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## Written Questions: 22 October 2021

### 1. Written question from **Cllr Beccy Cooper** for reply by **Cabinet Member for Adults Services**

#### Question

- (a) How many complaints are currently being processed with regards to the increase in Care Charges?
- (b) What is the maximum waiting time currently for these complaints to be processed?
- (c) Of the complaints that have been processed, how many have resulted in a reduction in the increased charges?

#### Answer

- (a) There are 74 complaints that are currently in process that are related to the increase in care charges with 41 of these having the increase as the main issue. However currently approximately 10 of the complaints are duplicated (a customer has complained both directly to the council and also via a councillor or an MP).
- (b) The maximum waiting time currently is just over three months, but the oldest cases are complex cases that require specialist knowledge to ensure that the response is informative and complete. Further engagement has been required with the customer or their financial representative and a full review is completed on previous calculations which can take some time. These cases also have multiple questions that cut across a number of services and require a co-ordinated approach. Complaints that require further information from the customer are common and are shared with the specialist assessors to follow up more quickly and these are now being answered in less than six weeks and additional resource and support that has been secured with reduce this time very shortly. It is the case that some of the complaints that are about a specific issue are dealt with within the published timeframes. Often an officer will call the customer first to explain the position so that the customer is informed but the formal response follows at a later date.
- (c) The work in responding to the complaints is focussed on ensuring that the financial assessment for each customer is correct and addressing any issues in that context. Outcomes on contributions are not specifically recorded separately as in many of the current cases the financial assessment is correct, and the response is primarily explaining the calculation and any other related facts that have led to the increase.

### 2. Written question from **Cllr Pudaloff** for reply by **Cabinet Member for Adults Services**

#### Question

The Forward Plan contains details of a proposed decision to extend the Direct Payment Service Contract before the current contract expires in February 2022.

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- (a) Can the Cabinet Member please inform me as to whether there are any changes planned to the terms and conditions affecting service users?
  - (b) What will be the relationship between those delivering the Direct Payments Service Contract and those conducting financial assessments to ensure a service user's whole circumstances will be taken into account, and enable service users to fully understand the relationship between the support they receive and the contributions they make?

### **Answer**

- (a) Under the provisions of the current contract Adult Social Care is requesting the extension of the contract, in this case there are no changes to the terms and conditions of the contract.
- (b) A direct payment is a method of providing a customer money to enable them to organise and pay for their own care. The amount of the payment is based on their care and support plan which identifies how they propose to provide their care.

The customer can choose to use what is called a pre-paid card, where the Council provide the amount of funds and effectively place funds into an account which can be accessed using the card. The card is provided by the firm who has been awarded the direct payment services contract. Customers are financially assessed to identify if they contribute to their care, based on their individual circumstances. When customers opt to receive funding through a direct payment then a contract is signed by the customer where they agree that any contribution to care will be made by them and placed into the direct payment account and this will then be added to the Council funding and be accessed by the pre-paid card. The total of the funding paid by the Council and the individual customer is the total funding for their care. Customers are informed of both the money provided by the Council and their contribution, from this the customer is informed of both elements.

### **3. Written question from **Cllr Sharp** for reply by **Cabinet Member for Environment and Climate Change****

#### **Question**

On 5 October, the Cabinet Member for Environment and Climate Change wrote to the Rt Hon Alok Sharma MP, President of COP26, to highlight that the Council is striving to achieve net zero and to push for the creation of a national and local taskforce to tackle climate change with easier funding arrangements and nationally set targets. This was published in the Bulletin on 13 October 2021. The letter was along similar lines to a motion that, by coincidence, I had been working on so I am very pleased that we are working collaboratively with the LGA, ADEPT and National Audit Office.

- (a) Will the Cabinet Member agree to publish the response from the Government when it is received, or at least share it with all members of the Council?
- (b) The letter calls on the Government to provide long-term sustainable funding for local authorities to help them to work towards net Zero. What amount does the Cabinet Member believe would be adequate from the Government? Does the

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Cabinet Member agree that funding for net zero should form part of the local government spending review?

- (c) What are the Cabinet's big ideas to bring real change in tackling climate change, if this funding is provided?

**Answer**

- (a) Yes
- (b)
- (i) This cannot be quantified at this time but see (c) below
- (ii) Yes
- (c) The Council's Climate Change Strategy was approved in July 2020 since then substantial new resources have been applied to initiatives aiming to decarbonise the council estate, generate more renewable energy and raise awareness of the climate change challenge amongst council staff. Having completed a full year of delivery, appointed new team members and with the expectation of new enabling legislation shortly, the first major review of the Climate Change Strategy is in underway. It seeks to learn from the initial mobilisation and aims to identify options for how the council could transform its impact against the Climate Change Strategy.

The review will clarify the gaps in data, resources and technology as well as addressing the cultural changes we will need to implement across the whole council in order to make inroads into the 2030 net zero target and achieve the wider range of environmental targets set out in the council's business plan and economic reset plan. The revised strategy will be taken through internal governance processes early in 2022 and member input into the process will be welcome. The key areas will continue to include decarbonisation of the estate, travel and procurement whilst also examining the options to deliver against emerging duties in relation to biodiversity net gain and natural capital (all driven by national legislation in particular the Environment Bill). The council has made a good start on its journey towards responding to the climate change emergency and is taking responsible steps to optimise outcomes while ensuring it continues to successfully deliver for its residents and wider community.

**4. Written question from Cllr Beccy Cooper for reply by Cabinet Member for Finance and Property**

**Question**

Please provide an update on assessing County assets that are surplus to the County portfolio.

- (a) How many assets do you anticipate will be sold in 21/22 and 22/23 and what will that raise for the County?
- (b) How will those additional funds be utilised?

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## Answer

- (a) So far in 2021/22 the County Council has sold seven assets and achieved a capital receipt of £2,910,000. It is anticipated a further six assets may be sold this year bringing in additional receipts. The target capital receipt for 2021/22 is £5,300,000 and it is expected this will be achieved.

A further 10 assets have been identified for disposal next year but the final value of which will be determined by a number of factors including the outcome of planning applications, developer progress and interest in the market.

The above figures do not include those sites optioned to the Joint Venture. The actual disposal of these sites will be dependent upon the programme for development and viability testing.

- (b) Capital receipts are used either to fund the capital programme or to support service transformation projects as enabled by the Secretary of State's Direction and outlined in the Government's Statutory Guidance on the flexible use of capital receipts.

## 5. Written question from **Cllr Baxter** for reply by **Cabinet Member for Highways and Transport**

### Question

The Conservative manifesto of 2019 promised £2bn of funding for the 'biggest ever pothole-filling programme' the country has ever seen. The Government has just announced that local councils will receive £1.2m of further cuts to local road maintenance budgets for 2022/23. What assurances can the Cabinet Member provide to drivers, cyclists and those who use mobility vehicles regarding the state of the roads?

### Answer

The cuts recently announced in the media refer to this financial year 2021/22 and are being highlighted by the Local Government Association ahead of the government's spending review announcement on 27 October 2021.

The decision to reduce road maintenance funding from the previous year was made during the Covid-19 pandemic at the governments one year spending review in October 2020. The reduction in funding followed the highest levels of funding received by local authorities in 2020/21.

Local road maintenance remains a priority for the County Council and in recognition of this importance the County Council provided an additional £12m at the February 2020 Full Council budget meeting. This money is being invested into our road network over the next three years and will complement the governments grant funding to ensure our roads remain safe.

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6. Written question from **Cllr Sharp** for reply by **Cabinet Member for Highways and Transport**

**Question**

In the government policy document, '[Decarbonising Transport: A Better, Greener Britain](#)', the Secretary of State for Transport says that Local Transport Plans will "need to set out how local areas will deliver ambitious quantifiable carbon reductions in transport. This will need to be in line with carbon budgets and net zero". He also says, "We will drive decarbonisation and transport improvements at a local level by making quantifiable carbon reductions a fundamental part of local transport planning and funding."

- (a) Our draft Local Transport Plan (LTP) does not provide any quantifiable targets or milestones for carbon reduction. Can these targets be added before the final publication of the document?
- (b) Is the Cabinet Member satisfied that this Plan provides a credible route to achieving the government's targets of net zero greenhouse gas emissions by 2050 or the interim reductions of 68% on 1990 levels by 2030 (the UK's Nationally Determined Contribution) and 78% by 2035 (to meet the 6th carbon budget)?

The Government stipulates that changes we make to our roads should '**not be a barrier to the zero-emission transition**' and the Surface Transport section of the Government's [Sixth Carbon Budget report](#) (PDF, 1.2MB) says that car mileage will need to be reduced by 9% by 2035 and by 17% by 2050 in order to reach net zero, even with the transition to electric vehicles.

Our LTP's infrastructure commitments predominantly comprise considerable major road schemes alongside an objective of maintaining 'static' levels of traffic.

- (c) Considering the very likely traffic increases generated by increased road capacity, is the Cabinet Member satisfied that a Plan heavily based on road expansion, without measures for traffic reduction, will not be a barrier to the zero-emission transition?
- (d) And is the Cabinet Member concerned that the continued car focus of the LTP will be a barrier to the shift to shared and active travel that the Plan itself recognises is needed not only to enable West Sussex to reach net zero but also to achieve the air quality, health, and social benefits we sorely need?

**Answer**

- (a) The Government's Transport Decarbonisation Plan (TDP) was published just as the Draft West Sussex Transport Plan (WSTP) was being published for consultation, so its contents could not be taken into account. However, the TDP and its request for local transport authorities to set quantifiable carbon targets, will be taken into account when the Plan is revised following the recent consultation and prior to adoption.
- (b) The WSTP, particularly the initiatives within it to increase walking, cycling, rail and shared transport use, will help the Government's targets to be achieved. However, success in achieving the targets will depend on securing the

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necessary funding, public acceptance of the initiatives, and changes in travel behaviour, matters that are largely outside the County Council's control.

- (c) The road network improvements included in the Draft WSTP have been identified to address the transport challenges facing the County, primarily those associated with the scale and location of planned residential and other development. The improvements are part of a package that is also intended to increase walking, cycling, rail and shared transport use. The Road Network Strategy in the Draft WSTP states that major improvements and technology upgrades being delivered by the County Council will also need to provide facilities for active travel and shared transport to ensure the improvements also help to facilitate the transition to net zero.
- (d) The Draft WSTP is a plan for all modes of surface transport and seeks to balance environmental, social, and economic objectives through a wide range of initiatives targeting different modes of transport. Therefore, the Plan should not be a barrier to the transition to net zero. The Road Network Strategy states that major road network improvements are not expected in the long term, which reflects the strategic 'shift' in the WSTP to investment in sustainable modes of transport. However, to a large extent, achieving this change will depend on future decisions about the scale and location of planned development, matters that are outside the County Council's control.

**7. Written question from Cllr Smith for reply by Cabinet Member for Highways and Transport**

**Question**

Can the Cabinet Member please tell me to what extent pavements affected by root heave are proactively inspected by the County Council?

Root heave can impact pavements through being damaged or broken, so how can we ensure the safety of our residents who have accessibility needs, such as people with disabilities who may use support equipment when walking, or those using a disability scooter or wheelchair on the damaged pavements?

**Answer**

All parts of the publicly maintainable highway are inspected using the Highway Inspection Manual. One of the considerations for footways is root heave. Some roots may cause an abrupt level difference while others create heave in the footway. The minimum investigatory level for either if these is 20mm.

When root heave is identified it is not always possible to cut the root in order to make the footway level. We do, in certain situations, arrange for one of our arboriculturists to attend site to assess but more often than not by the time a root is large enough to cause an issue it is unable to be cut for fear of killing the tree. The other major problem is that the majority of trees have Tree Preservation Orders on them. This makes it legally impossible to do any work on the tree without proper authority. In most cases, for the reasons previously mentioned, this means we are unable to damage the root system.

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Invariably the method for dealing with root heave is to form a ramp over the roots in order to ease passing pedestrians. Unfortunately, in urban settings, this can make the footway appear uneven.

We also undertake large-scale footway repairs as part of our annual delivery programme. Sites included in this programme are prioritised based largely on their condition, and damage to the surface caused by tree roots can be a significant contributor to the condition. The method used in our large-scale works to correct this damage is largely the same as that described above.

**8. Written question from Cllr Quinn for reply by Cabinet Member for Highways and Transport**

**Question**

Can the Cabinet Member confirm if she is confident there is sufficient staffing capacity to deliver the highway service effectively?

**Answer**

A wholesale review of the structure of the Highways Transport and Planning Directorate was undertaken in 2019. On the basis of that a new structure was implemented in 2020.

The director and his management team regularly review the workload within the directorate and the capacity of the team to deliver that. There are a very small number of posts that are difficult to recruit to as suitable candidates are in short supply nationally. In these instances, we do draw upon the resources available to us from our term consultants.

**9. Written question from Cllr Atkins for reply by Cabinet Member for Learning and Skills**

**Question**

There has been a recent statistic in the UK that a considerable number of children have recently not returned to school for the autumn term and may have effectively gone missing.

(a) Can the Cabinet Member please let me know how many children from West Sussex schools may have not returned to their schools and may have effectively gone missing?

(b) If this is the case in West Sussex, what can be done to alleviate the situation?

**Answer**

The Education Act 1996 requires all schools to have an attendance register that holds the details of all children on the school roll.

Schools have a duty to monitor the attendance of the children on their roll, identifying those children missing education through non-attendance and take action to address this.

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If, through their actions, the school have not been able to make contact with the young person or their family, they are able to make a Missing Pupil Referral to the Pupil Entitlement Investigation team (PEI).

- (a) Since 1 September 2021 – 15 October 2021 the PEI team have received 22 missing pupil referrals. This is compared to the same period in 2020 and 2019 where the number was 30 and 29 respectively.
- (b) The PEI team will carry out enquires to identify the whereabouts of the family. If they are unable to locate the family the child is removed from the roll of the schools and the case is passed to the Children Missing Education Team (CME).

Of the 22 missing pupil referrals received this academic year:

- 6 have been confirmed to have moved abroad
- 2 have been passed to out of county CME teams
- 4 were found and are now back in their original school
- 1 is now in a new school out of county
- 1 is now in a new school within West Sussex
- 1 has been passed to the County Council CME team for further investigation.

The remaining seven cases were received by the PEI team in the last three weeks and are still under initial investigation.