

Public Document Pack

Tony Kershaw

Director of Law and Assurance

If calling please ask for:

Clare Jones on 033 022 22526

Email: clare.jones@westsussex.gov.uk

www.westsussex.gov.uk

County Hall
Chichester
West Sussex
PO19 1RQ
Switchboard
Tel no (01243) 777100



25 May 2022

Dear Member,

County Council - Friday, 27 May 2022

Please find enclosed the briefing notes for the motions to be debated at the meeting of the County Council to be held on Friday, 27 May 2022.

Agenda No	Item
------------------	-------------

8(a)	Motion on Water Neutrality (Pages 3 - 4)
-------------	---

Briefing note on factual background information attached.

8(b)	Motion on Pension Divestments (Pages 5 - 6)
-------------	--

Briefing note on factual background information attached.

8(c)	Motion on Smokefree Fund (Pages 7 - 10)
-------------	--

Briefing note on factual background information attached.

Yours sincerely

Tony Kershaw
Director of Law and Assurance

To all members of the County Council

This page is intentionally left blank

County Council – 27 May 2022

Item 8(a) – Notice of Motion by Cllr Burrett

Water Neutrality – Briefing Note

Introduction

Surveys have observed a severe decline in wildlife within internationally protected sites in the Arun Valley, an area of West Sussex with significant natural capital and an area of water stress.

In September 2021, Natural England issued a Position Statement that affects all planning applications that increase mains water usage within the Sussex North Water Supply Zone (which covers all of Horsham District and parts of Crawley Borough, Chichester District, Arun District and Mid Sussex District). It states that Natural England cannot conclude that water abstraction is not adversely affecting the integrity of the Arun Valley Special Area of Conservation, Arun Valley Special Protection Area, and Arun Valley Ramsar site.

Position Statement

The Position Statement means planning applications cannot be determined unless developers are able to demonstrate 'water neutrality'. Therefore, any planning application within the Zone is effectively 'on hold' if there is the likelihood that water consumption will increase and applications should not be permitted until it has been demonstrated that they are 'water neutral'.

This has meant that planning applications for c.2,300 new homes and c.100,000sqm of business floorspace have been placed on hold, as well as applications for other development, including minerals, waste and County Council infrastructure (for schools, fire and rescue, and libraries). Local Plans must also be water neutral, which has delayed their preparation and brings the number of new homes impacted up to c.24,000.

Water neutrality is achieved when water use in the supply area before the development is the same or lower after the development is occupied. The onus is on developers to demonstrate deliverable water neutrality for their proposals. This can be achieved by developer incorporating significant water efficiency measures into their developments and/or by providing offsetting measures to reduce water consumption from existing development.

If water neutrality cannot be demonstrated, applications must be refused as a point of law.

Partnership Working

The Local Planning Authorities (LPAs) in the affected area, including West Sussex County Council, have responded by forming a dedicated partnership on water neutrality. They are developing a mitigation strategy to set out how water neutrality will be achieved, through evidence work on the Local Plans. They have progressed a Water Cycle Study, publishing Part As and B, with work on Part C underway. Frequently Asked Questions and additional guidance for developers is available on the County Council's [website](#).

Nonetheless, there has been a very significant impact on the ability of the affected LPAs to determine planning applications, to progress Local Plans (to steer future development and investment) and to manage the additional workload.

Planning officers are working with the other organisations and agencies, including Natural England (NE), Southern Water (SW), and the Environment Agency (EA), to identify solutions for water neutrality in the short, medium and long term. This also includes dealing with detailed questions on planning matters and Habitat Regulation requirements. Governance arrangements have been agreed for partnership working across the affected area, involving all affected authorities, EA, NE and SW. Officers from government departments (Department for Environment, Food and Rural Affairs and Department for Levelling Up, Housing and Communities) have also attended meetings.

Updates and progress on projects by SW e.g. to increase water supply and reduce leakage are being requested through various forums, such as the Chief Executives meetings, as well as the Water Cycle study work.

The joint authorities collectively require additional staffing resource and expertise to co-ordinate all the various workstreams, particularly to help set up and implement offsetting and or other solutions to reach water neutrality. A joint bid for £100,000 of funding from the Coast to Capital Local Economic Partnership was submitted and awarded. An advert for a project manager for the partnership is soon to be advertised.

Approaches to Government

This area is the first in the UK to have the requirement of water neutrality imposed upon it. The affected LPAs have recognised that there is no precedent and, as such, an innovative and iterative approach is being developed. Advice and support from government departments has been requested in order to create future work practices, provide formal support and advice (where required) against national policy and guidance to enable local plans and development management decisions to be made (while ensuring the correct legal precedents are set).

The Leaders of the affected LPAs in West Sussex also wrote to the Secretary of State for Housing, Communities and Local Government in January and May 2022 requesting government support these workstreams and to ensure that the appropriate agencies are engaged and remain committed to finding a way forward. To date only an acknowledgment has been received in May to the January letter.

This request for funding is in addition to the funding that was awarded in March 2022 for work on 'nutrient neutrality', which is an issue affecting planning decisions in Chichester District. Although water neutrality and nutrient neutrality have some similarities, they have very different impacts and solutions and, therefore, they must be considered separately by the Government.

The LPAs impacted by water neutrality have also approached the Government for flexibility on land supply and housing delivery targets. Concern has also been expressed about the impact of water neutrality on the delivery of the infrastructure that is required to support the delivery of new homes.

Lee Harris

Director of Place Services

County Council – 27 May 2022**Item 8(b) – Notice of Motion by Cllr Baxter****Pension Divestments – Briefing Note**

The West Sussex Local Government Pension Fund is one of 87 separate funds which are administered under the Local Government Pension Scheme ('LGPS') in England and Wales. West Sussex County Council has a formal statutory role to administer the Fund on behalf of 87,000 members and over 200 contributing employers and does so through its Pensions Committee. The primary duty of the Committee in relation to the Fund is to be able to pay, from the Fund, the pensions of those employees of the Council and all the other employers who participate in the Fund. To do so, the Council invests the contributions paid by those employers and the members of the Fund.

The ring-fenced assets of the Fund do not belong to either the members of, nor to the participating employers in, the Fund. Instead, the Committee acts in the capacity of a 'fiduciary' in investing the Fund assets for the beneficiaries. This means that it has a legal duty of care to exercise its powers, including its investment powers, in the best interests of the members of the Fund.

The Committee also has obligations to invest in line with the LGPS Investment Regulations which, amongst other things, require that an Investment Strategy Statement ('ISS') is published. The Pension Committee's Investment Strategy Statement sets out financial and non-financial considerations, how it integrates environmental, social and governance (ESG) issues throughout its investment decision-making process and how risk and financial returns are balanced. The Statement is consulted on with employers.

The implementation of the Investment Strategy and day-to-day investment decisions are delegated to several specialist investment managers. The Pensions Committee requires that these portfolio managers to perform their stewardship role actively to support investment to identify and generate long-term sustainable growth. In turn portfolio managers invest considerable resources to support their research-driven investment decision-making, long-term stewardship, and engagement with companies on matters including climate change.

The following are highlighted as examples of the Committee's discharge of its commitment to sustainable investment in line with its Strategy Statement:

- As part of its implementation of its approach to responsible investment the Pensions Committee has invested in equity funds which either have objectives consistent with the Paris Agreement or which exclude companies extracting/refining fossil fuel, or generate power from fossil fuels.
- The Fund has recently invested in a core infrastructure fund advised by JP Morgan which has significant exposure to renewable energy globally.

Katharine Eberhart

Director of Finance and Support Services

This page is intentionally left blank

County Council – 27 May 2022

Item 8(c) – Notice of Motion by Cllr Ali

Smokefree Fund – Briefing Note

Access to smoking cessation services to support individuals and communities across West Sussex

West Sussex County Council is committed to working in partnership with organisations across the health and care system in West Sussex to ensure that anyone living and working in the county can access help and support to quit smoking.

Overview

- Smoking remains the number one cause of preventable illness and premature death in England and is a major risk factor for cancer, cardiovascular disease, and respiratory illness.
- Smoking rates have gradually fallen over recent years, however, approximately 70,000 people in West Sussex still smoke. With indications of increased smoking rates among young adults in England since the outbreak of the COVID-19 pandemic, and alongside the risks and impacts of the virus itself, there has never been a more important time to quit.
- Stopping smoking is the single most important thing someone can do to improve their health and the health of the people around them and, with support from smoking cessation services, smokers are three times more likely to succeed in a quit attempt.

Smoking in West Sussex

Current prevalence:

- The current prevalence rate of smoking for adults in West Sussex is 10%. The national ambition is 5% smoking prevalence or less by 2030, for local authority areas.
- Based on the population size of West Sussex, 10% prevalence equates to approximately 70,000 adult smokers. To reach the aspirational 5% prevalence rate by 2030, an additional 48,000 smokers in the county would need to successfully quit in the next eight years, alongside no new starters (wider tobacco control measures are required to support this element). This action is reflected in the tobacco control action plan including the work of Trading Standards.

Cost and impact of smoking to West Sussex

Annually, it is estimated that smoking in West Sussex costs **£188.9m**. This includes:

- £126.4m lost productivity, due to smoking related lost earnings, smoking related unemployment and smoking related early deaths.
- Approximately £40.8m smoking related hospital admissions and primary care activity costs.
- £18.5m social care costs.

- £3.3m Fire and Rescue Services (34 smoking related fires are attended each year by Fire and Rescue Services, costing £3.3m annually).

Smoking Cessation Service Provision (Tobacco Dependency Services)

- The County Council commissions Tobacco Dependency Services funded by the Government's ring-fenced Public Health Grant which provide stop smoking interventions that will treat tobacco dependency and address inequalities, reduce premature deaths and ill-health from smoking related disease. These are accessible to all who are attempting to quit smoking however providers are asked to focus on risk groups such as pregnant women, mental health service users, routine and manual workers and individuals from ethnic minority backgrounds.
- Three types of providers are commissioned to enable services to be accessible throughout the county; General Practitioners (GPs), Community Pharmacies, and the West Sussex Wellbeing Programme (delivered by district and borough councils across the county).
- West Sussex Public Health offers each provider a comprehensive training package enabling an expert cohort of staff delivering evidence based smoking cessation services in line with nationally recognised quality standards.
- The current contract with primary care (GPs and pharmacies) has been in place since April 2020, and the West Sussex Wellbeing programme commenced their smoking cessation provision in 2020, coinciding with the start of the COVID-19 pandemic. NICE Tobacco guidance [NG209] defines a successful quit as not having smoked in the fourth week after the quit date (with carbon monoxide monitoring confirmation).

Smoking cessation services during the COVID-19 pandemic

- During the earlier stages of the pandemic, some primary care providers were unable to maintain delivery of smoking cessation due to restrictions, and other pressures and priorities. There remained, however, a full countywide offer through the West Sussex Wellbeing Programme, which was predominantly through telephone and on-line contact at that time.
- The West Sussex Wellbeing Programme has continued to provide a hybrid model of delivery through on-line, telephone and latterly face to face services, according to the person's needs and preference. In GP practices and pharmacies, activity is yet to recover to reach pre-pandemic levels. Recognising that the considerable pressure on these community providers, public health continues to work with them to break down barriers to delivering this service.

Service Developments

- Developments are being progressed in West Sussex to support referrals to stop smoking services to enable them to be fully integrated into clinical pathways across the NHS, as outlined in the NHS Long Term Plan. This includes ensuring that health care professionals ask all patients admitted into hospital about their smoking status, offer very brief advice on quitting, and provide in-house support or refer them to local stop smoking services.
- The ongoing work with local NHS Trusts and implementation of in-house Tobacco Dependency Treatment Programmes is bringing this aspiration to life.

West Sussex Tobacco Control Strategy and Action Plan 2019-22

- The West Sussex Tobacco Control Strategy and Action Plan was launched in 2019 with the aim of meeting the national objectives to be Smokefree by 2030, through the co-ordinated effort of a wide range of partners.
- Using the Government's 10 High Impact Changes to achieve tobacco control, the strategy outlines a collaborative, solution-focused approach across the partnership and commits to a set of actions, identifying interventions that impact across the wider determinants of health (individual, community and place).
- The Action Plan contains 74 actions, with each attributed to members of the Smokefree West Sussex Partnership, spanning all the High Impact Changes to achieve tobacco control. The Action Plan is currently being updated based on best evidence and local intelligence.

Smokefree West Sussex Partnership

- The Smokefree West Sussex Partnership is our local tobacco control alliance, chaired and managed by West Sussex Public Health.
- Membership includes Trading Standards, the Fire and Rescue Service, West Sussex Wellbeing teams from District and Borough Councils across West Sussex, Health4families programme, Cancer Research UK and representatives from University Hospitals Sussex NHS Foundation Trust.
- The partnership takes forward the delivery of the West Sussex Smokefree Action Plan guided by the West Sussex Tobacco Control Strategy 2019-22.

National policy and implications for West Sussex

- Javed Khan OBE, is leading an [independent review](#) of the Government's bold ambition to make England smokefree by 2030.
- The review will provide independent, evidence-based advice that will inform the Government's approach to tackling health disparities associated with tobacco use. It will also help the Government decide on the most impactful interventions to reduce the uptake of smoking and to support smoking cessation. It will assess the options to be taken forward in the new national Tobacco Control Plan, which will be published later this year.
- The West Sussex Tobacco Control Strategy 2019-22 will also be reviewed in line with renewed national ambitions once these are published.

Keith Hinkley

Director of Adults and Health

This page is intentionally left blank