



Report of the Leader on Decisions taken by Executive Members and the Joint Strategic Committee since the last meeting of Council

A Decisions Taken by Individual Executive Members

Listed below is a summary of decisions taken by the individual Executive Members since the despatch of the agenda for the last Ordinary Council Meeting. Full details can be found on the Executive Members and Portfolios, Reports and Decisions webpage <http://www.adur-worthing.gov.uk/meetings-and-decisions/committees/worthing/cabinet-member-decisions/>

Leader

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Executive Member for Regeneration

W/REG/004/19-20 Affordable Housing and the impact of changes made to national planning guidance

JAW/006/19-20 Joint Adur & Worthing Statement of Community Involvement

Executive Member for Resources

W/RES/003/19-20 Irrecoverable Debts

W/RES/005/19-20 Irrecoverable Debts - Council Tax and National Domestic Rates

JAW/007/19-20 2019/2020 Local Schemes for Business Rates Discretionary Relief

JAW/012/19-20 Gas and Electricity Contract Awards

Executive Member for Customer Services

JAW/009/19-20 Release of the Affordable Housing Budget to Secure Additional Affordable Housing

JAW/014/19-20 Release of the Affordable Housing Budget to Secure Additional Affordable Housing

JAW/016/19-20 Adaptations for People with Disabilities (Adur Homes) Contract Award

JAW/019/19-20 Community Alarm System Replacement Contract Award

Executive Member for Digital and Environmental Services

JAW/005/19-20 Brooklands Masterplan Development

JAW/010/19-20 Extension of both the agency agreement with WSCC and the NSL Contract

JAW/011/19-20 Worthing Parking Review

JAW/013/19-20 Household Waste and Recycling Collection Policy

Executive Member for Health and Wellbeing

JAW/008/19-20 Falls Prevention Tender

JAW/015/19-20 Adur Community Grants - Allocation of Funds for 2019/20 - Round Two

B. Decisions taken by the Joint Strategic Committee on 10 September 2019

Items related to Adur District Council are not reproduced on this agenda.

Full details can be found: www.adur-worthing.gov.uk/your-council/

The matters not appearing elsewhere on the agenda:-

JSC/028/19-20 1st Revenue Budget Monitoring Report (Q1)

The report updated the Joint Strategic Committee with the latest expenditure and income projections for each Council in the financial year 2019/20, compared to the Revenue Budget approved by both Councils in February. Whilst the 'spend to date' would be the position as at the 30 June 2019, the forecast position would reflect the latest information available to ensure an up-to-date forecast was presented.

A Member raised questions regarding the 'higher than expected repair costs on the new fleet' highlighted in paragraph 4.10.3, the 'additional net income anticipated in relation to Business Rates S31 grants by Worthing of £160k' highlighted in paragraph 4.10.11 and the overspend on water across all sites of £50k highlighted in paragraph 4.12. Officers confirmed that most of the vehicle fleet had been replaced 2 to 3 years ago but they would investigate why repair costs were higher than expected and report back after the meeting. Officers also advised that Business Rates went through the collection fund and there had been a loss of income arising from the conversion of office blocks (as a result of reduced business rates). The question regarding an overspend on water across all sites would be shared with the Head of Technical Services for a response.

The Committee commended the Major Projects Team for their work in relation to the Strategic Property Investment Fund.

Decision:

The Joint Strategic Committee noted 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 (Appendix 1b and 2b).

**JSC/029/19-20 1st Quarter Capital Investment Programme & Projects
Monitoring 2019/20**

The report updated the Joint Strategic Committee with the progress made on the 2019/20 Capital Investment Programmes for Adur District Council and Worthing Borough Council. The programmes included schemes which supported the delivery of services by the Joint Services Committee.

Clarification was sought regarding the cost of a replacement digital camera for the Connaught Studio (£65k). Officers advised that the equipment was a digital camera / projector which was used to livestream events and that the cost would be repaid by the Trust over the next three years by reducing down the annual contract payment by £15k per year.

A Member queried whether the virement of £50k from the DDA coastal footpath, to the Southwick Leisure Centre, was premature. Officers advised that colleagues in Technical Services were confident that the tender would come in under budget but agreed to provide additional information following the meeting.

Another Member sought an assurance that the timeline for delivery in relation to the Decoy Farm site was realistic and questioned the £42k provision for replacement Boundary Signs. Officers advised that timescales for delivery of the Decoy Farm site were anticipated in 2020/21. The Leader of Worthing Council agreed to investigate the provision for Boundary Signage.

Decision:

The Joint Strategic Committee:-

a) with respect to the Capital Investment Programme of Adur District Council

- i) noted the reprofiling of the Adur District Council capital schemes as advised in paragraphs 8.2.1 and Appendix 3;
- ii) noted that a virement of £50,000 from the DDA coastal footpath to the Southwick Leisure Centre outdoor all weather pitch, as detailed in paragraph 8.2.3, was approved by the Director of Communities to resolve a potential overspend against this budget;
- iii) noted the confirmation of £590,000 external funding from the Environment Agency towards the Coast Protection Works at Shoreham Western Harbour Arm as detailed in paragraph 8.2.5;

- iv) approved the addition of the purchase of Trade Refuse Bins to the 2019/20 and 2020/21 Capital Investment Programme funded from revenue contributions of £7,500 p.a.as detailed in paragraph 8.1.2;
- v) approved the inclusion of Play Area Improvements at Sompting Recreation Ground funded from a virement of £100,800 from the Middle Road Play Area Improvements as detailed in paragraph 8.2.4.

b) with respect to the Capital Investment Programme of Worthing Borough Council

- i) noted the reprofiling of the Worthing Borough Council capital schemes as advised in paragraphs 8.3.1 and Appendix 4;
- ii) approved the virements from the budget provision for the Town Hall Asbestos Removal to support a re-prioritised scheme of asbestos management surveying and works, Seafront Fire Safety Works Budget and the Durrington Cemetery Extension for Additional Burial Spaces Budget as detailed in paragraph as detailed in paragraph 8.3.3 and 8.3.6;
- iii) approved the virements to amalgamate all the budgets in the Capital Investment Programme for the Brooklands Park Development into one programme of works totalling £502,610 as detailed in paragraph 8.3.7;
- iv) approved the virement of £150,000 from the unallocated public convenience budget to the Highdown Gardens Infrastructure Scheme for the improvement to the Highdown Gardens public convenience detailed in paragraph 8.3.8;
- v) approved the ring-fencing of 2019/20 Capital Investment Programme Contingency as a provision for the internal works to the new Durrington Community Centre to ensure the building is ready for use by a new tenant detailed in paragraph 8.3.9;
- vi) approved the procurement of a cremulator and transfer table for the Crematorium be included in the 2019/20 Capital Investment Programme funded from the 2019/20 Capital Investment Programme General Contingency Budget as detailed in paragraph 8.3.4;
- vii) approved the inclusion of the development of the Crematorium Children's Garden in the 2019/20 Capital Investment Programme funded from the unallocated Crematorium Improvements Budget in 2020/21 as detailed in paragraph 8.3.5;

- viii) agreed to the addition of the purchase of Trade Refuse Bins to the 2019/20 and 2020/21 Capital Investment Programme funded from revenue contributions of £17,500 p.a.as detailed in paragraph 8.1.2;
- ix) approved the inclusion within the capital programme of a new digital camera for the Connaught Theatre funded by £20,000 from the levy budget and £45,000 from the Treasury Management budget as detailed in paragraph 8.3.10.

JSC/030/19-20 Reconsideration of the locally-determined Council Tax “long-term empty” premium and discounts

The Committee were informed that since 1 April 2013, local authorities had been able to charge an additional fifty percent Council Tax in respect of properties that had been unfurnished and unoccupied for more than two years. This was known as the “long-term empty premium”.

Legislation had now been introduced allowing local authorities the ability to increase the premium to one hundred percent from 1 April 2019, thereby charging two-hundred percent of the Council Tax that would otherwise be due.

The report invited Members to consider whether they wished to increase the long-term empty premium and also to amend the periods when no Council Tax was payable in respect of properties that were:-

- Unoccupied and unfurnished
- Undergoing or requiring structural alteration or major repair

A Member sought clarification regarding the rules following bereavements. Officers advised that there were a number of statutory exemptions (class F) for properties that become empty following a bereavement which covers the period up to the point of probate being granted and then 6 months thereafter.

Another Member sought clarification regarding the terminology of unoccupied and unfurnished. Officers informed the Committee that Council Tax liability was based on what legislation referred to as sole or main residence. These were residents homes which were their sole or main residence. Properties referred to as ‘second homes’ were generally used as holiday homes or were infrequently occupied and would be subject to the normal 100% Council Tax charge. The proposals were specifically in relation to properties that were unoccupied and unfurnished.

The Committee discussed the proposals relating to properties that were unoccupied and unfurnished for a period of up to 1 month. They requested further information in regards to the administrative costs associated with such situations be provided in a future report.

Decision:

The Joint Strategic Committee

- (i) noted the content of the report;
- (ii) agreed that public consultations should be conducted for both Adur and Worthing Councils in respect of the “long-term empty premium”, the local discount in respect of properties undergoing structural alterations or major repairs and the local discount in respect of unoccupied & unfurnished properties;
- (iii) delegated authority to the Head of Revenues & Benefits, in consultation with the respective Executive Members for Customer Services, to conduct a public consultation, with the results and any recommendations to be reported back to a future meeting of the Joint Strategic Committee.

JSC/031/19-20 Annual Treasury Management Report 2018-19 Adur District Council and Worthing Borough Council and Revised Treasury Management Policy and Practices

The report asked Members to note the Treasury Management performance for Adur and Worthing Councils for 2018/19 as required by regulations issued under the Local Government Act 2003.

Members were recommended to approve the revised Treasury Management Policy and Practices, which had been updated to incorporate new CIPFA and MHCLG guidance and were attached as appendices 1 and 2.

Decision:

The Joint Strategic Committee noted the annual report and approved the revised Treasury Management Policy and Practices.

JSC/034/19-20 Referral of Motion on Notice from Worthing Borough Council

The report set out a motion referred to the Joint Strategic Committee, from the meeting of Adur District Council on the 18 July 2019, for consideration and determination.

The motion was attached to the report as Appendix 1 and asked Members to consider the adoption of a number policies, additional to those adopted by the Joint Strategic Committee at its meeting in July.

It was noted that Members could accept the motion, requesting that further work be

carried out in this regard, or, Members could reject the motion.

As the proposer of the motion, Councillor Richard Mulholland attended the meeting and presented it to the Committee.

During consideration of the motion, the Committee stated that a sizeable amount of the work proposed was already being undertaken. Currently, Worthing was producing a new Local Plan which would consider a number of the points raised and Officers would be reporting on progress in the near future.

The Leader of Worthing Borough Council gave an assurance that reports would be provided in due course to provide updates as the work progressed.

It was proposed and seconded that the motion be rejected.

Decision:

That the Joint Strategic Committee rejected the motion.

JSC/019/19-20 Worthing Homes Ltd: Corporate Structure and Governance Arrangements

The report informed the Committee that Worthing Homes Ltd was a local not-for-profit registered provider of social housing. It had been reviewing its corporate structure and governance arrangements and proposed converting from a company limited by shares and registered charity, to a community benefit society with charitable objectives, with commercial and charitable subsidiary arms.

Worthing Homes required the consent of Worthing Borough Council to implement these proposals due to obligations contained within the original Stock Transfer Agreement and the more recent Loan Agreement between Worthing Borough Council and Worthing Homes Ltd.

A Member asked how the proposed change would benefit existing and future tenants and questioned the use of the word intention in paragraph 4.2.1. Officers advised that the change to a community benefit society with charitable objectives would support the long term sustainability of the business and Worthing Homes had consulted with all of their tenants (more than 4,000 residents) in regards to the proposals and tenants were satisfied that the service provided by Worthing Homes would not be undermined.

Decision:

The Joint Strategic Committee agreed to provide the Council's consent to Worthing Homes Ltd to:

- 1.1. convert from a registered charitable company to a community benefit society with charitable objectives;
- 1.2. create a commercial subsidiary company, limited by shares, for the primary purpose of property sales;
- 1.3. create a charitable subsidiary company, limited by guarantee, for the primary purpose of community development activity;
- 1.4. using overall borrowing for on-lending to their subsidiary.

C. Decisions taken by the Joint Strategic Committee on 8 October 2019

Items related to Adur District Council are not reproduced on this agenda.

Full details can be found: www.adur-worthing.gov.uk/your-council/

The matters not appearing elsewhere on the agenda:-

JSC/043/19-20 Proactively managing our Natural Resources - The Councils planned approach to the threat of Ash Dieback

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.

**JSC/044/19-20 Bereavement Services - New Adur & Worthing Councils
Burial Ground Regulations**

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.

JSC/045/19-20 Annual summary of Corporate Risks and Opportunities

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.

Reports and decisions are available on the Council's web site www.adur-worthing.gov.uk or as indicated in each of the paragraphs above. Some of the reports contain exempt information and not fully published on the websites.

Councillor Daniel Humphreys
Leader of the Council