



Joint Overview and Scrutiny Committee  
2 November 2023

ADUR & WORTHING  
COUNCILS

Key Decision [No]

Ward(s) Affected:N/A

**JOSC Working Group - Review of the Worthing Cultural Services procurement and contract process which was undertaken when the service was externalised in 2019**

**Report by the Director for Sustainability & Resources**

**Executive Summary**

**1. Purpose**

1.1 This report sets out the recommendations from the Joint Overview and Scrutiny Committee (JOSC) Working Group which was created as part of the JOSC Work Programme to review the Worthing Cultural Services procurement process undertaken in 2019.

**2. Recommendations**

2.1 That JOSC consider the report and recommendations from the Cultural Services Working Group and refer the recommendations to the appropriate Worthing Joint Strategic Sub-Committee for consideration in due course.

### **3. Context**

3.1 As part of its Work Programme, JOSOC agreed to set up a Working Group to review the Worthing Cultural Services procurement process undertaken in 2019. The Working Group agreed the following terms of reference and project objectives for the review:-

1. To review the processes followed by the Councils when making the decision to externalise the culture service in Worthing via a new charitable organisation and to assess whether or not the externalisation process was robust or not;
2. To question the Worthing Executive Member for Customer Services, any other Worthing Executive Members and Senior Council officers on the decisions and the processes undertaken to reach that decision referred to in 1 above; and;
3. To consider if there is a need for any recommendations to be put to the Joint Strategic Committee/Worthing Executive Member for Customer Services on the decisions made.

Outcomes expected - A better understanding of the decisions undertaken regarding the Cultural service in Worthing and the processes undertaken in reaching those decisions.

### **4. Issues for consideration**

4.1 JOSOC is asked to consider the report and recommendations from the Cultural Services Working Group set out in the report in the Appendix to this report and agree to refer the recommendations to the Worthing Joint Strategic Sub-Committee for further consideration in due course.

### **5. Engagement and Communication**

5.1 The JOSOC Working Group that has undertaken the review of the Theatres procurement process has held discussions with relevant Council Officers, details of these discussions and the evidence provided are set out in the accompanying report at the Appendix.

## **6. Financial Implications**

- 6.1 There are no direct financial implications relating to this report but the Working Group was provided with financial information relating to the procurement process and transfer of Worthing Theatres and Museum in 2019.

## **7. Legal Implications**

- 7.1 Under Section 111 of the Local Government Act 1972, the Council has the power to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.
- 7.2 Section 1 of the Localism Act 2011 provides a Local Authority to do anything that individuals may do (subject to any current restrictions or limitations prescribed in existing legislation).

## **Background Papers**

Any papers referenced in the Working Group report.

### **Officer Contact Details:-**

Mark Lowe

Scrutiny & Risk Officer

Tel: 01903 221009

[mark.lowe@adur-worthing.gov.uk](mailto:mark.lowe@adur-worthing.gov.uk)

## **Sustainability & Risk Assessment**

### **1. Economic**

Matter considered. The issues contained in the Working Group report relate to the procurement process involved in the transfer of Worthing Theatres. Worthing Theatres and Museum provide a cultural offer for Worthing which can also help improve the town centre economy.

### **2. Social**

#### **2.1 Social Value**

Matter considered. A strong cultural offer in Worthing with a thriving town centre will help improve social value for the communities of Adur and Worthing and visitors to the town.

#### **2.2 Equality Issues**

Matter considered and no significant issues identified.

#### **2.3 Community Safety Issues (Section 17)**

Matter considered and no significant issues identified.

#### **2.4 Human Rights Issues**

Matter considered and no significant issues identified.

### **3. Environmental**

Matter considered and no significant issues identified.

### **4. Governance**

Matter considered. The JOSC Working Group was set up in accordance with the JOSC Procedure Rules and forms part of the agreed JOSC Work Programme. Recommendations from the review will need to be presented to the Worthing Joint Strategic Sub-Committee for consideration.