

**Minutes of a meeting of the
Joint Strategic Committee
Adur District and Worthing Borough Councils**

Gordon Room, Worthing Town Hall

8 October 2019

Councillor Daniel Humphreys (Chairman)

Adur District Council:

Neil Parkin
Carson Albury
Brian Boggis
Emma Evans
David Simmons

Worthing Borough Council:

Kevin Jenkins
Edward Crouch
Heather Mercer
Elizabeth Sparkes
Val Turner

Absent:

Councillors Angus Dunn

JSC/37/19-20 Declarations of Interests

Councillor Elizabeth Sparkes declared an interest in item 6 as a Member of West Sussex County Council.

JSC/38/19-20 Minutes

Resolved that the minutes from the Joint Strategic Committee meeting held on 10 September 2019, be approved as an accurate record and signed by the Chairman.

JSC/39/19-20 Public Question Time

The following question was received from a member of the public:-

Question 1 from an Adur resident:-

Regarding item 11 on your agenda which seeks to enter into an agreement with Homes England and LEP to secure funding for two strategic housing sites, namely Free Wharf and New Monks Farm.

As Free Wharf has received full planning permission, this part of the motion should be debated.

However, NMF has yet to gain full approval as S106 monies for education provision has yet to be approved and there are still outstanding land ownership issues with the Withy Patch Community. In fact, WSCC are set to debate both issues on the 18th of this Month.

It should also be noted that the S106 monies of £3.2m for NMF for education provision are dependent on the approval of the West Sompting development (£2.8m) which has yet to be placed before the Planning Committee.

My questions are:-

- 1. How can this Committee request the HE/LEP monies for NMF when WSCC have yet to debate the S106 monies and land issues?*
- 2. How can the Council approve S106 monies for NMF, when it is reliant on West Sompting gaining planning approval? I remind you, it has yet to be placed before the Planning Committee. It was at the NMF planning meeting on the 3rd of November 2018 that Mr Appleton stated that BOTH would need to contribute towards the construction of the school.*

Until such time that WSCC have debated the issues and West Sompting has received planning permission, funding from HE and LEP should not be agreed for NMF.

The Chairman advised that the question would be answered during consideration of Item 11 on the agenda.

JSC/40/19-20 Items Raised under Urgency Provisions

It was within the Chairman's discretion to accept an urgent item, in accordance with Section 100B(4) of the Local Government Act 1972 as amended.

The Chairman approved an urgent item relating to Ropetackle Arts Centre as 'failure to make a decision regarding funding could have had significant adverse effects on the operation of the centre'.

Before the Committee was a report by the Director for the Economy, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 4.

The report proposed moving swiftly to secure a fixed term funding agreement with The Ropetackle Centre Trust (Ropetackle), highlighting the organisational development and financial changes necessary to secure longer-term resilience for this important cultural facility.

The Committee was informed that earlier in the year Ropetackle's Board of Directors approached Adur District Council and raised concerns around the centre's financial stability. In doing so the Ropetackle's Chair issued an urgent request for funding.

Since then, members and officers had been working with the Ropetackle team on governance and finance matters.

Ropetackle had prepared a proposal for the way forward, focussing on organisational growth, financial stability and improved profitability.

Adur District Council needed to respond quickly to ensure that Ropetackle could move forward with confidence. Urgency was needed to allow for crucial artistic programming and staff recruitment.

Cllr Boram addressed the Committee advising that Ropetackle was a centrepiece of the High Street and an important part of the night time economy. It had been very successful with a turnover between £700-800k and as a result, the Board had difficulty understanding the financial situation resulting from this success. He assured the Committee that a robust business plan was being developed to look ahead for the next 3 years.

The Leader of Adur District Council thanked Officers and Cllr Boram for their hard work on this issue and advised that the trust also wished to thank those involved. He informed the Committee that the Council had already given a significant amount of money to Ropetackle but the additional amount requested should help them to turn the corner. An SLA agreement was in place to ensure that the proposed changes had taken place before the funding was provided.

Decision:

That the Joint Strategic Committee

- i. noted the progress made by Ropetackle in putting in place plans for improved governance and a more robust financial model;
- ii. resolved that Adur District Council enter into a 3 year funding agreement with Ropetackle Trust, providing a subsidy of £20,000 per year (2019, 2020, 2021) to create financial stability.

Call In:

The call-in deadline for this decision will be 5.00pm on 18 October 2019.

JSC/41/19-20 Consultation response and recommendations on the extension and amendment of Public Space Protection Orders (Dog Control) for Adur and Worthing Councils

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 5.

The Committee was informed that on the 17 December 2019, two Public Space Protection Orders for dogs (one in Adur and one in Worthing) would expire.

On the 5 March 2019 a report had been brought to the Committee recommending:

- the approval, in principle, of proposed amendments to the orders outlined in paragraphs 4.5 and 4.8 of that report (contained as Appendix A to this report);
- the approval for the undertaking of a public consultation survey as outlined in that report;
- that a further report be brought to JSC in September 2019 with the results of the public consultation and options for consideration.

This report provided the results of the public consultation carried out between Monday 15 July to Friday 6 September 2019 and included a number of recommendations that Members of the Joint Strategic Committee were asked to consider.

During consideration of the item Members raised the following points:-

- thanked the public for their responses to the consultation;
- that the maximum number of dogs being walked by an individual should remain as 6. However, it was noted that the response to this issue was not clear cut (52:48) with a number of people responding to say that the maximum number of dogs should be reduced from 6 to 4;
- requested that the public report any issues as they arise;
- requested that Officers make it as easy as possible for the public to report any concerns; and
- that there was an important role for responsible dog owners in the reporting of irresponsible dog owners.

The Committee stated that there was no excuse for not cleaning up after dogs, as it created a health risk and the Councils would take a zero tolerance on this issue whenever it could.

Decision:

That the Joint Strategic Committee recommended to Adur and Worthing Councils:-

1. that both current PSPO's be extended for a period of 3 years;
2. that the fixed penalty fine be increased to £100;
3. that the existing exclusion zone be retained along Worthing Beach;
4. that the number of dogs that can be walked by dog walkers should remain at 6.

Call In:

There is no call-in for recommendations to Council

JSC/42/19-20 Proactively managing our Natural Resources - The Councils planned approach to the threat of Ash Dieback

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 6.

The report informed the Committee on the proposed management approach to the known risk of Ash dieback to our ash trees.

Adur and Worthing Councils' tree stock had already been affected by the disease and going forward, it was essential that the Councils planned to manage the current and future risks of the disease spreading. Defra and the Tree Council had created a toolkit to assist land managers with the effective and safe management of their tree stock and the disease.

The report recommended that both Councils adopt this toolkit / approach to enable the Councils to prepare and manage for the spread of the disease.

During consideration of the item, Members sought clarification regarding a number of aspects including:-

- the DEFRA toolkit;
- the number of trees affected and the types of trees that were to be replanted;
- whether conversations were being held with external organisations and key stakeholders, including West Sussex County Council, the RSPB and the Wildlife Trust;
- whether there was any realisable value from the wood.;
- the advice being provided to local residents and the mechanisms in place for residents to report into the Councils.

Decision:

The Joint Strategic Committee:-

1. approved the approach in using the DEFRA tool kit as best practice;
2. approved the removal of infected tree stock where needed;
3. approved to commit to a replanting programme to preserve our landscapes and work towards climate change mitigation.

Call In:

The call-in deadline for this decision will be 5.00pm on 18 October 2019.

JSC/43/19-20 Bereavement Services - New Adur & Worthing Councils Burial Ground Regulations

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 7.

The Committee were informed that existing cemetery rules and regulations were last updated in November 2011 and last revised in January 2012. The report presented a complete review and update to the rules and regulations which incorporated the Memorial Garden at Worthing Crematorium.

The report also asked for consideration to be given to separating two rights, the first to the exclusive right of burial and the second, the right to erect and maintain a memorial. This was to further support the key issue of management of burial grounds, in particular in relation to memorial safety.

A Member sought clarification regarding the opening times of Heene Cemetery. Officers advised that the opening hours would remain the same.

The Committee queried the sort of control would there be if the guidelines were not adhered to and whether there would be additional costs associated with memorial management. Officers advised that additional costs would arise from memorial management and inspections were required to ascertain the quantity and condition of existing memorials.

Clarification was sought regarding the opening times (until dusk) and why the right to erect and maintain a memorial for 10 years as opposed to alternative timescales. Officers advised that closing at dusk enabled the security teams to ensure that people had left the cemeteries before it was dark and that the 10 year time period proposed enabled a practical approach to dealing with memorials before they fell into disrepair. Over longer periods of time, families often moved or passed away, leaving memorials which fell into disrepair.

Decision:

The Joint Strategic Committee:-

- i. approved the separation of the two rights. The right to erect and maintain a memorial for 10 years (with the option to renew) and that the right for exclusive right of burial to remain at 50 years, to be adopted in January 2020 in line with the publication of the new fees and charges.
- ii. approved the adoption of the ICCM's Management of Memorials guidance;
- iii. approved the new rules and regulations for burial grounds.

Call In:

The call-in deadline for this decision will be 5.00pm on 18 October 2019.

JSC/44/19-20 Annual summary of Corporate Risks and Opportunities

Before the Committee was a report by the Director for Digital & Resources, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 8.

The report provided the annual updates on the Councils' Corporate Risks and Opportunities and their management.

The Committee noted that it had received notification that the Joint Governance Committee (JGC) had raised concerns regarding the progress on the delivery of major projects and the Corporate Risk relating to those projects, in particular Teville Gate and Union Place. Details of these risks were included in the report before the Committee.

It was noted that JGC had requested that an Officer attend its next meeting in November to speak about the risks associated with the delivery of major projects and that JGC had also requested that the Committee be made aware of its concerns.

A Member sought clarification regarding the significant impacts that were expected from budget cuts to be made next year by West Sussex County Council and the work that the Councils had been doing to mitigate the impacts of those cuts (as highlighted in the appendix to the report). Officers advised that they were a feature of the medium term financial strategy as reported in July. The details related in particular to the changes in funding for supported housing and recycling credits and those significant cost pressures had been factored into the Councils budget setting process for next year.

The Member also sought clarification regarding progress with the delivery of an Integrated Health Care Facility identified within the opportunities section of the appendix to the report. Officers advised that there was nothing causing a delay. Officers were working in partnership with a number of health providers and commissioners and anticipated bringing forward a planning application in the next couple of months.

Decision:

The Joint Strategic Committee

1. noted progress in the managing of Corporate Risks and Opportunities; and
2. agreed to receive a further annual progress report in October 2020.

Call In:

The call-in deadline for this decision will be 5.00pm on 18 October 2019.

** Councillors Ed Crouch, Kevin Jenkins, Heather Mercer, Elizabeth Sparkes and Val Turner left the meeting at 7.50pm in accordance with the Joint Committee Agreement.*

JSC/45/19-20 Adur Homes Responsive Repairs Policy

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 9.

The report shared a new draft Responsive Repairs Policy for Adur Homes and set out the reasons for developing this policy, the benefits and the key changes proposed.

The Draft Responsive Repairs Policy was attached to the report as Appendix 1.

During consideration of the item, members discussed a number of issues including:-

- the number of policies under review and the schedule for reviewing them;
- the expectation that tenants report disrepairs;
- the housing departments responsibility for homes where the tenancy started before the new legislation;
- resident access to the internet;
- the membership of the Housing Improvement Board and how frequently it meets.

Officers confirmed that the Adur Housing Improvement Board convened every three months and that the Board's membership included the ACF as well as a number of councillors including Cllr Carson Albury. The Board considered issues relating to Adur Homes and its performance.

A Member sought clarification regarding the servicing of domestic boilers. Officers confirmed that the servicing of domestic boilers was not covered by this policy.

Decision:

The Joint Strategic Committee

1. agreed that the draft Responsive Repairs Policy could be put out to consultation with Adur Homes Tenants and Leaseholders;
2. delegated authority to the Head of Housing, in consultation with the Adur Executive Member for Customer Services, to agree any changes to the draft policy, following consultation; and
3. agreed that, following consultation, the draft, as amended, be put before Adur District Council, at its meeting on 19 December 2019 for final approval.

Call In:

The call-in deadline for decisions 1 and 2 will be 5.00pm on 18 October 2019.

There is no call-in for recommendations to Council, decision 3.

JSC/46/19-20 Shoreham Harbour Joint Area Action Plan

Before the Committee was a report by the Director for the Economy, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 10.

The report informed the Joint Strategic Committee and Council of the outcome of the Public Examination of the Shoreham Harbour Joint Area Action Plan (JAAP), and sought approval for the adoption of the plan by Adur District Council.

The JAAP, would become part of Adur's statutory development plan alongside the adopted Adur Local Plan (ALP). The JAAP provided specific planning policies and site allocations to support the regeneration of the Shoreham Harbour area up to 2032. It would be used to determine planning applications within the Shoreham Harbour Regeneration Area.

The JAAP and the ALP were development plan documents (as defined in the Planning and Compulsory Purchase Act 2004) and therefore carry equal weight in decision making. The JAAP had been prepared in conformity to the ALP. However, in the event of any conflicting policy, the most recently adopted plan (the JAAP) would prevail.

The JAAP would also be considered for adoption by West Sussex County Council (18 October 2019) and Brighton & Hove City Council (24 October 2019).

It was noted that the JAAP had been considered by the Adur Planning Committee on the 7 October 2019 and the following comments from the Committee were noted:-

- that material changes to the plan could not be made at this time;
- In regards to changes to the A259, there were no proposals to make changes at this time; and
- In regards to the level of housing provision, the target of 1,100 homes, this figure may be exceeded as the values in the plan were minimums.

A Member asked a question regarding the inclusion of a District Heating Scheme within the plan. Officers advised that they had been working with West Sussex County Council and had received funding for a number of studies into District Heating Networks for the Shoreham Harbour area. A considerable amount of funding (£164k) had been received

from the Department for Business, Energy and Industrial Strategy to undertake a detailed project and development to take the project to a stage where it becomes an investable project. It was noted that there was still some uncertainty as different developments come forward at different times. However, developments such as Free Wharf has a communal heating system which has been designed in such a way that it could be connected to a future heat network.

The Committee welcomed the report and thanked the Officers for their hard work.

Decision:

The Joint Strategic Committee recommended that Adur District Council:-

1. note the responses to the consultation on the main modifications to the Shoreham Harbour Joint Area Action Plan and the contents of the Inspector's Report with her conclusion that the JAAP, as modified, is legally compliant and 'sound';
2. note and consider any comments by the Planning Committee of 7 October 2019 on the Shoreham Harbour Joint Area Action Plan, the Inspector's Report, Main Modifications and/or revised Adur Policies Map 2019;
3. adopt and publish the Shoreham Harbour Joint Area Action Plan, incorporating the main modifications and minor modifications, as part of the Development Plan for Adur;
4. adopt and publish the Adur Policies Map 2019 (and Inset Maps), incorporating the policies and proposals in the Shoreham Harbour Joint Area Action Plan (this will supersede the Adur Local Plan Policies Map 2017 and Inset Maps);
5. revoke the Shoreham Harbour Interim Planning Guidance and Western Harbour Arm Development Brief, which are superseded by the Shoreham Harbour Joint Area Action Plan;
6. delegate authority to the Head of Planning and Development to make any further minor non-material changes to the text of the plan, or to the content of the policies map in consultation with Brighton & Hove City Council and West Sussex County Council.

Call In:

There is no call-in for recommendations to Council.

JSC/47/19-20 Grant Funding to assist the delivery of Key Strategic Housing sites in Adur

Before the Committee was a report by the Director for the Economy, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 11.

The report sought agreement to enter into a Funding Agreement with Homes England and the Coast to Capital Local Enterprise Partnership (LEP) to secure significant grant

funding to help deliver two key strategic housing sites at New Monks Farm and Free Wharf, Shoreham Harbour.

The funding would help to secure public infrastructure in the form of a new junction on to the A27 for New Monks Farm and a new flood defence, and associated public realm at Free Wharf.

In addition, the report sought agreement to enter into side agreements with the relevant developers to indemnify the Council from any risks and to add the grant funding to next year's Capital programme.

Officers drew the Committees attention to paragraph 4.5 of the report advising that a side agreement with Developers was necessary to ensure that there was no ongoing risk to the Council. The funding bodies could not pass funding directly to the developers and the Council was effectively the accountable body. It would be necessary, therefore, to provide ongoing monitoring of the projects and some level of project management and oversight of funding payments. This work would be carried out using existing staff resources.

In response to the question raised under public question time, officers referred to paragraphs 4.1 and 4.2 in the report. Paragraph 4.1 of the report detailed the £5.7m LEP funding which would be used to help deliver a new roundabout junction on the A27, would unlocking the New Monks Farm development. Paragraph 4.2 provided details of the £10m Homes England HiF funding for the Free Wharf development. Officers were seeking authorisation to use the money, at the appropriate moment, for the intended purpose and therefore the status of the s106 agreement was not material.

Decision:

The Joint Strategic Committee

- a) delegated authority to the Director for the Economy to enter into funding agreements with Homes England and the Coast to Capital LEP to assist the delivery of public infrastructure in connection with the New Monks Farm and Free Wharf strategic development sites;
- b) delegated authority to the Director for the Economy, at the sametime, to enter into side agreements with New Monks Farm Ltd and Southern Housing to indemnify the Council against any future claims for non compliance with any aspect of the funding agreements; and
- c) recommended that Adur District Council include these projects, totalling £15.7 million, in the capital programme fully funded by external funding.

Call In:

The call-in deadline for decisions (a) and (b) will be 5.00pm on 18 October 2019.

There is no call-in for recommendations to Council, decision (c)

The meeting was declared closed by the Chairman at 8.20 pm, it having commenced at 6.30 pm

Chairman