

Public Document Pack

West Sussex County Council – Ordinary Meeting

7 June 2019

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 7 June 2019, at the County Hall, Chichester, the members present being:

Mrs Duncton (Chairman)

Mrs Arculus	Mr Lanzer
Lt Cdr Atkins	Mr Lea
Mr Baldwin	Ms Lord
Mr Barling	Mr Marshall
Mr Barnard	Mr McDonald
Mr Barrett-Miles	Mrs Millson
Mrs Bennett	Mr Mitchell
Mr Bradbury	Mr Montyn
Mr Bradford	Mr R J Oakley
Mrs Bridges	Mr S J Oakley
Mrs Brunsdon	Dr O'Kelly
Mr Buckland	Mr Oppler
Mr Burrett	Mr Oxlade
Mr Catchpole	Mr Parikh
Mr Cloake	Mr Patel
Mr Crow	Mrs Pendleton
Mrs Dennis	Mr Purchase
Dr Dennis	Mrs Purnell
Mr Elkins	Mr Quinn
Mr Fitzjohn	Mrs Russell
Ms Goldsmith	Mr Simmons
Mrs Hall	Mrs Smith
Mr High	Mr Smytherman
Mr Hillier	Mrs Sparkes
Mr Hunt	Ms Sudan
Mrs Jones	Mr Turner
Mr Jones	Mrs Urquhart
Mrs Jupp	Dr Walsh
Mr Jupp	Mr Whittington
Ms Kennard	Mr Wickremaratchi
Mrs Kitchen	

16 Apologies for Absence

- 16.1 Apologies were received from Mr Acraman, Lt Col Barton, Mr Boram, Ms Flynn, Mr Petts and Mr Waight. Apologies for the morning session were received from Mr Oxlade who arrived at 12.10 p.m. and for the afternoon session from Mrs Brunsdon, Mr Cloake, Mr Lea, Mr Simmons and Mr Whittington. Mr Edwards and Mr Markwell were absent and Mr Baldwin was absent for the afternoon session. Mr Oppler arrived at 10.40 a.m. and was absent for the afternoon session.

17 Members' Interests

17.1 Members declared interests as set out at Appendix 1.

18 Minutes

18.1 It was agreed that the minutes of the Annual Meeting of the County Council held on 5 April 2019 (pages 5 to 40) be approved as a correct record.

19 Result of By-election

19.1 The Council received the County Returning Officer's return of the by-election held on 2 May 2019 for the county councillor for the Northgate & West Green Electoral Division.

20 Review of Proportionality

20.1 The County Council was reminded of its statutory duty to review the proportionality on its committees following the by-election. A paper on the application of the proportionality rules and how they were applied was set out at pages 43 and 44.

20.2 Resolved –

That the proportionality be agreed.

21 Appointments

21.1 The Council approved appointments as set out below.

Committee	Changes
Children and Young People's Services Select Committee	Mr High as Chairman Mrs Russell as Vice-Chairman Ms Sudan to fill vacancy Mr Jones as substitute in place of Mr Oxlade
Health and Adult Social Care Select Committee	Ms Sudan as substitute in place of Mr Jones
Performance and Finance Select Committee	Mr High in place of Mr Cloake Mr Jones to fill vacancy Mr Oxlade as substitute in place of Mr Jones
Governance Committee	Mr Jones to fill vacancy

Committee	Changes
Planning Committee	Mr Wickremaratchi to fill substitute vacancy
Member Development Group and Member Development Working Group	Ms Sudan to fill vacancies

22 West Sussex Independent Remuneration Panel

22.1 The Council was invited to consider extending the appointments of two members of the Independent Remuneration Panel. Members were informed that Dr Neil Beer (Chairman of the Panel) and Mr John Donaldson had been first appointed to the Panel in October 2015 for a four-year term. The Council was invited to appoint them for a second term, to run from October 2019 to October 2023.

22.2 Resolved –

That the extensions to the appointments be approved.

23 Address by a Cabinet Member

23.1 Members received an address by the Cabinet Member for Children and Young People on the Council's improvement plan in relation to the actions and proposals to address the requirements arising from the recent Ofsted report into Children's Services. A report by the Cabinet Member had been circulated.

23.2 It was agreed that the Cabinet Member would bring a report on the Children's Services improvement plan to every Council meeting under the item whilst the improvement work remained in train, in addition to any other cabinet member address which might arise due to urgency.

24 Motion on Ofsted inspection of Children's Services

24.1 The following motion was moved by Mr Jones and seconded by Ms Sudan.

'In light of the recent Ofsted inspection of Children's Social Care Services which rated all elements of the service inadequate and the acknowledgement of the Executive that it has failed to provide adequate funding to prevent substantial service decline, this Council:

- (a) Calls on the Leader and Cabinet Member for Children and Young People to arrange a Member Day at the earliest opportunity so all members can understand how the political and corporate leadership enabled services to decline so severely since the last inspection and, given that all members

have corporate parenting responsibilities, to provide an update on the improvement programme and receive assurances that all the children and young people the County Council is responsible for are receiving adequate support;

- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;
- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and that any funding deemed necessary to turn these services around is made available, and that no savings targets are allocated to Children's Social Care; and
- (d) Calls for oversight, scrutiny and challenge to be more robust and independent minded, by enabling all of the Select Committees to nominate their own Chairman and Vice-Chairman, one of which should be drawn from the minority groups. Such nominations to be conducted by secret ballot, in line with recent national scrutiny guidance, and to be implemented as soon as possible.'

24.2 An amendment was moved by Mr Simmons and seconded by Mr Crow as set out below:

'In light of the recent Ofsted inspection of Children's Social Care Services which rated all elements **the overall effectiveness** of the service inadequate and the acknowledgement of the Executive that **the Council needs to address** it has failed to provide adequate funding to prevent substantial service decline, this Council:

- (a) Calls on the Leader and Cabinet Member for Children and Young People **and the Chairman of the Corporate Parenting Panel** to arrange a **member event** Member Day at the earliest opportunity so all members can understand how the political and corporate leadership enabled services **were able** to decline so severely since the last inspection, **how they can support, enable and ensure the changes required** and, given that all members have corporate parenting responsibilities, to provide an update on the improvement programme and receive assurances that all the children and young people the County Council is **all members are** responsible for are receiving adequate support;
- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;

- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and, **recognising the swift action already taken**, that any funding deemed necessary to ~~turn around~~ **support** these services **and the valued staff who provide them** is made available, and that no savings targets are allocated to **proposals divert this ambition for** Children's Social Care; and
- (d) Calls for **members who carry out** oversight, scrutiny and challenge to **ensure they are** ~~be more~~ robust and independent minded, **and invites the Governance Committee to consider whether any changes should be made to the Council's scrutiny arrangements** ~~by enabling all of the Select Committees to nominate their own Chairman and Vice-Chairman, one of which should be drawn from the minority groups. Such nominations to be conducted by secret ballot, in line with recent national scrutiny guidance, and to be implemented as soon as possible.'~~

24.3 The amendment was put to a recorded vote under Standing Order 35.5.

- (a) For the amendment – 39

Lt Cdr Atkins, Mr Barnard, Mr Barrett-Miles, Mrs Bennett, Mr Bradford, Mrs Bridges, Mr Burrett, Mr Catchpole, Mr Cloake, Mr Crow, Mr Elkins, Ms Goldsmith, Mrs Hall, Mr High, Mr Hillier, Mr Hunt, Mrs Jones, Mrs Jupp, Mr Jupp, Ms Kennard, Mrs Kitchen, Mr Lanzer, Mr Marshall, Mr McDonald, Mr Mitchell, Mr Montyn, Mr R J Oakley, Mr S J Oakley, Mr Parikh, Mr Patel, Mrs Pendleton, Mrs Purnell, Mrs Russell, Mr Simmons, Mrs Sparkes, Mr Turner, Mrs Urquhart, Mr Whittington and Mr Wickremaratchi.

- (b) Against the amendment - 17

Mrs Brunsdon, Mr Buckland, Dr Dennis, Mrs Dennis, Mr Jones, Mr Lea, Ms Lord, Mrs Millson, Dr O'Kelly, Mr Oppler, Mr Oxlade, Mr Purchase, Mr Quinn, Mrs Smith, Mr Smytherman, Ms Sudan and Dr Walsh.

- (c) Abstentions – 5

Mrs Arculus, Mr Baldwin, Mr Barling, Mr Bradbury and Mr Fitzjohn.

24.4 The amendment was carried.

24.5 An amendment was moved by Dr Walsh and seconded by Ms Lord as set out below:

'In light of the recent Ofsted inspection of Children's Social Care Services which rated all elements of the service inadequate and the acknowledgement of the Executive that it has failed to provide adequate funding to prevent substantial service decline, **calling**

into question the confidence this Council can have in its Leader and whether she should retain that position, this Council:

- (a) Calls on the Leader and Cabinet Member for Children and Young People to arrange a Member Day at the earliest opportunity so all members can understand how the political and corporate leadership enabled services to decline so severely since the last inspection and, given that all members have corporate parenting responsibilities, to provide an update on the improvement programme and receive assurances that all the children and young people the County Council is responsible for are receiving adequate support ***and in particular by ensuring senior staff stability;***
- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;
- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and that any funding deemed necessary to turn these services around is made available ***if necessary by drawing on contingencies this year, with appropriate budget provision next year and following,*** and that no savings targets are allocated to Children's Social Care; and
- (d) Calls for oversight, scrutiny and challenge to be more robust and independent minded, by enabling all of the Select Committees to nominate their own Chairman and Vice-Chairman, one of which should be drawn from the minority groups. Such nominations to be conducted by secret ballot, in line with recent national scrutiny guidance, and to be implemented as soon as possible.'

24.6 The amendment was put to a recorded vote under Standing Order 3.35.

- (a) For the amendment – 18

Mr Baldwin, Mrs Brunsdon, Mr Buckland, Dr Dennis, Mrs Dennis, Mr Jones, Mr Lea, Ms Lord, Mrs Millson, Dr O'Kelly, Mr Oppler, Mr Oxlade, Mr Purchase, Mr Quinn, Mrs Smith, Mr Smytherman, Ms Sudan and Dr Walsh.

- (b) Against the amendment - 38

Lt Cdr Atkins, Mr Barling, Mr Barnard, Mr Barrett-Miles, Mrs Bennett, Mr Bradford, Mr Burrett, Mr Catchpole, Mr Cloake, Mr Crow, Mr Elkins, Ms Goldsmith, Mrs Hall, Mr High, Mr Hillier, Mr Hunt, Mrs Jupp, Mr Jupp, Ms Kennard, Mrs Kitchen, Mr Lanzer, Mr Marshall, Mr McDonald, Mr Mitchell, Mr Montyn, Mr R J Oakley,

Mr S J Oakley, Mr Parikh, Mr Patel, Mrs Pendleton, Mrs Purnell, Mrs Russell, Mr Simmons, Mrs Sparkes, Mr Turner, Mrs Urquhart, Mr Whittington and Mr Wickremaratchi.

(c) Abstentions – 5

Mrs Arculus, Mr Bradbury, Mrs Bridges, Mr Fitzjohn and Mrs Jones.

24.7 The amendment was lost.

24.8 The motion, as amended, was put to a recorded vote under Standing Order 35.5.

(a) For the motion, as amended – 44

Lt Cdr Atkins, Mr Barling, Mr Barnard, Mr Barrett-Miles, Mrs Bennett, Mr Bradford, Mrs Bridges, Mr Burrett, Mr Catchpole, Mr Cloake, Mr Crow, Mr Elkins, Ms Goldsmith, Mrs Hall, Mr High, Mr Hillier, Mr Hunt, Mr Jones, Mrs Jones, Mrs Jupp, Mr Jupp, Mrs Kitchen, Mr Lanzer, Mr Marshall, Mr McDonald, Mr Mitchell, Mr Montyn, Mr R J Oakley, Mr S J Oakley, Mr Oxlade, Mr Parikh, Mr Patel, Mrs Pendleton, Mrs Purnell, Mr Quinn, Mrs Russell, Mr Simmons, Mrs Smith, Mrs Sparkes, Ms Sudan, Mr Turner, Mrs Urquhart, Mr Whittington and Mr Wickremaratchi.

(b) Against the motion, as amended - 9

Mr Buckland, Dr Dennis, Ms Lord, Mrs Millson, Dr O'Kelly, Mr Oppler, Mr Purchase, Mr Smytherman and Dr Walsh.

(c) Abstentions – 7

Mrs Arculus, Mr Baldwin, Mr Bradbury, Mrs Brunsdon, Mrs Dennis, Mr Fitzjohn and Mr Lea.

24.9 The motion, as amended and set out below, was carried.

'In light of the recent Ofsted inspection of Children's Social Care Services which rated the overall effectiveness of the service inadequate and the acknowledgement of the Executive that the Council needs to address substantial service decline, this Council:

(a) Calls on the Leader and Cabinet Member for Children and Young People and the Chairman of the Corporate Parenting Panel to arrange a member event at the earliest opportunity so all members can understand how services were able to decline, how they can support, enable and ensure the changes required and, given that all members have corporate parenting responsibilities, to provide an update on the improvement programme and receive assurances that all the children and young people all members are responsible for are receiving adequate support;

- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;
- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and, recognising the swift action already taken, that any funding deemed necessary to support these services and the valued staff who provide them is made available, and that no savings proposals divert this ambition for Children's Social Care; and
- (d) Calls for members who carry out oversight, scrutiny and challenge to ensure they are robust and independent minded, and invites the Governance Committee to consider whether any changes should be made to the Council's scrutiny arrangements.'

25 Motion on Night-time Economy

25.1 The following motion was moved by Mr Jones and seconded by Mr Purchase:

'This Council is aware that High Streets across West Sussex are struggling, with many well-known retail stores disappearing from our towns at an alarming rate. Whilst proposals to enhance the West Sussex experience are evident in the Economic Growth Plan 2018-23, this Council considers that the night-time economy has an important role to play in diversifying our town and city centres, ensuring that they are inclusive, diverse, safe and accessible – for all residents and visitors, young and old.

This Council acknowledges that the night-time economy is the fifth largest industry in the UK and considers that West Sussex is not currently maximising the opportunities that exist which could transform our high streets and towns, particularly those with a University presence, which could ultimately encourage more young people to study, live and work in the county, as well as providing more opportunities for existing residents to enjoy themselves locally.

This Council therefore calls on the Leader to reflect the importance of the night-time economy within West Sussex by setting up an officer working-group with partners from the district and borough councils, the food and drink industry and those with expertise in events to explore the benefits that an enhanced night-time economy could deliver across the county and report its findings to the Environment, Communities and Fire Select Committee with an interim report on progress in six months, and a final report with conclusions and recommendations in 12 months' time.'

25.2 The motion was lost.

26 Question Time

26.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios and asked questions of chairmen, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 45 to 48) and a supplementary report (supplement page 1) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

27 Governance Committee: Select Committee Business Planning Group Membership/Webcasting Criteria

27.1 The Council considered a proposal that the membership of Business Planning Groups should be amended to include the Vice-Chairman of the relevant Select Committee and suggested criteria for webcasting meetings in the light of a report from the Governance Committee (pages 49 to 54).

27.2 Resolved –

- (1) That the Constitution should require the Vice-Chairman of a Select Committee to be a member of its Business Planning Group and to be Vice-Chairman of this Group and that the Scheme of Delegation be amended accordingly, as set out at paragraph 4 to the report;
- (2) That there should be a presumption in favour of webcasting all meetings of Planning Committee, Select Committees and formal meetings of the Cabinet;
- (3) That the decision to waive the presumption of webcasting should rest with the chairman and vice-chairman and that, for select committees, if a difference of opinion should arise between those two members, the decision should be referred to the members of the Business Planning Group; and
- (4) That the criteria to be used to inform the decision as to whether to webcast all or part of a meeting, be as set out in paragraph 9 of the report and be included in Standing Orders, as set out at Appendix 1 to the report.

Chairman

The Council rose at 4.12 pm

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Interests

Members declared interests as set out below. All the interests listed below were personal but not pecuniary or prejudicial unless indicated.

Item	Member	Nature of Interest
Item 7 – Cabinet Member Address on Children’s Services	Mr Bradbury	Trustee of Sussex Learning Trust
	Mr Cloake	Foster carer. Wife is a foster carer and is employed as a County Council social worker.
Item 8(a) – Notice of Motion on Children’s Services	Mr Bradbury	Trustee of Sussex Learning Trust
	Mr Cloake	Foster carer. Wife is a foster carer and is employed as a County Council social worker.
	Mr Jones	Member of Crawley Borough Council
	Mr Oppler	Foster carer
Item 8(b) – Notice of Motion on Night-time Economy	Mr Barrett-Miles	Member of Burgess Hill Town Council and Burgess Hill Growth Plan Members Steering Group
	Mr Jones	Chairman of Crawley Borough Council’s Licencing Committee
	Mr Hillier	Mid Sussex District Council Cabinet Member for Economic Growth
	Mr Smytherman	Member of Worthing Borough Council and Chair of Adur & Worthing Night-time Economy Review
Item 9 – QT relating to Burgess Hill Place and Connectivity Programme	Mr Barrett-Miles	Member of Burgess Hill Town Council and Burgess Hill Growth Plan Members Steering Group
Item 9 – QT relating to use of bus lanes by taxis	Mr Jones	Chairman of Crawley Borough Council’s Licencing Committee

Item	Member	Nature of Interest
Item 9 – QT relating to climate change	Dr Walsh	Leader of Arun District Council
Item 9 – QT relating to pensions administration	Mr Burrett	Deferred member of the Local Government Pension Scheme
	Mr Lanzer	Deferred member of the Local Government Pension Scheme
Item 9 – QT All items	Mr Bradbury	Trustee of Sussex Learning Trust

7 June 2019

1. Written question from Dr Walsh for reply by the Cabinet Member for Adults and Health

Question

I am concerned at several overlapping and related issues in Adults' Social Services, and would like to put the following questions:

- (a) How many individuals providing management consultancy have been engaged for Adults' Social Services workstream, including strategic and business plans, consultation documents, etc., in each of the last five years, and at what annual costs?
- (b) How many (i) young graduates from Price Waterhouse Cooper (PwC) and (ii) other PwC staff have been engaged for Adult Social Services workstreams in each of the last five years, and at what annual costs?
- (c) I am reliably informed that there are circa 2000 Deprivation of Liberty Safeguards (DoLS) assessments for potentially unlawfully detained individuals, and that the department is currently only dealing with those that may be imminently challenged. Is this figure correct? Has any estimate of the cost of clearing the backlog been made, and if so the quantum please, and over what timescale?

Answer

- (a) It is not possible to provide the exact number of individuals providing management consultancy for Adults' Social Services in each of the last five years. The information we do have is as follows:

From April 2018 to April 2019, PwC have provided support to the Adults' Service with the following packages:

- (i) Four people provided programme and project management support to the 100 days programme over four months from July 2018 to October 2018.
- (ii) Four people provided programme and project management to support the adults' social care improvement programme over six months from October 2018 to April 2019.
- (iii) Two people provided productivity improvement work for three weeks in February 2019.

In addition to this, as part of the Strategic Partnership Framework, there has been strategic oversight of the work provided by four people at various stages since February at a senior level.

The amount of consultancy expenditure charged to the Adults' Social Care, Corporate and Adults' Transformational budget in the last five years is as

follows:

2018/19	2017/18	2016/17	2015/16	2014/15	Total
£'000	£'000	£'000	£'000	£'000	£'000
2,412	395	352	95	139	3,393

These figures include all consultancy expenditure which has been charged to the Adults' Services budget, some of which has had a purpose wider than strategic and business planning and consultation documents. The figures include expenditure for managers and other staff. It would take detailed work to break this down.

The increases in spending in 2018/19 related to the Adults' Transformation Programme; £2.2m of this was a one-off cost which was financed using the one-off Adults' Social Care Grant 2017/18.

- (b) There was one Higher Apprentice from PwC who shadowed and supported the work up until September 2018. No other additional staff have been employed from PwC during the last five years that is not outlined above.
- (c) I am reliably informed that there are circa 2,000 Deprivation of Liberty Safeguards (DoLS) assessments for potentially unlawfully detained individuals, and that the department is currently only dealing with those that may be imminently challenged.

A DoLS assessment is required for an individual who is deprived of their liberty through admission to residential care or hospital and who lacks the capacity to consent to this admission. This assessment must be undertaken by a trained best interest assessor (BIA). Case law in 2014 widened the scope of DoLS leading to a significant increase in numbers of individuals needing assessment.

In 2018/19 the Council received approximately 4,400 requests for assessments under the DoLS framework. The current capacity and budget available for DoLS assessments enables completion of approximately 2,400 assessments per year. Additional resource has been invested in DoLS assessments and a managed service engaged to support with this work. The numbers of DoLS requests will increase in line with demographic changes.

There is a plan in place to manage the increasing requests for DoLS assessments by training more staff to become BIA assessors and introducing a protocol for undertaking BIA assessments. The cost of providing enough capacity to undertake all outstanding assessments is estimated to be in excess of £2m per year in addition to the existing £1.3m DoLS budget.

As at the 31 May 2019, the County Council had a waiting list of 2,107 requests for assessments. All requested are thoroughly prioritised and we have a dedicated worker who re-triages those individuals on the waiting list.

Individuals are prioritised according to 5 bandings. Priority 1 and 2 cases are the highest priority for completion of assessment. Priority 5 cases are where the person is completely settled and has been living in the accommodation for at least a year. The number of unallocated cases is as follows:

No. of cases	Bandings	Notes
0	Priority 1	
136	Priority 2	We are actively trying to allocate these
846	Priority 3	Waiting list
585	Priority 4	Waiting list
265	Priority 5	Waiting list
25	Short stay/respite	Waiting list
250	Duty	Waiting list
Total: 2,107		

2. Written question from Ms Sudan for reply by the Cabinet Member for Children and Young People

Question

The BBC 'Newsnight' programme recently highlighted serious problems that can arise when young people (mostly 16 and 17-year-olds) in local authority care are placed in supported accommodation that is unregistered, unregulated and uninspected. It was recognised that supported living can provide a positive step on the journey to independent adulthood. However, it was revealed that such accommodation can be cheap and poorly-managed with little, or no attention paid to safeguarding.

Many police forces told the Newsnight programme of their concern that young people placed in unregulated supported accommodation are at a high risk of criminal and sexual exploitation. They frequently go missing and are vulnerable to organised crime. The Children's and Families Minister told the programme that he had recently written to all Directors of Children's Services reminding them of their obligation to make sure that children in care are given accommodation in which they will be safe and secure. In light of the serious concerns raised by the Newsnight enquiry and the reminder delivered by the Minister, I would be grateful if the Cabinet Member for Children and Young People could tell me:

- (a) How many 16 and 17-year-olds in the care of West Sussex County Council are currently placed in supported accommodation and what proportion of the total number of 16 and 17-year-olds in care this represents?
- (b) How the County Council ensures the safety and well-being of these vulnerable young people while they live in such accommodation?

Furthermore, the recently published Ofsted inspection report was critical of the level of support available to 16 and 17-year-olds who present as homeless.

It stated that some young people who should have been offered accommodation under section 20 of the Children Act 1989 had not been afforded it.

- (c) I would therefore be grateful if the Cabinet Member could confirm that he is satisfied this has now been rectified and all 16 and 17-year-olds who are in the care of the County Council but who have presented as homeless are currently accommodated within regulated, safe and secure accommodation.

Answer

- (a) As of 31 May 2019, there were 75 young people aged 16 and 17 years living independently or semi-independently. This represents 37% of the total of young people aged 16 and 17 in care. No young people are placed in bed and breakfast accommodation.
- (b) The County Council ensures the safety and wellbeing of this group of young people by working in partnership with providers registered on the County Council's approved supplier list. These providers are subject to regular monitoring visits by the local authority. In addition, Local Provider Forums are held with organisations where the County Council clearly communicates our expectations regarding the standard of support and accommodation.

The County Council is a member of the Children's Cross Regional Arrangements Group which is a partnership of local authorities working together to support the sourcing, contracting and monitoring of children's placements and to improve the outcomes for all children and young people.

Young people are made aware of how to raise any complaints relating to their wellbeing by their Personal Adviser and their concerns are responded to by the Care Leaver and Market Development teams. The Independent Reviewing Service continues to support all of our children looked after until they are 18.

- (c) I accept Ofsted's feedback with regard to our support to 16 and 17-year-olds and the County Council is currently developing an action plan to address all those areas that need to improve including support for children looked after aged 16 and 17 years.

3. Written question from Mr Crow for reply by the by the Cabinet Member for Corporate Relations

Question

At a meeting earlier this year of the Performance and Finance Select Committee, I observed the then Labour Group Leader reading out a series of questions straight off a sheet that appeared to me to have been produced by a Council officer. In addition to this, I also observe a large number of written questions at each full Council meeting from the Labour Group, that appear to be of a style and of a level of detail that does not feel to me as though they have been formulated by the members whose name the questions are submitted under. As a non-Cabinet member of the County Council myself, I receive no officer assistance in

formulating either verbal or written questions and nor do I observe this at other local authorities within West Sussex.

- (a) Is there dedicated officer support and assistance to the opposition groups and if so, is this available to other non-Cabinet members from the majority group?
- (b) Please set out what any dedicated support and assistance entails, providing the financial cost to the County Council as well as any officer FTE information. Within this answer, please state what support is taken up by each current opposition group and include any:
 - (i) Regular attendance by an officer at political group meetings;
 - (ii) Assistance with the preparation of written questions for full County Council meetings;
 - (iii) Assistance with the preparation of questions to be asked at Select Committee meetings, and
 - (iv) Assistance with the preparation of motions tabled at full Council meetings.

Answer

- (a) Democratic Services is responsible for providing a range of advice and support to elected members in all roles, executive and non-executive, and including that of local member and regardless of political group. The Member Support team specifically provides support to the County Chairman, the County Vice-Chairman and minority group leaders. Other non-cabinet members can also ask the team for support on their work on committees and in preparation for full Council. Advice is sought in relation to matters such as the validity of notices of motion and the appropriateness and focus of questions for any meeting.
- (b) Approximately 0.4 FTE of a post is dedicated to minority group leader support at a cost of £17,000 per annum. The post holder undertakes other work within the Service. Other staff in Democratic Services may also provide occasional support. The purpose of the role is to provide some assistance to minority group leaders in discharging the member role within the range of democratic systems of the Council and in the interests of strong governance and transparency. Support for minority group leaders has been provided since the Independent Remuneration Panel (IRP) chaired by Baroness Cumberlege of Newick recommended that it should be provided, in a report to the Governance Committee in March 2002. The Governance Committee supported the IRP's recommendations and Democratic Services established the support in April 2002. Support is available for a range of activities, which is available to both minority groups (there were four minority groups in the last Council).

The take-up of support varies between groups and is not consistent as it depends upon the nature of the work being sought from time to time. The

range of advice sought includes subject area research and data gathering. In relation to the specific areas referred to:

- (i) The resource is available to attend political group meetings to assist in County Council governance matters if required (available to all group meetings from Democratic Services).
- (ii) The assistance is available to assist in the drafting or focus of written questions – as a service that is available to all members.
- (iii) All members of Select Committee can seek assistance with the preparation for committee meetings and matters such as call-in. There is a separate resource to support the scrutiny function.
- (iv) All members are entitled to seek advice and support in the drafting of notices of motion for full Council.

4. Written question from Mr Jones for reply by the Cabinet Member for Corporate Relations

Question

I would be grateful if the Cabinet Member could confirm for each of the past five years, how many individual employees have been paid permanent relocation expenses as part of their employment offer in accordance with the County Council's relocation policy; and in respect of each of these occasions, how much those employees were paid to relocate and when that payment was made (month/year).

Answer

Over the previous five years significant numbers of staff have been offered a range of financial support incentives, over and above their base salary, to assist the County Council to recruit and retain staff in hard to fill roles. These initiatives currently include:

- A recruitment and retention payment of up to 25% of the equivalent value of one years' salary – with a repayment period within monies are repayable if the employee leaves.
- Access to interest free loans of up to £10,000 – subject to repayment terms.

In May this year the County Council offered a recruitment and retention offer of: 20% of the equivalent value of one year's salary, with a repayment term of 18 months, and an interest free loan provision of up to £10,000 to 436 qualified children's social workers. So far 83% of these eligible staff have opted in.

If an eligible employee in receipt of a recruitment and retention payment submits evidence of expense incurred by him/her that conforms with HMRC guidelines regarding 'permanent relocation', then some tax benefits may be applied.

For the period in question a total of £115,842 was been paid in respect of relocation expenses to five employees who are known to have relocated permanently.

The amounts paid to each of the five employees are shown in the table below. Employees 3 and 5 received a single payment and the other employees received multiple payments between the dates indicated in the tables.

Employee	Total Amount	First Payment	Last Payment
1	£33,022.60	February 2015	January 2016
2	£28,787.28	July 2016	December 2018
3	£2,426.20	March 2019	N/A
4	£26,606.42	July 2018	August 2018
5	£25,000.00	May 2019	N/A

5. Written question from **Dr Walsh for reply by the **Cabinet Member for Corporate Relations****

Question

Could the Cabinet Member advise how much has the County Council paid to settle employment tribunal avoidance and tribunal hearing outcomes in each of the last five years?

Answer

The amounts paid in the last five years are set out in the table below. This does not include school staff where any payments are met from school budgets.

Year	2014/15	2015/16	2016/17	2017/18	2018/19
	3 cases	4 cases	3 cases	3 cases	3 cases
Settlement totals for employment tribunal 'avoidance'	£18,303	£160,150	£43,100	£53,157	£59,898
Employment tribunal outcomes	0	1 settled @ £7,800 1 struck out	0	2 withdrawn 1 settled @ £314.73	1 withdrawn 1 settled @ £85,000

6. Written question from **Mr Quinn for reply by the **Cabinet Member for Environment****

Question

On 2 April this year a major fire involving 500 tonnes of household waste broke out at the Westhampnett Household Waste Recycling Site (HWRS); the fire was

finally extinguished on 9 April. I am sure the Cabinet Member would like to join me in thanking all the firefighters and support staff who were involved.

I would be grateful if the Cabinet Member could tell me:

- (a) What she understands the cause to be and the extent of the damage caused;
- (b) What the cost implications for the County Council are as a result of the fire, both now and looking further ahead;
- (c) When she anticipates both the HWRS and the adjacent waste transfer being fully operational again;
- (d) Whether the County Council is or already has submitted an insurance claim and whether she anticipates higher premiums as a result; and
- (e) Whether any additional safety measures are being considered at other Household Waste Recycling Sites to prevent a similar occurrence in future either in general terms or in respect of the disposal of specific items.

Answer

- (a) Westhampnett is a dual-use facility used by Arun and Chichester District Councils to deposit material collected at the kerbside and partly used by members of the public to deposit general household waste via windows at the top of the site. The fire started in the area where the public deposit waste and the cause of the fire was accidental ignition. The fire has made the building unusable in its current state. All the cladding and at least 50% of the steel frame will need to be replaced.
- (b) The County Council will receive a 'tipping away' claim from Chichester District Council as it had to deliver waste to another location. The majority of this claim will be covered under the terms of the contract and the insurance. The County Council will be working with Viridor on other areas such as fire control systems at other sites. This is likely to have a cost implication which cannot be quantified at this time.
- (c) The HWRS was re-opened to deposit green waste on 18 April and for most other materials on 24 May. The site currently allows for the deposit of all waste except asbestos, plasterboard, soil and hardcore which will need to be taken to other sites and information on this has been made available via social media and the website. The Waste Team is working with Viridor, aiming to re-open the transfer station by the end of the year.
- (d) The insurance is held by Viridor who manage the sites on behalf of the Council as part of the terms of the contract. Any higher premiums imposed as a result of the claim will be at Viridor's risk.
- (e) Sites already contain a number of specific disposal options and containers to keep materials segregated as far as possible. This does however rely on users placing materials into the correct containers. Additional safety

measures, such as smoke and heat detection and suppression/CCTV, are being assessed. The terms of the insurance enable the transfer station to be rebuilt to meet current standards that were not in place at the time of the original construction.

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

Question

In 2018 the Planning Committee of Adur District Council approved a hybrid planning application for 600 new houses and an Ikea store to be built in Lancing. Tim Loughton, MP for East Worthing and Shoreham, subsequently called on the Secretary of State for Housing, Communities and Local Government to call-in that decision but I understand this has been refused; therefore, the planning permission stands. There are implications for County Council services due to the Monks Farm planning application and development.

The Cabinet Member will know from previous correspondence that I am very concerned about the potential financial implications for the County Council in respect of providing education facilities as a result of this development. Could the Cabinet Member, please advise:

- (a) To what extent work has been carried out to establish what education provision will need to be delivered, how much it is likely to cost and the extent to which a shortfall in developer funding exists.

The Cabinet Member will also know from the same correspondence that I am equally concerned about the implications of this proposed development for local residents, including those of the Withy Patch gypsies and travellers site. Given that the County Council owns what is essentially a ransom parcel of land in the form of the Withy Patch gypsy and travellers site which could essentially make or break this development, can the Cabinet Member confirm:

- (b) That it is still the intention to transfer the land in question to the developers;
- (c) Whether any agreement has been reached regarding the value of that land and if so whether he is now in a position to confirm what that is and how it has been calculated (if he is unable to share this in the public domain at this time please provide it separately);
- (d) That if the intention is still to proceed with transferring the site to the developers there will be full consultation with the individual residents on the site. If so, please confirm when that is likely to take place; and
- (e) When he anticipates being able to share provisional agreement of terms and publish the proposed key decision in relation to a land transfer with all members.

Answer

- (a) Calculations based on the proposed housing numbers from both the New Monks Farm and West of Sompting developments project the need for a new 1FE primary school (210 pupils), but expandable to 2FE (420 pupils). S106 contributions from both developments will be needed to meet the estimated £6m build costs for a new 1FE, expandable to 2FE, primary school but have not yet been secured. At present no shortfall is predicted but estimated costs are based on recent typical examples and may change subject to design, specification or market conditions.
- (b) The decision to transfer the land remains subject to the agreement of satisfactory terms and subject to a Cabinet Member key decision.
- (c) An agreement on the value of the land has not yet been reached. Further due diligence is being undertaken by the County Council's appointed valuation experts.
- (d) Consultation will be held with the residents at an appropriate time in the negotiations.
- (e) As above appropriate details will be shared as part of the publication of the key decision.

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

Question

I understand that if a district or borough council wishes to remove the belongings of a homeless person they need to apply to the County Council for permission to do so.

Can the Cabinet Member please:

- (a) Confirm the legislative basis for the removal of such belongings;
- (b) Confirm which district or borough councils it has granted permission to and on how many occasions in the past three years;
- (c) Confirm what she understands happens to the belongings that are removed;
- (d) Advise whether there are any conditions attached to the permission that is granted to a district or borough council and how long it remains in force;
- (e) Confirm that before granting any such licence to a district or borough council to remove belongings, she has satisfied herself there is sufficient and appropriate accommodation available in the locality for the homeless.

Answer

- (a) The powers which may be exercised on behalf of any local authority are set out in Section 41 of the Local Government (Miscellaneous Provisions) Act 1982. The powers relate to items found on land and premises under the management of the County Council in this case as highway authority. The power is to publish notices to ask individuals not to deposit items in specific areas of the public highway, and to remove for storage and later collection any items which are deposited and left in those areas.
- (b) The power was granted in response to a request from Worthing Borough Council. The first authority was granted on 21 December 2018 until the end of March 2019. It is understood that the power was not exercised during that time. The authority was extended until the end of September 2019. It has not been previously given.
- (c) All belongings must be safely and securely stored until reclaimed by the owner.
- (d) The power is restricted to specific areas of shopping streets in Worthing town centre. It is time limited as set out in (b).
- (e) The exercise of the power and its implications for homelessness support provision is the responsibility of the Borough Council. The Borough Council confirmed in relation to the requested power that it was taking sustained and strong action to engage those involved, into housing and support services through outreach and working closely with the voluntary sector.

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

Question

Recruitment, retention and availability of On Call Firefighters is a major challenge facing the County Council. It is a challenge that can result in up to 70% of the County Council's fire engines being unavailable at times, which has serious consequences for the safety of residents. As one of the largest employers in the county, the Council should be setting an example to other employers by supporting and encouraging employees to become On Call Firefighters, can the Cabinet Member therefore tell me whether:

- (a) The County Council has a corporate policy that permits employees to become On Call Firefighters and allows them to respond to emergencies during working hours?
- (b) Corporate policies ensure that employees who are On Call Firefighters are not penalised financially, or in terms of career progression?
- (c) The Council ensures that similar policies are in place for contracted out staff?

- (d) The Council ensures that managers actively encourage employees to become On Call Firefighters?

Answer

- (a) The County Council does not have a policy explicitly permitting employees to become On Call Firefighters and allow them to respond to emergencies during working hours. However, the County Council does support employees taking up other employment as long as it does not conflict with their main employment. In terms of employees who are also On Call Firefighters, there are examples of County Council managers being supportive and flexible to accommodate employees who also have an On Call contract.
- (b) The County Council does not have a specific policy or statement to cover this matter. However, this situation is not unique and would apply to anyone employed by the County Council, who has multiple contracts. While we would need to ensure that employees' working hours remained reasonable, the flexible working practices allow employees to respond to emergencies as an On Call Firefighter without suffering any detriment in their main employment.
- (c) By contracted out staff we take the meaning to be CAPITA and other providers. The County Council's contracts with these third party companies do not contain a requirement for such a policy to be in place. However, such partners have previously been supportive of their employees who also have an On Call contract.
- (d) West Sussex Fire and Rescue Services has run a number of internal communication campaigns on this matter recently including the computer log on screen message. These have generated little interest to date either from managers or employees.

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

Question

I understand it is intended that Chichester Fire Station will be relocated in accordance with the Chichester Growth Programme and One Public Estate. I believe that part of the justification for this is that the biggest call for the fire service now is highway incidents and, therefore, this change in focus would be a consideration in a new location for the fire station. I would be grateful if the Cabinet Member could:

- (a) Confirm for each quarter between January 2016 and March 2019 how many appliances from Chichester Fire Station were required to attend:
- (i) Fires; and
 - (ii) Highway incidents.

- (b) Tell me what is the preferred location for Chichester Fire Station in relation to its proximity to the city and what factors will be used to determine the optimum location for it in future?
- (c) Confirm whether other changes to existing fire stations are currently under discussion as part of the One Public Estate programme.

Answer

- (a) Data is provided below:

Incident type at time of stop: Fire

Quarter	Primary Fires	Secondary Fires	All Fires
2015/2016 - Q4	28	24	52
2016/2017 - Q1	21	19	40
2016/2017 - Q2	27	19	46
2016/2017 - Q3	23	26	49
2016/2017 - Q4	18	9	27
2017/2018 - Q1	18	23	41
2017/2018 - Q2	25	20	45
2017/2018 - Q3	25	12	37
2017/2018 - Q4	20	20	40
2018/2019 - Q1	31	25	56
2018/2019 - Q2	25	39	64
2018/2019 - Q3	22	20	42
2018/2019 - Q4	20	25	45
Total	303	281	584

Was the incident an RTC: Yes

Quarter	RTCs
2015/2016 - Q4	10
2016/2017 - Q1	11
2016/2017 - Q2	17
2016/2017 - Q3	12
2016/2017 - Q4	14
2017/2018 - Q1	9
2017/2018 - Q2	23
2017/2018 - Q3	20
2017/2018 - Q4	10
2018/2019 - Q1	13
2018/2019 - Q2	15
2018/2019 - Q3	17
2018/2019 - Q4	19
Total	190

Was the incident an RTC: No
Incident type at call: RTC/Vehicle

Quarter	False Alarm	Fire	Special Service	Total
2015/2016 - Q4	2	2	1	5
2016/2017 - Q1	3	10	2	15
2016/2017 - Q2	2	5	3	10
2016/2017 - Q3	6	7		13
2016/2017 - Q4	11	7	1	19
2017/2018 - Q1	8	7	1	16
2017/2018 - Q2	2	11		13
2017/2018 - Q3	5	8		13
2017/2018 - Q4	9	5		14
2018/2019 - Q1	5	13	3	21
2018/2019 - Q2	8	7	1	16
2018/2019 - Q3	5	6	1	12
2018/2019 - Q4	2	3		5
Total	68	91	13	172

- (b) The 'preferred' location is yet to be determined. There are many factors considered for new fire station locations, including response times, potential impact on On Call Firefighter response and availability of suitable land. Consideration is also given to the areas of highest risk and also future developments in terms of building and infrastructure. These factors are assessed through a robust assessment process that will also utilise an independent response modelling company (as used for the proposed Horsham site).
- (c) There are five fire stations (including Chichester) that are incorporated in the One Public Estate programme. In several cases this is related to the fire station occupying land that forms part of a wider scheme and, therefore, there is mutual benefit in the fire station moving. The other stations being considered are:

Horsham (in the detailed planning stage)
Burgess Hill
Littlehampton
Crawley

Question Time: 7 June 2019

Members asked questions of members the Cabinet and chairmen as set out below. In instances where a Cabinet Member, the Leader or a chairman undertook to take follow-up action, this is also noted below.

Best Start in Life

Written question 1 (Cabinet Member for Adults and Health), from Dr Walsh.

Carers Week (Cabinet Member for Adults and Health), from Mr Wickremaratchi.

Alcohol early intervention services and the NHS Health Check Programme (Cabinet Member for Adults and Health), from Mr Buckland, Mrs Jones and Dr O'Kelly.

In relation to alcohol early intervention services and the NHS Health Check Programme and veterans, the Cabinet Member agreed to a request from Mr Buckland to look into the need for checks to be made in Littlehampton.

Also in relation to the NHS Health Check Programme, the Cabinet Member agreed to discuss with the Director of Public Health a suggestion from Dr O'Kelly that health checks should be taken out to places where the most vulnerable people are in communities.

Written question 2 (Cabinet Member for Children and Young People), from Ms Sudan.

In relation to the recent Ofsted inspection, in response to a suggestion from Ms Sudan that the Chairman of the Corporate Parenting Panel should be asked to consider the Children and Young People's Services Select Committee hearing directly from 16 and 17-year-olds living independently in supported accommodation, the Cabinet Member agreed to speak to the Chairman of the Panel.

A Prosperous Place

Burgess Hill Place and Connectivity Programme (Leader), from Mr Barrett-Miles, Mr Bradbury, Mrs Dennis and Ms Lord.

Climate change (Cabinet for Environment), from Mrs Arculus, Mr Barling, Mr Crow and Mrs Millson.

In response to a request from Mrs Arculus the Cabinet Member agreed to provide information for residents for use at County Local Committee meetings explaining what can be recycled.

Air quality (Cabinet Member for Environment/ Cabinet Member for Highways and Infrastructure), from Mr Barnard, Mr Marshall and Dr O'Kelly.

Mr Marshall commented that there had been a meeting with local residents in Storrington on 7 June about solutions for managing volume of traffic and air pollution which he was unable to attend due to the Council meeting. He asked if

he could have a meeting with the Cabinet Member for Highways and Infrastructure and the Director to be updated on the result of the meeting and the Cabinet Member agreed.

Proposed Chichester Parking Management Plan (Cabinet Member for Highways and Infrastructure) from Mr Jones.

The Cabinet Member agreed to send Mr Jones details of the result of the consultation and, in due course, to let him know the result of further analysis of the implications of the areas of concern raised.

Demonstration by young people on climate change (Leader), from Mrs Russell and Dr Walsh.

In response to a question from Dr Walsh about climate change and the need for an agreed, co-ordinated approach with borough and district councils, the Leader agreed to make sure climate change was on the agenda for the next Leaders' meeting in the autumn.

Bus lanes in Crawley (Cabinet Member for Highways and Infrastructure), from Mr Crow, Mr Jones, Mr Quinn and Mrs Smith.

In response to a suggestion from Mr Quinn, the Cabinet Member agreed to explore the possibility of a pilot scheme in Crawley to allow taxis to use bus lanes.

Bus service funding (Cabinet Member for Highways and Infrastructure), from Dr Dennis.

In relation to a question about funding for buses and whether County Local Committees (CLCs) could be a mechanism for small-scale local discretionary funding, the Cabinet Member said he would pass the suggestion to the Governance Working Group currently reviewing the role of CLCs.

Cycle paths (Cabinet Member for Highways and Infrastructure), from Mrs Kitchen and Dr O'Kelly.

In relation to cycle paths and the north of Horsham development and the junction with the Rusper Road, Mrs Kitchen asked the Cabinet Member for reassurance that the Council would follow the national strategy on cycling and include cycle paths when designing new roads as adding cycle lanes at a later stage did not work and cost more money, the Cabinet Member said he would be happy to look in detail at the particular area of concern she had raised.

In response to a request from Dr O'Kelly for the target in the West Sussex Plan to be reviewed in relation to the recently declared statement of 'climate urgency', the Cabinet Member said he would be happy to do so.

Transport South East (Cabinet Member for Highways and Infrastructure), from Mr S J Oakley.

A Strong, Safe and Sustainable Place

President Trump's visit and the West Sussex copy of the declaration of independence at 10 Downing Street (Leader), from Mrs Arculus, Mr High and Mr S J Oakley.

LGBT month (Leader/Cabinet Member for Safer, Stronger Communities), from Mrs Arculus, Mr Barling, Mr Oxlade and Dr Walsh.

Fire Service (Cabinet Member for Safer, Stronger Communities), from Mr Purchase.

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