

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

QE2 Room, Shoreham Centre

12 September 2024

Councillor Jeremy Gardner (Chair)
Councillor Lee Cowen (Vice-Chair)

Adur District Council:

Becky Allinson
Jude Harvey
Saffa Jan
Sharon Sluman

Worthing Borough Council:

Sophie Cox
Ödül Bozkurt
Dom Ford
Vicki Wells
Rosey Whorlow

Absent

Councillor Rita Garner and Councillor John Turley

JSC/19/24-25 Declarations of Interests

There were no declarations of interest.

JSC/20/24-25 Minutes

Resolved: that the minutes from the Joint Strategic Committee meeting held on 17 July 2024, the Adur Joint Strategic Sub-Committee of the 12 March 2024 and the Worthing Joint Strategic Sub-Committee of the 14 March 2024, be approved as the correct record

JSC/21/24-25 Public Question Time

There were no questions from the public.

JSC/22/24-25 Members Questions

There were no pre submitted questions from Members.

JSC/23/24-25 Items Raised under Urgency Provisions

There were no items raised under urgency provisions.

Before the Committee was a report by the Director for Sustainability and 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 6.

The report updated the Joint Strategic Committee with the expenditure and income projections for both Adur District Council and Worthing Borough Council for the financial year 2024/25, 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 2024, the forecast outturn position would reflect the latest information available to ensure an up-to-date forecast was presented.

The outturn projection for the 2024/25 financial year for the Worthing Borough Council General Fund was a net overspend of £379k and for Adur District Council General Fund was a net underspend of £80k. Those projections reflected the assumption that the budgeted contributions to rebuild reserves within the councils budgets would not be possible unless there were underspend outturn positions and surplus funds to transfer.

Decision:

That the report and projected outturn position for the Joint Committee, Adur District Council and Worthing Borough Council against the approved revenue budgets and proposed use of reserves be noted (Appendix 2b and 3b).

Call In: The call-in deadline for decisions will be 5.00pm on 24 September 2024

Before the Committee was a report by the Director for Sustainability and 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 7.

The report updated the Committee on the progress made on the delivery of the 2024/25 Capital Investment Programme for Adur District Council and Worthing Borough Council. The programme included schemes which supported the delivery of services by the Joint Services Committee.

The committee was given information about the prudential indicators which provided a link between the Councils' revenue budget and capital budget. Quarterly monitoring of those indicators was a requirement of the prudential code.

Decision:

- 1) That the reprofiling of the Worthing Borough Council capital schemes be noted as advised in paragraph 7.2.1 and appendix 2.
- 2) That the removal of the strategic property investment budget in paragraph 7.1.1 and use of settlement funding detailed in 7.2.2 be approved

- 3) That the grant funding changes for the Disabled Facilities grant and Solar Panels be approved as set out in paragraphs 7.1.2, 7.1.3, 7.2.3, 7.2.4.
- 4) That the first quarter treasury management update be noted as set out in appendix 3

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JSC/26/24-25 Review of the effectiveness of Overview and Scrutiny - Report from the JOSC Working Group

Before the Committee was a report by the JOSC Working Group on the effectiveness of Overview and Scrutiny, 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 Joint Strategic Committee (JSC) was asked to receive and consider the findings and recommendations of the Joint Overview and Scrutiny Committee (JOSC) and the JOSC Working Group created to review the effectiveness of the Overview and Scrutiny process operated by the Councils.

The JOSC Working Group agreed in its conclusions that the conditions for successful scrutiny were present in Adur and Worthing and that scrutiny enjoyed support from Officers and Members. The Working Group also considered it essential for good Scrutiny that Cabinet Members recognised the benefits of scrutiny in terms of good governance; democratic accountability and ensuring improved outcomes for the Councils and communities served. The Working Group had identified some issues that were impacting on the effectiveness of the scrutiny process and had identified some recommendations for JOSC to improve the level of outputs by the Committee

Members thanked the JOSC Chairs for the report and supported the proposed way forward.

Decision:

That it be agreed that the work of JOSC and the Scrutiny process be supported along with the development of a Pre-Scrutiny Protocol in consultation with the Leaders and Cabinet Members.

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JSC/27/24-25 Proposed Response to Consultation on Changes to the National Planning Framework

Before the Committee was a report by the Assistant Director for Regenerative Development, 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 Government had proposed a range of changes to the planning system, including to the National Planning Policy Framework, which has been published for consultation.

Members were given key elements of the proposals and were provided a proposed response to the consultation.

The Committee discussed the report and asked that responses be amended to questions concerning the geographic and resource limitations of the District and Borough, the definitions of affordable housing and the role of the NHS in considerations around infrastructure. Members also discussed the level of fees the authorities were able to charge. The interim head of Planning and Development took note of the specific comments and agreed that the proposed changes could be made.

Members noted that the report had yet to be seen by the Worthing Planning Committee due to scheduling issues. It was agreed that should there be further amendment a final response would be dealt with by the Chief Executive in consultation with the Leaders

Decision

- 1) That the report be noted;
- 2) That the response to the Government consultation be agreed as amended
- 3) That if following the Worthing Planning committee there are further amendments proposed the the response to the NPPF then authority be delegated to the Chief Executive in consultation with the Leaders to resolve the final consultation response

Call In: The call-in deadline for decisions will be 5.00pm on 24 September 2024

JSC/28/24-25 Summary of Corporate Risks and Opportunities

Before the Committee was a report by the Director of Sustainability and 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 10.

This report before members provided updates on the management of the Councils' Corporate Risks and Opportunities.

Members discussed the report and requested that the report in future indicate the date that risks / opportunities were added to the register.

Decision:

That the Committee receive a further progress report in March 2025.

Call In: The call-in deadline for decisions will be 5.00pm on 24 September 2024

JSC/29/24-25 Release of s106 funds to the NHS & WSCC

Before the Committee was a report by the Assistant Director Regenerative Development, 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.

Adur District Council received £313,249.40 of s106 funds for healthcare provision and Worthing Borough Council have received a total of £229,411.00 of s106 funds for transport provision.

NHS Sussex Integrated Care Board were requesting the utilisation of s106 funds received by Adur District Council for health provision as part of the New Pond Row extension.

The s106 funds had been received as part of the legal agreement for the development at Land East Of Shadwells Road At Mash Barn Estate, Mash Barn Lane, Lancing (New Monks Farm).

The report sought approval of the release of the s106 funds to NHS Sussex for the scheme, in accordance with the stipulations contained in the s106 agreement.

West Sussex County Council were requesting the utilisation of (historic) s106 funds received by Worthing Borough Council for implementation of a formalised crossing at Chesswood road making crossing road safer

The s106 funds have been received as part of a number of historic legal agreements, the report sought approval of the release of the s106 funds to WSCC for the scheme, in accordance with the stipulations contained in the s106 agreements.

Decision

- 1) That the release of £313,249.40 of s106 funds held by Adur District Council to NHS Sussex as detailed in 3.1 onwards be approved and a budget virement of £313,249.40 from S106 monies for Adur District Council be approved, creating a capital budget of the same amount. Authorising the Assistant Director for Regenerative Development to enter into a Deed of Agreement with NHS West Sussex to release those funds.
- 2) That the release of £229,411.00 of s106 funds held by Worthing Borough Council to WSCC as detailed in 3.8 onwards be approved and a budget virement of £229,411.00 from S106 monies for Worthing Borough Council be approved, creating a capital budget of the same amount. Authorising the Assistant Director for Regenerative Development to enter into a Deed of Agreement (if required) to release those funds to WSCC.

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JSC/30/24-25 Refurbishment of Homefield Park Play Area

Before the Committee was a report by the Assistant Director Regenerative Development, 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 12.

The purpose of the report before members was to outline to Members the plans to rejuvenate the play area at Homefield Park, Worthing - Phase 1. Proposals were outlined

for a new SUDs (Sustainable Drainage Systems) garden in response to an area of parkland regularly at risk of water table ponding - Phase 2.

Members were made aware of the community consultation being undertaken to inform the design of the play area and assurances were given in relation to the use of approved capital PID expenditure for the play area rejuvenation.

Members lauded the innovative development plans for the Park and supported the way forward.

Decision:

- 1) That the use of £220,000 from the capital programme for the redevelopment of Homefield Park play area be agreed;
- 2) That Worthing Borough Council's intention to seek funding for the development of a SUD garden as Phase 2 of the project be noted, with an update expected back to this Committee in Q2 2025 to ensure progress;
- 3) That authority be delegated to the Assistant Director of Place & Economy, in consultation with the Cabinet Member for Environmental Services, the authority to approve and award all associated contracts for the final design and construction of the Homefield Park play area and SUDs Garden.

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JSC/31/24-25 Union Place – Exercising Powers of Appropriation

Before the Committee was a report by the Assistant Director for Regenerative Development, 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 13.

Approval was sought to appropriate part of the land comprising Union Place (Parcel A and B) for planning purposes and to acquire Parcel C for planning purposes for the redevelopment of Union Place.

The report updated the Committee on the proposal for the Council to exercise its Powers under s.203 Housing and Planning Act 2016 in respect of the proposed redevelopment of the Union Place site. The advice note attached to the Report at Exempt Appendix 2 sets out the advice obtained by the Council in considering whether to rely on s.203 powers in relation to the proposed development of Union Place.

Decision

That the Joint Strategic Committee

- 1) Authorises the appropriation of Parcels A and B for planning purposes pursuant to section 122 (1) Local Government Act 1972 and section 227 Town and Country Planning Act 1990, to facilitate the use of powers available to a local authority within Section 203 Housing and Planning Act 2016 ('2016 Act') to override any rights to light or other third party rights which may be infringed by the development of the proposed

housing at the Union Place site and to approve the use of such powers under Section 203 of the 2016 Act, in relation to Parcels A and B, for the said purposes;

- 2) Agrees that, if Parcel C is acquired under an Option Agreement between the Council and LCR, that his land will also be appropriated for planning purposes, to facilitate the use of the Council's powers in Section 203 of the 2016 Act to override any rights to light or other third party rights which may be infringed by the development of the proposed housing at the Union Place site and to approve the use of such powers under Section 203 of the 2016 Act, in relation to Parcel C. Parcel C is currently owned by London & Continental Railways Limited (LCR) with the Council having an option to purchase Parcel C on giving notice to LCR.
- 3) Delegates authority to the Assistant Director for Regenerative Development;
 - a) following the surrender of the NCP Lease in respect of Parcel A, to approve the appropriation of Parcel A for planning purposes pursuant to section 122 (1) Local Government Act 1972 and section 227 Town and Country Planning Act 1990, to facilitate the use of powers available to a local authority within Section 203 of the '2016 Act to override any rights to light or other third party rights which may be infringed by the development of the proposed housing at the Union Place and
 - b) to approve the appropriation of Parcel B for planning purposes pursuant to section 122 (1) Local Government Act 1972 and section 227 Town and Country Planning Act 1990, to facilitate the use of powers within Section 203 of the 2016 Act in respect of Parcel B, as described in resolution 2.4a) above; and
 - c) to approve (if Parcel C is acquired by the Council) the appropriation of the same for planning purposes, to facilitate the use of powers within Section 203 of the 2016 Act in respect of Parcel C, as described in resolution 2.4a) above; and
 - d) to enter into any necessary legal documentation required to complete the appropriation of the rights referred to in this report including any necessary arrangements to record the appropriation of Parcels A and B or C (if C is acquired) within the Union Place site for planning purposes;
- 4) Agree the actions and recommendations at Paragraph 2 of the Exempt Appendix

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JSC/32/24-25 Buckingham Park South Pavilion redevelopment

Before the Committee was a report by the Assistant Director for Assistant Director for Regenerative Development, 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 14.

The report sought approval for the spend required and tender process to enable the demolition of the existing South Pavilion WCs, Cafe and changing room, with construction of a replacement structure in accordance with a planning permission granted on 5/8/2024. The proposal would replace a dilapidated and non compliant structure with an inclusive multi sport/community venue with improved facilities for the public. The

report set out the proposal and includes details of the design and the anticipated costs in the Exempt Appendix

Members discussed the report and supported the approach to minimise disruption for park users during the construction phase.

Decision

- 1) That authority be delegated to the Assistant Director for Regenerative Development to instigate a tender process with main contractors to ascertain the market price for the works;
- 2) That authority be delegated to the Assistant Director for Regenerative Development to carry out a procurement exercise and enter into a contract with the successful contractor at a figure not to exceed that held in the Exempt Appendices;
- 3) That it be noted that August 2025 is anticipated as the completion date but the tender process may alter that expectation;
- 4) That it be noted that the tender qualification process will pay particular attention to minimising disruption in the build, keeping all stakeholders informed and running a safe compliant site. If those conditions are not met, a contract will not be let.

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The meeting was declared closed by the Chairman at 8.15 pm, it having commenced at 6.30 pm

Chairman