeal to the Magistrates Court. Section 217 provides certain specific grounds for appeal against the Notice, namely that:-

- (a) the condition of the land does not adversely affect the amenity of any part of the area;
- (b) the condition of the land is attributable to and results in the ordinary course of events from the carrying on of a use or activity not in breach of planning control;
- (c) the requirements exceed what is necessary for preventing the condition of the land from adversely affecting the amenity of the area;
- (d) the period for compliance is unreasonably short.

Types of Notice, Legal or other action

Requisition for Information - is a Notice served upon occupiers of premises or land requiring information as to ownership interests in that land. It is used prior to the issue of the Notices listed below because such information is necessary to ensure that a Notice is correctly served. It is an offence not to send the information required by the Notice within the time specified. On occasions, the failure to respond to such a Notice may delay the service of one of the Notices listed below.

Planning Contravention Notice - is a Notice served on owners or occupiers of premises or land or those carrying out operations on land where it appears to the Council that there may have been a breach of planning control. The Notice requires those on whom it is served to answer specific questions and provide information about the use or operations, ownership interests and the persons responsible within a specified time period. It also affords the person on whom it is served the opportunity to discuss the alleged breach with Council officers. It is not a legal charge on the land or property to which it relates but it is an offence not to reply to the questions in the Notice within the time specified or to knowingly make a false statement.

Section 215 Proper Maintenance of Land Notice - is binding on those on whom it has been served. Its purpose is to secure the tidying of land or buildings in the interests of the amenities of an area. If an appeal is submitted against the Notice before it comes into effect, it cannot be enforced until the appeal is determined by the Magistrates Court. It is an offence not to comply with this Notice within the specified time period. This type of notice is 'spent' at such time that it is complied with and any recurrence of the problem would require a fresh notice to be served.

Enforcement Notice - is binding on those to whom it is served and the land to which it relates. It is served on all those with an ownership interest in the property and is used to secure the cessation of unauthorised uses, activities and operations and the removal of the building or other works involved. It can also be used for breaches of conditions. A Notice represents a legal charge on the property. There is a right of appeal against the Notice before it comes into effect; it cannot then take effect until the appeal has been determined by the Planning Inspectorate. It is an offence not to comply with the Notice within the specified period (which may be varied by an appeal decision). If an appeal is allowed and the notice is quashed, planning permission is deemed to be granted. Enforcement Notices otherwise remain in effect in perpetuity unless withdrawn.

Breach of Condition Notice - is served where a breach or non-compliance with a condition attached to a planning permission has occurred. It is served upon those responsible for the breach. There is no right of appeal against this Notice and it is an offence not to comply with it in the specified time period.

Listed Building Enforcement Notice - is a special form of enforcement action which relates to unauthorised development in respect of statutorily Listed Buildings of Special Architectural or Historic Interest and demolition of unlisted buildings in

Conservation Areas. If an appeal is submitted against the Notice before it comes into effect, it cannot take effect until the appeal is determined by the Planning Inspectorate. It is an offence not to comply with this Notice within the specified period.

Stop Notice - is a special form of notice which can be used to stop particularly serious breaches from taking place. It is served together with an enforcement notice and stops activities during the 28-day period before the enforcement notice comes into effect and during the period when any appeal against it is awaiting a decision. There can be significant financial implications with such action and this power is used in only exceptional circumstances.

Temporary Stop Notice - is a special form of notice which can be used to stop an activity believed to be in breach of planning control immediately. It does not have to be served with an enforcement notice but only stops the activity for 28 days.

Prosecution - is legal action brought by the Council, normally in Worthing Magistrates Court, in relation to the following main types of planning breach:-

- non-compliance with any of the above Enforcement, Breach of Condition, or Planning Contravention Notices within the specified periods;
- unauthorised works affecting the character of Listed Buildings without the necessary listed building consent from the Council;
- unauthorised demolition of buildings in Conservation Areas without the necessary conservation area consent from the Council;
- unauthorised works to trees protected by TPO without the necessary consent or works to trees in Conservation Areas without the necessary 6 weeks prior notification;
- the display of unauthorised advertisements without the necessary express consent of the Council.

The Council will comply with the provisions of the Police and Criminal Evidence Act 1984 (PACE) when interviewing persons suspected of a criminal offence (in so far as it applies to those being interviewed by a non-police agency,)

The Council will also comply with the Criminal Procedures and Investigations Act 1996 (CPIA) and the Regulation of Investigatory Powers Act 2000 when investigating and prosecuting offences. The Council are empowered to prosecute under Section 222 of the Local Government Act 1972, although any decision to prosecute must be taken in accordance with the Code for Crown Prosecutors. The principles laid down by the Code for Crown Prosecutors require two tests to govern the decision making process. Firstly under the **Evidential Test**, the Prosecutor shall be satisfied that there is enough evidence to provide a realistic prospect of conviction. Thereafter, the Prosecuting authority must consider the **Public Interest Test** under which a prosecution will usually proceed unless there are public interest factors against prosecution that clearly outweigh the reasons for prosecution. Public interest factors that can affect the decision to prosecute usually depend on the seriousness of the offence or the circumstances of the offender.

The Council will take all reasonable steps to recover its costs of having to take prosecution proceedings. Copies of the Code for Crown Prosecutors can be found on the Crown Prosecution Service website www.cps.gov.uk

Injunction – can be sought from the High Court or County Court to prevent the continuation of offences being repeated by the same person after a number of prosecutions, or in an emergency, and the penalty can include imprisonment.

Direct action by the Council – can be taken as a last resort if an Enforcement Notice comes into effect and is not complied with even after prosecution. The Council has power to enter the land, carry out the steps required by the Notice and recover the cost from the owner (or by registering a charge on the property). Where there is a perceived threat to either an officer of the Council or a member of the public, and following an appropriate risk assessment, the police will be requested to attend in order to ensure that safety of staff is not compromised in any way.

There are also some other specialist enforcement notices dealt with by planning control but more rarely. These include **Hazardous Substances Contravention Notice** under the Planning (Control of Hazardous Substances) Act 1990 and **High Hedge Remedial Notice** under Part 8 of the Anti-social Behaviour Act 2003.

For further information and advice please contact:

Development Management (Planning Enforcement), Adur & Worthing Councils, Portland House, Richmond Road, Worthing, BN11 1LF Tel: 01903 239999 or 221346

E-mail: planning.enforcement@adur-worthing.gov.uk

website: www.adur-worthing.gov.uk/planning

Background Papers:

- The Enforcement Concordat March 1998
- PPG18 - Enforcing Planning Control
- The South East Plan (Regional Spatial Strategy)
- Worthing Local Plan 2003
- Worthing Core Strategy 2011
- Adur Local Plan 1996
- Criminal Procedures and Investigations Act 1996 (CPIA)



ADUR & WORTHING
COUNCILS

Joint Overview and Scrutiny Committee
8 June 2023

Key Decision [No]

Ward(s) Affected:N/A

Interview with Adur Cabinet Member for Finance and Resources

Report by the Director for Digital, Sustainability and Resources

Executive Summary

1. Purpose

- 1.1 This report sets out background information on the Portfolio of the Adur Cabinet Member for Finance and Resources to enable the Committee to consider and question the Cabinet Member on issues within his portfolio and any other issues which the Cabinet Member is involved in connected with the work of the Council and the Adur communities.

2. Recommendations

- 2.1 That the Committee consider any representations from the Cabinet Member on the work within his Portfolio and other issues which the Cabinet Member is involved in and question the Cabinet Member on this and recommend any suggested action or make appropriate comments to the Cabinet Member for his consideration.

3. Context

- 3.1 As part of its Work Programme for 2022/23, the Joint Overview and Scrutiny Committee (JOSC) agreed to interview the Adur and Worthing Cabinet Members on their priorities for 2022/23, however, due to existing commitments, the Adur Cabinet Member for Finance and Resources was unable to attend in that period so is, therefore, attending this meeting which completes all of the interviews.
- 3.2 As part of its fact finding/investigative role, the Joint Overview and Scrutiny Committee is asked to consider the roles and responsibilities of the Adur Cabinet Member for Finance and Resources (Councillor Angus Dunn). It is part of the Scrutiny role to fact find/investigate in the form of questions and JOSC is asked to direct questions to the Cabinet Member on any issues involving the Cabinet Member and also issues relating to his portfolio.
- 3.3 The Committee is entitled to ask for further investigation into items where it may not be satisfied with the progress as described.

4. Issues for consideration

- 4.1 The Adur Cabinet Member for Finance and Resources has responsibility for the following:-
- Budgets (including the overall allocation of Revenue and Capital), external funding.
 - Capital programme.
 - Local taxation (benefit fraud (Adur) and appeals against decisions relating to National Non-Domestic Rate applications).
 - Treasury management, investments, loans, leasing and banking matters.
 - Property and asset management, facilities management, estates (including Southwick Square shops), property terriers, corporate property (not in other portfolios) and non-housing property repairs.
 - ICT (client side), telephony and Data Protection, Freedom of Information, information security and web team.
 - Procurement, including contracts.
 - Personnel and staffing (where Executive functions), including organisational development, occupational health and learning and development of staff.
 - Other central support services.
 - Internal Audit and audit fees.
 - Digital transformation programme.

4.2 JOSC is requested to ask questions of the Cabinet Member based on his responsibilities outlined in paragraph 4.1 including any high level strategic issues relating to the Council and the Adur community.

5. Engagement and Communication

5.1 The JOSC Chairpersons and Vice-Chairpersons have been consulted on the proposals contained in this report.

6. Financial Implications

6.1 There are no direct financial implications to consider within this report.

7. Legal Implications

7.1 JOSC is responsible for holding the Cabinet Members to account, reviewing their work and decisions and in accordance with the procedures outlined within the Joint Overview and Scrutiny Procedure Rules set out in the Councils' constitution, can request Cabinet Members to attend its meetings.

7.2 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

7.3 Section 1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation.

Background Papers

New Priorities for Adur District Council agreed by Joint Strategic Sub-Committee 29 September 2022 - [JSC Sub-Committee 29 September 2022](#)

Officer Contact Details:-

Mark Lowe

Scrutiny and Risk Officer

Tel:01903 221009

mark.lowe@adur-worthing.gov.uk

Sustainability & Risk Assessment

1. Economic

Matter considered. There are a number of issues contained within the Cabinet Member Portfolio which can impact on the overall economy of the area.

2. Social

2.1 Social Value

Matter considered. The aims of the Cabinet Member Portfolio seek to achieve better social value in those particular areas.

2.2 Equality Issues

Matter considered and no direct issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no direct issues identified.

2.4 Human Rights Issues

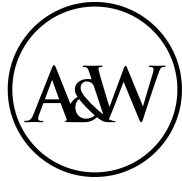
Matter considered and no direct issues identified.

3. Environmental

Matter considered and no direct issues identified.

4. Governance

Matter considered and no direct issues identified. JOSOC is responsible for holding the Cabinet Members to account, reviewing their work and decisions and in accordance with the procedures outlined within the Joint Overview and Scrutiny Procedure Rules set out in the Councils' constitution, can request Cabinet Members to attend its meetings.



ADUR & WORTHING
COUNCILS

Joint Overview and Scrutiny Committee
8 June 2023

Key Decision [No]

Ward(s) Affected:N/A

Joint Overview and Scrutiny Committee Annual Report 2022/23

Report by the Director for Digital, Sustainability & Resources

Executive Summary

1. Purpose

- 1.1 This report sets out the draft Annual report for the Committee covering the 2022/23 Municipal year in accordance with the terms of the Councils' constitutions.

2. Recommendations

- 2.1 **That the Committee approves the Joint Overview and Scrutiny Committee Annual report for 2022/23; and**
- 2.2 **That the Annual report be submitted to the Adur and Worthing Council meetings in July 2023 for approval.**

3. Context

- 3.1 As part of good practice and a requirement in the Councils' constitutions, the Councils are required to produce a Joint Overview and Scrutiny Committee (JOSC) Annual report for 2022/23 for approval by the Committee and thereafter by the Full Councils. The final Annual report will be available from the Councils' website.

4. Issues for consideration

- 4.1 In the 2022/23 Municipal Year the JOSC has directed its resources to scrutinise issues where it could make the most impact. The Committee has continued to ensure that there has been a 'Holding to Account/Challenge' role applied. A summary of the work is contained in the JOSC Annual report for 2022/23 which is attached as an appendix to this report. As well as being a requirement of the Constitutions, it is good practice to produce an Annual report on the work of Overview and Scrutiny which can help publicise and promote the work undertaken amongst the local community and local partners.
- 4.2 Members of the public and/or local partners are able to make a scrutiny request using an online scrutiny form and this helps encourage people to take part in the scrutiny process and the democratic process as well as helping the public to influence decision making.

5. Engagement and Communication

- 5.1 The Joint Chairs and Vice-Chairs of the JOSC have been consulted on this report and the previous Chairs/Vice-Chairs of the Committee have also been consulted.

6. Financial Implications

- 6.1 There are no direct financial implications associated with this report.

7. Legal Implications

- 7.1 Under Section 111 of the Local Government Act 1972, the Councils have the powers to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.
- 7.2 Section 1 of the Localism Act 2011 provides a Local Authority to do anything

that individuals generally may do (subject to any current restrictions or limitations prescribed in existing legislation).

- 7.3 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 7.4 The JOSC is required to produce an Annual report for approval by the Councils in accordance with the Councils' constitutions and good practice. The Council meetings in July will be required to receive the Annual report.

Background Papers

Agendas, reports and minutes from Joint Overview and Scrutiny Committee meetings during 2022/23.

Officer Contact Details:-

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Sustainability & Risk Assessment

1. Economic

Matter considered. No direct issues identified but some issues discussed by the Committee have an economic impact.

2. Social

2.1 Social Value

Matter considered. It is good practice for the Councils to produce an Annual report which can help publicise and promote the work of the Committee amongst the local community and local partners. The work of the Committee may lead to improvements in communities and help promote social value.

2.2 Equality Issues

Matter considered. Copies of the Annual report will be available on the Council website and can be made available to people on request if they do not have access to a computer or are blind or partially sighted.

2.3 Community Safety Issues (Section 17)

Matter considered and no direct issues identified but the Committee has discussed community safety issues during 2022/23.

2.4 Human Rights Issues

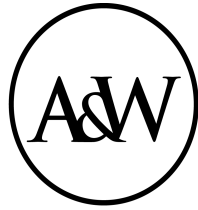
Matter considered and no issues identified.

3. Environmental

Matter considered. The Committee has scrutinised the progress with Sustainable AW as part of its Work Programme.

4. Governance

Matter considered. It is good practice for the Councils to produce an Annual Report on Overview and Scrutiny and is a requirement of the Constitution and the Joint Overview and Scrutiny Procedure Rules. It is also part of good Governance practice for the Councils to have an effective oversight and scrutiny function in place to encourage constructive challenge and debate on Council policies and practices.



ADUR & WORTHING
COUNCILS

Adur and Worthing Joint Overview and Scrutiny Committee Annual Report 2022/23



Message from the Chairpersons

On behalf of the Adur & Worthing Joint Overview and Scrutiny Committee (JOSC) we are pleased to present the Annual report for 2022/23. This report presents an overview of the work undertaken by the Members during the course of the Year including the work of the Committee and Working Groups that have reviewed services which are vital to the residents of Adur and Worthing.

Overview and Scrutiny plays an important role in our Democratic system and, therefore, it is important for effective scrutiny to be robust, thoughtful and effective to help deliver real challenge, change and improvement to those issues which are scrutinised. The impact of scrutiny can be seen in four main areas:-

(a) The 'critical friend' challenge

Scrutiny must be forensic and challenging – but it must also seek to support decision-makers to do their work better. Our Councils have a collective responsibility to support high quality decision-making, and scrutiny is an integral part of the governance framework that works to make that happen. Being a 'critical friend' involves understanding what decision-makers are trying to achieve and using evidence both to critique and refine these priorities and the methods proposed to achieve them. Decision-makers also have to be open to scrutiny and create a culture which enables effective scrutiny to happen.

(b) Holding decision makers to account

Part of the role of scrutiny is to hold decision makers to account. This means looking at the way in which decisions are made, the evidence they are based on and whether a thorough consideration of the risks and impacts of decisions have been looked at.

(c) Amplifying the voice and concerns of the public

The scrutiny role should ensure that the public's voice is heard generally in the way that decision-makers design and deliver services and policy development, improve the way the JOSC should listen and work alongside local residents, using the issues that are important to residents to improve profile and inform work programmes.

(d) To be led by independent people and drive improvements in public service

The Committee should be independent-minded and the Members also bring their unique perspective to the scrutiny process and a different point of view which brings something distinct to both policy development and post-decision scrutiny. By setting our own work programmes and asserting independence, Members of the JOSC can look at things from angles that might not be apparent to Cabinet Members, or Senior Officers.

During the last 12 months the JOSC has undertaken 8 meetings, held question and answer sessions with 14 Cabinet Members and considered a vast number of topic areas, a summary of which is set out below and the work of the

Committee has been driven by the Councils' strategic vision.

We would like to take this opportunity to thank Committee Members as well as those who provided information, attended the Committee meetings and assisted with the Overview and Scrutiny functions work during the last 12 months, it is much appreciated. We look forward to the next 12 months and contributing positively to both the Councils and partners work.



Councillors Joss Loader (Adur) and Jon Roser (Worthing) Joint Chairpersons of the Adur and Worthing Joint Overview and Scrutiny Committee in 2022/23

What is Overview and Scrutiny?

The Local Government Act 2000 first introduced the requirement for every local authority to include provision for at least one Overview and Scrutiny Committee. Subsequent amendments to the Act have further developed the role of Overview and Scrutiny within local authorities.

Although not a decision making body, effective Overview and Scrutiny has enormous potential to influence and inform decisions made by both the Councils and partner bodies connected with the areas.

The Joint Overview and Scrutiny Committee can review and scrutinise any matters which affect the Councils, the areas or residents from those areas, in order to provide greater transparency and accountability in the delivery of local services.

The following key roles have been identified as areas which Overview and Scrutiny should be concerned with in Adur and Worthing:-

- **Representing the views and wishes of Adur and Worthing residents about the services which they receive;**
- **Holding the Joint Executives (Joint Strategic Committee) and Adur and Worthing Joint Strategic Sub-Committees to account and reviewing the decisions made;**
- **Monitoring Council performance;**
- **Reviewing Policy;**
- **Developing Policy; and**
- **Scrutinising external issues of public concern beyond the remit of the Councils.**

There is one Joint Overview and Scrutiny Committee made up of sixteen Councillors (eight Adur and eight Worthing) representing wards across the areas. The Committee as a whole meets usually at least seven times a year and the meetings are open to the public.

Detailed procedure rules regarding the operation of overview and scrutiny can be found in the Council's Constitutions at [Procedure Rules](#)

Membership of the Committee in 2022/23:

Adur District Council – Councillors Joss Loader (Co-Chairman), Carol Albury, Tony Bellasis, Ann Bridges, Mandy Buxton, Paul Mansfield, Sharon Sluman and Debs Stainforth

Worthing Borough Council - Councillors Jon Roser (Co-Chairman), Ibsha Choudhury, Cathy Glynn-Davies, Dan Hermitage, Margaret Howard, Daniel Humphreys, Heather Mercer and Elizabeth Sparkes

Work carried out in 2022/23

1. ‘Holding the Cabinets to account’ - In 2022/23 JOSOC has played an important role in scrutinising the work of the Adur and Worthing Leaders and Cabinet Members. Both Leaders and all Cabinet Members (with the exception of the Adur Cabinet Member for Finance and Resources who was unable to attend due to unforeseen circumstances), have attended JOSOC and been interviewed by Members on the work which they have been undertaking as part of their Cabinet Member Portfolios.

Outcomes - JOSOC has been able to question the Cabinet Members to find out what they and the Councils were doing to address and deliver the key issues within their remits for the benefit of the Adur and Worthing communities.

2. Scrutiny reviews -

(a) The Worthing Business Improvement District (BID) -

A JOSOC Working Group reviewed the performance of the Worthing BID and its proposals for the renewal of the BID covering 2023-2028 which were being put to a vote of the businesses later in 2022.

JOSOC supported the recommendations of the Working Group which proposed that the Councils should support the BID and

vote 'Yes' in the ballot. The recommendations from the review also proposed ways that the Councils could work in a better way with the BID and regularly review the BID performance in order to ensure that it was meeting its objectives for the benefit of local businesses.

Outcomes - (i) The recommendations from the review were submitted to the Worthing Joint Strategic Sub-Committee in July 2022 to assist it as part of its consideration of supporting the renewal of the BID for a fourth term; and
(ii) As part of the drive for the Council to closely monitor the the performance of the BID, JOSC also received a report from the Worthing Town Centre Manager to its meeting in March 2023 which reported on progress in delivering the objectives of the BID for the fourth term and how the Council was working with the BID to help achieve this. JOSC was able to question the Town Centre Manager on this work.

(b) The Adur & Worthing evening and night time economy (ENTE) -

At the request of the Joint Strategic Committee (JSC), a JOSC Working Group reviewed the ENTE again in light of issues raised by JSC relating to the emerging cost of living crisis and the impact on the ENTE and wider economic planning. JSC asked JOSC to review the recommendations and identify if they were post-pandemic or general economy recommendations.

Outcomes - Findings from this review were reported to the JSC which is currently reviewing a detailed response from the relevant Cabinet Members which will look at the impact and resource implications of implementing the recommendations.

3.The Councils responses to the cost of living crisis -

JOSC has reviewed the actions which the Councils have taken to respond to the cost of living crisis.

Outcomes - This scrutiny has enabled JOSC to question

relevant Officers and Cabinet Members on the Councils responses to ensure that the Councils are taking a helpful and realistic approach to supporting the most vulnerable in the communities.

4. Financial scrutiny including scrutiny of the 2023/24 Budget -

There have also been regular reviews of financial information by the Committee this year. Financial Scrutiny takes place year round and in 2022/23 the Committee undertook a review of the Revenue Outturn for 2021/22 and savings proposals for 2023/24.

Outcomes - Financial Scrutiny is vital to provide a check on the finances and ensure that the Council Cabinets are held to account and making decisions in the best interests of the communities. This regular check on the Councils' financial position has enabled the Committee to question Council Officers and the Cabinet Members on the status of the current financial position and for an explanation on current and future expenditure including the cost of living and other inflationary pressures on the Council finances.

5. Review of the Councils Constitutions -

The Committee has been involved in the recent overall review and update of the Councils Constitutions.

Outcomes - The Committee has provided helpful comments to assist in review of the Overview and Scrutiny and Joint Overview and Scrutiny content in the Constitutions which will make the Constitutions more robust and sustainable for the future.

6. Interview with the Chief Executive and review of the new Corporate Plan -

In Autumn 2022, the Councils launched a new Corporate Plan

‘Our Plan’. Prior to the launch of the Plan, the Committee was able to question the Chief Executive on the detail in the plan and the proposals for delivering on the objectives and commitments contained in the Plan.

Outcomes - This in-depth Scrutiny has enabled the Committee to investigate the content of the Plan and speaking with the Chief Executive gave the Committee the opportunity to question her regarding the make up of the aims and commitments in the Corporate Plan. This scrutiny will continue during 2023/24 to check on progress with delivering the Corporate Plan.

7. Crime and Disorder scrutiny - Scrutiny of the Adur and Worthing Safer Communities Partnership -

As part of its crime and disorder scrutiny role, JOSC has also interviewed the Chairman of the Adur and Worthing Safer Communities Partnership and the relevant Adur & Worthing Cabinet Members.

Outcomes - This has enabled JOSC to find out more about the priorities for safer communities and what is being done to deliver these and make Adur and Worthing safer places. Further scrutiny of these key issues will be undertaken again in 2023/24.

8. Review of the Housing Strategy -

JOSC has also been able to scrutinise the progress in delivering the commitments set out in the Housing Strategy for the Councils 2020-2023 - ‘Enabling communities to thrive in their own home’.

Outcomes - This scrutiny has enabled JOSC to review the progress in delivering the Housing Strategy, the overall provision of housing related wellbeing and support, the provision of better homes and stronger communities and affordable housing. JOSC has also been able to question

Officers and the Cabinet Members for Citizens Services and Adur Homes and Customer Services to ensure that resources are being directed accordingly to control these key issues.

9. Southern Water consultation and River Adur bathing river designation

JOSC can also review partner issues and this piece of Scrutiny provided JOSC with the opportunity to review the Southern Water consultation on its draft Drainage and Wastewater Management Plan and JOSC was also able to review the views of Officers and Adur Cabinet Members on the request from JOSC for the Councils to seek to have the part of the River Adur, travelling through Shoreham-by-Sea, designated as bathing water.

Outcomes - JOSC was able to note the proposed Drainage and Wastewater Management Plan and the impact on Adur and Worthing and also note the reasons why it was considered that an application for bathing water status would not achieve improvements to bathing water quality and could create operational and reputational issues for the Councils.

10. Complaints and compliments -

This year JOSC has scrutinised the complaints and compliments which the Councils have received in 2021/22 and also scrutinised the summary of those received during the six month period 2022-2023.

Outcomes - This scrutiny has enabled JOSC to review the compliments and complaints received by the councils and to assess trends covering the previous two financial years. Information was also reported on improvements to the Councils feedback process and policy and the steps that are planned for the next financial year to embed a feedback driven Culture.

11. Review of the delivery of the climate change agenda

The JOSOC has also scrutinised the progress in delivering Sustainable AW in order to tackle the climate emergency and the new targets for the Councils and the community.

Outcomes - This scrutiny has enabled JOSOC to monitor the work the Councils are undertaking in this area to ensure that it is being targeted in the correct way. Further scrutiny work will continue on this in 2023/24.

12. Worthing Theatres contract monitoring

JOSOC has also reviewed the performance of Worthing Theatres and Museum Trust. The Trust was set up following the transfer of the service away from the Councils.

Outcomes - This scrutiny has enabled JOSOC to review the recent performance of the Trust and issues affecting the service.

13. Review of the work of the West Sussex Health and Adult Social Care Scrutiny Committee (HASC) -

The two JOSOC Members who represent the Councils on the West Sussex Health and Adult Social Care Committee (HASC) provided the Committee with a summary report on the recent work undertaken by HASC.

Outcomes - JOSOC was able to question the Members on the work of HASC which provides a very important role in the scrutiny of health services in Adur and Worthing and this included updates on proposals for the provision of hospital based stroke services in West Sussex affecting Adur and Worthing residents, general primary care services and dentistry services.

14. Worthing Cabinet Member for Resources - Follow up questions on car parking charges -

As part of its 'holding to account' role and ability to question Cabinet Members on their work, JOSC was able to request the Worthing Cabinet Member for Resources to attend a meeting to question him on matters relating to car parking charges in Worthing and to clarify some points relating to information released about the parking charges.

Outcomes - From the answers provided to the Committee by the Cabinet Member, JOSC was able to establish that the Cabinet Member had not intentionally misled the Committee or withheld the information.

The Committee has Procedure Rules which assist members in providing strong scrutiny, transparency and also to ensure that all local decision makers are held to account for their decisions.

Have your say...

You can find out more about our work on the internet at [Joint Overview and Scrutiny Committee](#) where you can look at the reports we have received, our recommendations, the minutes of our meetings and view the Work Programme.

Adur District Council and Worthing Borough Council are committed to being more responsive to the way in which they provide services. They want more people to feel that they have the opportunity to influence matters that affect them. The Joint Overview and Scrutiny Committee can look at these issues and the Committee would like to give more people the chance to contribute to its work.

Suggest a topic for scrutiny

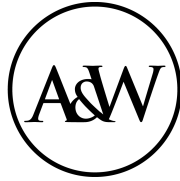
Each year the Joint Committee sets a Work Programme of issues that it would like to review. The Joint Committee reviews its Work Programme regularly throughout the year to make sure that it is working on topics that it can make a major impact on. The Work Programme is, therefore, subject to change in agreement with the Committee. The Committee would like local residents and stakeholders to get more involved in the scrutiny process so if there is an issue or service which you think that Councillors should review, please make a 'scrutiny request' using the online Scrutiny request form which is accessible at <http://www.adur-worthing.gov.uk/scrutiny>

The Committee will consider your request and when considering items for the Work Programme will be guided by the Council's Strategic Objectives set out in the Corporate Plan 'Our Plan'. The Committee will also be guided by the ability to have influence and/or add value on the subject and the PAPER criteria (Public Interest (P), Ability to change (A), Performance (P), Extent (E) and Replication (R)). Requests are then considered initially by the Chairmen and Vice-Chairmen and reported to the next available meeting of the Committee.

Come along to a meeting

The Committee would also like more public engagement in its meetings and would encourage you to attend the public meetings which are held at the Shoreham Centre and Worthing Town Hall. Meetings are currently held at least seven times a year. Public questions relating to Council issues can be put to the meetings if submitted in advance or asked at the meeting.

To find out more you can contact Mark Lowe, Scrutiny and Risk Officer at Town Hall, Chapel Road, Worthing on 01903 221009 or on mark.lowe@adur-worthing.gov.uk



ADUR & WORTHING
COUNCILS

Joint Overview and Scrutiny Committee
8 June 2023

Key Decision [No]

Ward(s) Affected:N/A

Joint Overview and Scrutiny Committee - Review and refresh

Report by the Director for Digital, Sustainability and Resources

Executive Summary

1. Purpose

- 1.1 The purpose of this Report is to update Members of the Joint Overview and Scrutiny Committee (JOSC) on the findings of the JOSC Workshop that took place on 13th April 2023 and for the Committee to consider the comments and proposals made at that Workshop which are presented in Appendix 1.

2. Recommendations

- 2.1 That the Members of JOSC debate and consider the feedback from the Workshop which is set out in full at Appendix A
- 2.2 That JOSC Members agree any shorter term improvements or benefits they would want to implement (with assistance from Officers) from the list set out at Paragraph 4.2 of the report;

2.3 That JOSC considers the proposed terms of reference for a Working Group which are listed at Paragraph 4.3 and as appropriate, agree to set up a Member Working Group to review those terms of reference.

3. Context

3.1 Overview and Scrutiny plays an important role in our Democratic system. It is an important mechanism through which public accountability can be exercised. The purpose of scrutiny can be divided into four main areas:-

(a) The 'critical friend' challenge

Scrutiny must be forensic and challenging – but it must also seek to support decision-makers to do their work better. Our Councils have a collective responsibility to support high quality decision-making, and scrutiny is an integral part of the governance framework that works to make that happen. Being a 'critical friend' involves understanding what decision-makers are trying to achieve and using evidence both to critique and refine these priorities and the methods proposed to achieve them. Decision-makers also have to be open to scrutiny and create a culture which enables effective scrutiny to happen.

(b) Holding decision makers to account

Part of the role of scrutiny is to hold decision makers to account. This means looking at the way in which decisions are made, the evidence they are based on and whether a thorough consideration of the risks and impacts of decisions have been looked at. The intention with this is not to ensure scrutineers agree with decisions taken - but that they are confident that those decisions have been taken well.

(c) Amplify the voice and concerns of the public

The scrutiny role should ensure that the public's voice is heard. Scrutiny should listen to and work alongside the public, using the issues that are important to the public to improve profile and inform work programmes. Public engagement is key to understanding what issues affect our communities and can inform decision-makers design and deliver services and policy development, maximising the benefits of good Scrutiny.

(d) To be led by independent people and drive improvements in public service

A positive working culture involves in particular an understanding of local politics. Scrutiny councillors are politicians and should be using their political insights, and the insights gathered through ward work and door knocking, to influence and guide their work. However, party politics does not have a place in scrutiny. Members bring their unique perspective to the scrutiny process and a different point of view which brings something distinct to both policy development and post-decision scrutiny. By setting their own work programmes and asserting their independence, Members of the JOSC can look at things from angles that might not be apparent to Cabinet Members, or Senior Officers.

- 3.3 It is always good to review and refresh ways of working and a discussion paper reviewing Overview and Scrutiny in Adur and Worthing was presented to the JOSC meeting on 16 March 2023. Following on from this it was agreed to set up a JOSC Member Workshop which was held on 13 April 2023 to consider how effective scrutiny might be refreshed to drive improvements.
- 3.4 The Member Workshop was held at the Shoreham Centre and attended by Councillors Carol Albury, Tony Bellasis, Ann Bridges, Joss Loader and Paul Mansfield (Adur) and Ibsha Choudhury, Heather Mercer, Jon Roser and Cathy Glynn-Davies (Worthing). An appraisal of the discussions from the Workshop (which collates the comments and proposals by Members) is set out in the Appendix to this report. To assist JOSC in its consideration of the Appendix, Officers have assessed the proposals into shorter term options that Officers might assist Members to develop and longer term considerations for which it is proposed a Working Group.
- 3.5 At the Workshop Members considered the following three discussion subjects:-

Discussion Subject 1

What practical options might Members want Officers to develop options for that will provide shorter term improvements and benefits for Joint Overview and Scrutiny and its Members?

Discussion Subject 2

How do we want to develop our definition of effective scrutiny?

Discussion Subject 3

Moving forward, how will we reflect on the impact of the two different Administrations in Adur and Worthing on the JOSC model now that we have

lived with it for a year, what changes (if any) would Members want to make from their experience on

4. Issues for consideration

4.1 Appendix A has been colour coded and highlighted; marked yellow for shorter term options that may be implemented more readily and marked blue for the longer term options (which it is proposed) form the terms of reference for a Working Group.

4.2 The shorter term options for consideration by the Committee are produced below for ease of reference:-

- Pre-submitted questions are limited to 2 per Member to encourage effective on the spot scrutiny.
- That Cabinet Members be requested to provide a briefing note for their interviews in advance of the meeting;
- Cabinet Member interviews are more targeted with JOSC focusing more closely on a key area of the Cabinet Member portfolio or Key decision.
- That the Cabinet Members should provide their own written responses to Member questions with factual information provided by Officers. Such responses to be checked by the Democratic Services team to ensure any exempt information is properly shared in accordance with our Access to Information procedure rules.
- That published reports remind JOSC Members that there is a question time section after each Cabinet Member interview and that Members may make recommendations.
- If JOSC is keen for a Working Group to consider and develop a pre-decision making focus, then a shorter term strategy would be to include consideration of the Forward Plan of Key Decisions as an item on each JOSC agenda as part of the ongoing Work Programme.
- Through communication with their Leaders JOSC works to create a culture of encouragement and support for its work, particularly in supporting the attendance of Cabinet Members at JOSC meetings when requested and in communication generally.
- That JOSC monitors and reviews the Work Programme to ensure that the items on the work programme will deliver effective scrutiny and are still required.
- That JOSC consider introducing informal business planning meetings or pre meetings before each JOSC meeting

- As part of a training review, a mentoring scheme was proposed for new members to JOSC and also a social gathering event for all Members ('speed dating' or other informal gathering event was proposed) this would allow Member to get to know each other's strengths provide support to new Members and build on confidence.
- For JOSC to consider more active engagement with the public as witnesses and/or co-optees on matters before the Committee.
- For Members to agree to a skills and experience audit, to enable the Committee to effectively include Members comments when discussing certain agenda items and/or for appointments to Working Groups.
- That the JOSC Work Programme business be RAG rated to cover upcoming business and this can be implemented immediately if agreed. That a request will be made to review the cycle of the venues when considering the 2024/25 meeting dates.

4.3 It is proposed that the recommendations for the longer term options form the scope for a Working Group. JOSC is asked to consider approving the creation of the Working Group and its Membership. It is suggested that the Working Group should comprise of six JOSC Members (three from Adur and three from Worthing). The Working Group would have the option to co-opt Members to it as appropriate.

The proposed scope for the Working Group would be:-

For the Working Group to review what effective scrutiny and policy development looks like having regard to best practice, recommendations and guidance from advising authorities including the Centre for Public Governance & Scrutiny.

In carrying out the review to consider:-

- A refresh of the Cabinet Member interview process, how often, when and why. Can the effectiveness of Cabinet Member interviews be improved, should they be more 'project focused' or remain as they are or both.
- How pre-decision Scrutiny might be developed and that might work in practice.
- That the JOSC Working Group should review the training arrangements and the nature of the training to be delivered to Members as part of its review work.
- That the working group considers the quality and extent of the work on the Work Programme and charts if there is effective delivery of Reports against

the timetable with a view to understanding / ascertaining why we have a regular occurrence of slippage.

- How effective policy development in Scrutiny can be achieved.
- What JOSOC can do to proactively create a supportive culture from other Members across the Councils, encouraging support from Cabinets in the role of scrutiny and of a critical friend.
- To refresh the way in which JOSOC interacts with the Public and confirm proposals.
- What type of data is required by Members to support Committee Reports
- To consider with Officers whether a Red Amber Green (RAG) rating should be included in Reports to denote delivery progress and performance against existing commitments or key performance indicators and how this might be done.
- Whether JOSOC should make better use of JOSOC Sub-committees to carry out its functions; how this fits in with the Joint Committee Agreement and those services which are currently defined as joint services (ie services not specifically reserved to either Council), and whether review of decisions or pre-decision scrutiny in line with the JOSOC Sub-Committee pilot scheme, is cost effective and / or required.
- Whether after its review the Working Group considers a reset of the Work Programme would be useful.
- To report recommendations from the review back to the Committee when completed together with a full consideration of the cost and resource implications with any proposals.

5. Engagement and Communication

- 5.1 The JOSOC Chairpersons and Vice-Chairpersons and the Council Leadership Team and other relevant Officers have been consulted on the proposals contained in this report.

6. Financial Implications

- 6.1 There are no direct financial implications associated with this report, however, there may be financial/other resource implications associated with some of the possible long term changes to Overview and Scrutiny in Adur and Worthing if they are implemented and these will need to be reviewed in due course.

7. Legal Implications

- 7.1 Under Section 111 of the Local Government Act 1972, the Councils have the power to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.
- 7.2 Section 1 of the Localism Act 2011 provides a Local Authority to do anything that individuals generally may do (subject to any current restrictions or limitations prescribed in existing legislation).
- 7.3 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

Background Papers

Discussion paper 'JOSC review and refresh - March 2023'

<https://docs.google.com/document/d/1IMnfLXF1H4OMXCyOOdpRGguFCv8dc0voNzBSJ-CqKTs/edit>

Appendix A - Collated Feedback from Working Group

https://docs.google.com/document/d/1EbGU8VDuaEmMltbaoXHxQcwmy_CJv-9Mx37Eqe9Zs0l/edit

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Sustainability and Risk Assessment

1. Economic

Matter considered. No direct issues identified but some issues discussed by the Committee have an economic impact.

2. Social

2.1 Social Value

Matter considered. The work of the Committee may lead to improvements in communities and help promote social value.

2.2 Equality Issues

Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no direct issues identified but the Committee does scrutinise community safety issues.

2.4 Human Rights Issues

Matter considered and no issues identified.

3. Environmental

Matter considered. The Committee has scrutinised the progress with Sustainable AW as part of its Work Programme.

4. Governance

Matter considered. Scrutiny plays an important role in the democratic system and as part of the Councils governance arrangements and it is good practice for the Councils to review the effectiveness of Overview and Scrutiny from time to time and make changes where this is considered appropriate.

Appendix A

Joint Overview and Scrutiny Committee Member Workshop held on 13 April 2023 - Member feedback

<p>Discussion 1 - What practical options might Members want Officers to develop options for that will provide shorter term improvements and benefits for Joint Overview and Scrutiny and its Members?</p>	<p>Officer notes/Assessment/Recommendations</p>
<p>Issues relating to Cabinet Member interviews -</p> <p>Cabinet Member interviews work well especially when a briefing document is provided ahead of time. They can be improved by:</p> <ul style="list-style-type: none"> - Having more/more targeted/specific information for Members to scrutinise or focusing on one key area of the portfolio, - CMs attending when invited, - More targeted questions and limited to 2 per Member, - CMs asked to assess the highs and lows specifically of their portfolios, - CMs asked to provide their own responses to questions rather than being provided by Officers <p>More recommendations to come from CM interviews</p>	<p>Cabinet Member interviews - The practice of holding annual Cabinet Member interviews for each Cabinet Member is well established and valued by JOSC Members and Cabinet Members. Pre submitted questions are limited to 2 per Member.</p> <p>Recommendation -</p> <p>(1) That Cabinet Members be requested to provide a briefing note for their interviews prior to JOSC;</p> <p>(2) That the interviews continue in the same format or to make them more effective and to help with agenda management the Cabinet Member interviews be more targeted with JOSC focusing more closely on a key area of the Cabinet Member portfolio as part of the interview. This key area of focus from the portfolio could be identified either in the early part of the Municipal Year when the Work Programme is considered or at the JOSC meeting preceding each interview. This approach would still enable the interviews to take place but provide more structure to the process and could be implemented in the early part of this Municipal Year.</p>

	<p>(3) That as part of the Cabinet Member interview process, it is suggested that the Cabinet Members should be encouraged to provide their own written responses to Member questions with factual information provided by Officers if required /exempt?- but it is an issue which JOSC cannot control and should be discussed between Officers and Cabinet Members.</p> <p>(4) That all Cabinet Member interview reports include a section which informs JOSC Members that they can question the Cabinet Members during the interviews and can make recommendations arising from those questions/answers.</p> <p>A refresh of the interview process as referred to above could lead to more recommendations but that is for JOSC Members to consider.</p>
<p>Issues relating to Pre Decision Scrutiny/Policy development</p> <p>More pre decision scrutiny - this could be accomplished by greater awareness/informing of the forward plan and upcoming Cabinet Member decisions</p> <p>Better use of scrutiny for policy development with say Adur Homes</p>	<p>In order to strengthen Overview and Scrutiny the JOSC Work Programme might be more proactive and spend some time focusing on decisions made or to be made under the Council's priorities and review the Forward Plan of decisions. A longer term detailed Pre decision scrutiny approach will need good forward planning and changes to the way of working by Officers and Members to identify the issues for pre scrutiny and the process for this. Member consideration of the Forward Plan, which highlights decisions to be made and the Report of Council Priorities to the JSC SC meetings can be considered by Members without further forward planning.</p> <p>Overview and Scrutiny has the opportunity to help the Councils develop policy and can achieve this by undertaking reviews via</p>

	<p>JOSC Working Groups as part of the Work Programme or requesting reports to JOSC on policy matters and making comments/recommendations to the Cabinet Members. Alternatively, a more formal Pre decision scrutiny model as referred to above can enable a more proactive form of policy development.</p> <p>Recommendation - (1) If JOSC wishes to adopt an early pre decision scrutiny focus which can be built upon, then scrutiny of the Forward Plan should be added as an item on each JOSC agenda and implemented immediately as part of the ongoing Work Programme.</p> <p>(2) The more detailed consideration of pre-decision protocols should be reviewed by the JOSC Working Group as a longer term ambition.</p>
<p>JOSC should have more powers to compel people to attend.</p>	<p>JOSC can request Cabinet Members to attend meetings and they must comply with this request. JOSC can also scrutinise the work of the Safer Communities Partnership and require partners to attend, however, there are no formal powers to compel other organisations to attend unlike the powers which Parliamentary Select Committees have. JOSC, however, has the powers of influence and by publicising requests for others to attend this can influence them to attend because of potential reputational damage to them if they do not attend.</p> <p>Recommendation - That Cabinet Members be reminded of the requirement for them to attend JOSC meetings when</p>

	<p>requested. The Joint Chairs write to the Council Leaders reminding of the requirement for Cabinet Members to attend JOSC when summoned and to actively engage to promote to work of scrutiny as a critical friend.</p>
<p>Issues relating to training -</p> <p>Better/More Member training</p> <p>Members need to recognise the apolitical nature of JOSC</p> <p>Better review of the forward plan, and key decisions that are to be made. It was noted that for effective scrutiny, members needed to understand the decision making process, which was harder for new Members and effective training was required.</p> <p>Questioning/interview skills, examples of good/poor practice and select committees</p> <p>More and greater Member training, to include Questioning/interview skills, examples of good/poor practice and select committees</p>	<p>It is recognised that training for JOSC Members is essential to help Members learn more about Scrutiny and improve their skills required to scrutinise such as questioning skills and learning more about financial scrutiny.</p> <p>There is an annual induction session for new and existing JOSC Members which is held in the early part of the Municipal Year after the election and more specialist forms of scrutiny training will be arranged during the Municipal Year where possible to cover questioning skills and financial scrutiny training.</p> <p>The induction training is provided for JOSC Members to provide information on the role of scrutiny Members and this will include some guidance on the need for JOSC Members to be non-partisan. This also needs to be recognised amongst the Political Groups.</p> <p>The proposal to scrutinise the Forward Plans at each JOSC meeting as referred to above will help with this with the review of the Forward Plan. All Members are given the opportunity to have decision making training to understand the process and this is planned in the new Municipal Year.</p> <p>Recommendation - That the JOSC Working Group should review the training plan and the nature of the training to be delivered as part of its review work.</p>

	<p><i>As referenced earlier, training for scrutiny Members is essential to ensure that they are effective in their roles. Training induction is held annually and specialist training relating to questioning and interviewing skills and financial scrutiny training can be arranged. The JOSC Working Group should review the training as referred above.</i></p>
<p>Issues relating to agenda management and Work Programme control - Better structured agendas to better balance when the Worthing/Adur only items occur</p> <p>There needs to be a better attention to deadlines and dates in the Work Programme . Too much report slippage.</p>	<p>Agendas are now compiled to provide a split between Adur and Worthing only items and timings are provided for each item in discussion with the JOSC Chairmen which provides better time management for the meetings.</p> <p>The Work Programme is reported to each JOSC meeting for review. JOSC will need to review the Work Programme and ensure that reports are reported on time but the amount of work on the Work Programme has led to reports being delayed or deferred during 22/23.</p> <p>Recommendation 1 - That JOSC monitor and review the Work Programme to ensure that the items on the work programme will deliver effective scrutiny and are still required.</p> <p>Recommendation 2 - That the working group charts the delivery of Reports against the timetable as set out in the work programme with a view to understanding / ascertaining why we have a regular occurrence of slippage.</p>
<p>Issues relating to Working Groups - Improved scoping of the Working Groups</p>	<p>In addition to the terms of reference to be approved by JOSC for the Working Group, in the early stages of meeting, the Working Group will consider the terms of reference and if</p>

<p>Members not familiar with the terms of reference of the Working Groups</p> <p>To avoid delays with the scrutiny there needs to be a focused scope and ability to 'nail' down the detail</p>	<p>necessary report back to the JOSC Chairs on any increased or additional scope required by the Working Group.</p> <p>Recommendation 1 - For JOSC to approve the terms of reference of the Working Group set out in this report at Paragraph 4.2</p>
<p>Better community involvement in decision making and policy development</p>	<p>It was acknowledged that greater use of the Council's communications team would encourage members of the public to submit requests for scrutiny on matters affecting them directly and that longer term there should be greater community involvement in policy development</p> <p>Recommendation 1 - For JOSC to liaise with relevant officers, and/or other relevant parties to investigate mechanisms to better engage the public in effective scrutiny and policy development</p>
<p>What has worked well -</p> <p>Good examples of Working Group reporting eg Evening and Night time economy report</p> <p>Good Officer support for JOSC and individual Members and technical support</p>	

Discussion 2 - How do we want to develop our definition of effective scrutiny and what does it look like?	Officer notes/Assessment/Recommendations
<p>Better committee communication -</p> <ul style="list-style-type: none"> - Introduce some kind of buddy/mentor system whereby new Members can speak to a specific Member with more experience about agenda items and other issues, - Informal meets before meetings to discuss upcoming items, - 'Speed dating' where Members can get to know each other better 	<p>JOSC communications between JOSC Members are important.</p> <p>Recommendation - (1) That JOSC consider introducing informal business planning meetings or pre meetings before each JOSC meeting</p> <p>Recommendation - (2) As part of the training referred to earlier, a mentoring scheme be considered for new members to JOSC and also a social gathering event ('speed dating' has been proposed) for Members to get to know each other.</p>
<p>Effective scrutiny should lead to better outcomes with improved decision making and delivery/implementation of services,</p> <p>Scrutiny needs to be more of a 'critical friend'</p> <p>Scrutiny needs to hold to account better</p>	<p>Recommendation 1 - For the Working Group to review what effective scrutiny looks like having regard to best practice, recommendations and guidance from advising authorities including the Centre for Public Governance & Scrutiny.</p> <p>Recommendation 2 - Training the Cabinets in the role of scrutiny and developing a culture for effective scrutiny to happen including the development of a critical friend role</p>
<p>Raise the profile of JOSC with the public</p>	<p>Overview and Scrutiny can act as the doorway for the public to get involved in Council business. Scrutiny is flexible and is removed from the Council decision makers.</p> <p>The public are more likely to get involved if scrutiny is looking at the issues that people truly care about.</p>

	<p>JOSC has historically tried to involve the public in its work by publicising scrutiny on the Council website which includes a page for scrutiny requests. Also, JOSC have encouraged the public to get involved and submit scrutiny requests and a number of these have led to reports to JOSC for review.</p> <p>Utilising the Councils Communications Team to provide Communications posts prior to each JOSC meeting is also helpful. Council Members should be encouraged to provide social media postings themselves amongst their constituents prior to each JOSC meeting to highlight the work of JOSC and encourage the public to get involved.</p> <p>Working Group reviews also have the potential to get the public involved, particularly if the issues being reviewed are issues which the public are concerned about.</p> <p>Recommendation 1 - In order to take this forward the JOSC Working Group should look at ways to involve the public - Perhaps this could involve the public helping to set the Work Programme through surveys or by work planning in public. The public could even decide the topics for review.</p> <p>Recommendation 2 - JOSC to consider more actively using public as witnesses and/or co-optees</p>
<p>Complete a 'skills audit' of JOSC Members to identify who should 'take lead' on certain agenda items</p>	<p>Recommendation - That Officers arrange 1-1 meetings with the Members of JOSC appointed at the Annual meetings to discuss skills which will help when discussing certain agenda</p>

	items or appointments to Working Groups.
<p>Make reports more concise</p> <p>All reports to JOSC meetings should include a clear 'purpose of scrutiny' section which sets out why the report is being presented and what action is required.</p>	<p>Recommendation - For the Committee to consider the scope of the work programme carefully; to specify what scrutiny is required and to request that the report retains this focus.</p>
<p>More data is required in the reports presented to JOSC to allow for better scrutiny, particularly for the Cabinet Member interviews.</p>	<p>Recommendation 1 - That the working group considers with Officers how better and more effective data can be provided to JOSC to improve the effectiveness of Scrutiny as well as the consideration of the type and nature of data required as part of a review.</p>
<p>Pre decision scrutiny model should be introduced</p>	<p>Recommendation 1 - While the shorter term proposals for Scrutiny of the Forward Plan will help with pre-decision scrutiny, the recommendation is that the JOSC Working Group will need to review a wider approach to pre decision scrutiny as part of its review work.</p>
<p>There should be opposition Chairs.</p>	<p>This is a matter for the Political Groups to agree at full Council</p>
<p>Introduce a Red, Amber, Green (RAG) system for work programmed and reports.</p>	<p>Recommendation 1- That the JOSC Work Programme business be RAG rated to cover upcoming business and this can be implemented immediately if agreed.</p> <p>Recommendation 2 - that RAG information be included within the reports themselves to denote progress and performance against existing commitments or key performance indicators</p>

<p>Discussion 3 - Moving forward, how will we reflect on the impact of the two different Administrations in Adur and Worthing on the JOSC model now that we have lived with it for a year, what changes (if any) would Members want to make from their experience on the Committee? This also considered if there are any different ways of working that JOSC should consider for the future?</p>	<p>Officer notes/Assessment/Recommendations</p>
<p>Introduction of Sub Committees to deal with District/Borough specific issues, recognising that there is an inherent issue with resourcing this.</p> <p>The relationship with JSC needs to be improved.</p> <p>The Councils could seek to reduce meetings of JOSC and make greater use of the JOSC Sub-Committees which would help in scrutinising specific Adur/Worthing only matters.</p> <p>A Cabinet/Scrutiny protocol could also be introduced to improve the relationship between the JSC /Cabinets and Scrutiny and the Joint Committee Agreement.</p>	<p>Recommendation (1) - that the Working Group consider the structure, content and nature of scrutiny across Adur and Worthing. This should include considering the use of Council specific Sub-Committees</p> <p>Recommendation (2) - The Working Group considers the nature of our Joint Services and how Joint Services should be scrutinised. This could include consideration of our current practice / protocol at committee and content of agendas.</p> <p>Recommendation - That the review of JSC Sub-Committees be added to the JOSC Work Programme for review or the JOSC Working Group should review this as part of its work.</p>

<p>That a working group could consider the above, together with resource and cost implications.</p> <p>Review how JOSC works more coherently as a Joint Committee 'rules of engagement'</p> <p>Review the new ways of working of the JSC Sub-Committees and the impact -This should be scrutinised by JOSC and the challenge it provides to overall joint working.</p>	
<p>More co-optees on Working Groups</p>	<p>It is usual practice for each Working Group to consider if it wishes to co-opt other Members or specialists to help with the review and this is set out in the JOSC Procedure Rules.</p>
<p>Hold JOSC at Shoreham during the winter months due to better parking.</p>	<p>The Annual Programme of meetings is agreed each year and for 2023/24 was agreed by Councils in April and dates and venues of JOSC meetings are aligned with JSC meetings to ensure that all meetings are not held in the same venue at the same point in the year.</p> <p>Recommendation - That a request will be made to review the cycle of the venues when considering the 2024/25 meeting dates.</p>

Reset the Work Programme perhaps with an 'Away Day' to re-evaluate

The JOSCS Work Programme was agreed by the Councils in April and is a rolling Work Programme which can be amended as required.

Recommendation - A reset of the Work Programme could be useful and it is suggested that the Working Group should consider this as part of its work.

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ADUR & WORTHING
COUNCILS

Joint Overview and Scrutiny Committee
8 June 2023

Key Decision [No]

Ward(s) Affected:N/A

JOSC Work Programme review

Report by the Director for Digital, Sustainability & Resources

Executive Summary

1. Purpose

1.1 This report outlines progress and plans for implementing the work contained in the Joint Overview and Scrutiny Committee (JOSC) Work Programme for 2023/24.

2. Recommendations

2.1 That JOSC note the progress to deliver the JOSC Work Programme for 2023/24;

2.2 That JOSC consider and confirm appointments to the JOSC Working Group as referred to in Paragraph 4.3; and

2.3 That JOSC consider the Scrutiny request from Councillor Crisp as set out in Appendix B to this report.

3. Context

- 3.1 The JOSC Work Programme for 2023/24 was agreed by the Committee in March and confirmed by both Councils in April 2023 but is subject to ongoing review as part of the JOSC review work being undertaken which is considered in a separate agenda item elsewhere on this agenda. It is usual practice for the Work Programme to be reviewed at each meeting during the Municipal Year. A copy of the 2023/24 Work Programme is attached as part of the Appendix A to this report.
- 3.2 Paragraph 9.2 of the Joint Overview and Scrutiny Procedure Rules, which form part of the Councils' Constitutions and are binding on all Members, states that the work programme will be approved by both Councils. A report must also be taken to each full Council on an annual basis detailing any changes to the Work Programme and this is usually reported mid year and for 23/24 this will be done in December 2023.

4. Issues for consideration

- 4.1 Items for the JOSC Work Programme need to be chosen guided by how closely they align with the Councils' Strategic objectives, how the Committee can influence the outcomes and also general value and outcomes in accordance with the (PAPER criteria) - P - Public Interest, (A) - Ability to change, (P) - Performance, (E) - Extent and (R) - Replication.
- 4.2 The Committee is requested to review the draft Work Programme, consider if any further items are required to be added to the Work Programme and also requested to review the Scrutiny request attached at Appendix B to the report which has been received from Councillor Crisp and decide if the item should be added to the Work Programme. During the Municipal Year, items may be added to the JOSC Work Programme, where appropriate. Requests for additional matters to be included in the Work Programme will initially be considered by the Joint Chairpersons in accordance with the criteria and they will make their recommendations to the next JOSC for consideration and determination following receipt of the Officer report. Consideration should also be given to the capacity of the Committee and resources available when considering further Work Programme items.
- 4.3 At this meeting it is also necessary for JOSC to confirm members to its Working Groups as follows:-

- **Working Group which has been reviewing the policy for temporary accommodation outside of Council areas** - Members in the previous year were Councillors Mandy Buxton and Debs Stainforth (Adur) and Margaret Howard and Heather Mercer in Worthing.
- **Working Group to review Adur Homes Repairs and maintenance issues** (The Work of this Working Group is paused until further guidance is available from the Housing Regulator) - Previous Members were Councillors Carol Albury, Ann Bridges, Joss Loader, Sharon Sluman and Debs Stainforth.

5. Engagement and Communication

- 5.1 The JOSCS Chairpersons and Vice-Chairpersons and the Councils Leadership Team have been consulted on the proposals contained in this report and in the Work Programme.

6. Financial Implications

- 6.1 There are no direct financial implications to consider within this report, however, some items contained in the Work Programme do have financial implications for the Councils.

7. Legal Implications

- 7.1 Under Section 111 of the Local Government Act 1972, the Councils have the power to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.
- 7.2 Section 1 of the Localism Act 2011 provides a Local Authority to do anything that individuals generally may do (subject to any current restrictions or limitations prescribed in existing legislation).
- 7.3 Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 7.4 Paragraph 9.2 of the current Joint Overview and Scrutiny Procedure Rules, which form part of the Councils' Constitutions and are binding on all Members, states that the Work Programme will be approved by both Councils. A report must be taken to both Councils on an annual basis seeking both Councils' approval of the Joint Overview and Scrutiny Committee work programme for

the forthcoming year and any changes to the Work Programme should be submitted to the Councils approximately mid year for noting.

Background Papers

Joint Overview and Scrutiny Procedure Rules

Officer Contact Details:-

Mark Lowe

Scrutiny and Risk Officer

Tel: 01903 221009

mark.lowe@adur-worthing.gov.uk

Sustainability & Risk Assessment

1. Economic

Some of the issues scrutinised as part of the Work Programme could impact on the development of our places or the economic participation of our communities if implemented.

2. Social

2.1 Social Value

Some of the issues to be scrutinised as part of the Work Programme will have an impact on the communities.

2.2 Equality Issues

Matter considered and no direct issues identified.

2.3 Community Safety Issues (Section 17)

Some of the issues being scrutinised will have community safety implications.

2.4 Human Rights Issues

Matter considered and no issues identified.

3. Environmental

Matter considered. The Work Programme includes an item to receive an update on the Councils approach to climate change.

4. Governance

- 4.1 Matter considered and no direct issues identified. It is good practice for an Overview and Scrutiny Committee to set its Work Programme ahead of the Municipal Year. The current Joint Overview and Scrutiny Procedure Rules state that the Work Programme will be approved by both Councils and that any changes to the Work Programme should be submitted to the Councils approximately mid year for noting.

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ADUR & WORTHING
COUNCILS

Adur & Worthing Joint Overview and Scrutiny Committee Work Programme - 2023/2024

Joint Overview and Scrutiny Committee - 8 June 2023
Shoreham Centre

<u>AGENDA ITEM</u>	<u>AUTHORITY</u>	<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBERS/OFFICERS TO ATTEND</u>	<u>CHANGE TO ORIGINAL WORK PROGRAMME?YES/NO/REASON</u>
Planning Enforcement - The Committee is asked to review planning	Joint	Head of Planning	Head of Planning	Item added at the request of JOSCS in September following the consideration of a scrutiny request.

enforcement issues, planning enforcement policy and the Councils approach to planning enforcement Reason for Scrutiny - To review the Councils approach to planning enforcement				Item previously deferred from the JOSC meeting in March.
Annual JOSC report for 2022/23 Reason for Scrutiny - To agree the Annual report for reporting to Council meetings	Joint	Joint Chairmen of JOSC	No	No
Interview with Adur Cabinet Member for Finance & Resources Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio (Interview carried over from 22/23 Year as Cabinet Member could not attend)	Adur	Director for Digital, Sustainability & Resources	Cabinet Member	No
Review of JOSC Work Programme including confirmation of any JOSC Working Group	Joint	Director for Digital, Sustainability & Resources	No	No

memberships for 2023/24 and also consideration of any possible items for future scrutiny				
Improving the effectiveness of overview and scrutiny	Joint	To be considered by the Joint Chairpersons.	No	No

**Joint Overview and Scrutiny Committee - 6 July 2023
Shoreham Centre**

<u>AGENDA ITEM</u>	<u>AUTHORITY</u>	<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBERS/OFFICERS TO ATTEND</u>	<u>CHANGE TO ORIGINAL WORK PROGRAMME?YES/NO/REASON</u>
Interview with Adur Leader TBC Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Adur	Director for Digital, Sustainability & Resources	Cabinet Member	No
Interview with Adur Cabinet Member for Adur Homes and Customer Services TBC Reason for Scrutiny - To consider and question	Adur	Director for Digital, Sustainability & Resources	Cabinet Member	No

the Cabinet Member on issues within the Portfolio.				
Interview with Worthing Cabinet Member TBC Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources	Cabinet Member	No
Update on the delivery of Our Plan and interview with Chief Executive - Reason for Scrutiny - To question the Chief Executive on the progress in delivering the objectives in 'Our Plan'	Joint	Director for Digital, Sustainability & Resources	Chief Executive	No
Annual review of the recovery of the Adur & Worthing evening and night time economies (ENTE) Reason for Scrutiny - Follow up report on the ENTE JOSC review and the outcomes of discussions with Cabinet Members on the	Joint	Director for Economy/Head of Place & Economy	Head of Place & Economy Adur Cabinet Member for Communities & Wellbeing Worthing Cabinet Member for Culture & Leisure	Item agreed by JOSC in January 2023.

recommendations from the review.				
UK Shared Prosperity Fund - Reason for Scrutiny - Report on the progress of delivery of the work streams and how the funding is being allocated.	Joint	Head of Place & Economy/Director for Economy	Head of Place & Economy/Director for Economy	Item agreed by JOSC in February 2023.
Review of JOSC Work Programme and consideration of any possible items for future Scrutiny	Joint	Director for Digital, Sustainability & Resources	No	No

**Joint Overview and Scrutiny Committee - 7 September 2023
Shoreham Centre**

<u>AGENDA ITEM</u>	<u>AUTHORITY</u>	<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBERS/OFFICERS TO ATTEND</u>	<u>CHANGE TO ORIGINAL WORK PROGRAMME?YES/NO/REASON</u>
Interview with Adur Cabinet Member for Communities & Wellbeing TBC Reason for Scrutiny - To	Adur	Director for Digital, Sustainability & Resources	Cabinet Member	No

consider and question the Cabinet Member on issues within the Portfolio.				
Interview with Worthing Cabinet Member - TBC Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources	Cabinet Member	No
Joint Revenue outturn report 2022/23 Reason for Scrutiny - Budget scrutiny and to identify any issues from the outturn that may require any further scrutiny.	Joint	Director for Digital, Sustainability & Resources/Chief Financial Officer	Chief Financial Officer	Yes. Moved from July.
Outline Budget Strategy 2023/24 Reason for Scrutiny - Budget scrutiny and to identify any issues which require further scrutiny	Joint	Director for Digital, Sustainability & Resources/Chief Financial Officer	Chief Financial Officer	Yes. Moved from July.
Review of JOSC Work Programme and consideration of any possible items for future	Joint	Director for Digital, Sustainability & Resources	No	No

Scrutiny				
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**Joint Overview and Scrutiny Committee - 2 November 2023
Shoreham Centre**

<u>AGENDA ITEM</u>	<u>AUTHORITY</u>	<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBERS/OFFICERS TO ATTEND</u>	<u>CHANGE TO ORIGINAL WORK PROGRAMME?YES/NO/REASON</u>
Interview with the Adur Cabinet Member Environment & Leisure TBC Reasons for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Adur	Director for Digital, Sustainability & Resources	Cabinet Member	No
Interview with Worthing Cabinet Member TBC - Reasons for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources	Cabinet Member	No
Interview with Adur Cabinet Member for Regeneration & Strategic Planning TBC -	Adur	Director for Digital, Sustainability & Resources	Cabinet Member	No

Reasons for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.				
Review of JOSOC Work Programme and consideration of any possible items for future Scrutiny	Joint	Director for Digital, Sustainability & Resources	No	No

Joint Overview and Scrutiny Committee - 30 November 2023
Worthing Town Hall

<u>AGENDA ITEM</u>	<u>AUTHORITY</u>	<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBERS/OFFICERS TO ATTEND</u>	<u>CHANGE TO ORIGINAL WORK PROGRAMME?YES/NO/REASON</u>
Interview with Worthing Cabinet Member TBC - Reasons for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources covering report	Cabinet Member	No
Interview with Worthing Cabinet Member TBC Reasons for Scrutiny - To	Worthing	Director for Digital, Sustainability & Resources covering	Cabinet Member	No

consider and question the Cabinet Member on issues within the Portfolio.		report		
<p>Crime and Disorder update - Interview with the Chairman of the Adur & Worthing Safer Communities Partnership (SCP)</p> <p>Reason for Scrutiny - To undertake the formal crime and disorder scrutiny role and scrutinise the work of the SCP.</p>	Joint	Director for Digital, Sustainability & Resources	Chairman of the Adur & Worthing Safer Communities Partnership and Cabinet Members.	No.
<p>Budget update and scrutiny - Joint Budget and Worthing only</p> <p>Reason for Scrutiny - To undertake scrutiny of the Budget and consider if any comments should be forwarded to the JSC.</p>	Adur/Worthing/ Joint?	Director for Digital, Sustainability & Resources/Chief Financial Officer	Chief Financial Officer	No
Review of JOSC Work Programme including note of changes made since Work Programme agreed by Councils in April 2023	Joint	Director for Digital, Sustainability & Resources	No	No

Joint Overview and Scrutiny Committee - 30 January 2024
Worthing Town Hall

<u>AGENDA ITEM</u>	<u>AUTHORITY</u>	<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBERS/OFFICERS TO ATTEND</u>	<u>CHANGE TO ORIGINAL WORK PROGRAMME?YES/NO/REASON</u>
Interview with Worthing Cabinet Member TBC Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources	Cabinet Member	No
Interview with Worthing Cabinet Member TBC Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources	Cabinet Member	No
Review of progress on the delivery of the Housing Strategy Reason for Scrutiny - To review the progress in delivering the Housing	Joint	Director for Communities/Head of Housing Services	Director for Communities/Head of Housing Services	No.

Strategy				
Review of JOSOC Work Programme	Joint	Director for Digital, Sustainability & Resources	No	No

**Joint Overview and Scrutiny Committee - 7 March 2024
Worthing Town Hall**

<u>AGENDA ITEM</u>		<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBERS/OFFICERS TO ATTEND</u>	<u>CHANGE TO ORIGINAL WORK PROGRAMME?YES/NO/REASON</u>
Interview with Worthing Cabinet Member TBC Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources	Cabinet Member	No
Interview with Worthing Cabinet Member TBC Reason for Scrutiny - To consider and question the Cabinet Member on issues within the Portfolio.	Worthing	Director for Digital, Sustainability & Resources	Cabinet Member	No.
Annual update on progress with delivering the Climate Change agenda	Joint	Director for Digital, Sustainability & Resources	Director for Digital, Sustainability & Resources/Sustainability Manager	No

Reason for Scrutiny - To review the progress in delivering the climate change agenda				
Worthing Theatres contract monitoring Reason for Scrutiny - To review the performance of Worthing Theatres.	Worthing	Director for the Economy	Director for the Economy	No
Annual review report on the work of the Worthing BID Reason for Scrutiny - To review the work of the Worthing BID	Worthing	Director for the Economy/Head of Place & Economy/Town Centre Manager	Director for the Economy/Head of Place & Economy/Town Centre Manager	No
Annual feedback report from meetings of the West Sussex Health & Adult Social Care Scrutiny Committee (HASC) - Issues affecting Adur & Worthing Reason for Scrutiny - To review the work of the HASC and the impact on Adur and Worthing	Joint	Director for Digital, Sustainability & Resources and verbal report from the Council Members on HASC	Council Members on HASC to report.	No
JOsc Work Programme setting 24/25	Joint	Director for Digital, Sustainability & Resources	No	No

Working Group reports and other items - Dates to be confirmed

<u>ITEM</u>	<u>AUTHORITY</u>	<u>REPORT AUTHOR</u>	<u>EXECUTIVE MEMBER/OFFICERS TO ATTEND</u>	<u>STATUS</u>
Final report from the Working Group reviewing Cultural Services	Worthing	Chairman of the Working Group	No	Report expected in 2023.
Final report of JOSC Working Group set up to review the policy used by the Councils when placing vulnerable people in accommodation outside of the Council areas.	Joint	Chairman of the Working Group	No	Working Group set up by JOSC on 14 July. First meeting of the Working Group held in September 2022 which is reviewing the issues. Work ongoing.

Additional items to be considered as part of the forward Work Programme in 2024/25

Note:- This draft Work Programme is a 'live' document and all dates and items contained in it are provisional and subject to change in agreement with the JOSC Joint Chairmen/Vice-Chairmen, JOSC and relevant Officers

Scrutiny request

Issue - Developing a Green - Blue Regenerative Tourism digital map for Adur

Proposal for the Council to allocate funding from the Contingency budget to create a digital resource highlighting Regenerative Tourism opportunities in Adur .

This would showcase the wonderful things on offer throughout the wider Adur district.

The Economy and Place Team would then use this budget to develop a digital map of the Regenerative Tourism offer in Adur.

The purpose of the Regenerative Tourism map would be three fold.

1. Support local businesses: Identify, reward and support local businesses and destinations that promote and champion sustainable values,
2. Signpost opportunities for residents: Signpost for our residents the opportunities for non damaging, circular economy activities that will enable Adur to thrive as a place into the future without harming our environment and to identify destinations throughout the wider area using sustainable transport routes.
3. Promote Adur as a Green-Blue destination - a new type of visitor experience: Promote our area, to visitors from further afield, as a Green-Blue destination of choice. The map will encourage new visitors to explore the wonderful Historical, Cultural, Retail, Arts, Food, Watersports and Natural Environment experiences on offer.

This is a link to [WSCC community-climate-action-map](#)

The idea is sound but their map is very short on appropriate info for Shoreham and wider Adur.

Request from - Councillor Gabe Crisp

Public interest - We need good local jobs which do not damage our precious place. By developing a year-round offer from Regenerative activities we can develop our economy, offer our residents sustainable options and provide a new type of visitor experience. Over time this could both regenerate our natural environment and support our economies to grow.

Score = High

Ability to change - The modest sum of £10,000 can kick start Regenerative Tourism with Adur District Council at the forefront of change. Regenerative Tourism promotes activities where the interaction between hosts and visitors helps to regenerate, rather than degenerate, the environment.

Score = High

Performance - This request does not relate to the provision of Council services.

Score = Low

Extent - This request affects the Adur District

Score = Medium

Replication - This request has not been submitted previously to JOSC.

Score = High

Expected Outcomes - JOSC will have the opportunity to review the proposal and make recommendations to the Adur Cabinets if considered appropriate.

Does the proposed review link with the Council strategic objectives or does the Joint Overview and Scrutiny Committee have the ability to influence and/or add value on the subject?

The proposals in this request link with the Thriving Environment and Thriving Economy missions in the Corporate Plan 'Our Plan'.

Score = High

How could this review be undertaken? A report to JOSC setting out the background or a Working Group to review the issues. Either option would need to involve recommendations made to the Adur Cabinet - (Adur Joint Strategic Committee) as JOSC does not hold any budgets for this.

Recommendations from Joint Overview and Scrutiny Committee Chairpersons/Vice-Chairpersons:-

To be confirmed.