

West Sussex County Council – Written Questions

5 April 2019

- 1.** Written question from **Mr Oxlade** for reply by the **Cabinet Member for Children and Young People**

Question

In September 2017 the free childcare entitlement was extended to 30 hours per week for eligible working parents of three and four-year-olds. I understand that since this was introduced nursery closures nationally have increased by two thirds with providers struggling due to inadequate sustainable funding.

I would be grateful if the Cabinet Member could:

- (a) Tell me what percentage of nursery settings in the county offer the entitlement?
- (b) Confirm what capacity exists within nursery settings to offer the entitlement in the event a setting was to close, and whether there are any particular 'hot spots' where capacity is limited or not available (if so, where)?
- (c) Tell me how many nursery settings in West Sussex have closed since September 2017 and whether he is aware of any further settings who have given notice of proposed closure or at risk of closure?
- (d) Confirm the base rate payable to nursery settings per hour per eligible three and four-year-old child with effect from 1 April 2019; and
- (e) Confirm the extent to which any plans are being made in respect of supporting nursery schools beyond 2020 in the absence of any guarantee of continued funding by the Government.

Answer

- (a) 73% of all early years settings offer Free Entitlement for three and four-year-old funding.
- (b) Capacity is monitored termly, based on the information provided by the early years settings. The latest data we have is for Autumn 2018 and this identifies that the availability of early years places (termed the vacancy rate) is as follows:

In Adur and Worthing, the vacancy rate is 30.4%. The Lancing and Durrington areas are being monitored as areas where there is potential for gaps in childcare sufficiency.

In Arun, the vacancy rate is 24.8%. The Angmering and Arundel areas

are being monitored as areas where there is potential for gaps in childcare sufficiency.

In response to the identification of potential gaps in childcare sufficiency the County Council directs new and potential childcare providers and those wishing to expand to those areas. However, whilst a potential gap has been identified this does not necessarily mean that there is demand and the County Council encourages all new and potential providers to carry out additional market research.

In Chichester, the vacancy rate is 25.9%.

In Crawley, the vacancy rate is 27.8%.

Potential hotspots for childcare have been identified across Crawley due to development of new properties. This is being monitored and the team are working with potential providers to address this.

In Horsham, the vacancy rate is 28.3%.

In Mid Sussex, the vacancy rate is 21.8%.

Across West Sussex there are a growing number of large housing developments being created. Local teams are working with developers and existing providers to ensure there is sufficient childcare for families moving to these homes. There is also an ongoing focus in increasing the number of childminders offering government funded places to meet the needs of the free entitlement and extended entitlement across the county.

- (c) 167 settings (including childminders, pre-schools and day nurseries) have closed in West Sussex since September 2017. Of these, 14 were day nurseries/pre-schools. We are not aware of any settings that have given notice of proposed closure or at risk of closure. In this period, 92 new settings have opened (42 pre-schools and day nurseries and 50 childminders).
- (d) The base rate payable is £4.42.
- (e) There is no resource available to mitigate the funding gap. However, the local authority is meeting regularly with the heads of the maintained nursery schools to offer advice and discuss potential options.

2. Written question from Mrs Millson for reply by the Cabinet Member for Education and Skills

Question

Can the Cabinet Member please update the Council on the situation regarding the allocation of secondary school places for children starting Secondary School in September? Specifically, can the Cabinet Member clarify, by district:

- (a) How many children have not been allocated to their parents' first choice school?
- (b) How many children have not been allocated to any of their parents' choices?
- (c) How many Horsham children are still expected to attend schools in Crawley? Does the Cabinet Member intend to make special travel arrangements for these children, or will they be expected to use public transport, even if this may involve one or more changes of service?

Answer

As questions 2 and 3 relate to the same matter, a combined response has been provided – see answer to question 3 below.

3. Written question from **Mr Quinn for reply by the **Cabinet Member for Education and Skills****

Question

I understand parents of current Year 6 pupils across the county were informed of their child's allocation of a secondary school place on 1 March 2019. There has been coverage in the local media about some pupils who will have to travel from Horsham District to Crawley from September, which for some will be a daily 30-mile round trip.

I am given to believe that the proposed opening of the new Bohunt Free School in Horsham from September has meant some parents have been offered a place at Bohunt as well as a place for another West Sussex school. Given that those parents had to have chosen one of the duplicated places by 29 March 2019, can the Cabinet Member please:

- (a) Provide a breakdown of the number of students who were not allocated a place at one of their three preferred schools for each District and Borough;
- (b) Tell me how many students it is anticipated will have to attend a school in another District or Borough from the one they applied;
- (c) How many parents have chosen to exercise their right of appeal because they have not been allocated a place in one of their three preferred schools;
- (d) Confirm whether additional resources will be required to deal with the appeals; and
- (e) Confirm the estimated additional school transport costs for those pupils starting school in September who live more than three miles away from their allocated school.

Answer to questions 2 and 3

All children whose parents applied for a secondary school place were offered a school place. This year the Admissions Team processed a total of 9,099 applications, an increase of nearly 400 from 2018.

In response to Mrs Millson's first two questions, the vast majority of applicants (96.5%) were offered a place at one of their three preferred schools, with 84.2% given their first preference. This equates to 322 children not being offered one of their three preferences and 1,437 not being in receipt of their first preference. The team does not aggregate the data on a district and borough basis so it is not possible to provide a breakdown of this information by district and borough area.

Information for the Horsham Community Designated Area in relation to parents who applied for places at the new Bohunt School, Horsham is as follows:

- (a) At allocation on 1 March, 16 children living within the Horsham Community Designated Area were not offered a place at one of their three preferred schools.
- (b) The Admissions Team is in the process of offering all 16 children a Horsham school from the 70+ places that have been released by parents whose child will attend the new Bohunt School, Horsham. Therefore, no child from the Horsham Community Designated Area will have to attend a school in another district or borough from the one within which they applied for.
- (c) No appeals will progress for parents of children within the Horsham Community Designated Area because they have not been allocated a place at a preferred school.
- (d) There will be no additional appeal costs because all children from within the Horsham Community Designated Area will shortly be offered a preference school.
- (e) There will be no additional transport costs because all children from within the Horsham Community Designated Area who want a Horsham school will shortly be offered one.

4. Written question from Mrs Smith for reply by the by the Cabinet Member for Education and Skills

Question

The Cabinet Member will no doubt be aware that head teachers across West Sussex wrote to thousands of West Sussex parents in March this year updating them on the position regarding school funding. That letter told parents schools are still not being provided with adequate funding and resources to deliver the level of provision and support that is expected. The letter went on to say:

- Since 2010 school budgets have decreased in real terms by 8% and by 20% at post 16;
- Class sizes are rising and the curricular offer is being restricted;
- Increasing, schools are being asked to support children's emotional health and wellbeing; and
- Often the most vulnerable students in schools – those from disadvantaged backgrounds or those with Special Educational Needs and Disabilities (SEND) – are bearing the brunt of cuts and schools are struggling to provide the level of support they are entitled to.

Parents were also told that head teachers had written and requested meetings with the Secretary of State for Education; the request for a meeting has been declined on two occasions because diaries are full. As the letter points out, it is difficult to comprehend what issues could be more important than the ones they are raising on behalf of literally thousands of peoples in West Sussex and up and down the country.

Despite this situation the spring budget offered nothing more for the pupils of West Sussex.

Can the Cabinet Member please tell me:

- What recent efforts he has been made to convey the dire funding situation for the pupils in West Sussex to Ministers and local MPs;
- How many schools currently have licensed deficits and how much as a total that combined deficit represents;
- The extent to which the number of schools requiring licensed deficits and the combined total have increased over the last three years;
- Whether he expects the situation to improve for schools looking to set their 2019/20 budgets given that 50 schools have recently been identified through the recent three year budgeting exercise as not having plans in place to balance their budget next year; and
- Whether he is confident the announcement that all secondary schools and colleges will provide female students with free sanitary products from September 2019 will not result in additional expenditure or resource implications for either this authority or schools and colleges across West Sussex.

Answer

- I can confirm that the need for sustainable funding is regularly raised with Ministers and MPs at all suitable opportunities.
- 22 schools requested a licensed deficit for 2018/19, with the total estimated deficit of these schools at the end of the financial year expected to be £1.356m. Details are shown in the table below:

	2018/19 licensed deficit requests	Estimated deficit at 31 March 2019
Primary	16	£0.540m
Secondary	5	£0.596m
Special	1	£0.220m
Total	22	£1.356m

- (c) By comparison, the number of schools requesting a licensed deficit in 2017/18 was 21, and the total estimated deficit of these schools at the end of that financial year was expected to be £1.422m. Details are shown in the table below:

	2017/18 licensed deficit requests	Estimated deficit at 31 March 2018
Primary	15	£0.656m
Secondary	5	£0.716m
Special	1	£0.050m
Total	21	£1.422m

Unfortunately, corresponding figures for the number of schools who requested a licensed deficit in 2016/17 are not available, but the number of schools who actually ended the financial year with a deficit balance over the last three years has been as follows:

	March 2016	March 2017	March 2018
Nursery	1	1	1
Secondary	8	17	20
Primary	2	2	3
Special/APC	2	5	2
Total	13	25	26
Deficit Value	£0.261m	£0.729m	£1.313m

- (d) The three-year budget exercise was carried out at the beginning of the current academic year using indicative budget allocations for 2019/20 and 2020/21. Since that time, all schools have received their actual 2019/20 school budget shares. This will have changed the financial position for some, and they now have until 31 May 2019 to set and approve their 2019/20 budget. Since the turn of the calendar year, Finance officers have been engaged in detailed work with all 50 schools, and early indications are that a number of these schools will be able to set a balanced budget next year. In some cases this is due to carrying forward higher balances into next year as a result of pro-actively making cost savings during 2018/19, but in many cases it is through making staffing reductions either by means of redundancy or by not replacing staff who are leaving. The actual number of schools requesting a licensed deficit for 2019/20 will not be known until the end of May, but the expectation is that numbers are likely to be slightly up on 2018/19.
- (e) The implications of this announcement are not known at the current time. I will ask officers to ensure that I am kept fully informed of the likely implications as and when these become known.

5. Written question from Mrs Millson for reply by the by the Cabinet Member for Environment

Question

I understand that the County Council is the lead local authority in Sussex working with Robin Hood Energy (RHE), a not-for-profit licenced energy supplier owned by Nottingham City Council, to deliver a range of energy tariffs to residents across Sussex through Your Energy Sussex (YES).

Over the past year or so a number of smaller energy suppliers have ceased trading resulting in Ofgem having to identify a supplier of last resort for thousands of householders, many of whom end up having to pay increased energy prices.

I am also given to understand that in December last year Robin Hood Energy borrowed an additional £5.5m from Nottingham City Council in the form of an interest bearing short term loan.

I would be grateful if the Cabinet Member could:

- (a) Tell me how many West Sussex residents have signed up to energy supplies from RHE through Your Energy Sussex;
- (b) Summarise the arrangement the County Council has with RHE to include the extent of the financial commitment made and the length of the contract/service level agreement;
- (c) Describe any steps she has taken to satisfy herself regarding the financial sustainability of RHE; and
- (d) Outline whether in the event that RHE ceased trading there is any additional protection for those West Sussex residents who would be affected through the arrangement with Your Energy Sussex (beyond intervention by Ofgem).

Answer

- (a) As at 31 March 2019, Your Energy Sussex (YES) had 3,835 customers on supply with over 7,000 metered connections (the majority of customers have dual fuel contracts).
- (b) YES is a local, not-for-profit energy supplier offering competitively-priced gas and 100% renewable electricity to residents in West Sussex, East Sussex and Brighton and Hove. The service is supplied under a 'white label' agreement between the County Council and Robin Hood Energy (RHE), the licensed energy company owned by Nottingham City Council.

We chose a white label approach because RHE carries the financial and regulatory responsibilities associated with running a licensed energy company. Establishing our own licensed energy company would have

required significant investment with limited additional benefit for our residents.

Within its first year of operation, YES acquired a large enough customer base to cover its modest set up costs (mainly website and printed leaflets) and now, in year two, will begin to use the surplus it generates to build a Fuel Poverty Fund which will be used to support residents who are struggling to pay their bills.

Under the terms of the contract, RHE supplies all back office functions (energy trading, customer service, billing etc.) at no cost to the Council and its partners. Energy tariffs are marketed locally by the County Council and the 12 supporting local authorities under the YES brand. This is funded from the commission payments received from RHE.

We selected RHE as our preferred supplier following a detailed procurement exercise in 2017 and we continue to keep the company's performance and financial health under close scrutiny. The Cabinet Member for Environment and Director of Energy, Waste and Environment form part of a Governance Board which meets quarterly with RHE. We are currently in year two of a five-year contract term.

- (c) As demonstrated by the number of recent small supplier failures there are industry risks which cannot be avoided. The energy market is fiercely competitive and rates are changing constantly. As a result, the majority of energy suppliers are expected to have made a loss in the last financial year. We continue to monitor performance through contract management KPIs and keep the company's financial status under close scrutiny. We are confident that RHE has a strong financial position for the following reasons:
- It differs to most energy suppliers in the market because its parent company is a public sector body which offers it a degree of financial stability not available to the majority of its competitors. It also has trading strategies and risk management products in place to further support its position.
 - The business is operated on a prudent and sustainable basis. This is evidenced by the fact that it generated a £202,000 surplus last year in only its second full year of trading. This is a rare achievement for a new entrant energy supplier.
 - RHE paid its multi-million pound Renewable Obligation in full by the original August 2018 deadline. It has subsequently been revealed that 34 energy suppliers failed to meet their obligation by the deadline and received heavy fines. For some failed suppliers, this contributed to the closure of their business.
 - Nottingham City Council provides parental support in the form of Parental Company Guarantees and a loan facility to provide cash where required. Smaller suppliers may not have such a facility. This loan facility is vital during times of significant customer growth because energy must be purchased up-front on the day that a new customer signs up. RHE recently acquired 12,000 customers across its various brands in a 12-week period which highlighted the importance of the

facility provided by Nottingham City Council to alleviate short-term cash flow issues and enable long-term growth.

- (d) Ofgem's 'Supplier of Last Resort' scheme ensures consumers are fully protected should their energy supplier fail. There is no financial risk to the consumer, credit balances on energy accounts are protected and there is no interruption of energy supply. Consumers are free to switch away from the Ofgem nominated supplier at any time without charge. There is, therefore, no requirement for YES to provide any additional protection.

6. Written question from Mr Jones for reply by the by the Cabinet Member for Finance and Resources

Question

The Cabinet Member may recall that in November 2017 he chaired a meeting of the Pension Panel which considered a petition submitted by Worthing Climate Action Network calling for West Sussex County Council and Adur & Worthing Borough Council to divest all their funds currently invested in fossil fuel companies and instead invest in renewable sources.

At that time the Panel were told the level of funds invested in fossil fuel were as follows:

Baillie Gifford:	Nine companies amounting to 3.94% of total portfolio; and
UBS:	17 companies amounting to 10.31% of their portfolio.

Having considered the petition the Panel undertook to give further consideration to the issues and challenges it raised when considering future investment strategies.

I understand that as of the end of February 2019 the level of funds invested in fossil fuel were as follows:

Baillie Gifford:	Three companies amounting to 1.9% of total portfolio; and
UBS:	Nine companies amounting to 2.6% of their portfolio.

I am pleased to note there has been a decrease in the level of funds invested in fossil fuel and would be grateful if the Cabinet Member could:

- (a) Confirm the extent to which the Panel has honoured its commitment made in 2017 to consider the issues raised in the petition when considering future investment strategies;
- (b) Outline the extent to which the reduction in level of investment in fossil fuel has been as a result of the Panel directing the fund managers to reduce the level of fossil fuel investments or as a consequence of other investments being more financially beneficial;
- (c) Given that a number of local authorities have already divested funds from those companies, whose actions were fuelling climate change, can the

Cabinet Member confirm he will undertake to ensure the Panel once again discusses whether this Council should consider divesting its pension funds when it meets in April to review its investment strategy.

Answer

- (a) As long-term responsible shareholders the Pension Panel continues to consider the issues raised in the petition about fossil fuels as part of its Investment Strategy. Panel discussions with its managers on environmental, social and governance (ESG) issues, form a key part of the investment analysis and decision making process. It is important to note that Queen's Counsel's Opinion, provided to the Scheme Advisory Board, advises that the power of investment must be for investment purposes only, and not for any wider purpose, and directed towards achieving a wide variety of suitable investments to achieve what is best for the financial position of the Fund.
- (b) The Panel continues to discuss ESG issues with its investment managers. The current reduction in fossil fuel investment is as a result of the active management of the portfolio by those managers, while also in line with the wishes of the Panel.
- (c) As long-term, responsible shareholders the Pension Panel believes in engagement ESG issues relating to its investments and has a preference to corporate engagement rather than the exclusion of stocks from the Fund. The Pension Panel will give further consideration to ESG issues as part of its Business Plan for 2019/20, including the impact of LGPS Asset Pooling and best practice. However, this must be in the best financial interests of the Fund and consideration will be given to the benefits of engagement with a broad range of companies.

7. Written question from **Mr S J Oakley for reply by the by the **Cabinet Member for Highways and Infrastructure****

Question

The Cabinet Member for Highways and Infrastructure is requested to provide an update on work towards, and proposals for, Transport for the South East (TfSE) to have Statutory Status, particularly with regards:

- (a) Constitutional and Governance Arrangements;
- (b) How will it avoid duplicating the activities and responsibilities of existing Public Bodies responsible for transport;
- (c) Funding arrangements, including any enablement of a capability to raise Capital/impose charges;
- (d) Staffing levels, including envisaged senior staff/Independent Appointees remuneration packages; and

- (e) Proposed West Sussex County Council scrutiny of, and decision making process on, proposals towards TfSE having Statutory Status?

Answer

- (a) No changes are expected to the County Council's Constitution or governance arrangements as a result of Transport for the South East (TfSE) obtaining statutory status.
- (b) No single body currently fulfils all of the powers and responsibilities that TfSE is seeking to support the work of its constituent authorities and partners. The benefits of TfSE are that it will provide a single vision for long-term strategic transport planning and promote cross-regional transport priorities. It is expected to provide a single voice and be more effective than the individual local authorities it represents at influencing decisions made by the Government and its agencies (Highways England and Network Rail) about investment in strategic transport infrastructure (for example, the Roads Investment Strategy and Rail Network Enhancement Programme). Several of the powers likely to be sought would be concurrent with local authorities and TfSE would only ever exercise these local powers with the consent of the local authority concerned.
- (c) To date, funding for TfSE has been provided by the constituent local transport authorities (county councils contribute £58,000 per annum) and a grant of £1m from the Department for Transport. Future funding arrangements are expected to be established through the upcoming Government Spending Review, through which TfSE is seeking funding for core activities. It is not known whether contributions from local transport authorities will be expected to continue once statutory status has been obtained and no commitment has been made to do so beyond 2019/20. Once statutory status has been obtained, it is anticipated that TfSE will have a role in determining priorities for spending transport funding in the South East.
- (d) A modest staffing compliment of 7.5 full-time equivalents led by Rupert Clubb, Director of Communities, Economy and Transport at East Sussex County Council has been appointed on a two-year fixed term basis to enable TfSE to reach statutory status. The current staffing structure costs approximately £493,000 per year including on-costs. It is recognised that staffing requirements will need to change to reflect the powers and responsibilities of a statutory body but as these are still subject to change, the staffing requirements have not yet been defined.
- (e) Formal consultation on the draft proposal will take place between 3 May and 31 July 2019. The County Council's consultation response will be a key decision by the Cabinet Member for Highways and Infrastructure in June or July.

8. Written question from Mr Quinn for reply by the by the Cabinet Member for Highways and Infrastructure

Question

In respect of on-street parking, I would be grateful if the Cabinet Member could provide me with:

- (a) A breakdown of the income per District and Borough during 2018/19 (if the figures for the full year are not yet available please provide info up to the end of February); and
- (b) A breakdown of the estimated income by District and Borough for 2019/20, assuming that usage patterns follow this year's and allowing for the estimated impact of the next increase in charges due from 1 September 2019.

Answer

- (a) The total income (incorporating permit sales as well as Pay & Display and off-street income where appropriate) from each district and borough council is as follows:

Parking Area	April 2018 - Feb 2019	Projected to April 2019
Countywide	19,841	21,645
Adur	13,332	13,332
Arun	364,281	437,137
Chichester	369,123	402,680
Crawley	308,142	410,856
Horsham	177,794	193,957
Mid Sussex	261,485	285,257
Worthing	1,739,596	2,319,461
Total	3,253,595	4,084,325.52

- (b) It is not yet possible to assess the impact upon income of a September 2019 review of parking charges because the options for consideration have yet to be assessed. It is expected that these options will be included in a draft parking charges report to be prepared in April and that report will be shared with members in May. The final report, including the views of members, will be considered in June. By way of a guide, using data from 2016/17 and assuming no demand reduction, it could reasonably be expected that an increase in on-street parking charges (allowing for RPI and other changes required for traffic management purposes) would result in a very approximate increase in income of between £200,000 and £350,000 countywide.

9. Written question from Mr Jones for reply by the Cabinet Member for Safer, Stronger Communities

Question

Earlier this month the Environment, Communities and Fire Select Committee was invited to scrutinise the proposal for Community Hubs and plans for Worthing library and comment on the business case prior to final Transformation Board approval on 25 March 2019.

At that meeting members of the Committee learnt that the Community Hubs project would require a total of £10.2m to create ten Community Hubs including the first of which will be based at Worthing library. Phase one of the project would see three Hubs in addition to Worthing delivered.

Can the Cabinet Member please confirm the ten locations which have been discussed by the member project board and the Transformation Board, and tell me which of these will form phase one alongside Worthing?

Answer

The Community Hubs programme is an exciting project to remodel some of the County Council's buildings to create modern, flexible and integrated community spaces to host library and children and family services under one roof.

Given the complexity of the programme and to recognise that it impacts across several Cabinet Portfolios, a Member Project Board has been created to support its development and implementation.

The first Hub in Worthing Library which will be a 'showcase' for the programme and has been subject to extensive community engagement and consultation with local people. Following positive feedback, a detailed design brief is being prepared and an implementation plan developed with a scheduled opening for June 2020.

The Member Project Board is working to identify a further number of key locations across West Sussex where a Community Hub would be appropriate, utilising a detailed set of criteria. It is envisaged that the programme will be split into three phases with Phase 1 including three additional locations alongside Worthing Library where further viability and feasibility testing work will be commissioned.

As deliberated at the Environment, Communities and Fire Select Committee, this work is ongoing, and the Member Project Board is yet to finalise the potential locations. However, it has been agreed that once this work is complete the details will be shared with the Select Committee.

10. Written question from Mr Oxlade for reply by the Cabinet Member for Safer, Stronger Communities

Question

I am a strong advocate of the 'Tell Us Once' scheme which reduces the number of calls someone has to make when a loved one dies, whilst at the same time enables the County Council to recover any equipment promptly and prevents potential overpayment of allowances or fraudulent use of blue badges.

I would be grateful if the Cabinet Member could confirm what percentage of those who have registered a death with the County Council have activated the 'Tell Us Once' process at the end of 2016, 2017 and 2018 and comment on the extent to which use of the scheme is increasing.

Answer

The percentage of those who registered a death and then went on to activate the Tell Us Once service is as follows (details for Tell Us Once are provided per financial year):

2015/16 – 62%

2016/17 – 67%

2017/18 – 68%

2018/19 – 71%

A more detailed breakdown of the Tell Us Once service is as follows:

	Year end 2015/16 ¹	Year end 2016/17	Year end 2017/18	Year end 2018/19
Number of deaths captured by the registrars	6,138	8,730	8,949	8,144
Number progressed to enrichment	3,807 (62%)	5,845 (67%)	6,068 (68%)	5,812 (71%)
Number of separate notifications sent to County Council departments following enrichment ²	6,219	9,528	9,761	9,591

¹ Tell Us Once commenced in July 15, so data for 2015/16 is not for a full year

² County Council Departments receiving Tell Us Once notifications:

- Adults' and Children's services;
- Blue Badge and Concessionary Travel; and
- Library Services.

Tell Us Once and the Coroners Service

West Sussex also introduced a unique service via the Coroner's team. When a

death is referred to the Coroner, it can take longer to process, so when a death is eventually registered, it was too late to use the Tell Us Once service.

With over 3,000 deaths referred to the West Sussex Coroner each year, we trained the Coroners Admin Assistants to capture the deceased's details onto the Tell Us Once system so families can use it straightaway. We pioneered this and a few other local authorities are now offering the same.

Glossary

'Capture': Registrars input on to Department for Work and Pensions (DWP) system and give customers a unique reference number.

'Enrichment': the process the customer follows to use the Tell Us Once service either by going online or telephoning the DWP helpdesk.

'Notifications': each enrichment will generate notifications to multiple services, both within the County Council and district and borough councils.

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