



WORTHING BOROUGH
C O U N C I L

17 October 2023

**Worthing Council Meeting
17 October 2023**

Council Chamber, Worthing Town Hall

6.30 pm

Agenda

9 October 2023

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

Part A

1. Apologies for Absence

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

3. Confirmation of Minutes

To approve the minutes of the Council Meeting held on Tuesday 18 July 2023 and the Extraordinary Council Meeting held on Thursday 24 August 2023, copies of which have been previously circulated.

4. Questions from the Public

To receive any questions from members of the public addressed to Members of the Cabinet in accordance with Council Procedure Rule 11. There is up to 5 minutes for each question, one supplementary question may be asked arising from the original question.

Questions must relate to any matter the Council has power or which affects the Borough, except no questions may be asked in relation to

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

Director for Sustainability & Resources:
Paul Brewer
Adur & Worthing Councils,
Town Hall, Chapel Road,
Worthing, West Sussex, BN11 1HA

Public question time will last up to 30 minutes; questions will be taken in the order of receipt.

The deadline for submission of questions is **12th October 2023 at 12 noon**. Questions to be submitted to democratic.services@adur-worthing.gov.uk

5. Announcements by the Mayor, Leader of the Council, Cabinet Members or the Head of Paid Service

6. Items raised under Urgency Provisions

To consider any items the Mayor has agreed are urgent.

7. Recommendations from the Cabinet and Committees to Council (Pages 5 - 8)

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

Reports are available on the website as listed below:

	Cabinet / Committee	Date	Item
A	Worthing Joint Strategic Sub-Committee	12th September 2023	Financial Performance 2022/23 - Capital & Projects Outturn
B	Joint Audit and Governance Committee	26th September 2023	(i) Organisational design and capability building - progress update (ii) Conferment of Honorary Alderman

8. Report of the Leader on Decisions taken by the Executive (Pages 9 - 18)

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

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

9. Members Questions under Council Procedure Rule 12

Members' question time will last up to 30 minutes, with questions being taken in the order of receipt and in rotation from each political group on the Council. The deadline for submission of questions is the **12th October 2023 at 12 noon**.

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

Questions can be asked of the following:

- a) The Mayor
- b) A Member of the Executive
- c) The Chairman of any Committee
- d) The Council's representative on any outside body

Questions cannot be asked in relation to the following:

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

Part B - Not for Publication - Exempt information Reports

None.



Paul Brewer
Director for Sustainability & Resources

Recording of this meeting

The Council will be live streaming this meeting, including public question time. A recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded.).

For Democratic Services enquiries relating to this meeting please contact:

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neil.terry@adur-worthing.gov.uk

For Legal Services enquiries relating to this meeting please contact:

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WORTHING BOROUGH
COUNCIL

Council
17 October 2023

Extract from the minutes of the Worthing Joint Strategic Sub-Committee - 12th September 2023

JSS-C(W)/017/23-24 Financial Performance 2022/23 - Capital & Projects Outturn

This report outlined the financial monitoring position for the end of the 2022/23 financial year for capital schemes included in the capital programme of Worthing Borough Council. This included progress on joint initiatives with the Council's partner Adur District Council. Information was also provided in respect of capital receipts for the constituent authority.

The Cabinet Member introduced the report to Members and set out the situation in relation to Capital schemes from the previous year's programme

Resolved

That the Joint Strategic Sub-Committee

- 1) Noted the outturn position for 2022/23
- 2) **Recommended that Worthing Borough Council at its Council meeting on 17th October 2023:**
 - (a) **Note the overall capital final outturn for 2022/23.**
 - (b) **Agree the net carry over of General Fund Capital underspends for Worthing Borough Council as detailed in paragraph 4.3.2.**
 - (c) **Approve the financing of the Worthing Borough Council 2022/23 Capital Investment Programme, including the use of capital receipts as set out in paragraphs 5.1 and 5.2.**
 - (d) **Approve the carry forward of Council resources underspends to fund budget pressures as detailed in Appendix 1 and summarised in paragraph 5.4.**
- 3) Noted the final projected benefit from completed invest to save scheme as outlined in Appendix 3.

(Link to the report on the website e.g. [Worthing Joint Strategic Sub-Committee - 12th September 2023](#))



**Extract from the minutes of the Joint Audit & Governance Committee - 26th
September 2023**

**JAGC/033/23-24 Organisational design and capability building - progress
update**

In 2022 the Chief Executive, the Corporate Leadership Team and the wider staff leadership team worked collaboratively together in order to design a new corporate plan for the organisation.

Members asked about reviews of the structure to monitor if savings had been achieved, what was being done to encourage more women and minority groups into leadership positions, recruitment retention, front line staff, involvement of residents in delivering services and the use of AI technologies.

Members were informed that the current focus was on bringing in the new leadership structure and that a performance management framework would be taken to the Joint Overview and Scrutiny Committee in November. Equality was being threaded through the organisation with encouragement for more women and minority groups to go for positions in upper management.

The new People and Change division would be reporting directly to the Chief Executive with focuses on retention and development and that local government was constrained with focused, budget control measures but that through creative solutions and matrix systems, cross team collaboration would assist all front line staff. Members were also informed that resident involvement was already happening, with examples of the old police station in Lancing and a new housing development in West Durrington. Finally Members were informed that councils all over the country were looking at how new technologies and AI could benefit operations and free staff to interact more with the public.

Resolved:

The Joint Audit and Governance Committee noted:

- I. Noted the progress made by the Chief Executive in undertaking the organisational design changes outlined in this report.
- II. Noted the structure of the new senior leadership team, including the

organisation, management, number and grades of senior staff and their associated functions.

- III. Noted the ongoing work of reshaping the organisation, changing the way the councils work and improving the delivery of corporate Priorities.
- IV. In compliance with the Councils' Constitutions recommend to both Full Councils to note the overall departmental structure of the Councils, the management structure and the deployment of Officers.**

(Link to the report on the website e.g. [Joint Audit & Governance Committee - 26th September 2023](#))



**Extract from the minutes of the Joint Audit & Governance Committee - 26th
September 2023**

JAGC/035/23-24 Conferment of Honorary Alderman

The purpose of the report was to consider conferring the title of Honorary Alderman of the Borough of Worthing on former Mayor Lionel Harman who had retired from the Council.

Members discussed the various good works former Mayor Lionel Harman had undertaken during his tenure.

Resolved:

The Joint Audit & Governance Committee recommended that

- I. Worthing Borough Council confer the title of Honorary Alderman to former Mayor, Lionel Harman;
- II. **Worthing Borough Council approves 'That a special meeting of the Council be arranged under section 249(1) of the Local Government Act 1972 for the specific purpose of conferring the title of Honorary Alderman to Lionel Harman.'**

(Link to the report on the website e.g. [Joint Audit & Governance Committee - 26th September 2023](#))



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

A Decisions Taken by Individual Cabinet Members

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

Leader

None

Deputy Leader

W/DL/002/23-24 CIL Neighbourhood Fund Applications

Cabinet Member for Regeneration

None

Cabinet Member for Resources

JAW/009/23-24 Sale of land at former EDF Car Park, Southdownview Road, Worthing
W/RES/003/23-24 Irrecoverable Debts - Overpaid Housing Benefits

Cabinet Member for Housing & Citizen Services

JAW/007/23-24 Emergency Accommodation Contract Award - Nyewood Lane,
Bognor Regis

Cabinet Member for the Environment

JAW/006/23-24 Cremator Servicing and Maintenance Contract
JAW/008/23-24 Refurbishment of Public Conveniences, High Street MSCP

Cabinet Member for Community Wellbeing

None

Cabinet Member for Culture & Leisure

None

Cabinet Member for Climate Emergency

None

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

B. Decisions taken by the Worthing Joint Strategic Sub-Committee on 12 September 2023

Details can be found by clicking on this [link](#).

The matters not appearing elsewhere on the agenda:-

JSS-C(W)/018/23-24 1st Quarter Revenue Monitoring Report 2023/24

The report updated the Joint Strategic Sub Committee with the latest expenditure and income projections for both Adur District Council and Worthing Borough Council for the current financial year 2023/24, compared to the Revenue Budget approved by both Councils in February. Whilst the 'spend to date' would be the position as at the 30th June 2023, the forecast outturn position would reflect the latest information available to ensure an up-to-date forecast was presented.

The current outturn projection for the 2023/24 financial year for the Worthing Borough Council General Fund was a net overspend after reserve transfers of £1.8m. A breakdown was set out in section 4.4 of the report.

The Cabinet Member for Resources introduced the report to the committee and set out the challenging situation the Council was facing. Members were told of the projected overspend and the reasons why these figures were expected including uncertainty around the pay award, higher borrowing costs, increases in homelessness and economic uncertainty. With regards to income it was related that the central government has massively reduced its financial support to councils. The council would be looking closely at how it could develop and look for new income streams.

Questions were asked about how the overspend would be managed and whether this would affect service provision. The Committee was informed that the Council was involved in a service planning process. Protection of frontline services was important. Further questions were asked about specific areas of the budget including the delay of sites and the refuse and recycling service.

Decision

The Worthing Sub Committee of the Joint Strategic Committee noted the report and projected outturn position for the Joint Committee and Worthing Borough Council

against the approved revenue budgets and proposed use of reserves (Appendix 2b).

JSS-C(W)/019/23-24 1st Quarter Capital Investment Programme & Projects Monitoring 2023/24

The report updated the Sub-Committee on the progress made on the delivery of the 2023/24 Capital Investment Programme for Worthing Borough Council. The programme included schemes which supported the delivery of services by the Joint Services Committee

Included within the report was information about the prudential indicators which provided a link between the Council's revenue budget and capital budget. Quarterly monitoring of these indicators was a new requirement introduced as part of the refreshed prudential code.

A question was asked on capital provision for the opening doors landlord scheme and it was related that details were not to hand and could be provided after the meeting

Decision

The Worthing Sub Committee of the Joint Strategic Committee

- 1) Noted the reprofiling of the Worthing Borough Council capital schemes as advised in paragraph 6.1 and appendix 2.
- 2) Noted the use of the 2023/24 contingency budgets to fund the acquisition of second hand waste and cleansing vehicles as set out in paragraph 6.2.2.5 of the report;
- 3) Noted the 1st Quarter Treasury Management Update 2023 as set out in appendix 3.
- 4) Approved the changes to the current schemes as set out in section 6.2 report.

JSS-C(W)/020/23-24 Worthing Theatres & Museums - Annual Review 2022/23

The report before members presented the Worthing Theatres and Museum Trust Annual Review 2022/23.

The Cabinet Member for Culture and Leisure introduced the report to the Committee and discussed the socio-economic provision given by the Trust. Members were told of the importance of the publication of key performance indicators. It was important that Arts and culture was supported within the borough

Decision

The Worthing Sub Committee of the Joint Strategic Committee acknowledged and welcomed the achievements of Worthing Theatres and Museum over the year, in particular the focus on working with local communities to promote engagement in cultural activities.

JSS-C(W)/021/23-24 New Leisure Principles for Worthing

The report before members outlined Worthing Council's approach for supporting the sport and leisure sector and outlined the headline principles that will guide the approach, the key pillars of the Council's support to the sector reflect the vision of the Council: fair, green and local.

The report set out the commitment to make the best use of Council assets to support the sector for the benefit of residents together with the wider economic benefits associated with places that people valued and enjoyed.

A question was asked about the makeup of a proposed sport and leisure advisory group and whether this could include representatives from the 'friends of' group and was advised that the groups were in the process of being worked out. There were further questions about the maintenance of sports pitches.

The matter was discussed and the committee welcomed the report and the importance of the leisure principles to the people of the Borough.

Decision

The Worthing Sub Committee of the Joint Strategic Committee

- 1) Approved the development of a Sport and Leisure Advisory Group (outlined in 3.7) to be an effective reference group linking, and working with, an Officer / Member Working Group. To share and develop the principles with the Advisory Group and engage them fully in the shaping of any Sport & Leisure Plan.
- 2) That the Officer / Member Working Group to manage progress and report back, and take influence from the Advisory Group and other local networks.
- 3) Delegated authority to the Director for Place to agree the terms of reference for the working group in consultation with the Cabinet Member which shall include the requirement to report back to the Committee (at such intervals to be agreed in the terms of reference) with further recommendations to the Committee.
- 4) Further develop the principles, moving into the development of a Sport & Leisure Plan, as outlined in section 6. This should cross-reference to developing Service and Project Plans, as part of

Our Plan, including alignment to Wellbeing and Young People's Principles and Plans.

- 5) That the Working Group design and develop baseline data and outcome measures to be reported to the Committee within appropriate timeframes as directed by the terms of reference.

JSS-C(W)/022/23-24 Worthing Public Realm - Delivering transformation at Montague Place

The report updated Members on the Montague Place scheme and sought to authorise Worthing Borough Council (WBC) to act as the lead authority and delivery body for West Sussex County Council (WSCC) on the terms set out in this report.

The report presented the rationale for WBC delivering the project and the combined approach being undertaken by WBC to deliver a series of public realm improvements under Growth Deal arrangements with WSCC.

The report sought approval to release the Community Infrastructure Levy budget to enable WBC to contribute to delivering the scheme following the Councils Standing Orders and procurement strategy in appointing further consultants and contractors.

A question was asked about the nature of consultation involved in the scheme. Members were told that there had been 11 months of consultation work undertaken with multiple stakeholders.

Members lauded the new type of engagement in considering the scheme and noted the well attended community event that exhibited good two way conversations.

Decision

That the Worthing Sub Committee of the Joint Strategic Committee

- 1) Delegated authority to the Director for Place to enter into a collaboration agreement with WSCC authorising Worthing Borough Council to take on the project management and delivery responsibility of Montague Place Public Realm work;
- 2) Delegated authority to the Director for Place, in consultation with the Cabinet Member for Regeneration and WSCC, the authority to approve and award a contract for project management capacity required to oversee the public realm project subject to the development of a procurement strategy; the outcome of a compliant procurement process and ensuring that the work is within the authorised budget envelope;
- 3) Delegated authority to the Director for Place, in consultation with the Cabinet Member for Regeneration and WSCC, the authority to approve and award a

contract for the construction work required to deliver the public realm project subject to the development of a procurement strategy; the outcome of a compliant procurement process; and, ensuring that the project is within the authorised budget envelope;

- 4) Approved the release of £2.7m from the Community Infrastructure Levy strategic pot to support the delivery of Montague Place Public Realm scheme;
- 5) Approved the creation of a budget of £2.7m within the capital programme fully funded by the Community Infrastructure Levy to support the delivery of the scheme.

JSS-C(W)/023/23-24 Teville Gate Update

The report before the Sub-Committee updated Members on the progress made by officers regarding the completion of the Teville Gate marketing materials and assessment criteria; and specifically to set out the aspirations for the Council to sell its freehold interest in the site to Homes England to deliver a housing-led regeneration scheme.

Questions were asked about deadlines, the choices taken around the new direction of the scheme, debt repayments on the original purchase and the locality of potential developers.

The committee noted that New Homes England was an organisation that were experts in dealing with regeneration projects. Members welcomed the new direction.

Decision

The Worthing Sub Committee of the Joint Strategic Committee

- 1) Delegated authority to the Director of Place to:
 - a) Finalise the terms for working with Homes England as set out in section 6.
 - b) Enter into formal negotiations to sell the Council's freehold interest in Teville Gate to Homes England subject to the receipt of an acceptable financial offer and conditions.
 - c) Consult with, and regularly update, the Leader and Cabinet Member for Regeneration on the negotiations with Homes England.
 - d) Provide a progress report on the negotiations and terms of a financial offer to the December 2023 Committee meeting.
- 2) Should negotiations or terms not be reached with Homes England, that the Joint Strategic Sub Committee delegated authority to the Director of Place, in

consultation with the leader and Cabinet Member for Regeneration, to issue the Teville Gate Marketing Brochure to secure a development partner and report progress back to this Committee

JSS-C(W)/024/23-24 Delivering a Business Support Package for Adur and Worthing (2024 - 2025)

The report before members sought authorisation to procure services to deliver a bespoke business support package (BSP) across Adur and Worthing. It signalled the rationale for the support package and outlined how a number of funded regional business support programmes were coming to an end, leaving a gap in provision for businesses seeking information, advice and guidance relating to business issues including how to achieve business growth.

Assurance was provided that the business support package was being developed as part of measures to help local businesses grow and contribute to the growth of the local economy. Specific areas to support businesses included innovation, sustainability, leadership and management and start up / micro business advice.

It was indicated that the preferred method of pooling external funding sources to deliver the business support package, included the utilisation of UK Shared Prosperity Funding (UKSPF) and S106 contributions, specifically referencing economic development or business support.

A question was asked about the timeline for the business support package and members were told that the scheme was marked to begin in January 2024.

Decision

The Worthing Sub Committee of the Joint Strategic Committee

- 1) Noted the business support landscape and the current limitations regarding resources currently available for start ups, micro, small, medium and large businesses.
- 2) Approved the release and pooling of external funding pots to deliver the Business Support Package, including UK Shared Prosperity Funding, Pooled Business Rates and Section 106 monies.
- 3) Approved the creation of a budget of £470,500 across Adur District Council and Worthing Borough Council for the specific purposes as outlined in this report.
- 4) Delegated authority to the Director for Place, in consultation with the Cabinet Member for Resources (Worthing) and Cabinet Member for Regeneration & Strategic Planning (Adur), the authority to approve and award contracts for the staff / consultancy work required to deliver the Business Support

Package, subject to the development of a procurement strategy and the outcome of a compliant procurement process; and ensuring that the overall programme is within the authorised budget.

**JSS-C(W)/025/23-24 Referral of Motion on Notice from Worthing
Borough Council**

Councillor Jenkins was present to explain the motion to members of the Sub-Committee. The motion before members asked for the Sub-Committee to consider asking for a report to be put forward from officers that investigated Houses of Multiple Occupation (HMOs). Members would be asked to consider whether, based upon evidence, there was a need for an article 4 direction.

The local plan had been originally considered in 2016 and the pressure on the town created by HMOs had increased since that time. The council itself was seeking to use large properties within the town for emergency and temporary accommodation and the Motion would not prohibit this from happening.

The motion was seeking to ensure that the council could monitor the proliferation of smaller HMOs which often happened in concentrations where there was a predominance of older Victorian buildings. There was evidence to show that overconcentration of HMOs could create divisions within social groups amongst other negative aspects.

The motion was seeking to ascertain whether the council would need to apply a greater level of management. There were risks associated with not taking proactive measures at an early stage with losing control of the situation.

Members thanked councillors for the motion and for the conversations had around the matter. It was agreed that the matter was important and worthy of further consideration. However, it was felt that the matter should be considered in the wider context of housing strategy and housing need within the Borough. The need and use of HMOs by young people was mentioned and the possible need for a licensing scheme to ensure the quality of these premises. Members felt that the matter could be discussed as part of the work undertaken by a cross party Local Plan working group. It was stated that the Working Group would be in place by 30 October and that group leaders would be contacted about the composition of the group.

Decision

The Worthing Sub Committee of the Joint Strategic Committee rejected the Motion

C. Decisions taken by the Joint Strategic Committee on 3 October 2023

Details can be found by clicking on this [link](#).

The matters not appearing elsewhere on the agenda:-

JSC/20/23-24 Land Charges Migration to HM Land Registry

The report informed members that HM Land Registry was combining each Local Authority's Land Charges Register into a single standardised digital and geospatial dataset. Under the Infrastructure Act 2015, responsibility for the 331 registers was transferred to HM Land Registry (HMLR) to be rolled out in a phased approach. The target was for all 331 local authorities in England and Wales to be migrated by 2025.

At the time of the meeting only 75 authorities had migrated to the HMLR. The target for Adur and Worthing is to carry out the migration during the financial year 2023-24. However, as with other migrations this timetable is very likely to slip into 2024-2025. The report provided further background to the HMLR project and highlighted some of the financial and resource implications for the Councils. The report sought approval to enter into a Collaboration Agreement with the HMLR. To assist with the migration the Government would provide initial funding (transitional payments) and post migration an 'additional burdens' payment.

Members were asked for the authority to use some of the transitional payment to fund additional staff resources to enable the Council to progress the migration of the Council's Local Land Charges Service to HMLR.

Questions were asked about implementation time and the status of resources currently used within the department

Decision

That the Joint Strategic Committee

- 1) Authorises the Director for Place in Consultation with the Assistant Director Legal and Monitoring Officer, to enter into a Collaboration Agreement and agree a Delivery Plan with HMLR.
- 2) Authorises the Director for Place to enter into any other agreements necessary to facilitate the migration of the Council's Local Land Charges service to HMLR.
- 3) Agrees to allocate up to £40.5k of the Part 1 HMLR Transitional Payment to fund additional staff resources to enable the migration process to be delivered within agreed timescales.

JSC/21/23-24 Annual Treasury Management Report 2022-23 for Adur District Council and Worthing Borough Council

The purpose of Treasury management reports that were submitted during the year was to ensure that proper scrutiny was undertaken of the treasury and capital expenditure activities of the Councils and that the activities were conducted in a prudent manner in order to safeguard the financial position of the Councils. Councils were required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities; and a review of performance against the prudential and treasury indicators for the year.

The key message arising from the report before members was that both Adur and Worthing Councils had complied with the approved policies and the indicators agreed prior to the start of the financial year. The report asked Members to note the Treasury Management performance for Adur and Worthing Councils for 2022/23 as required by regulations issued under the Local Government Act 2003.

Decision

That the Joint Strategic Committee noted the annual treasury management report for 2022/23.

D. Urgent Decisions taken by the Cabinet

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

None.

Local Government Act 1972

Background papers

None.

**Councillor Dr Beccy Cooper
Leader of the Council**