

Public Document Pack

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18 July 2018

Dear Member,

County Council - Friday, 20 July 2018

Please find enclosed the briefing notes for the motions to be debated at the meeting of the County Council to be held on Friday, 20 July 2018.

- | Agenda No | Item |
|------------------|---|
| 6(a) | Motion on Academies (Pages 3 - 4)
Briefing note on factual background information attached. |
| 6(c) | Motion on Velo South (Pages 5 - 6)
Briefing note on factual background information attached. |
| 6(d) | Motion on Costs of Citizenship for Children (Pages 7 - 8)
Briefing note on factual background information attached. |
| 6(e) | Motion on the Military Covenant (Pages 9 - 10)
Briefing note on factual background information attached. |
| 16. | Motion on the EU (Pages 11 - 12)
Briefing note on factual background information attached. |

Yours sincerely

Tony Kershaw
Director of Law and Assurance

To all members of the County Council

County Council

20 July 2018

Agenda Item 6(a) - Notice of Motion by Mr High

Academies – Briefing Note

Thomas Bennett Community College (TBCC) became an academy in September 2011 with The Kemnal Academies Trust (TKAT). TKAT are a large Multi-Academy Trust (MAT) with over 40 primary and secondary schools in the south of England, several of which are in Crawley. TBCC was inspected under section 5 of the Education Act 2005 (as amended) (a full inspection) by Ofsted in November 2016 and graded as 'Requires Improvement'. This was the second time it had been judged as 'Requires Improvement'. The first time was October 2014. The quality of outcomes for pupils remains a concern to the County Council. The County Council has no intelligence which would cause us to have any concerns about the safety of any pupils.

TBCC has recently been inspected under section 8 of the Education Act 2005 (as amended). The HMI led inspection was a Requires Improvement monitoring Visit 1 and took place on 3 July 2018. We have no information as to the outcome of this visit.

Under the Academies Act 2010 there is no mechanism for an academy to return to local authority control. Academies that are deemed failing or underperforming may be transferred to another MAT or sponsor (known as re-brokering) or subject to other intervention from the relevant Regional Schools Commissioner. However, recent announcements from the Minister for Education means powers of intervention into academies are to shift from Regional Schools Commissioners to the National Schools Commissioner.

The operation of academies is overseen by:

- The Education and Skills Funding Agency (ESFA – a Department for Education executive agency);
- Schools' inspectorate, Ofsted;
- Regional Schools Commissioners (Department for Education appointees who each cover one of eight regions in England)

Local authorities have a very limited role with Academies and Free schools when it comes to standards and no powers of intervention. The local authority can build a relationship only by invitation from the academy or the trust they belong to. In West Sussex we are open to invitation to visit or have discussion, which we achieve in many academies.

Academies no longer are responsible to the local authority, but directly to the Department for Education. This means it is the Regional Schools Commissioner (RSC) for the South East to whom the Trust accounts. The local authority remains able to challenge the RSC to improve the academy where West Sussex children go to the school and standards are not good enough.

Kim Curry

Executive Director Children, Adults, Families, Health and Education

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County Council**20 July 2018****Agenda Item 6(c) - Notice of Motion from Dr O'Kelly****Velo South - Briefing Note**

Velo South takes place on Sunday, 23 September 2018. It is a major new 100-mile, closed-road cycling event that will welcome 15,000 cyclists of all abilities to West Sussex. It is being organised by CSM Sport & Entertainment - a Global sports marketing and entertainment agency chaired by Lord Sebastian Coe. Visit: www.csm.com.

Their Active division specialises in the creation and management of live, outdoor sporting events, such as running, cycling and triathlon events. Velo Birmingham, the second largest cycling event in the UK, and Adidas City Run Series in London, are two examples of their work.

CSM created the Velo brand to offer cyclists the 100-mile event (this being the marathon distance for cyclists) on closed roads (the most desirable distance for cyclists to prove themselves). CSM's inaugural 100-mile cycling event took place on 24 September 2017 - Velo Birmingham which saw 15,000 riders take part and of those 3,000+ rode in a fundraising for one of the 36 official charities raising millions of pounds.

CSM have introduced the same charity strategy for the Velo South event and have chosen the lead charities as; Alzheimer's Association, British Heart Foundation, West Sussex Age UK and Restart Rugby.

Velo South participation will again be set at 15,000 riders (to make the event financially viable to CSM). CSM are using Goodwood Motor Circuit as the start and finish location, although pre-registration of all riders will take place in Chichester the day before to encourage tourism over the whole weekend. The full route can be viewed at: www.velosouth.com/the-route.

The number of these major closed-road cycling events will always be limited in the UK due to the logistical challenges of delivering the necessary road closures and hence the interest for West Sussex in securing hosting rights for the only event of this type in the South of England.

Latest Situation:

CSM completed three waves of leaflet drops to promote the event to all affected addresses in the Horsham district and Chichester district areas. The last was completed on 22 June 2018. 160,000 leaflets have been distributed.

CSM undertook a two-week roadshow from 11 to 22 June 2018 covering key areas around the route. This offered local people the chance to sit with them face-to-face to run through their specific questions and problems. They spoke to circa 200 people in this time and have followed up on email.

CSM presented at several County Local Committees (12 June - South Chichester; 19 June - North Chichester; 25 June - North Horsham). The CLC on 11 July in Chanctonbury was cancelled but will be rescheduled.

CSM have received 600 enquiries to date, including voicemails, of which we understand approximately 50 remain open. They have agreed to respond to all enquiries with five days, but often achieve this within three. Emerging themes for the enquiries being received are: emergency access, road closure timings, pedestrian access, business access, community welfare and public transport.

CSM are proactively calling impacted stakeholders. They are about half way through their calls, but we have been informed that all calls to businesses and churches directly on the route have been completed. Calls to at-home care providers and care homes in the event footprint provided by the County Council are ongoing.

CSM have a Community Celebration Fund to fund activities across the route, and have been reaching out to people interested in getting involved to put things on, including pubs and some villages. They are looking to start locking-in activations over the next couple of weeks and hope to eventually feature them on their event website.

Velo South featured in the County Council's 'Connections' magazine in June and in Horsham District Council's 'Our District' and Chichester District Council's 'Initiatives' magazines in July. CSM have sent reminder emails to their contacts in the National Trust, the NFU (who are issuing a press release to trade press), Sussex Cricket, FA, CLA, NHS, county sports leagues and RFU. These organisations will promote the event to their members.

The County Council will co-host a Community Meeting for key stakeholders in partnership with CSM on 26 July 2018 in Petworth. This will provide another platform for the latest concerns and issues to be discussed and resolved. Access plans are in development for numerous places across the route. They will be circulated to the working group for their awareness prior to sending out to the public.

The next Super Safety Advisory Group meetings (combined with representatives from the County Council, Chichester District Council and Horsham District Council) will be held on 17 July 2018 and then 4 September 2018, with a table-top exercise planned for a date in August. This will test the emergency response planning and set up of the Velo South team. The County Council's steering group continues to meet monthly, chaired by Jo Osborne with the Director of Highways and Transport sitting on the group.

Twice-monthly Velo Communications meetings continue to take place, led by CSM Active. They include communications representatives from the County Council, Chichester District Council and the South Downs National Park Authority.

Lee Harris

Executive Director Economy, Infrastructure and Environment

County Council

20 July 2018

Agenda Item 6(d) – Notice of Motion by Mrs Mullins

Cost of Citizenship for Children - Briefing Note

Children may have leave to remain in the United Kingdom but without the benefits of citizenship. These include the right to live permanently in UK, the automatic right to care through the National Health Service, the right to hold a UK passport and the right to vote. Citizenship helps in securing access to higher education, training and employment.

The Home Office fee for a child's application to register as a British citizen is £1,012. The administrative cost of processing such applications (£372) is known from reporting of a judicial review brought by the Project for Registration of Children as British Citizens and Amnesty International UK.

With regard to those children for whom the County Council has a legal responsibility as children in care and care leavers, some will have been born in UK without automatic citizenship rights, others may have come to UK as unaccompanied asylum seekers. These differing origins should not affect the County Council's approach to supporting children in care and care leavers.

Although it has no formal written policy on this particular issue of supporting citizenship applications, as a corporate parent the County Council is committed to the welfare of children in its care, having regard to all their needs and their future prospects. This includes paying for citizenship applications where necessary. Additionally, asylum-seeking children often qualify for legal aid, but the County Council would underwrite relevant costs for children in its care.

However, children in care without British citizenship automatically receive the protection of the state and, on leaving care, will receive five years' leave to remain in the UK. At the end of this period they can apply for Indefinite Leave to Remain. If successful, they are then entitled to apply for citizenship.

This means that the vast majority of former care leavers exercising this right will be over 21 years of age, and therefore no longer in the care of the County Council. A very few may have been brought to this country by their family and subsequently become looked after. We are only aware of two cases of care leavers to which this would have applied in the last three years.

Although recent legislation (Children and Social Work Act 2017) now requires local authorities to offer Personal Advisor support to all care leavers up to age 25, this does not include a requirement to make financial undertakings to those over the age of 21.

Kim Curry

Executive Director Children, Adults, Families, Health and Education

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County Council

20 July 2018

Agenda item 6(e) - Notice of Motion from Lt Cdr Atkins

Military Covenant - Briefing Note

West Sussex County Council signed a Military Community Covenant 26 July 2012, as a sign of its commitment to supporting Armed Forces personnel and former personnel and their families. It later established a Military Community Covenant Board, comprising Armed Forces champions from the County Council and borough and district councils in West Sussex, together with representatives from the Armed Forces and Services Charities.

The County Council achieved 'Silver Award' status in 2017 in recognition of its achievements in supporting armed forces personnel and ex-personnel. These achievements included:

- promoting the fact that the County Council is an armed forces-friendly organisation;
- seeking to support the employment of veterans young and old and working with the Career Transition Partnership in order to establish a tailored employment pathway for Service Leavers by continuing to send through details of all vacancies and Career Tasters that are available and through our Guaranteed Interview Scheme for Veterans;
- striving to support the employment of Service spouses and partners;
- endeavouring to offer a degree of flexibility in granting leave for Service spouses and partners before, during and after a partner's deployment through a flexible working policy;
- seeking to support County Council employees who choose to be members of the Reserve forces, including by accommodating their training and deployment where possible through our Reservists Policy;
- offering support to local cadet units, either in our local community or in local schools, where possible; and
- participating actively in Armed Forces Day by flying the flag from County Hall during the preceding week and publicising it to staff and partners.

In order to achieve 'Gold Award' status, the County Council in addition to the above needs to:

- Contribute proactively at a national level to events that promote Reservists and partnering with Defence.
- Host workplace recruitment events and invite other employers to participate.
- Have targeted interactions with other large companies to promote support at a national level.
- Encourage the supply chain (where applicable) and appropriate, to sign the Armed Forces Covenant.
- Use internal military networks to share stories and activities through internal communications.
- Encourage employees to use the Armed Forces Covenant and Employer Recognition Scheme logos on their email signatures.

- Contribute and publish a number of newsletters and articles to highlight the importance and benefits of utilising military skills.
- Nominate an Armed Forces Lead within the organisation, to promote the values of employing Reservists, Veterans, WIS and military spouses.

Ms Kennard, as Cabinet Member for Safer, Stronger Communities, chairs the Board as the Armed Forces lead within the County Council. Some of the activities and initiatives listed for the 'Gold Award' status are already in place, but the motion highlights the main additional areas of work that would need to be undertaken to fully meet the 'Gold Award' status for supporting Armed Forces personnel and former personnel and their families.

Tony Kershaw

Director of Law and Assurance

County Council

20 July 2018

Agenda Item 16 – Notice of Motion by Dr Walsh

The EU - Briefing Note

Timeline

In a referendum held on 23 June 2016, the majority of the UK electorate voted to leave the European Union (51.9% of the vote versus 48.1% voting to remain).

On 29 March 2017, in writing to European Council President Donald Tusk, the Prime Minister formally triggered Article 50 and began the two-year countdown to the UK formally leaving the EU (commonly known as 'Brexit').

Where are we now with the Brexit negotiations?

The European Council adopted guidelines for phase two of the Brexit negotiations in December 2017 and new negotiating directives in January 2018. Phase two of the negotiations - on a transition/implementation period which will start the day after the UK leave the EU and end in December 2020 - started in February 2018. During the transition period the UK will not be a Member State but will continue to apply EU law.

New guidelines were adopted in March 2018 on the framework for the UK's future relations with the EU. These are intended to be adopted as a 'political declaration' attached to the Withdrawal Agreement. Detailed provisions on the future EU-UK relationship will be set out in a separate agreement (or agreements) which will take effect after the UK has left the EU.

Talks between the EU and UK negotiators resumed on 18 April 2018. A solution to the problem of how to avoid a hard border between Ireland and Northern Ireland remains an outstanding issue for this phase of the negotiations.

After the June 2018 summit the European Council issued a statement outlining its views on progress and next steps. The European Council welcomed progress made on parts of the legal text of the Withdrawal Agreement, but called for further progress to be made on agreeing a backstop solution for Ireland/ Northern Ireland and on a political declaration including the framework for the future relationship between the EU and the UK. Full details of the statement can be found here: <http://www.consilium.europa.eu/media/35966/29-euco-art50-conclusions-en.pdf>.

The UK Cabinet met at Chequers on 6 July 2018 and agreed the UK Government's ambition for the future partnership with the EU. Full details of the Government's statement can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/723460/CHEQUERS_STATEMENT_-_FINAL.PDF

A White Paper formally setting out the negotiating position is expected to be published during the week commencing 9 July 2018.

Where are we with the European Union (Withdrawal) Bill?

The European Union (Withdrawal) Bill completed its Parliamentary passage on 20 June 2018 and received Royal Assent on 26 June 2018.

What happened in other Local Authorities mentioned in the motion?

Bristol

A notice of motion went to full council on 20 March 2018, put forward by the Liberal Democrats. The notice of motion was very similarly worded to the County Council version.

There was not time to discuss the motion at the meeting. A vote was taken on whether to extend the allocated time in order to consider the motion – 15 members voted in favour, 43 against and two abstentions, so the motion was not considered. Further details can be found here:

<https://democracy.bristol.gov.uk/ieListDocuments.aspx?MIId=2706>.

Brighton and Hove

A notice of motion went to full council in December 2017, put forward by the Green Party. It had three recommendations, including that the Chief Executive write to Secretary of State for Communities and Local Government expressing the Council's strong desire for a referendum on the final terms of a Brexit deal, including the option to maintain full EU membership. Other elements related to writing to President of Eurocities Network to express Council's desire to continue working with sister cities and requesting that Hilary Benn MP share the full Brexit Impact Assessment. The motion was carried by 26 votes to 25. Further details can be found here: <https://present.brighton-hove.gov.uk/mgAi.aspx?ID=64492>.

Hammersmith and Fulham

Hammersmith and Fulham Council passed a motion in January 2018 asking the Government to "abandon any plans for hard Brexit and give the British people a vote on whatever deal they end up getting". The notice of motion also asked for a new referendum. The motion was backed by all 21 Labour councillors with the Council's 16 Conservatives abstaining. Further details can be found here:

<http://democracy.lbhf.gov.uk/mgAi.aspx?ID=54272>.

Lee Harris

Executive Director Economy, Infrastructure and Environment