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## **West Sussex County Council – Ordinary Meeting**

**18 September 2020**

At the virtual Ordinary Meeting of the County Council held at 10.30 am on Friday, 18 September 2020, the members present being:

Cllr Duncton (Chairman)

Cllr Acraman	Cllr Lanzer
Cllr Arculus	Cllr Lea
Cllr Atkins, RD	Cllr Lord
Cllr Baldwin	Cllr Magill
Cllr Barling	Cllr Markwell
Cllr Barnard	Cllr Marshall
Cllr Barrett-Miles	Cllr McDonald
Cllr Bennett	Cllr Millson
Cllr Boram	Cllr Mitchell
Cllr Bradbury	Cllr Montyn
Cllr Bradford	Cllr R Oakley
Cllr Brunsdon	Cllr S Oakley
Cllr Buckland	Cllr O'Kelly
Cllr Burgess	Cllr Oppler
Cllr Burrett	Cllr Oxlade
Cllr Catchpole	Cllr Patel
Cllr Cloake	Cllr Pendleton
Cllr Crow	Cllr Purchase
Cllr J Dennis	Cllr Purnell
Cllr N Dennis	Cllr Quinn
Cllr Edwards	Cllr Russell
Cllr Elkins	Cllr Simmons
Cllr Goldsmith	Cllr Smith
Cllr Hall	Cllr Smytherman
Cllr High	Cllr Sparkes
Cllr Hillier	Cllr Turner
Cllr Hunt	Cllr Urquhart
Cllr M Jones	Cllr Waight
Cllr A Jupp	Cllr Walsh, KStJ, RD
Cllr N Jupp	Cllr Whittington
Cllr Kennard	Cllr Wickremaratchi
Cllr Kitchen	

### **16 Armed Forces Covenant Gold Award**

- 16.1 The Chairman reported that the County Council had received the Gold Award for its work on fulfilling the Armed Forces Covenant. She offered congratulations to everyone involved, particularly Cllr Bradbury, the County Council's Armed Forces Champion.

### **17 Apologies for Absence**

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17.1 Apologies were received from Cllr Barton, Cllr Bridges, Cllr Fitzjohn, Cllr A Jones, and Cllr Sudan.

17.2 Apologies for part of the afternoon session were received from Cllr Arculus who left at 2.40 pm and re-joined the meeting at 3.40 pm and then left at 4.25 pm. Cllr Elkins gave his apologies and left at 4.00 pm. Cllr Barling left at 2.35 pm, Cllr Cloake at 3.00 pm, Cllr Smith at 3.05 pm, Cllr Purchase at 3.10 pm, Cllr Hillier at 3.25 pm, Cllr R J Oakley at 3.35 pm, Cllr Oppler at 3.55 pm, Cllr McDonald at 4.00 pm and Cllr Goldsmith at 4.15 pm.

## **18 Members' Interests**

18.1 Members declared interests as set out at Appendix 1.

## **19 Minutes**

19.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 17 July 2020 (pages 7 to 28) be approved as a correct record.

## **20 Review of Proportionality**

20.1 Following a recent change in group affiliation, the Council has a statutory duty to review the proportionality on its committees following the by-election. A paper on the application of the proportionality rules and how they were applied, together with a table showing the number of seats on committees, was set out on pages 29 and 30.

20.2 Resolved –

That the proportionality be agreed.

## **21 Appointments**

21.1 The Council approved appointments as set out below.

<b>Committee</b>	<b>Change</b>
Children and Young People's Services Scrutiny Committee	Cllr Pendleton in place of Cllr Barling* Cllr Hillier as Chairman* Cllr Brunsdon in place of Cllr Lea Cllr Lea in place of Cllr Brunsdon as substitute Cllr Oxlade to fill vacancy

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	* with effect from 25 September
Environment and Communities Scrutiny Committee	Cllr Montyn in place of Cllr Barton
Fire and Rescue Service Scrutiny Committee	Cllr David Barling in place of Cllr M Jones
Health and Adult Social Care Scrutiny Committee	Cllr M Jones in place of Cllr Oxlade  Cllr Oxlade in place of Cllr M Jones as substitute
Performance and Finance Scrutiny Committee	Cllr Hillier in place of Cllr Barling  Cllr Quinn in place of Cllr Oxlade as substitute
Planning Committee	Cllr Baldwin in place of Cllr Barton  Cllr Sudan to fill vacancy
Regulation, Audit and Accounts Committee	Cllr Lea in place of Cllr M Jones
Rights of Way Committee	Cllr Sudan in place of Cllr Brunsdon
Standards Committee	Cllr Lea in place of Cllr Brunsdon
Staff Appeals Panel	Cllr Sudan to fill vacancy

## 22 Address by a Cabinet Member

22.1 Members received addresses by the Cabinet Member for Children and Young People on the Council's Children First Improvement Plan and by the Cabinet Member for Adults and Health on the public health emergency.

22.2 In response to questions the Cabinet Member for Adults and Health agreed to provide members with responses as set out below.

- Cllr O'Kelly: the current waiting time results for tests and how many staff members were self-isolating.
- Cllr Brunsdon: the percentage of patients in the dataset used that had needed to be hospitalised.
- Cllr M Jones: the levels of cases by district/borough areas (information to be sent to all members).

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## 23 Motion on Support and Recognition for Veterans with Post-Traumatic Stress Disorder

- 23.1 At the County Council meeting on 13 December 2019 a motion had been moved by Cllr Edwards, seconded by Cllr Atkins, and referred to the Leader and Cabinet Member for Adults and Health for consideration.
- 23.2 A revised version of the motion was circulated as set out below (change shown in bold, italic text). Due to technical issues experienced by Cllr Atkins, Cllr Walsh acted as seconder for the revised motion.
- 23.3 Members noted that the word 'not' had been omitted in error from the final line of paragraph 3 which should read 'not recognised'. A report by the Leader and Cabinet Member was included with the agenda (pages 37 and 38).

'This Council advocates better treatment of veterans who suffer from post-traumatic stress disorder (PTSD) and better recognition for those who have died as a result of this disorder. The County Council takes the wellbeing of all those who have served extremely seriously and is continually considering how it can better understand the needs of ex-services persons who are suffering from PTSD and provide the best possible support.

In this country there is a National Memorial Arboretum to commemorate those who have given their lives in the service of our country. Families are able to spend time there remembering their loved ones. Every name, in one place, a calm, respectful space, where people can reflect and honour these heroes. However, those veterans who have taken their own lives, succumbing to Post Traumatic Stress Disorder caused by combat, are not remembered at the National Memorial Arboretum.

This Council believes that this must change. These service personnel have given their all in their service for our country and in many cases have been medically discharged from service because of the trauma they have seen and taken part in. Subsequently, as civilians, they take their own life and therefore are recognised as combat related casualties.

This Council calls upon the Leader of the Council and the Armed Forces Champion to:

- (1) Lobby the Ministry of Defence **and other appropriate bodies** to provide a fitting memorial to those who have served and ultimately succumbed to PTSD'
- (2) Continue to work with partners through the West Sussex Civilian Military Partnership Board to improve the lives of veterans and promote the services available to them with particular emphasis on mental health services, including use

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of the Forces Connect South East App to all staff as a signposting mechanism;

- (3) Encourage staff to undertake Armed Forces Mental Health First Aid training; and
- (4) Work with the Cabinet Member for Adults and Health to ensure that health and wellbeing matters affecting veterans, including PTSD, are recognised in health and wellbeing strategies including the forthcoming refresh of Suicide Prevention Strategy in 2020.'

23.4 The revised corrected motion was carried as set out below.

'This Council advocates better treatment of veterans who suffer from post-traumatic stress disorder (PTSD) and better recognition for those who have died as a result of this disorder. The County Council takes the wellbeing of all those who have served extremely seriously and is continually considering how it can better understand the needs of ex-services persons who are suffering from PTSD and provide the best possible support.

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This Council believes that this must change. These service personnel have given their all in their service for our country and in many cases have been medically discharged from service because of the trauma they have seen and taken part in. Subsequently, as civilians, they take their own life and therefore are not recognised as combat related casualties.

This Council calls upon the Leader of the Council and the Armed Forces Champion to:

- (1) Lobby the Ministry of Defence and other appropriate bodies to provide a fitting memorial to those who have served and ultimately succumbed to PTSD'
- (2) Continue to work with partners through the West Sussex Civilian Military Partnership Board to improve the lives of veterans and promote the services available to them with particular emphasis on mental health services, including use of the Forces Connect South East App to all staff as a signposting mechanism;

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- (3) Encourage staff to undertake Armed Forces Mental Health First Aid training; and
  - (4) Work with the Cabinet Member for Adults and Health to ensure that health and wellbeing matters affecting veterans, including PTSD, are recognised in health and wellbeing strategies including the forthcoming refresh of Suicide Prevention Strategy in 2020.'

## **24 Motion on Government Planning Consultation**

24.1 The following motion was moved by Cllr Bradbury and seconded by Cllr Kitchen.

'This Council notes the Government's consultations on changes to the current planning system alongside the consultation on the 'Planning for the Future' White Paper, and welcomes the focus on building on brownfield sites, better energy efficiency standards and the requirement to enhance bio-diversity.

This Council also welcomes simplifying the planning process and the proposal to replace S106 and the Community Infrastructure Levy with a new Infrastructure Levy and to apply it to permitted development. However, it believes that planning should be kept local with public participation at its heart, with sufficient funding for local infrastructure that flows to the infrastructure provider. Therefore, the County Council must have a statutory role in the operation of the new levy and secure an appropriate share of the funds that are raised.

However, the Council calls for an urgent review of the housing allocation algorithm which concentrates housing numbers in the suburbs and rural areas, which already have an infrastructure deficit, and away from towns and cities, which post Covid-19, are crying out for regeneration of town centres and high streets. The Council registers its concern over the impact that this algorithm will have on West Sussex regarding:

- (1) The almost doubling of housing targets will impact the environment, loss of agricultural land, building on flood plains and the county's ability to combat climate change. The county already suffers from a lack of infrastructure such as roads, public transport, rail, and others and has just experienced water shortages in some areas;
- (2) Insufficient account is taken of the areas covered by national parks, AONBs and coastal flood plains, leading to mass development outside of these areas;
- (3) The need in rural areas is for affordable rented housing. The change to affordable housing thresholds would mean that in approximately 70% of small parishes no affordable housing contributions would be required on sites of fewer than 40-50

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dwellings, this would mean that no affordable housing would be delivered in these communities which will be catastrophic for their sustainability.

Planning is not just about housing and it will be important to understand how the proposed changes to the operation of the planning system impact upon the County Council's statutory minerals, waste and other planning functions.

Council also supports the recommendation in the Glover Review to give AONBs statutory consultee status for planning applications in their area to strengthen their role in the planning system.

This Council therefore calls upon the Cabinet Member for Environment working with the Leader to liaise with the district and borough councils and members of Parliament in making these points in the response to the Consultation.'

24.2 An amendment was moved by Cllr O'Kelly and seconded by Cllr Walsh as set out below:

'This Council notes the Government's consultations on changes to the current planning system alongside the consultation on the 'Planning for the Future' White Paper, and welcomes the focus on building on brownfield sites, better energy efficiency standards and the requirement to enhance bio-diversity.

This Council also welcomes simplifying the planning process and the proposal to replace S106 and the Community Infrastructure Levy with a new Infrastructure Levy and to apply it to permitted development. However, it believes that planning should be kept local with public participation at its heart, with sufficient funding for local infrastructure that flows to the infrastructure provider. Therefore, the County Council must have a statutory role in the operation of the new levy and secure an appropriate share of the funds that are raised.

However, the Council calls for an urgent review of the housing allocation algorithm which concentrates housing numbers in the suburbs and rural areas, which already have an infrastructure deficit, and away from towns and cities, which post Covid-19, are crying out for regeneration of town centres and high streets. The Council registers its concern over the impact that this algorithm will have on West Sussex regarding:

- (1) The almost doubling of housing targets will impact the environment, loss of agricultural land, building on flood plains and the county's ability to combat climate change. The county already suffers from a lack of infrastructure such as roads, public transport, rail, and others and has just experienced water shortages in some areas;

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(2) Insufficient account is taken of the areas covered by national parks, AONBs and coastal flood plains, leading to mass development outside of these areas;

(3) The need in rural areas is for affordable rented housing. The change to affordable housing thresholds would mean that in approximately 70% of small parishes no affordable housing contributions would be required on sites of fewer than 40-50 dwellings, this would mean that no affordable housing would be delivered in these communities which will be catastrophic for their sustainability; **and**

**(4) *Its failure to address the building of social rent homes at the scale that is required.***

Planning is not just about housing and it will be important to understand how the proposed changes to the operation of the planning system impact upon the County Council's statutory minerals, waste and other planning functions.

Council also supports the recommendation in the Glover Review to give AONBs statutory consultee status for planning applications in their area to strengthen their role in the planning system.

This Council therefore calls upon the Cabinet Member for Environment working with the Leader to liaise with the district and borough councils and members of Parliament in making these points in the response to the Consultation.'

24.3 The amendment was lost.

24.4 An amendment was moved by Cllr Lea and seconded by Cllr Brunsdon as set out below:

'This Council notes the Government's consultations on changes to the current planning system alongside the consultation on the 'Planning for the Future' White Paper, and welcomes the focus on building on brownfield sites, better energy efficiency standards and the requirement to enhance bio-diversity.

This Council also welcomes simplifying the planning process and the proposal to replace S106 and the Community Infrastructure Levy with a new Infrastructure Levy and to apply it to permitted development. However, it believes that planning should be kept local with public participation at its heart, with sufficient funding for local infrastructure that flows to the infrastructure provider. Therefore, the County Council must have a statutory role in the operation of the new levy and secure an appropriate share of the funds that are raised.

However, the Council calls for an urgent review of the housing allocation algorithm which concentrates housing numbers in the



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suburbs and rural areas, which already have an infrastructure deficit, and away from towns and cities, which post Covid-19, are crying out for regeneration of town centres and high streets. The Council registers its concern over the impact that this algorithm will have on West Sussex regarding:

- (1) The almost doubling of housing targets will impact the environment, loss of agricultural land, building on flood plains and the county's ability to combat climate change. The county already suffers from a lack of infrastructure such as roads, public transport, rail, and others and has just experienced water shortages in some areas;
- (2) Insufficient account is taken of the areas covered by national parks, AONBs and coastal flood plains, leading to mass development outside of these areas;
- (3) The need in rural areas is for affordable rented housing. The change to affordable housing thresholds would mean that in approximately 70% of small parishes no affordable housing contributions would be required on sites of fewer than 40-50 dwellings, this would mean that no affordable housing would be delivered in these communities which will be catastrophic for their sustainability.

Planning is not just about housing and it will be important to understand how the proposed changes to the operation of the planning system impact upon the County Council's statutory minerals, waste and other planning functions.

Council also supports the recommendation in the Glover Review to give AONBs statutory consultee status for planning applications in their area to strengthen their role in the planning system.

***This Council welcomes this review as the current planning regime imposes more development than many of our residents wish or than infrastructure can sustain, causing irreparable harm to the south-east. It fails to protect and restore the natural environment. The asymmetric planning process gives an illusion of listening to local views whilst in reality according them little weight.***

This Council therefore calls upon the Cabinet Member for Environment working with the Leader to liaise with the district and borough councils and members of Parliament in making these points in the response to the Consultation.'

24.5 The amendment was lost.

24.6 The motion was carried.

## **25 Motion on unaccompanied Child Asylum Seekers**

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25.1 The following motion was moved by Cllr Lord and seconded by Cllr Barling.

'During summer 2020, the number of people arriving by boat to seek asylum in the UK has increased with an associated raised media profile for this issue. In August, Kent County Council announced that it has now reached its capacity to accommodate unaccompanied asylum-seeking children. West Sussex County Council is signed up to the voluntary National Transfer Scheme and has taken six unaccompanied asylum-seeking children from Kent since June.

This Council:

- (1) Recognises the United Kingdom's proud tradition of welcoming people fleeing conflict and persecution;
- (2) Asks the Cabinet Member for Children and Young People to commit to continue to work with other local authorities through the National Transfer Scheme and to continue our dialogue with our near neighbours, particularly Kent and Portsmouth, to meet the needs of as many Unaccompanied Asylum-Seeking Children as we are able;
- (3) Asks the Cabinet Member for Children and Young People to acknowledge the role of West Sussex County Council's Children's Services and the foster carers who provide a safe home for our Unaccompanied Asylum-Seeking Children and expresses our gratitude for their ongoing work; and
- (4) Acknowledges that, notwithstanding differing personal views, anyone engaged in discourse on this issue, including elected members, has a responsibility to treat the people involved with dignity, compassion and respect.'

25.2 The motion was carried.

## **26 Motion on Post-16 Support Services**

26.1 The following motion was moved by Cllr M Jones and seconded by Cllr Oxlade.

'This Council notes that the Covid 19 pandemic has impacted on the education of young people over the age of sixteen in this County over the last six months or so. Those who have recently taken A levels, GCSEs and BTec examinations have had a particularly stressful time due to changes in the way exams were graded which impacted on choices for onward study for some young people. For those who were planning on seeking employment or apprenticeships after completing their education, the situation is even worse due to the current state of the economy.

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Now more than ever these students need support to ensure they do not find themselves Not in education, employment or training (NEETs). Moreover, given the likely long term impact of the effects of the pandemic on the economy, it will become even more important than ever for this Council to be able to provide support for future generations of school-leavers.

This Council therefore calls on the Cabinet Member for Education and Skills to reprioritise funding to enable the reversal of the decision taken at full Council in February to reduce the post-16 support service that provides interventions and careers guidance for young people Not in Education, Employment or Training (NEETs) and instead to consider whether current staffing levels are adequate or should in fact be increased.'

- 26.2 The motion was referred to the Cabinet Member for Education and Skills for consideration.

## **27 Allocation of Additional Funding to support response to Covid-19**

- 27.1 The Cabinet Member for Finance moved the report on the allocation of additional funding to support the response to COVID-19.

- 27.2 The recommendations were put to a recorded vote under Standing Order 3.36.

- (a) For the recommendations – 59

Cllr Acraman, Cllr Arculus, Cllr Atkins, Cllr Baldwin, Cllr Barling, Cllr Barnard, Cllr Barrett-Miles, Cllr Bennett, Cllr Boram, Cllr Bradford, Cllr Brunsdon, Cllr Burgess, Cllr Burrett, Cllr Catchpole, Cllr Crow, Cllr J Dennis, Cllr N Dennis, Cllr Duncton, Cllr Edwards, Cllr Elkins, Cllr Goldsmith, Cllr Hall, Cllr High, Cllr Hillier, Cllr Hunt, Cllr M Jones, Cllr A Jupp, Cllr N Jupp, Cllr Kennard, Cllr Kitchen, Cllr Lanzer, Cllr Lea, Cllr Lord, Cllr Magill, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr Millson, Cllr Mitchell, Cllr Montyn, Cllr O'Kelly, Cllr R J Oakley, Cllr S J Oakley, Cllr Oppler, Cllr Oxlade, Cllr Patel, Cllr Pendleton, Cllr Purnell, Cllr Quinn, Cllr Russell, Cllr Simmons, Cllr Smytherman, Cllr Sparkes, Cllr Turner, Cllr Urquhart, Cllr Waight, Cllr Walsh, Cllr Whittington and Cllr Wickremaratchi.

- (b) Against the recommendations - 0

- (c) Abstentions – 0

- 27.3 Resolved –

- (1) That grant funding received in connection with the current pandemic and which is not ring fenced is allocated pro rata to the expenditure incurred in relation to each service area;

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- (2) That ring-fenced grant funding is allocated according to the purposes and in accordance with any rules specified; and
  - (3) That the Total Performance Monitor report will report on the use and allocation of this funding during the course of 2020/21.

## **28 Question Time**

- 28.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios and asked questions of chairmen, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 43 to 48) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

## **29 Governance Committee: Minor changes to the Constitution: Rights of Way Committee, Pension Advisory Board and Pensions Committee**

- 29.1 The Council considered minor changes to the terms of reference of the Rights of Way Committee, the Pension Advisory Board and the Pensions Committee, in the light of a report from the Governance Committee (pages 49 to 54).
- 29.2 Resolved –
  - (1) That the proposed changes to the Rights of Way Committee terms of reference and Delegation Code of Practice, as set out at Appendix 1, be approved;
  - (2) That the amendment to the terms of reference of the Pension Advisory Board set out in paragraph 2 be approved; and
  - (3) That the amendment to the membership of the Pensions Committee set out in paragraph 3 be approved.

## **30 Report of Urgent Action: Regulation 19**

- 30.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 55 and 56) was noted.

Chairman

The Council rose at 4.30 pm