

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 2023

Dear Member,

County Council - Friday, 26 May 2023

Please find enclosed the following documents for consideration at the meeting of the County Council on Friday, 26 May 2023 which have been issued since the agenda was published.

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

4.	Members' Interests (Pages 3 - 4)
-----------	---

List of declared interests.

7.	Review of Proportionality (Pages 5 - 6)
-----------	--

Result of review of proportionality.

9(a)	Appointments to Committees (Pages 7 - 10)
-------------	--

Nominations.

9(b)	Appointment of an Independent Member to the Independent Remuneration Panel (Pages 11 - 12)
-------------	---

Report on appointment of a new independent member to the Panel plus the extension of the term of office of an existing member.

11.	West Sussex Joint Minerals Local Plan: Five-yearly Assessment (Pages 13 - 14)
------------	--

Proposed amendment to the recommendation by Cllr O'Kelly.

15.	Question Time (Pages 15 - 20)
------------	--------------------------------------

Written questions.

16.	Motion on Defibrillators (Pages 21 - 22)
------------	---

Briefing note on motion.

Yours sincerely

Tony Kershaw
Director of Law and Assurance

To all members of the County Council

County Council 26 May 2023**Agenda Item 4****Declaration of Members' Interests**

Members have declared interests as shown, in the paragraphs specified. Unless otherwise indicated, all the interests are personal but not prejudicial. "DC" = District Council, "BC" = Borough Council and "PC" = Parish Council.

Member	Item	Nature of Interest
Cllr Ali	15 – Question Time	Member of Crawley BC
Cllr Atkins	12 – Ofsted Inspection	Local Authority Governor of Durrington Infant and Junior Federated Schools
Cllr Atkins	15 – Question Time	Member of Worthing BC
Cllr Burgess	15 – Question Time	Member of Crawley BC
Cllr Burrett	15 – Question Time	Deferred member of the Local Government Pension Scheme
Cllr Greenway	16 – Notice of Motion on Defibrillators	Member of Bersted PC
Cllr Lanzer	15 – Question Time	Member of Crawley BC
Cllr Lanzer	16 – Notice of Motion on Defibrillators	Member of the Sussex Health and Care Assembly
Cllr Mercer	15 – Question Time	Chair of Orchard Hill College Academy Trust
Cllr Mercer	15 – Question Time	Member of Horsham DC
Cllr Sharp	15 – Question Time	Member of Chichester DC
Cllr Sharp	16 – Notice of Motion on Defibrillators	Member of Chichester DC

This page is intentionally left blank

Result of Proportionality Review

Allocation of seats

Committees	Places	Con	Lib Dem	Lab	Green and Ind All
Performance and Finance	15	10	2	2	1
Children and Young People's Services	12(16†)	8	2	2	0
Communities, Highways and Environment	12	8	2	1	1
Fire & Rescue Service	7	5	1	1	0
Health and Adult Social Care	12(19†)	8	2	1	1
Planning and Rights of Way	13	8	1	2	2
Regulation, Audit and Accounts	7	5	1	1	0
Governance	9	6	2	1	0
Standards	9	5	2	1	1
Allocation of seats	96	63	15	12	6

† Include four/seven voting co-opted members respectively

Recommended

That the proportionality be approved.

Tony Kershaw

Director of Law and Assurance

Contact Officer: Charles Gauntlett 033 022 22524

Background papers

None

This page is intentionally left blank

Appointments to Committees – May 2023
(excluding non-Council members)

Proposed changes shown in bold text

Scrutiny Committees

Note: The chairmen and vice-chairmen of scrutiny committees will be appointed at the first meeting of each committee.

Name	No. of members	Members	Substitutes
Children and Young People’s Services	12	Cllr Baldwin Cllr Burgess Cllr Cherry Cllr Cornell Cllr Dabell Cllr Evans Cllr Hall Cllr Linehan Cllr McGregor Cllr Mercer Cllr Smith Cllr Sparkes	Cllr Chowdhury Cllr Duncton Cllr Lord Cllr Nagel
Communities, Highways and Environment	12	Cllr Albury Cllr Ali Cllr Baldwin Cllr Britton Cllr N Dennis Cllr Greenway Cllr Kenyon Cllr Kerry-Bedell Cllr Oakley Cllr Payne Cllr Quinn Cllr Sharp	Cllr Baxter Cllr Burgess Cllr Cooper Cllr Gibson Cllr Milne
Fire & Rescue Service	7	Cllr Bence Cllr Boram Cllr Chowdhury	Cllr Albury Cllr Evans Cllr Oppler

Name	No. of members	Members	Substitutes
		Cllr Duncton Cllr Joy Cllr Patel Cllr Pendleton	Cllr Oxlade
Health and Adult Social Care	12	Cllr Ali Cllr Atkins Cllr Cooper Cllr Dunn Cllr Forbes Cllr Johnson Cllr Nagel Cllr O'Kelly Cllr Patel Cllr Pudaloff Cllr Wall Cllr Walsh	Cllr Baldwin Cllr Burgess Cllr Joy Cllr McKnight
Performance and Finance	15	Cllr Baldwin Cllr Burrett Cllr Boram Cllr Britton Cllr Elkins Cllr Gibson Cllr Linehan Cllr Lord Cllr McDonald Cllr McKnight Cllr Milne Cllr Montyn Cllr Sparkes Cllr Turley Cllr Wall	Cllr Baxter Cllr Bence Cllr Johnson Cllr Payne Cllr Walsh

Non-executive committees

Name	No. of members	Members	Other members
Governance Committee	9	Cllr Bradbury (Chairman) Cllr Burrett Cllr A Jupp Cllr Lord Cllr Marshall Cllr O'Kelly Cllr Oxlade Cllr Waight Cllr Wickremaratchi (Vice-Chairman)	Substitutes: Cllr Baxter Cllr Hunt Cllr Urquhart Cllr Walsh
Planning and Rights of Way Committee	13	Cllr Ali Cllr Atkins (Vice-Chairman) Cllr Burrett (Chairman) Cllr Duncton Cllr Gibson Cllr Kerry-Bedell Cllr McDonald Cllr Montyn Cllr Oakley Cllr Patel Cllr Quinn Cllr Wild 1 Labour vacancy	Substitutes: Cllr Boram Cllr Cherry Cllr Forbes Cllr Kenyon Cllr Markwell Cllr Sharp Cllr Turley Cllr Wickremaratchi
Regulation, Audit and Accounts	7	Cllr Boram (Vice-Chairman) Cllr Condie (Chairman) Cllr Greenway Cllr Kenyon Cllr McKnight Cllr Montyn Cllr Wall	Not applicable
Standards Committee	9	Cllr Baxter Cllr Bradbury (Chairman) Cllr Burrett Cllr Kenyon	Not applicable

Name	No. of members	Members	Other members
		Cllr Mercer Cllr Sparkes Cllr Walsh Cllr Wickremaratchi (Vice-Chairman) Cllr Wild	

Informal Panels and Groups

Name	No. of members	Members	Other members
Corporate Parenting Panel	7	Cllr Burgess Cllr Cooper Cllr N Jupp Cllr Linehan Cllr Lord Cllr Oxlade (Vice-Chairman) Cllr Russell (Chairman)	Not applicable
Foster Panel (North)	1	Cllr Payne	Not applicable
Foster Panel (South East)	1	Cllr Smith	Not applicable
Foster Panel (South West)	1	Cllr Oppler	Not applicable
Additional Foster Panel	1	Cllr Hall	Not applicable
Safeguarding Adults Member Reference Group	3	Cllr Chowdhury Cllr A Jupp Cllr O'Kelly	Not applicable
Treasury Management Panel	5	Cllr Condie Cllr Dunn Cllr J Dennis Cllr Hunt (Chairman) Cllr Sparkes	Not applicable

Appointment to the Independent Remuneration Panel

Background

- 1 The County Council must have an Independent Remuneration Panel (IRP) made up of independent members, whose role is to make recommendations to the Council on member allowances and expenses. An IRP must do a full review of the Member Allowance Scheme every four years but can review any aspect of the scheme at any time.
- 2 The West Sussex IRP has five members who can serve up to three four-year terms. Dr Neil Beer will step down from the IRP in October 2023. Mr John Donaldson has said he is willing to undertake a third term from October 2023.
- 3 A recruitment exercise has been carried out to recruit a new independent member of the IRP to take up office from October 2023. However, as the IRP is to begin its four yearly review in June 2023, the Council is asked to make an appointment now, so that the new member designate can informally participate from the start.
- 4 Interviews took place on 16 May 2023 by the Chairman and Vice-Chairman of the Standards Committee, supported by the Director of Law and Assurance. Dr John Godfrey, DL, is recommended for appointment to the IRP. Dr Godfrey recently retired as a Deputy Lieutenant of West Sussex. He enjoyed a long career in local government law and administration initially in London, then at West Sussex County Council until 2003 and finally in Lewes, retiring as Chief Executive of the former Sussex Police Authority in 2010. Dr Godfrey has sat on and chaired a number of public bodies and voluntary organisations, including the Gatwick Airport Consultative Committee, the Council of the National Trust, Sussex Heritage Trust and the Arun Valley Vision Group. He is a long-standing West Sussex resident.

Recommended

- (1) That Mr John Donaldson be appointed for a third term as a member of the West Sussex IRP, from October 2023 to October 2027; and
- (2) That Dr John Godfrey, DL, be appointed for a first term as a member of the West Sussex IRP, from October 2023 to October 2027.

Pete Bradbury

Chairman of the Standards Committee

Contact Officer: Charles Gauntlett, Senior Advisor, Democratic Services, 033 022 22524, or email: charles.gauntlett@westsussex.gov.uk

Background papers

None

This page is intentionally left blank

County Council 26 May 2023

Item 11 – West Sussex Joint Minerals Local Plan: Five-yearly Assessment

Amendment from Cllr O’Kelly

Amend the recommendation in the report as shown in bold, italic text below.

Recommended

That the Joint Minerals Local Plan ~~is still relevant and effective and does not need to be formally reviewed, in whole or in part~~ ***be further assessed for the need for formal review to ensure it is aligned with this Council’s Climate Change Strategy and that the assessment is brought to a future meeting of the Council for decision.***

This page is intentionally left blank

West Sussex County Council – Written Questions

26 May 2023

1. Written question from **Cllr Cornell** for reply by **Cabinet Member for Children and Young People, Learning and Skills**

Question

The recent Ofsted Report on Children's Services recognised both the pressure we face in recruiting sufficient social workers, and the success we have had in recruiting from abroad.

However, we know that across the South East, the cost of living is making the retention of staff as serious an issue as recruitment.

Given the critical importance to our continued improvement journey of retaining these vital staff, can the Cabinet Member give us information on the progress and results of the recruitment drive since it began in September 2022, the measures we have in place to ensure we retain these staff and any early information relating to their retention?

Answer

We have had offers of employment accepted by 52 social workers as a direct result of this focused recruitment drive. The new workers started to arrive in late January and as of 19 May we have had 29 of the social workers join us. The 29 are all still with us and current retention rate is 100%.

All the social workers who have joined us are being supported with an enhanced induction plan which includes support from our Professional Practice Team, bespoke training plans overseen with team managers and a small team of additional experienced workers. These additional workers are supporting the new starters in practical terms for example accompanying them on visits. Frequent supervision is being undertaken with team managers and also group and peer supervisions are happening. More formal on-going training sessions are also taking place. The new social workers are supported to gradually build the number and the complexity of children and families they are working with.

The other 23 workers are having their onboarding checks completed. One of the things required is Social Work England registration and there are currently delays being experienced with this. We have escalated our concerns to Social Work England and continue to work with them. In the meantime, we are actively keeping engaged and in touch with those waiting to arrive and in the second week of May hosted a 'Meet your Manager' Teams call to ensure they are all reassured that we are looking forward to welcoming them and to answer any questions they may have.

2. Written question from Cllr Smith for reply by Cabinet Member for Children and Young People, Learning and Skills

Question

Following the announcement of secondary school places in West Sussex on 1 March 2023, could you please advise the following:

- (a) How many children did not receive a secondary school placement of either their first, second or third choices across West Sussex?
- (b) Could you please advise us geographically if areas or cohorts have been especially affected by the allocation process and, if so, which areas and schools/cohorts have been affected?
- (c) How many pupils are going through the appeals process?
- (d) When is the latest date they can expect a decision to be made by?
- (e) Finally, could you please confirm that all children being allocated a school placement more than three miles from their home will receive school transport by West Sussex?

Answer

The answers to the questions are as follows:

- (a) 9,072 (96.1%) received either their first, second or third preference secondary school place and 372 (3.9%) had no preference met.
- (b) The 372 are spread across the county although two areas (Horsham and Shoreham/Lancing) have seen a higher level of no preferences being met than elsewhere.
- (c) We have currently received 712 secondary school appeals to be heard independently, although requests are still being made. It should be noted that this figure is based on appeals received as pupils may have appeals lodged at more than one school.
- (d) Independent appeals are scheduled to be heard between May and July depending on the dates agreed with the schools and also panel members' availability. Once the independent appeal panel has made its decisions parents are usually informed within a week.
- (e) All school transport arrangements are made in accordance with the County Council's Home to School Transport policy. Where a secondary aged pupil has been placed at the next nearest suitable school to their home address where places are available and it is beyond the statutory three miles walking distance from the child's home, transport provision, usually by way of a train or bus pass, will be made.

3. Written question from **Cllr Gibson** for reply by **Cabinet Member for Highways and Transport**

Question

Emergency roadworks cause significant disruption to communities, economic loss to local businesses, and reputational damage to the Council. The increasing frequency of emergency roadworks in some locations suggests that the utility providers are relying on them to cover maintenance deficits.

Separately for each West Sussex district and for Imberdown division alone:

- (a) How many of each type of Permit for street, road or highways works (i.e. Major, Standard, Minor and Immediate) have been issued in each of the last two years?
- (b) How many of each type of Permit has each of the utility providers requested in each of the last two years?

Answer

It is the case that any works on the highway have the potential to cause congestion and disruption for local communities and businesses. It is also the case that a failure in essential services such as gas, electricity, communications or water supply will also cause significant disruption for local communities and this is especially the case for an emergency such as a leak. Utility companies therefore have a legal right to maintain or upgrade their apparatus and the county council has a legal duty to permit this activity.

Data relating to total streetworks permits for the last two financial years are shown below. Unfortunately it is not possible to present the data by district or ward boundary without considerable effort (manual sorting) or commissioning a special report. Data is therefore presented in an [Appendix \(PDF, 505KB\)](#) (available online) by financial year as permits relating to utility companies and towns.

In summary, during 2021/22, 1,340 emergency permits were granted. This figure rises to 1,476 during 2022/23.

Table 1: 2021/22 Permit Totals

Permit Type	Number of Permits
Minor	22,093
Immediate (Urgent)	6,001
Standard	3,824
Major	2,546
Immediate (Emergency)	1,340
Grand Total	35,804

Table 2: 2022/23 Permit Totals

Permit Type	Number of Permits
Minor	20,910
Immediate (Urgent)	7,245
Standard	3,386
Major	2,632

Permit Type	Number of Permits
Immediate (Emergency)	1,476
Grand Total	35,649

4. Written question from Cllr Gibson for reply by Cabinet Member for Highways and Transport

Question

The A264 junctions with the A22 and the B2028.

- (a) What progress has been made on the joint feasibility study of the Felbridge A264/A22 junction with Surrey County Council, Tandridge District Council and Mid Sussex District Council?
- (b) When will the feasibility study scope be published and will it be subject to public consultation?
- (c) With regard to the [West Sussex Transport Plan 2022-36](#); how will the feasibility study align with other work to address:
 - (i) the medium-term priorities set out in paragraph 7.131;
 - (ii) the issues set out in paragraph 7.124; and
 - (iii) the need for safety related interventions at the B2028/Wallage Lane junction set out in paragraph 7.123.
- (d) Does the Council consider that the carriageway surface of the A264/B2028 Dukes Head Roundabout is acceptable and safe for all users? What plans, including dates, are there for upgrading the carriageway including adding a westbound left turn only lane?

Answer

- (a) The consultancy brief has been discussed with the local planning authorities and finalised. Project managers at the County Council and Surrey County Council have been identified. Once a consultant has been appointed, technical work and engagement with key stakeholders including county councillors can commence.
- (b) There is no intention to publish the consultancy brief, although the pertinent information can be shared with key stakeholders, including county councillors. It is not appropriate for public consultation to take place on the brief as the brief draws on policies and strategies that have previously been consulted on.
- (c) The study will consider the issues, challenges and priorities set out in the West Sussex Transport Plan that are relevant to the study area, alongside those in the Surrey Local Transport Plan and other relevant plans and strategies such as local plans and neighbourhood plans. The plans and strategies will be taken into account to develop a set of study objectives against which options can be assessed. The evidence base that supports these plans and strategies will be reviewed and used by the project team. Although the B2028 junction with Wallage Lane is outside the study area, it is a route used by traffic seeking to

avoid congestion on the A22 and A264. The need for a safety scheme at this location will be revisited once the impacts of the preferred scheme are understood.

- (d) The County Council is aware of the condition of A264/B2028 Dukes Head junction. In the immediate term, the safety inspection regime monitors local defective areas and arranges repairs to defects and potholes in line with the County Council's Highway Inspection Manual. The Land West of Copthorne Development (13/04127/OUTES) includes a condition that requires the developer to deliver small-scale widening improvements in advance of the occupation of the 250th dwelling. The start of works for this scheme is dependent on the availability of road space but the County Council expects these works to commence towards the end of 2023. As the developer-led improvements only include partial resurfacing of the junction, the County Council are also in the process of designing a scheme to resurface the remainder of the roundabout and approaches/departures for inclusion in the 2024/25 Carriageway Resurfacing Programme, subject to budget and overall priority need.

5. Written question from Cllr Milne for reply by Cabinet Member for Highways and Transport

Question

Following the tragic death of cyclist Pathushan Sutharsan at the A281 Downs Link crossing, there has been a further serious collision between a horse and a car.

Pathushan's Coroner wrote a Regulation 28 Report to Prevent Future Deaths stating:

"In my opinion there is a risk that future deaths will occur unless action is taken. I believe your organisation have the power to take such action. It appears that at this stage there are no definitive plans in place to take this forward. Therefore the significant risk to the users of this junction remains".

Two years ago the Council identified a bridge as its preferred solution. Now that the Council has established that their fallback option of a Pegasus crossing is impractical because of cost and loss of trees, will the Cabinet Member agree to bring forward a bridge as a major scheme funded over a number of years?

Answer

Following the release of the coroner's report into the incident in 2020, the County Council completed a series of remedial works to improve safety, including the erection of signs, clearance of vegetation and the installation of wooden barriers on the Downslink path.

An options report looked at the costs associated with a bridge and we have worked with Sustrans on this and potential bids to Department of Transport for funding. Full funding for this scheme is not available and any solution will require significant investment from the County Council's own funds.

For the County Council, Horsham District Council and Sustrans a bridge is the preferred option. However, the estimated cost of a bridge is approximately £2m with rising materials and constructions costs. Neither the County Council nor Sustrans

have been able to make an economic case for the bridge in comparison to other priorities.

Until there is some prospect of funding being available to progress with a significant improvement at this site, our current position is for the scheme to remain in our pipeline until appropriate funding becomes available.

County Council – 26 May 2023

Item 16 - Notice of Motion on Defibrillators from Cllr Greenway

Briefing Note

Overview

What is a defibrillator?

As defined by the British Heart Foundation (BHF): "A defibrillator is a device that gives a high energy electric shock to the heart of someone who is in cardiac arrest. This high energy shock is called defibrillation and it's an essential part in trying to save the life of someone who's in cardiac arrest. A defibrillator may also be called a defib, an AED (Automated External Defibrillator) or a PAD (Public Access Defibrillator)."

The BHF advises that "To help someone who is in cardiac arrest survive, a defibrillator needs to be found as quickly as possible. For every minute it takes for the defibrillator to reach someone and deliver a shock, their chances of survival lower."

Where are defibrillators located?

Defibrillators, known as Public Access Defibrillators (PADs), are usually located in public spaces, such as community centres, train stations, shopping centres, and airports, as anyone can use them.

National Defibrillator Network – The Circuit

- The BHF run a National Defibrillator Network – [The Circuit](#), which provides NHS ambulance services with information regarding defibrillators across the UK, so they can be accessed quickly after a cardiac arrest, to help save lives. Utilising this network, a 999 operator may be able to signpost to the nearest defibrillator, if needed in an emergency.
- The BHF encourages 'Defib Guardians' to register their defibrillators on The Circuit. They also provide a '[defibfinder](#)' to locate defibrillators, but the website is not intended for use in an emergency situation.
- The BHF provides guidance on how to use a defibrillator and offers free online cardiopulmonary resuscitation (CPR) training - [RevivR](#)

National Context

In recent years, there have been several Parliamentary Bills on defibrillators but none has completed its passage. All are focused on increasing access and availability in the community. There is currently no legal requirement for local authorities to fund or provide defibrillators.

Roll-out of defibrillators in schools in England

- On 22 July 2022, the Department for Education (DfE) announced that state-funded schools across England would receive defibrillators under plans to ensure there is a device in every school by the end of academic year 2022/23. The plans aim to ensure all state-funded schools have at least one device on site and more devices delivered to larger schools.

- They highlight the [latest research](#) showing accessing a defibrillator within three to five minutes of a cardiac arrest increases the chance of survival by over 40%.
- On 20 January 2023, the DfE announced that deliveries of defibrillators to all state schools in England without a life-saving device, had begun. New guidance to schools provides advice on how to make their defibrillator available to the community and encourages them to sign up to The Circuit.

Government Funding

- On 29 December 2022, the Government announced a new £1m fund to increase the number of Automated External Defibrillators (AED) in communities most in need, by an estimated 1,000, as part of their commitment to supporting the treatment and prevention of cardiovascular disease and improving access to emergency treatment across England.
- Funded by the Department of Health and Social Care (non-recurrent funding), organisations will be invited to bid to place AEDs in areas most in need. Successful bidders will be asked to match fund.

Reference: [Number of defibrillators to be increased with new funding](#)

British Heart Foundation (BHF) Part-Funding

The BHF ran a defibrillator part-funding programme this year, providing funding towards Public Access Defibrillators and helping to promote free online [RevivR CPR life-saving training](#) to communities. Due to demand, they are unable to accept further applications this year and hope to have a similar programme available early in the summer next year.

Local Context - West Sussex

Community Resilience Programme – What If?

Through the County Council's [‘What If?’ programme](#), parishes and community groups are invited to consider obtaining a defibrillator. However, there is currently no additional government funding to support communities in purchasing them.

Defibrillators within County Council facilities

Defibrillators maintained by the County Council's Facilities Management team and inspected weekly, are located at:

- County Hall, Chichester
- Bridge House, Worthing
- County Hall North, Horsham
- Crawley Library offices
- Durban House, Bognor Regis

The defibrillator located at County Hall North, Horsham, is registered with 'The Circuit.' The other devices are not registered with this national defibrillator network, due to being held at receptions and not accessible out of hours.

Alison Challenger

Director of Public Health