

**Minutes of a meeting of the  
Joint Governance Committee  
Adur District and Worthing Borough Councils  
QEII Room, Shoreham-Centre, Shoreham-by-Sea**

**24 September 2019**

Councillor Kevin Boram (Chairman)

**Adur District Council:**

David Balfe  
Ann Bridges  
Brian Coomber  
Andy McGregor  
Barry Mear  
Debs Stainforth

**Worthing Borough Council:**

Mike Barrett  
Rebecca Cooper  
Bob Smytherman  
Steve Waight  
Steve Wills  
Tim Wills

**Absent:**

Councillors Peter Metcalfe and Louise Murphy

**JGC/26/19-20          Substitute Members**

Councillor Les Alden substituted for Councillor Debs Stainforth  
Councillor Karen Harman substituted for Councillor Louise Murphy

**JGC/27/19-20          Declarations of Interest**

Councillor Lionel Harman declared a personal interest in Item 10, as the father of a former Member of the Borough Council, Alex Harman.

Councillor Karen Harman declared a personal interest in Item 10, as a former member of the Borough Council, Alex Harman, is her step-son.

Both Members of the Committee elected to leave the room when the item was considered.

**JGC/28/19-20          Minutes**

The Minutes of the Joint Governance Committee meeting held on 30 July 2019 and the Joint Governance Sub-Committee meeting held on 20 August 2019, were agreed as a correct record.

**JGC/29/19-20          Public Question Time**

There were no questions from the public.

## **JGC/30/19-20            Items Raised under Urgency Provisions**

There were no urgent items raised.

## **JGC/31/19-20            Internal Audit Progress Report**

Before the Committee was a report by the Acting Head of Internal Audit, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 6.

The report sought to update Members of the Committee with:-

- the current performance of the Internal Audit Section;
- summary information on the key issues raised in final audit reports issued since their last report to the Committee; and
- the current status on the implementation of agreed audit recommendations.

Dave Phillips, the Acting Head of Internal Audit (AHIA), began by referring Members to 4.2 of the report, Final Audit Reports, and drew their attention to the fact that twelve reports had been finalised since the committee meeting was held in March 2019. He referred to the paragraph headed Follow-up of Audit Recommendations, which he advised were supported by appendices at the end of the report.

Before concluding, he mentioned a typographical error within the table headed Status of Recommendations 2016/17 i.e. Priority 2 (P2) - 'Overdue' should read 0 and not 2. The AHIA stated he was happy to answer any queries raised by Members on the report.

The Chair referred to the table on page 7, Status of recommendations 2016/17 and queried whether Members should be concerned there were still 16 P2s outstanding, and also the outstanding P1s within 2017/18 and 2018/19. The AHIA specifically referred to Local Land Charges and Invest to Save Schemes which he felt needed to be progressed. With regard to Local Land Charges, an audit was scheduled for Q3 and on the Invest to Save Schemes, Audit had been promised an update very shortly.

As the AHIA was unable to provide further information on the outstanding P1s, the Chair, on behalf of the Committee, requested a further report be circulated to the Committee and Officers advising what they were, and whether there were risks involved. In the meantime, to assist, the AHIA referred Members to Appendix 6 of the report which provided some further information on the outstanding P1s.

The Chief Financial Officer agreed the next time the monitoring report was produced a column be added to highlight the governance risk to Council.

The Committee Members raised a number of issues, particularly on:-

- the consistently outstanding P1s;
- the 'Comment' section of monitoring report being expanded;
- the Leaseholder Service Charges draft Policy; and
- relevant Officers' attendance at future Joint Governance Committee meetings.

Following discussion, the Chair agreed that the more detailed Auditors' report on the outstanding P1s should be circulated to Committee Members by the Chairs two weeks in advance of committee meetings. This would enable Members sufficient time to identify significant matters of concern and potential high risk, and where appropriate, invite the responsible Officers to attend to provide further clarification.

## **Resolved**

That the Joint Governance Committee had considered and noted the contents of the report and agreed the circulation of the more detailed Auditors' report by the Chairs to the Committee Members two weeks in advance of a committee meeting.

## **JGC/32/19-20 Risks and Opportunities Update**

Before the Committee was a report by the Director for Digital & Resources, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 7.

The Scrutiny and Risk Officer stated the report provided updates on the management of the Councils' Risks and Opportunities and referred Members to Appendix A and B. The number of 'High' Risks was 5 Corporate and 8 Service was the same as in the May 2019 report.

Members were being asked to consider if they would like any further information on any of the Risk and Opportunities and agree a further progress report be received in January 2020.

Committee Members raised a number of queries, particularly on the Corporate 'High' Risks.

One Member requested an update on major projects that remained undelivered and strategically important sites, such as Teville Gate and Union Place, that remained vacant. The Officer advised the matter had been raised at a previous meeting in May and he had provided a written response to all Members of the Committee following that meeting.

Another Member referred to Legal Services working with other local authorities and questioned why this was no longer seen as an opportunity. The Head of Legal Services explained the situation, advised a good working relationship still existed with the local authorities and felt there could be further opportunities to work together in the future.

There was mention made regarding housing supply in the area and whether the Councils were actively identifying other private sector properties, such as Rowlands Road, to convert into temporary accommodation. The Chief Financial Officer responded to the query, as she sat on the Affordable Housing Working Group, and updated Members on projects that were in place.

A Member referred to the failure of the Council to deliver major sites and felt questions should be raised as to why the policies in place were not producing the results expected. There followed a general discussion on the matter, particularly, whether the subject fitted within the remit of the Joint Governance Committee (JGC). The Solicitor to the Council

and Monitoring Officer clarified for Members, the TOR for the JGC, under Part 3 of the Constitution.

To assist, the Scrutiny and Risk Officer advised Members that at the next Joint Overview & Scrutiny Committee (JOSC) meeting on 17 October 2019, a progress report on Platforms for Places would be heard, with the Chief Executive in attendance, together with interviews with the Leaders of the Councils. The Officer suggested comments from the JGC could be referred to Chairs of JOSC. There was also a report going to the Joint Strategic Committee on 8 October 2019 as an update on the Corporate Risks as part of the Risk Strategy.

The Chair believed the role of the JGC was to examine and decide whether the JGC agreed with the assessment of the risks and opportunities, and if not, should be commenting on the same. The Solicitor to the Council and Monitoring Officer clarified for the Committee that they had the power to make recommendations to full Council and that it would be legitimate for the Committee to ask for a more detailed report on the risk management of a particular matter.

The Chair suggested that at the next JGC meeting, the relevant Officer attended to discuss the risks around major projects; assess whether the risks were appropriately described; and actions being undertaken by the Officer. The Member felt the Joint Strategic Committee should be made aware that JGC were concerned about the risk and as a consequence would be inviting the relevant Officer to the next JGC meeting.

In conclusion, a Member raised his concerns that Council finances continued to be under pressure after several years of reducing income from central government and what action could be taken. The Chief Financial accepted there was a risk, but the Councils had strategies in place in an effort to be less dependent on government funding, and confirmed lobbying had taken place by all parties.

With reference to financial risk, the Chief Financial Officer agreed the report should be expanded to include the pressure from parties withdrawing funding.

In conclusion, the Scrutiny and Risk Officer advised the Committee that the Policy in respect of Climate Emergency could be added as a Corporate Risk. Once the scale of the issue was known, the Chair felt a special meeting should be arranged for further broader discussion.

## **Resolved**

That the Joint Governance Committee:-

- noted the progress in managing risks and opportunities;
- requested the Joint Strategic Committee be made aware of JGC's concerns regarding the delivery of major projects;
- consider a special meeting be arranged to discuss Climate Emergency; and
- agreed to receive a further progress report in January 2020.

Before the Committee was a report by the Solicitor to the Council and Monitoring Officer, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 8.

Members had requested that a report be brought to them to address the way in which the Chairmen of Committees, other than the Executive, were currently appointed and any future options.

The Solicitor to the Council and Monitoring Officer briefly outlined the report for Members and advised that whilst it was a statutory requirement that Councillors were appointed to non-Executive Committees by the Council in accordance with the political balance rules, it was the Council's own adopted constitutional arrangements that governed the appointment of Chairmen and Vice Chairmen.

In discussion, Member's opinions varied, some Members felt no change to the procedure was necessary, others that it should be the role of the Committee to determine the Chair of that Committee, and be appointed via a secret ballot. Other Members believed an opposition Member should chair JOSOC to allow fair and effective scrutiny of the Council and avoid unconscious bias.

In conclusion, following debate, as a Joint Committee, legal advice was given that any proposals to make a recommendation to Council should be dealt with separately by each Council.

It was proposed, seconded and agreed that a recommendation be made to both Councils that the Joint Governance Committee and Joint Overview and Scrutiny Committee Chairs be elected by the Members of that Committee at the first meeting following Annual Council, via a secret ballot.

It was proposed and seconded that a recommendation be made to both Councils that the Chairman of the Joint Overview and Scrutiny Committee, however appointed, be a Member of the opposition or Independent Member.

It was proposed and seconded that a recommendation be made to both Councils that the Chairman of the Joint Governance Committee, however appointed, be a Member of the opposition or Independent Member.

Both motions failed.

### **Resolved**

That the Joint Governance Committee considered and noted the content of the report and made recommendations to Adur District Council and Worthing Borough Council that the Committee Chairs, for Joint Governance Committee and Joint Overview and Scrutiny Committee, be elected by the Members of those Committees at the first meeting following Annual Council, via a secret ballot.

**JGC/34/19-20**

**Petition Scheme: Update and Revisions**

Before the Committee was a report by the Solicitor to the Council and Monitoring Officer, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 9.

The Solicitor to the Council and Monitoring Officer introduced the report and advised that as part of the ongoing review work of the Constitution she had undertaken, the Councils' Petition Schemes had been reviewed and updated. Minor amendments had been made under the Monitoring Officer's delegation powers. The revisions were contained within a tracked change document, together with a clean version of the Scheme - appendix 1 of the report.

The primary changes were to clarify the changes that the Councils would only accept Petitions at Full Council, and not at Annual Council, nor Special or Extraordinary meetings. Also, revisions had been made to clarify that the Monitoring Officer was the Proper Officer in respect of the Scheme, with contact details being amended accordingly, and an option to refer a qualifying petition to the Executive or the Committee within whose remit the matter fell.

The Solicitor of the Council and Monitoring Officer advised Members of a further change, not included within the report, that a Petition would need to be received 15 clear working days before a Council meeting to give Officers sufficient time to consider the Petition and prepare a report. If received after that deadline the Petition would be considered at the next meeting.

Following consideration of the item, it was agreed the Solicitor to the Council and Monitoring Officer would investigate the ways in which the Petition Scheme could be more widely advertised. The Officer also agreed to produce an annual report detailing how many petitions had been received, those rejected, together with the reasons, and the outcome of those petitions accepted.

**Resolved**

That the Joint Governance Committee considered and noted the revised Worthing Borough Council and Adur District Council Petition Scheme which would become effective on 25 September 2019.

*Councillors Lionel and Karen Harman left the room for the next item considered*

**JGC/35/19-20**

**Conferment of Honorary Alderman - Alex Harman**

Before the Committee was a report by the Solicitor to the Council and Monitoring Officer, copies of which had been circulated to all Members and copies are attached to the signed copy of these Minutes as Item 10.

## **Resolved**

That the Joint Governance Committee considered the granting of the Honorary Aldermanship of the Borough of Worthing to former Mayor Alex Harman and agreed to make the following recommendation to Worthing Borough Council:-

That a special meeting of the Council be arranged under section 249(1) of the Local Government Act for the specific purpose of conferring the title of 'Honorary Alderman' to Alex Harman.

The meeting was declared closed by the Chairman at 8.38 pm, it having commenced at 6.30 pm

## **Chairman**