West Sussex County Council – Ordinary Meeting

6 November 2020

At the virtual Ordinary Meeting of the County Council held at 10.30 am on Friday, 6 November 2020, the members present being:

Cllr Duncton (Chairman)

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

31 Retirement of Deputy Chief Fire Officer

31.1 The Chairman reported that Neil Stocker, the Deputy Chief Fire Officer, was retiring after 29 years' service in the Fire and Rescue Service. Members wished him a long and happy retirement.

32 Deaths of former colleagues

Cllr A Jupp

- 32.1 The Chairman reported the death of Mr Frank Keen, who had represented the Bognor Regis division from 1968 to 1993.
- 32.2 She also reported the death of Mr Martin Farrell, the County Council's Head of Intelligence and Performance, who had died suddenly after 33 years' service at the County Council.
- 32.3 Members held a minute's silence.

33 Apologies for Absence

- 33.1 Apologies were received from Cllr Barton, Cllr Oppler, Cllr Purnell, Cllr Simmons and Cllr Smith.
- 33.2 Cllr Bradford, Cllr Cloake and Cllr Sudan arrived at 10.40 am, 11.00 am and 11.25 am respectively.
- 33.3 Cllr R Oakley and Cllr Purchese gave their apologies and left at 12.40 pm.
- 33.4 Cllr Oxlade arrived for the afternoon session at 1.50 pm and Cllr Millson at 2.00 pm. Cllr Barling gave his apologies and left at 3.55 pm. Cllr Bradbury left at 2.55 pm, Cllr Markwell at 3.25 pm, Cllr Goldsmith at 3.55 pm, Cllr Arculus and Cllr Lord at 4.00 pm and Cllr Cloake at 4.05 pm.

34 Members' Interests

34.1 Members declared interests as set out at Appendix 1.

35 Minutes

- 35.1 The Chairman reported that the reference to Woodlands Meed on page 33 of the minutes should refer to the school being in Burgess Hill rather than Haywards Heath.
- 35.2 With that correction, it was agreed that the minutes of the Ordinary Meeting of the County Council held on 18 September 2020 (pages 9 to 34) be approved as a correct record.

36 Governance Committee: Merger of Planning and Rights of Way Committees

- 36.1 The Council considered the proposed merger of the Planning and Rights of Way Committees, in the light of a report from the Governance Committee (pages 35 to 60).
- 36.2 Resolved -
 - (1) That the merger of the Planning and Rights of Way Committees be approved; and

(2) That the proposed changes to the Constitution, as set out in Appendices 1 and 2 to the report, be approved to give effect to the merger.

37 Review of Proportionality

37.1 The Chairman reminded members that following the merger of the Planning and Rights of Way Committees and recent changes in group affiliation, the Council had a statutory duty to review the proportionality on its committees. A paper on the application of the proportionality rules and how they are applied was set out on pages 61 and 62 and a table showing the number of seats on committees had been circulated (supplement page 1).

37.2 Resolved -

That the proportionality be agreed.

38 Appointments

38.1 The Council approved appointments as set out below.

Committee	Change
Children and Young People's Services Scrutiny Committee	Cllr Kennard to fill vacancy
	Cllr Sudan in place of Cllr Brunsdon
	Remove Cllr Lea as substitute
Environment and Communities Scrutiny Committee	Cllr Brunsdon to fill vacancy
	Add Cllr Lea as substitute
Fire & Rescue Service Scrutiny Committee	Cllr M Jones in place of Cllr Arculus
Health and Adult Social Care Scrutiny Committee	Cllr McDonald to fill substitute vacancy
Performance and Finance Scrutiny Committee	Cllr Lea in place of Cllr Edwards
	Add Cllr Brunsdon as substitute
	Cllr Patel to fill substitute vacancy
Corporate Parenting Panel	Cllr Kennard to fill vacancy

Committee	Change
Planning and Rights of Way Committee*	Cllr Atkins Cllr Baldwin Cllr Barrett-Miles Cllr Burrett Cllr Goldsmith Cllr High (Chairman) Cllr Kitchen (Vice-Chairman) Cllr McDonald Cllr Millson Cllr Montyn Cllr S Oakley Cllr Patel Cllr Sudan
	Substitutes:
	Cllr Acraman Cllr Barling Cllr Boram Cllr J Dennis Cllr Lord Cllr Wickremaratchi
	1 Con vacancy
Regulation, Audit and Accounts Committee	Cllr Sparkes to fill vacancy
Standards Committee	Cllr Buckland in place of Cllr Smytherman
	Independent vacancy in place of Cllr Lea

New Committee created by merger of the Planning and Rights of Way Committees approved under agenda item 4

39 Address by a Cabinet Member

- 39.1 Members received an address from the Leader and the Cabinet Member for Adults and Health on the national lockdown.
- 39.2 In response to a question from Cllr O'Kelly, the Cabinet Member agreed to circulate her report and update all members on timescales for implementation of local track and trace when known.
- 39.3 Following a request from Cllr Walsh, the Cabinet Member agreed to circulate the new guidance concerning Care Homes as soon as it is available.
- 39.4 In response to a question from Cllr M Jones, the Cabinet Member said that data relating to the number of pupils per year group who

had been sent home to isolate would be circulated.

- 39.5 Members received an address by the Cabinet Member for Children and Young People on the Council's Children First Improvement Plan.
- 39.6 In response to a suggestion from Cllr Lord, the Cabinet Member supported the proposal to have an annual statement from the Youth Cabinet at County Council.

40 Petition

40.1 The following petition had been received. A briefing note from the Director of Highways, Transport and Planning and a statement from the petitioners were included in the agenda (pages 69 to 74).

Remove the Pop Up Covid 19 Cycle Lanes

'Remove the Pop Up Cycle Lanes which have been placed in Crawley.

The Pop Up Cycle lanes which have appeared in Crawley and throughout Sussex are a blight on the daily commute. They are hindering FAR more people than it is helping. Motorists are experiencing further delays to their commutes which is impacting on local businesses.'

40.2 The Chairman informed that Council that, following the publication of a decision by the Cabinet Member for Highways and Infrastructure on 3 November to remove the Crawley pop-up cycle lane, the petitioner had agreed that the debate was no longer required.

41 Motion on Post-16 Support Services

41.1 At the County Council meeting on 18 September 2020 the following motion had been moved by Cllr M Jones, seconded by Cllr Oxlade, and referred to the Cabinet Member for Education and Skills for consideration. A report by the Cabinet Member was included with the agenda (pages 75 and 76).

'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.

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.'

41.2 The motion was lost.

42 Motion on Hidden Disability

42.1 The following motion was moved by Cllr Edwards and seconded by Cllr Pendleton:

'Many businesses, emergency services and local authorities have recognised the Hidden Disabilities Lanyard and West Sussex County Council should embrace this too. Anyone with a hidden disability which does not have physical signs, including learning disabilities, lung conditions and chronic illnesses can opt to wear a Hidden Disability Sunflower to show they may require additional help, understanding or extra time to carry out an action. This symbol allows us to give them the help and understanding they may need in their day-to-day lives. This Council calls on the Cabinet Member for Adults and Health to support the following commitments;

- (1) To officially recognise the Hidden Disabilities Sunflower.
- (2) To officially promote what it stands for and its importance in breaking stigma.
- (3) To help promote Hidden Disabilities Sunflower to local businesses and encourage them to formally look at recognising it.
- (4) To promote that the council offices are Hidden Disability friendly and promote the Sunflower on its buildings so people can identify the Council as Hidden Disability friendly.
- (5) To actively promote and encourage local district and borough councils, and town and parish councils to recognise the scheme.'
- 42.2 The motion was referred to the Cabinet Member for Adults and Health for consideration.

43 Motion on Pension Investments

43.1 The following motion was moved by Cllr M Jones and seconded by Cllr Oxlade:

'In line with the principles previously supported by this Council in taking strong local action to address the climate emergency and recognising the strength of public opinion, as evidenced by the large demonstration at the full County Council meeting in February 2020, this Council calls on the West Sussex Pensions Committee to take all necessary steps to divest all of its investments from fossil fuel companies as soon as practicable.'

43.2 The motion was referred to the Pensions Committee for consideration.

44 Motion on Council Investments

44.1 The following motion was moved by Cllr Millson and seconded by Cllr Walsh:

'This Council welcomes the fact that the Pensions Committee's investment managers have signed up to the United Nations Principles of Responsible Investment which has been set up by the United Nations Environment Programme Finance Initiative (UNEP FI) to encourage asset owners and asset managers to:

- incorporate environmental, social and governance (ESG) issues into investment analysis and decision making;
- be active owners:
- · seek disclosure of ESG issues; and
- promote the principles within the industry.

This Council therefore calls on the Cabinet Member for Finance to follow the lead of the Pensions Committee and to ask the Council's investment advisers to ensure they follow the United Nations Principles of Responsible Investment for all of the Council's investments. This will ensure that West Sussex County Council achieves a more ethical investment policy by incorporating matters like human rights and environmental issues, such as reducing reliance on fossil fuels (in line with the Council's Climate Change Strategy), into its investment decisions.'

44.2 The motion was referred to the Cabinet Member for Finance for consideration.

45 Motion on Milk at School Break Time

45.1 The following motion was moved by Cllr M Jones and seconded by Cllr Walsh:

'This Council notes that the number of families relying on support from food banks in some parts of the county has increased by as much as 80% in the last 12 months and that there has been a

county-wide increase in applications for free school meals over the last six months compared to last year.

This Council also believes the provision of school milk provides a nutritional boost and keeps children hydrated between breakfast and lunch, helping them to concentrate and learn.

This Council therefore calls on the Cabinet Member for Education and Skills to work with the Cabinet to provide funding to enable the reversal of the decision to cease providing morning break time school milk for the over 5s for 2020/21 with effect from September 2020. It calls on him to utilise the savings achieved over the past six months as a result of members not having to travel to meetings to meet the cost.'

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

46 Motion on the Economy

46.1 The following motion was moved by Cllr Boram and seconded by Cllr Hillier.

'West Sussex County Council:

- (1) Notes and embraces the challenges and requirements involved in balancing the needs of public health and economic growth, with the requirement that the latter has to be clean, green and sustainable;
- (2) Notes that the balancing of public health, economic growth and other considerations generates a diversity of opinion in the scientific, medical and government community, and therefore believes that the widest range of views should be considered by central government decision-making forums;
- (3) Recognises its role in supporting clean, green and sustainable economic growth and welcomes the feedback so far received on its Economy Reset Plan, which is designed to support these objectives;
- (4) Recognises the severe impact of Covid-19 on the West Sussex economy including but not limited to the aviation, travel, events, hospitality, horticulture and adult social care sectors;
- (5) Notes the prevalence and importance of some sectors in parts of the West Sussex economy and sees opportunities for jobs growth through targeted investment in new and innovative initiatives;
- (6) Welcomes the creative and imaginative nature of central government economic support initiatives including the

- furlough scheme, self-employed income support, sectorspecific VAT reductions and 'Eat Out to Help Out';
- (7) Welcomes the establishment of the Global Travel Taskforce and looks forward to the publication of the Government's Aviation Recovery Strategy;
- (8) Commends the efforts of West Sussex businesses to adapt to the new normal and expresses its support for all enterprises in these difficult times;
- (9) Acknowledges the importance of the local growth deals and thanks partner organisations for their participation in them; and
- (10) In its advocacy role asks the Cabinet to make the following requests to central government reflecting a number of current priorities:
 - (a) To assist the hospitality sector by minimising the application of lockdown measures, consistent with the maintenance of public health, taking into account local R rates and other local factors;
 - (b) Make further reforms to the taxation of digital businesses to achieve a better levelling of opportunity between digital and physical enterprises;
 - (c) Bring forward initiatives for airport Covid-19 testing to assist in limiting the application and impact of quarantine;
 - (d) Maintain sector-specific furlough and self-employed income support;
 - (e) Support continued investment in our digital infrastructure including hard-to-reach rural premises, welcoming the progress that has been made to date in our county;
 - (f) Ensure that the pre-Covid-19 agenda around adult social care reform is resumed;
 - (g) To articulate clear and confidence-building messages on the role and utility of public transport with renewed emphasis on rural connectivity;
 - (h) Apply clean, green, climate change and economic diversity and resilience considerations in the awards of funding for economic recovery; and
 - (i) Support investment in reskilling and retraining to assist with diversifying and creating a sustainable economy.'

46.2 An amendment was moved by Cllr Millson and seconded by Cllr Lord as set out below:

'West Sussex County Council:

- (1) Notes and embraces the challenges and requirements involved in balancing the needs of public health and economic growth, with the requirement that the latter has to be clean, green and sustainable;
- (2) Notes that the balancing of public health, economic growth and other considerations generates a diversity of opinion in the scientific, medical and government community, and therefore believes that the widest range of views should be considered by central government decision-making forums;
- (3) Recognises its role in supporting clean, green and sustainable economic growth and welcomes the feedback so far received on its Economy Reset Plan, which is designed to support these objectives;
- (4) Recognises the severe impact of Covid-19 on the West Sussex economy including but not limited to the aviation, travel, events, hospitality, horticulture and adult social care sectors;
- (5) Notes the prevalence and importance of some sectors in parts of the West Sussex economy and sees opportunities for jobs growth through targeted investment in new and innovative initiatives;
- (6) Welcomes the creative and imaginative nature of central government economic support initiatives including the furlough scheme, self-employed income support, sector-specific VAT reductions and 'Eat Out to Help Out' the provision of vouchers in lieu of free school meals, from lock down until the start of the September term (though sadly not during October half term), which have been a substantial help to poorer families;
- (7) Welcomes the establishment of the Global Travel Taskforce and looks forward to the publication of the Government's Aviation Recovery Strategy;
- (8) Commends the efforts of West Sussex businesses to adapt to the new normal and expresses its support for all enterprises in these difficult times;
- (9) Acknowledges the importance of the local growth deals and thanks partner organisations for their participation in them; and

- (10) In its advocacy role asks the Cabinet to make the following requests to central government reflecting a number of current priorities:
 - (a) To assist the hospitality sector by minimising the application of lockdown measures, consistent with the maintenance of public health, taking into account local R rates and other local factors;
 - (b) Make further reforms to the taxation of digital businesses to achieve a better levelling of opportunity between digital and physical enterprises;
 - (c) Bring forward initiatives for airport Covid-19 testing to assist in limiting the application and impact of quarantine;
 - (d) Maintain sector-specific furlough and self-employed income support;
 - (e) Support continued investment in our digital infrastructure including hard-to-reach rural premises, welcoming the progress that has been made to date in our county;
 - (f) Ensure that the pre-Covid-19 agenda around adult social care reform is resumed;
 - (g) To articulate clear and confidence-building messages on the role and utility of public transport with renewed emphasis on rural connectivity;
 - (h) Apply clean, green, climate change and economic diversity and resilience considerations in the awards of funding for economic recovery; and
 - (i) Support investment in reskilling and retraining to assist with diversifying and creating a sustainable economy.'
- 46.3 The amendment was put to a recorded vote under Standing Order 3.36.
 - (a) For the amendment 14

Cllr Brunsdon, Cllr Buckland, Cllr N Dennis, Cllr Fitzjohn, Cllr M Jones, Cllr Lea, Cllr Lord, Cllr Millson, Cllr O'Kelly, Cllr Oxlade, Cllr Quinn, Cllr Smytherman, Cllr Sudan and Cllr Walsh.

(b) Against the amendment - 43

Cllr Arculus, Cllr Atkins, Cllr Baldwin, Cllr Barling, Cllr Barnard, Cllr Barrett-Miles, Cllr Bennett, Cllr Boram, Cllr Bradbury, Cllr Bridges, Cllr Burgess, Cllr Burrett, Cllr Catchpole, Cllr Cloake, Cllr Crow, Cllr J Dennis, Cllr Edwards, Cllr Elkins, Cllr Hall, Cllr High, Cllr Hillier, Cllr Hunt, Cllr A Jones, Cllr A Jupp, Cllr N Jupp, Cllr Kennard, Cllr Kitchen, Cllr Lanzer, Cllr Magill, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr Mitchell, Cllr Montyn, Cllr S Oakley, Cllr Pendleton, Cllr Russell, Cllr Sparkes, Cllr Turner, Cllr Urquhart, Cllr Waight, Cllr Whittington and Cllr Wickremaratchi.

(c) Abstentions – 4

Cllr Acraman, Cllr Duncton, Cllr Goldsmith and Cllr Patel.

- 46.4 The amendment was lost.
- 46.5 An amendment was moved by Cllr M Jones and seconded by Cllr Walsh as set out below:

'West Sussex County Council:

- (1) Notes and embraces the challenges and requirements involved in balancing the needs of public health and economic growth, with the requirement that the latter has to be clean, green and sustainable;
- (2) Notes that the balancing of public health, economic growth and other considerations generates a diversity of opinion in the scientific, medical and government community, and therefore believes that the widest range of views should be considered by central government decision-making forums;
- (3) Recognises its role in supporting clean, green and sustainable economic growth and welcomes the feedback so far received on its Economy Reset Plan, which is designed to support these objectives;
- (4) Recognises the severe impact of Covid-19 on the West Sussex economy including but not limited to the aviation, travel, events, hospitality, horticulture and adult social care sectors;
- (5) Notes the prevalence and importance of some sectors in parts of the West Sussex economy and sees opportunities for jobs growth through targeted investment in new and innovative initiatives;
- (6) Welcomes the creative and imaginative nature of central government economic support initiatives including the furlough scheme, self-employed income support, sectorspecific VAT reductions and 'Eat Out to Help Out';
- (7) Welcomes the establishment of the Global Travel Taskforce and looks forward to the publication of the Government's Aviation Recovery Strategy;

- (8) Commends the efforts of West Sussex businesses to adapt to the new normal and expresses its support for all enterprises in these difficult times;
- (9) Acknowledges the importance of the local growth deals and thanks partner organisations for their participation in them; and
- (10) Calls on In its advocacy role asks the Cabinet to write make the following requests to central government as soon as possible calling on them to reflecting a number of current priorities:
 - (a) **Review measures in place t**o assist the hospitality sector by minimising the application of lockdown measures, consistent with the maintenance of public health, taking into account local R rates and other local factors;
 - (b) Make further reforms to the taxation of digital businesses to achieve a better levelling of opportunity between digital and physical enterprises;
 - (c) Bring forward initiatives for airport Covid-19 testing to assist in limiting the application and impact of quarantine **as a matter of urgency**;
 - (d) **Commit to m**aintain**ing** sector-specific furlough and self-employed income support;
 - (e) Support continued investment in our digital infrastructure including hard-to-reach rural premises, welcoming **recognising** the progress that has been made to date in our county;
 - (f) Ensure that the pre-Covid-19 agenda around adult social care reform is resumed **at pace**;
 - (g) To Aarticulate clear and confidence-building messages on the role and utility of public transport with renewed emphasis on rural connectivity;
 - (h) Apply clean, green, climate change and economic diversity and resilience considerations in the awards of funding for economic recovery; and
 - (i) **Provide additional s**upport **and** investment **for** in reskilling and retraining to assist with diversifying and creating a sustainable economy, **prioritising support for those aged 16 to 24 years.**'
- 46.6 The amendment was put to a recorded vote under Standing Order 3.36.

(a) For the amendment - 14

Cllr Brunsdon, Cllr Buckland, Cllr N Dennis, Cllr Fitzjohn, Cllr M Jones, Cllr Lea, Cllr Lord, Cllr Millson, Cllr O'Kelly, Cllr Oxlade, Cllr Quinn, Cllr Smytherman, Cllr Sudan and Cllr Walsh.

(b) Against the amendment - 46

Cllr Acraman, Cllr Arculus, Cllr Atkins, Cllr Baldwin, Cllr Barling, Cllr Barnard, Cllr Barrett-Miles, Cllr Bennett, Cllr Boram, Cllr Bradbury, Cllr Bradford, Cllr Bridges, Cllr Burgess, Cllr Burrett, Cllr Catchpole, Cllr Cloake, Cllr Crow, Cllr J Dennis, Cllr Edwards, Cllr Elkins, Cllr Hall, Cllr High, Cllr Hillier, Cllr Hunt, Cllr A Jones, Cllr A Jupp, Cllr N Jupp, Cllr Kennard, Cllr Kitchen, Cllr Lanzer, Cllr Magill, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr Mitchell, Cllr Montyn, Cllr S J Oakley, Cllr Patel, Cllr Pendleton, Cllr Russell, Cllr Sparkes, Cllr Turner, Cllr Urquhart, Cllr Waight, Cllr Whittington and Cllr Wickremaratchi.

(c) Abstentions – 2

Cllr Duncton and Cllr Goldsmith.

- 46.7 The amendment was lost.
- 46.8 The motion, as set out in minute 46.1, was carried.

47 Motion on provision of Free School Meals in School Holidays

47.1 The following motion under Standing Order 2.46 was moved by Cllr M Jones and seconded by Cllr Walsh.

'This Council expresses disappointment that the Government has voted against providing free meals for children entitled to free school meals in the October 2020 half term and during future school holidays. This Council also expresses disappointment that none of the West Sussex Members of Parliament who took part in the Parliamentary vote supported the proposal to provide meals during future school holidays, with seven of the eight actively voting against.

This Council recognises that the on-going pandemic is causing hardship and poverty for many families within West Sussex and calls on the Cabinet to follow the example of other councils around the country to step in and provide free meals for children entitled to free school meals during future school holidays during the current pandemic.'

47.2 The motion was referred to the Cabinet for consideration.

48 Proposed Modifications to the Soft Sand Review of the West Sussex Joint Minerals Local Plan

48.1 The Cabinet Member for Environment moved the report on the Proposed Modifications to the Soft Sand Review of the West Sussex Joint Minerals Local Plan (pages 77 to 110).

48.2 Resolved -

That the Proposed Modifications to the Soft Sand Review, as set out at Appendix 1 to the report, be approved for public consultation on their soundness, followed by submission to the Inspector.

49 Question Time

49.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 111 to 116) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

50 Report of Urgent Action

50.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 117 and 118) was noted.

Chairman

The Council rose at 4.15 pm