

West Sussex County Council – Ordinary Meeting

18 October 2019

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 18 October 2019, at the County Hall, Chichester, the members present being:

Mrs Duncton (Chairman)

Mrs Arculus	Mrs Jupp
Mr Acraman	Mr Jupp
Lt Cdr Atkins, RD	Mrs Kitchen
Mr Baldwin	Mr Lanzer
Mr Barling	Mr Lea
Mr Barnard	Ms Lord
Mr Barrett-Miles	Mr Markwell
Lt Col Barton, TD	Mr Marshall
Mrs Bennett	Mr McDonald
Mr Boram	Mrs Millson
Mr Bradbury	Mr Mitchell
Mr Bradford	Mr Montyn
Mrs Bridges	Mr R J Oakley
Mrs Brunsdon	Mr S J Oakley
Mr Buckland	Dr O'Kelly
Mrs Burgess	Mr Oppler
Mr Burrett	Mr Oxlade
Mr Catchpole	Mr Patel
Mr Cloake	Mrs Pendleton
Mr Crow	Mr Purchase
Mrs Dennis	Mrs Purnell
Dr Dennis	Mr Quinn
Mr Edwards	Mrs Russell
Mr Elkins	Mr Simmons
Mr Fitzjohn	Mr Smytherman
Ms Flynn	Mrs Sparkes
Ms Goldsmith	Ms Sudan
Mrs Hall	Mr Turner
Mr High	Mrs Urquhart
Mr Hillier	Mr Waight
Mr Hunt	Dr Walsh, KStJ, RD
Mrs Jones, MBE	Mr Whittington
Mr Jones	Mr Wickremaratchi

46 Apologies for Absence

- 46.1 Apologies were received from Ms Kennard and Mrs Smith.
- 46.2 Mrs Bridges arrived for the morning session at 10.40 am and Mr Burrett arrived for the afternoon session at 2.15 pm.

46.3 Apologies for the afternoon session were received from Lt Col Barton and Mrs Bridges. Mr Purchase gave his apologies and arrived at 12.15 pm. Mr Baldwin, Mrs Hall and Mrs Pendleton were absent for the afternoon session.

46.4 Mr R J Oakley and Mr Whittington left at 3.00 pm, Mrs Brunsdon and Mr Lea at 3.45 pm, Mrs Kitchen at 4.00 pm, Mr Cloake at 4.10 pm, Mr Fitzjohn, Mr Markwell, Dr O'Kelly and Mr Oppler at 4.15 pm and Mrs Burgess and Ms Flynn at 4.25 pm.

47 Members' Interests

47.1 Members declared interests as set out at Appendix 1.

48 Minutes

48.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 19 July 2019 (pages 11 to 44) be approved as a correct record.

49 Result of By-election

49.1 The Council received the County Returning Officer's return of the by-election on 26 September 2019 for the county councillor for the Three Bridges electoral division.

50 Review of Proportionality

50.1 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, together with a table showing the number of seats on committees, was set out on pages 47 and 48.

50.2 Resolved –

That the proportionality be agreed.

51 Appointment of Leader

51.1 Following the resignation of Ms Louise Goldsmith as Leader, the Council was required to appoint a new Leader for the remainder of the four-year term to 2021.

51.2 The new Leader would then appoint members of the Cabinet and decide the portfolios for which they would be responsible.

51.3 It was proposed by Mr High and seconded by Mr Barling that Mr Paul Marshall be appointed as the Leader of the Council for the remainder of the four-year term to 2021. The appointment was agreed.

52 Notification of appointments to the Cabinet and Senior Advisers and Advisers to Cabinet Members

52.1 Mr Marshall had given notice to the County Council of his intended appointments to the Cabinet and of his proposed appointments of Senior Advisers and Advisers to Cabinet Members, as set out on supplementary pages 1 to 8.

52.2 Resolved -

That the Director of Law and Assurance, in consultation with the County Chairman, be authorised to make consequential changes to the Constitution.

53 Appointments to Committees

53.1 The Council approved appointments as set out below.

Committee	Change
Children and Young People's Services Select Committee	Mr Barling in place of Mr High and as Chairman Mr Baldwin and Mr Hillier in place of Mrs Bennett and Mr Jupp Mrs Burgess to fill vacancy Mrs Brunsdon as substitute
Health and Adult Social Care Select Committee	Mr Markwell to fill vacancy
Performance and Finance Select Committee	Mrs Dennis in place of Mr Crow and as Chairman Mr Barling in place of Mr High
Governance Committee	Mr Bradbury, Mrs Jupp and Mr Marshall in place of Mr Acraman, Mr Burrett and Ms Goldsmith
Planning Committee	Mr High in place of Mr Crow and as Chairman
Corporate Parenting Panel	Mr Baldwin in place of Mrs Jones
PropCo Panel	Mrs Urquhart in place of Ms Goldsmith
Staff Appeals Panel	Mr Jones to fill vacancy

54 Address by a Cabinet Member

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- 54.1 Members received an address by the Cabinet Member for Children and Young People on the Council's Children First Improvement Plan. A report by the Cabinet Member had been circulated.

55 Flexible Use of Capital Receipts Strategy

- 55.1 The Cabinet Member for Finance and Resources moved the report on the proposed Flexible Use of Capital Receipts Strategy and an increase in the capital programme budget to fund transformation expenditure (pages 49 to 52).

- 55.2 It was proposed by Mr Jones and seconded by Mr Oxlade that the report should be deferred to the next Council meeting to allow scrutiny of the proposal.

- 55.3 The proposition was put to a recorded vote under Standing Order 3.35.

- (a) For the proposition – 13

Mr Buckland, Mr Fitzjohn, Ms Goldsmith, Mr Jones, Ms Lord, Mrs Millson, Dr O'Kelly, Mr Oppler, Mr Oxlade, Mr Quinn, Mr Smytherman, Ms Sudan and Dr Walsh.

- (b) Against the proposition - 44

Lt Cdr Atkins, Mr Baldwin, Mr Barnard, Mr Barrett-Miles, Mrs Bennett, Mr Boram, Mr Bradbury, Mr Bradford, Mrs Bridges, Mrs Brunsdon, Mrs Burgess, Mr Burrett, Mr Catchpole, Mr Cloake, Mr Crow, Mrs Dennis, Mr Edwards, Mr Elkins, Ms Flynn, Mrs Hall, Mr High, Mr Hillier, Mr Hunt, Mrs Jupp, Mr Jupp, Mrs Kitchen, Mr Lanzer, Mr Lea, Mr Markwell, Mr Marshall, Mr McDonald, Mr Mitchell, Mr Montyn, Mr R J Oakley, Mr S J Oakley, Mr Patel, Mrs Pendleton, Mrs Purnell, Mrs Russell, Mr Simmons, Mrs Sparkes, Mr Turner, Mr Waight, Mr Whittington and Mr Wickremaratchi.

- (c) Abstentions – 6

Mr Acraman, Mrs Arculus, Dr Dennis, Mrs Jones and Mrs Urquhart.

- 55.4 The proposition was lost.

- 55.5 Resolved –

- (1) That the Flexible Use of Capital Receipts Strategy for 2019/20, as set out in paragraphs 8 and 9 of the report, be approved to comply with the Secretary of State for Communities and Local Government's Direction for the use of capital receipts to fund service reform and transformation;

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- (2) That an increase in the capital programme budget for 2019/20 of up to £7m be approved to reflect the capitalisation of the transformation activities to be funded by capital receipts under the Flexible Use of Capital Receipts Strategy, as set out at Appendix A to the report; and
 - (3) That an increase of up to £7m in the Council's 2019/20 Capital Expenditure Prudential Indicator to £115.995m be approved.

56 Motion on Small Schools Federations

56.1 At the County Council meeting on 19 July 2019 the following motion had been moved by Dr O'Kelly, seconded by Mr Smytherman, and referred to the Cabinet Member for Education and Skills for consideration. A report by the Cabinet Member was included with the agenda (pages 53 and 54). Ms Lord spoke as seconder at the meeting.

'The current financial climate for small schools continues to be challenging. The government strategy for small schools is to aim to keep them open and includes exploring federation before considering closure. This Council itself recognises the need for small schools to consider federation in its School Effectiveness Strategy 2018-22. Closure of a small school can be devastating for children, families and the rural communities they are in and the School Effectiveness Strategy recognises this as only a final option.

The process of federation relies on school governors, who are volunteers, often with full time jobs and other commitments, and who do not always have the time and skill sets needed, to explore and develop the federation options fully themselves. Although the School Effectiveness Strategy outlines that the Council will support and challenge governing bodies who have considered the options, there is no formal process for assisting governing bodies in assessing the options open to them and developing possible federation agreements in the first place.

This Council believes that:

- (a) Small schools are at the heart of our smaller communities.
- (b) The federation process is not always straightforward and without significant input from this Council from the earliest stages of the process, governing bodies cannot easily explore federation on their own.
- (c) A more proactive approach to federation is more likely to keep our small schools open and viable and at the heart of our rural communities.
- (d) Consulting on the possible closure of a school should only be considered where all other options have been exhausted.

This Council resolves to ask the Cabinet Member for Education and Skills to:

- (1) Share knowledge about federation and how it can be achieved with all small schools including sharing best practice guidance from other local authorities;
- (2) Provide officer support to governing bodies to consider federation including providing support to find possible partners and facilitate discussions;
- (3) Provide practical tools and officer support during the partnership phase in helping to make all the transitional arrangements; and
- (4) Not consult with the public as to the future of any school in West Sussex without having gone through such a process with schools.'

56.2 An amendment was moved by Mr Simmons and seconded by Ms Flynn as set out below:

'The current financial climate for small schools continues to be challenging. The government strategy for small schools is to aim, **where possible**, to keep them open and includes exploring federation before considering closure. This Council itself recognises the need for small schools to consider federation in its School Effectiveness Strategy 2018-22. Closure of **any** a small school **has the potential to have an adverse effect on** ~~can be devastating for~~ children, families and the rural communities **in which** they are **located** ~~in~~ and the School Effectiveness Strategy recognises **closure** ~~this~~ as only a final option.

The process of federation relies on school governors, who are volunteers, often with full time jobs and other commitments, and who do not always have the time and skill sets needed, to explore and develop the federation options fully themselves. Although the School Effectiveness Strategy outlines that the Council will support and challenge governing bodies who have considered the options, there is no formal process for assisting governing bodies in assessing the options open to them and developing possible federation agreements in the first place.

This Council believes that:

- (a) Small schools are **often located in** at the heart of ~~our~~ smaller **their** communities.
- (b) The federation process is not always straightforward ~~and without significant input~~ **and it can be beneficial to have support** from this Council from the earliest stages of the

process, **if** governing bodies **agree that this would be helpful** cannot easily explore federation on their own.

- (c) A ~~more~~ proactive approach to federation is more likely to keep our small schools open and viable and at the heart of ~~our~~ **their** rural communities.
- (d) Consulting on the possible closure of a school should only be considered **alongside** where all other options ~~have been~~ exhausted.

This Council resolves to ask the Cabinet Member for Education and Skills to:

- (1) Share knowledge about federation and how it can be achieved with all small schools including sharing best practice guidance from other local authorities;
- (2) **Continue the provision of** ~~Provide~~ officer support to governing bodies to consider federation including providing support to find possible partners and facilitate discussions;
- (3) **Continue to** provide practical tools and officer support during the partnership phase in helping to make all the transitional arrangements; and
- (4) Not to consult with the public as to the future of any school in West Sussex without having ~~gone~~ **thoroughly considered the benefits of going** through such a process with schools.'

56.3 The amendment was carried.

56.4 The amended motion, as set out below, was carried.

'The current financial climate for small schools continues to be challenging. The government strategy for small schools is to aim, where possible, to keep them open and includes exploring federation before considering closure. This Council itself recognises the need for small schools to consider federation in its School Effectiveness Strategy 2018-22. Closure of any school has the potential to have an adverse effect on children, families and the communities in which they are located and the School Effectiveness Strategy recognises closure as only a final option.

The process of federation relies on school governors, who are volunteers, often with full time jobs and other commitments, and who do not always have the time and skill sets needed, to explore and develop the federation options fully themselves. Although the School Effectiveness Strategy outlines that the Council will support and challenge governing bodies who have considered the options, there is no formal process for assisting governing bodies in

assessing the options open to them and developing possible federation agreements in the first place.

This Council believes that:

- (a) Small schools are often located in the heart their communities.
- (b) The federation process is not always straightforward and it can be beneficial to have support from this Council from the earliest stages of the process, if governing bodies agree that this would be helpful.
- (c) A proactive approach to federation is more likely to keep our small schools open and viable and at the heart of their rural communities.
- (d) Consulting on the possible closure of a school should only be considered alongside all other options.

This Council resolves to ask the Cabinet Member for Education and Skills to:

- (1) Share knowledge about federation and how it can be achieved with all small schools including sharing best practice guidance from other local authorities;
- (2) Continue the provision of officer support to governing bodies to consider federation including providing support to find possible partners and facilitate discussions;
- (3) Continue to provide practical tools and officer support during the partnership phase in helping to make all the transitional arrangements; and
- (4) Not to consult with the public as to the future of any school in West Sussex without having thoroughly considered the benefits of going through such a process with schools.'

57 Motion on system of Council governance

57.1 At the County Council meeting on 19 July 2019 the following motion had been moved by Dr Walsh, seconded by Mrs Millson, and referred to the Governance Committee for consideration. A report from the Committee was included with the agenda (pages 55 and 56).

'The County Council has been found 'inadequate' by HM Inspectorate, in respect of the Fire and Rescue Service, as well as in its provision of Children's Services by Ofsted, where the Government has appointed a Commissioner to run the service. The Member of Parliament for Mid Sussex has written to the Secretary of

State for Housing, Communities and Local Government expressing his "grave concerns about the governance of this authority", and asking him "to investigate why things have gone so wrong".

It is abundantly clear to all that there is a systemic failure of political leadership of West Sussex County Council encompassing all our major services, and further evidenced by the high turnover rate of most senior officers at Director level including Chief Executive over the last few years, and the churn of Cabinet Members.

The Council therefore resolves to scrap the current Cabinet system of governance, where most major decisions are taken either by individual Cabinet Members, or occasionally by the whole Cabinet, and to replace it with a Committee-based system, where all councillors play a part in decision making, and for this to be in place by May 2020.'

- 57.2 An amendment was moved by Mr Jones and seconded by Ms Sudan, as set out below, and accepted by Dr Walsh.

'The County Council has been found 'inadequate' by HM Inspectorate, in respect of the Fire and Rescue Service, as well as in its provision of Children's Services by Ofsted, where the Government has appointed a Commissioner to run the service. The Member of Parliament for Mid Sussex has written to the Secretary of State for Housing, Communities and Local Government expressing his "grave concerns about the governance of this authority" and asking him "to investigate why things have gone so wrong".

It is abundantly clear to all that there is a systemic failure of political leadership of West Sussex County Council encompassing all our major services, and further evidenced by the high turnover rate of most senior officers at Director level including Chief Executive over the last few years, and the churn of Cabinet Members.

The Council therefore resolves to **review** ~~scrap~~ the current Cabinet system of governance, where most major decisions are taken either by individual Cabinet Members, or occasionally by the whole Cabinet, and to replace it with **either the** Committee-based system **or an alternative arrangement which leads to far more transparent and collective decision-making**, ~~where all~~ ~~councillors play a part in decision making~~, and for this to be in place by May 2020.'

- 57.3 The motion, as amended, was lost.

58 Motion on Prospective sale of County Council-owned land at Withy Patch

- 58.1 The Council noted that the Chairman had agreed that the motion submitted by Mr Jones and seconded by Mr Oxlade, which had been referred to the Cabinet Members for Finance and Resources and for

Fire & Rescue and Communities at the meeting of the County Council on 19 July 2019, will be referred to a later meeting. This will allow for a further discussion between Mr Jones and the Cabinet Members.

59 Motion on Air Quality

59.1 The following motion was moved by Mr Boram and seconded by Mr Barling:

'This Council recognises air pollution is the top environmental risk to human health in the UK and the fourth greatest threat to public health after cancer, heart disease and obesity. Improving air quality is a target in the West Sussex Plan and our partners have similar objectives, which resulted in our joint action plan 'Breathing Better'. It is one year on and, whilst there have been continued improvements in air quality in West Sussex with most of our Air Quality Management Areas showing demonstrable reductions in pollution, it is imperative that greater devolution of powers and finance are provided to local authorities to do more to make the significant changes required.

This Council applauds the Government's intention to confer a legal right to unpolluted air for everyone in the UK and to use World Health Organisation air quality measures but calls on the Government to strengthen the powers and funding to all local authorities to achieve clean air.

This Council has an ambition that local air quality will comply with air quality standards by 2025. To meet this challenge, the Council calls on the Cabinet Member for Environment to continue to work collaboratively with our district and borough council partners, as well as introduce further measures over the next three years, to improve quality of air such as:

- (1) enforcement of anti-idling outside schools, hospitals and at level crossings and run a 'Switch it off' campaign across the county;
- (2) implementation of the emerging Electric Vehicle Strategy to accelerate the provision of public charging points;
- (3) ensuring all planning policies across West Sussex authorities include robust criteria to assess the impact on air quality of development and ensure there are appropriate mitigation measures, including HGV routing and use of Ultra Low Emissions Vehicles (ULEVs);
- (4) requiring that the Council's procurement criteria for third party suppliers, where technically and economically practical, gives greater weight to ULEV;

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- (5) developing a programme to switch our own vehicle fleet to ULEV as soon as economically and technically practical; and
 - (6) bidding for funding to support sustainable transport initiatives, including the Council's Walking and Cycling Strategy, the Local Transport Plan and the West Sussex Bus Strategy.'

59.2 The motion was carried.

60 Motion on Partnership working with Health

60.1 The following motion was moved by Mr Turner and seconded by Mrs Arculus:

'This Council supports close, integrated working with health partners as the best way of delivering better outcomes for residents across West Sussex in line with the Government's ambitious NHS Long Term Plan which will bring significant benefits through a joined-up approach to health and social care. This Council is confident that the Health and Wellbeing Board is in a strong position to assist in delivering this vision.

This Council calls on the Leader and the Cabinet Member for Adults and Health to work to deliver integrated health and social care in West Sussex through the NHS Long Term Plan.'

60.2 An amendment was moved by Dr Walsh and seconded by Dr O'Kelly as set out below.

'This Council supports close, integrated working with health partners as the best way of delivering better outcomes for residents across West Sussex in line with the Government's ambitious NHS Long Term Plan which will bring significant benefits through a joined-up approach to health and social care. This Council **calls upon** ~~is confident that~~ the Health and Wellbeing Board **to strengthen and expedite the delivery of** ~~is in a strong position to assist in~~ delivering this vision.

This Council calls on the Leader and the Cabinet Member for Adults and Health to work to deliver integrated health and social care in West Sussex through the NHS Long Term Plan.'

60.3 The amendment was lost.

60.4 The motion was carried.

61 Motion on Highways Maintenance

61.1 The following motion was moved by Mr Jones and seconded by Mr Oxlade:

'In July this year the Cabinet Member for Highways and Infrastructure approved a new highway maintenance plan which introduced with immediate effect reduced service levels for highways maintenance across the county. This includes a reduction in the frequency of grass cutting and winter salting routines, repairs to signs, bollards and road markings; the cessation of routine weed spraying; reduced tree investigations and cyclical pollarding and a reduction in the frequency of the emptying of gullies. It is understood that action will be taken where there is a safety concern.

This Council understands that the budget for highways maintenance of this nature in 2018/19 was £9.597m although this was clearly not adequate because there was an overspend. The budget for 2019/20 and the subsequent three years is now £8.707m, an annual budget reduction of almost £900,000.

It is understood that work to encourage town and parish councils and community groups to take on this work has begun.

This Council considers that the county is currently in an appalling state with, in some areas, waist high weeds appearing on roadsides and along pathways. Whilst it accepts the desire to increase pollination to tackle climate change, it considers this should be managed properly. It considers that the reduced service levels will discourage visitors and tourists from returning thereby impacting on the local economy. It considers there is a strong likelihood that parts of the county will be better maintained than others, effectively resulting in a postcode lottery.

This Council calls on the Cabinet Member for Highways and Infrastructure to reverse this cut, at least until such time as adequate alternative arrangements for others to cover the reduction in service levels are in place County-wide. The funding for this service to be taken during this transition period from the budget management reserve.'

- 61.2 The motion was referred to the Cabinet Member for Highways and Infrastructure for consideration.

62 Motion on Hate Crime

- 62.1 The following motion was moved by Mr Oxlade and seconded by Mr Jones:

'This Council notes that since 2016 there has been a significant increase in the number of referrals made to the hate incident support service (HISS) in West Sussex, with the number of reports of hate incidents/crimes motivated by both sexual orientation and directed at those with a disability having doubled. This Council's ambition is for the residents of West Sussex to feel safe in their neighbourhoods, that people from different backgrounds get on well

together, benefit from a sense of shared belonging and take up opportunities to participate in community life. This Council condemns homophobia, transphobia, racism, xenophobia and hate crimes unequivocally and pledges to tackle hate crime to ensure such behaviour does not become acceptable and to continue to support those affected by hate crime.

This Council calls on the Cabinet Member for Fire & Rescue and Communities to:

- (1) Ensure that the Hate Incident Support Service is protected from any future budget cuts to ensure this unique and highly valued service can be maintained at its current level;
- (2) Explore cost-effective ways of increasing the promotion of hate crime reporting using wider-reaching advertising opportunities (at roundabouts, on vehicles and local public transport); and
- (3) Ensure a regular report on hate crime is provided to the Chairman of the Environment, Communities and Fire Select Committee and the Business Planning Group for monitoring (and further scrutiny if required).'

62.2 The motion was referred to the Cabinet Member for Fire & Rescue and Communities for consideration.

63 Adoption of the Shoreham Harbour Joint Area Action Plan

63.1 The Cabinet Member for Environment moved the report on the Adoption of the Shoreham Harbour Joint Area Action Plan (pages 57 to 62).

63.2 Resolved –

That the Shoreham Harbour Joint Area Action Plan, incorporating the main and minor modifications, as set out at Appendix B to the report, be adopted.

64 Approval of the Proposed Submission Draft Soft Sand Review (Regulation 19 stage) of the West Sussex Joint Minerals Local Plan

64.1 The Cabinet Member for Environment moved the report on the Approval of the Proposed Submission Draft Soft Sand Review (Regulation 19 stage) of the West Sussex Joint Minerals Local Plan (pages 63 to 72).

64.2 Mr Barling abstained in the vote.

64.3 Resolved –

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- (1) That the Proposed Submission Draft Soft Sand Review of the West Sussex Joint Minerals Local Plan (Appendix A) is approved for publication, consultation on legal and procedural compliance and soundness, and, provided that no substantive changes are required, submission to the Secretary of State in accordance with Regulations 19, 20 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended);
 - (2) That authority is delegated to the Director of Highways, Transport and Planning, in consultation with the Cabinet Member for Environment, to authorise, in agreement with the South Downs National Park Authority, any non-substantive changes that are necessary to make the Joint Minerals Local Plan sound and suitable for adoption; and
 - (3) That if substantive changes are required to the Submission Draft Soft Sand Review of the West Sussex Joint Minerals Local Plan, a further public consultation and decision by the County Council may be required.

65 Governance Committee: West Sussex Health and Wellbeing Board Terms of Reference and discontinuance of the Orbis Public Law Joint Committee

65.1 The Council considered proposed changes to the terms of reference of the Health and Wellbeing Board and the discontinuance of the Orbis Public Law Joint Committee (pages 73 to 80).

65.2 Resolved –

- (1) That the revised terms of reference for the West Sussex Health and Wellbeing Board, as set out in Appendix 1 to the report, be approved for inclusion in the County Council's Constitution; and
- (2) That the Orbis Public Law Joint Committee be discontinued and be removed from the Scheme of Delegation in the Constitution.

66 Question Time

66.1 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 81 to 86) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

67 Standards Committee Annual Report

67.1 The Council considered the Standards Committee Annual Report (pages 87 and 88).

67.2 Resolved –

That the report be noted.

Chairman

The Council rose at 4.30 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 10(a) – Motion on Small Schools	Mr Buckland	Vice-Chairman of management committee for four federated schools
Item 10(a) – Motion on Small Schools	Mrs Dennis	Governor of Twineham CE Primary School
Item 10(a) – Motion on Small Schools	Dr O’Kelly	Governor of Rake Primary School
Item 10(a) – Motion on Small Schools	Mr Smytherman	Foundation Governor of St Mary’s Catholic Primary School Worthing
Item 10(b) – Motion on system of Council governance	Mr Lanzer	Member of Crawley Borough Council
Item 10(d) – Motion on Air Quality	Mr Boram	Member of Adur District Council
Item 10(d) – Motion on Air Quality	Mr Jones	Chair of Licencing Committee at Crawley Borough Council
Item 10(d) – Motion on Air Quality	Mr Marshall	Member of Horsham District Council, with Air Quality Management Area
Item 10(d) – Motion on Air Quality	Dr O’Kelly	Member of Chichester District Council, consulting on an Air Quality Management Area
Item 10(d) – Motion on Air Quality	Mr Simmons	Executive Member for Health and Wellbeing, Adur District Council
Item 10(e) – Motion on Closer Working with NHS	Mr S J Oakley	Member of Chichester District Council
Item 10(e) – Motion on Closer Working with NHS	Mr Turner	Member of the Royal Pharmaceutical Society of Great Britain
Item 10(e) – Motion on Closer Working with NHS	Dr Walsh	Leader of Arun District Council

Item	Member	Nature of Interest
Item 11 – Adoption of Shoreham Harbour Area Joint Action Plan	Mr Barling	Prejudicial interest as Solicitor to Shoreham Port Authority
Item 11 – Adoption of Shoreham Harbour Area Joint Action Plan	Lt Col Barton	Chairman of Adur District Council
Item 11 – Adoption of Shoreham Harbour Area Joint Action Plan	Mr Boram	Member of Adur District Council
Item 11 – Adoption of Shoreham Harbour Area Joint Action Plan	Mr Simmons	Substitute Member of Adur District Council Planning Committee
Item 13 - Governance Committee: West Sussex Health and Wellbeing Board Terms of Reference	Mr Simmons	Executive Member for Health and Wellbeing, Adur District Council
Item 14 – QT	Mr Bradbury	Member of Mid Sussex District Council
Item 14 – QT	Mr Lanzer	Deferred member of Local Government Pension Scheme
Item 14 – QT	Mr Smytherman	Chairman of Worthing Dementia Action Alliance

Written Questions: 18 October 2019

- 1** Written question from **Mr Jones** for reply by the **Chairman of Governance Committee**

Question

Can the Chairman please produce a list of all post-holders appointed from Director to Head of Paid Service level at West Sussex County Council from 2010 to 2019, including their job title, start dates and end dates (where applicable)?

Answer

The information requested is provided in the table below. Please note that some post-holders are shown multiple times following changes in job titles and/or roles following reorganisation or restructuring.

Position Title	Name	Start date	End Date
Programme Director (Transformation)	Alison Young	01/05/2016	30/01/2017
Director of Customer Services	Amanda Anderson	02/02/2015	30/11/2016
Director of Adult Operations	Amanda Rogers	01/09/2014	02/08/2015
Director of Adult Services	Amanda Rogers	01/01/2011	31/08/2014
Director Operations Adults	Amanda Rogers	01/04/2009	31/12/2010
Director of Property & Assets	Andrew Edwards	30/09/2019	Not applicable
Director of Children & Families	Andrew Fraser	19/11/2018	13/04/2019
Director of Public Health	Anna Raleigh	03/01/2018	Not applicable
Director of Children & Family Services	Annie MacIver	01/03/2018	31/01/2019
Director of Family Operations	Annie MacIver	01/04/2015	28/02/2018
Exec Director Children, Adults, Families, Health & Education	Avril Wilson	01/12/2016	31/12/2017
Executive Director Care, Well-being & Education	Avril Wilson	02/02/2015	30/11/2016
Director of Economy, Planning & Place	Bernadette Marjoram	18/07/2016	30/01/2017
Executive Director Residents Services	Bernadette Marjoram	01/05/2016	17/07/2016
Director of Strategic Planning & Place	Bernadette Marjoram	17/08/2015	30/04/2016
Commercial Director	Camilla Black	30/06/2014	01/12/2014
Director of Public Health	Catherine Scott	01/06/2015	31/10/2015
Exec Director Residents & Place Services	Cathryn James	16/03/2015	31/01/2016
Director FSR Programme	Charlie Stewart	01/10/2009	30/09/2010
Joint Strategic Director of Commissioning	Chris Clark	01/10/2019	Not applicable
Director for Strategic Planning & Place	Colin James	29/09/2014	30/11/2015
Director of Adult Services	Dave Sargeant	05/07/2018	19/12/2018
Director of Learning	David Swor	01/01/2011	31/12/2012
Director Operations Learning	David Sword	01/10/2009	31/12/2010
Director of Adults' Operations	Debbie Medlock	17/07/2015	30/06/2017
Director of Education & Skills	Deborah Myers	01/09/2016	02/09/2018
Director of Strategic Development	Derek Irvine	01/01/2013	31/12/2014
Director of Commercial Services	Derek Irvine	01/01/2011	31/12/2012
Director Operations - Support Services	Derek Irvine	18/01/2010	31/12/2010

Position Title	Name	Start date	End Date
Director Business Development	Derek Irvine	01/09/2009	17/01/2010
Exec Director Residents & Place Services	Diane Ashby	01/09/2014	05/10/2014
Chief Operating Officer & Director of Special Operations	Diane Ashby	17/02/2014	31/08/2014
Director of Service Operations	Diane Ashby	01/01/2013	16/02/2014
Executive Director Customers & Change	Diane Ashby	01/01/2011	31/12/2012
Executive Director Customer Services	Diane Ashby	18/01/2010	31/12/2010
Director Operations - Community Services	Diane Ashby	01/10/2009	17/01/2010
Director of Fire Service Operations & Chief Fire Officer	Gavin Watts	01/07/2019	08/07/2019
Director of Operations & Chief Fire Officer	Gavin Watts	21/11/2016	30/06/2019
Director of Communities	Gavin Watts	21/12/2015	20/11/2016
Director of Infrastructure Strategy	Geoffrey Mee	01/06/2015	17/07/2016
Director of Highways & Transport	Geoffrey Mee	01/09/2014	31/05/2015
Chief Operating Officer	Gill Steward	01/09/2014	24/03/2016
Transformation Director	Gill Steward	24/02/2014	31/08/2014
Director of HR & Organisational Change	Heather Daley	03/04/2018	Not applicable
Director of Resources & Performance	Ian Millar	18/01/2010	31/03/2013
Director Operations - Support Services	Ian Millar	01/04/2009	17/01/2010
Director of Adult Services	Jana Burton	26/03/2018	03/07/2018
Director of Education & Skills	Jay Mercer	01/07/2015	06/07/2016
Executive Director Adults & Children	John Dixon	16/10/2008	31/10/2010
Director of Children & Families	John Readman	15/04/2019	Not applicable
Programme Director	John Stevens	01/06/2016	30/01/2017
Director of Public Health, Commissioner for Health & Social Care	Judith Wright	01/08/2013	31/05/2015
Director Public Health	Judith Wright	01/10/2011	31/07/2013
Director Operations Infrastructure	Julian Harris	18/01/2010	17/12/2010
Director of Finance, Performance & Procurement	Katharine Eberhart	31/12/2016	Not applicable
Director of Finance & Resources	Katharine Eberhart	01/02/2016	30/12/2016
Director of Family Operations	Kevin Peers	01/09/2014	05/06/2015
Director of Children's Services	Kevin Peers	21/04/2014	31/08/2014
Director of Operations & ACFO	Kieran Amos	21/12/2015	12/06/2017
Chief Executive	Kieran Stigant	17/12/2010	14/02/2014
Executive Director Communities	Kieran Stigant	18/01/2010	16/12/2010
Exec Director Customers & Communities	Kieran Stigant	16/10/2008	17/01/2010
Exec Director Children, Adults, Families, Health & Education	Kim Curry	01/01/2018	Not applicable
Executive Director of Place Services	Lee Harris	01/07/2019	Not applicable
Executive Director Economy, Infrastructure & Environment	Lee Harris	27/02/2017	30/06/2019
Executive Director Communities & Public Protection (& Chief Fire Officer)	Lee Neale	01/08/2016	26/02/2017
Executive Director Communities & Public Protection	Lee Neale	25/03/2016	31/07/2016
Director of Public Protection & Deputy Chief Fire Officer	Lee Neale	01/09/2014	24/03/2016

Position Title	Name	Start date	End Date
Executive Director Business Services	Lesley Ottery	16/10/2008	15/01/2010
Director of Highways & Transport	Lucy Monie	18/01/2016	30/06/2016
Chief Executive	Mark Hammond	01/01/2003	30/09/2010
Director of Adult Services	Mark Howell	01/03/2018	27/05/2018
Director of Adults' Operations	Mark Howell	16/02/2016	28/02/2018
Director of Highways, Transport & Planning	Matt Davey	01/07/2019	Not applicable
Director of Highways & Transport	Matt Davey	04/07/2016	30/06/2019
Director of Resources	Matthew Sturman	05/10/2009	31/03/2013
Director of Health & Social Care Commissioning	Michael Sadler	01/01/2013	31/07/2013
Executive Director Health & Social Care	Michael Sadler	01/03/2012	31/12/2012
Director of Transformation, Change & Support Services	Natasha Edmunds	01/01/2017	17/10/2017
Director of Workforce, Organisational Design & Delivery Support	Natasha Edmunds	01/09/2014	31/12/2016
Chief Executive	Nathan Elvery	27/06/2016	Not applicable
Director of Public Protection & Deputy Chief Fire Officer	Neil Stocker	25/03/2016	Not applicable
Director of Economy, Planning & Place	Nicholas Smales	19/09/2016	08/07/2018
Executive Director Communities & Public Protection	Nicola Bulbeck	09/01/2018	30/06/2019
Director of Highways & Transport	Nicola Debnam	26/01/2015	10/01/2016
Director of Public Health & Wellbeing	Nike Arowobusoye	18/01/2016	24/12/2016
Director of Adults' Services	Paul McKay	07/01/2019	Not applicable
Director of Education & Skills	Paul Wagstaff	01/12/2018	Not applicable
Director of Public Health	Peter Brambleby	28/09/2015	30/03/2016
Executive Director of Corporate Resources & Services	Peter Lewis	01/05/2016	31/12/2016
Exec Director of Corporate Resources	Peter Lewis	01/09/2014	29/04/2016
Director for Finance & Assurance	Peter Lewis	30/06/2014	31/08/2014
Director of Communities	Rachel North	07/11/2016	01/09/2019
Executive Director of Resources	Richard Ennis	09/07/2019	27/09/2019
Director of Finance & Assurance	Richard Hornby	01/01/2013	31/08/2014
Exec Director Finance & Performance	Richard Hornby	18/01/2010	31/12/2012
Director Finance	Richard Hornby	01/04/2009	17/01/2010
Director Policy & Partnerships	Richard Perry	18/01/2010	09/01/2011
Director Policy & Performance	Richard Perry	01/10/2009	17/01/2010
Director of Fire Service Operations & Chief Fire Officer	Sabrina Cohen-Hatton	01/09/2019	Not applicable
Director Joint Commissioning	Sally Burton	01/10/2012	07/03/2013
Deputy Chief Executive, Exec Director Communities & Public Protection & CFO	Sean Ruth	28/02/2017	12/06/2017
Executive Director Communities & Public Protection (& Chief Fire Officer)	Sean Ruth	27/02/2017	27/02/2017
Executive Director Economy, Infrastructure & Environment	Sean Ruth	01/12/2016	26/02/2017
Exec Director Residents & Place Services	Sean Ruth	18/07/2016	30/11/2016
Deputy Chief Executive & Executive Director Communities & Public Protection	Sean Ruth	27/06/2016	17/07/2016
Chief Operating Officer	Sean Ruth	25/03/2016	26/06/2016

Position Title	Name	Start date	End Date
Executive Director Communities & Public Protection	Sean Ruth	01/09/2014	24/03/2016
Director of Energy, Waste & Environment	Stephen Read	30/05/2017	Not applicable
Director of Children's Services	Stuart Gallimore	01/01/2011	21/04/2014
Director Operations Children	Stuart Gallimore	01/04/2009	31/12/2010
Director of Communities Projects	Sue Hawker	21/12/2015	31/03/2016
Director of Communities	Sue Hawker	01/09/2014	20/12/2015
Director of Communities Commissioning	Sue Hawker	01/01/2013	31/08/2014
Director Operations Communities	Sue Hawker	18/01/2010	31/12/2010
Director of Business Change	Sue Hawker	01/01/2011	31/12/2012
Director of Law & Assurance	Tony Kershaw	01/01/2017	Not applicable
Director of Law, Assurance & Strategy	Tony Kershaw	01/09/2014	31/12/2016
Director of Communities & Infrastructure	Tony Toynton	01/01/2011	31/10/2012
Director Business Development	Tony Toynton	18/01/2010	31/12/2010
Director Operations Infrastructure	Tony Toynton	16/10/2008	17/01/2010
Director of HR & Organisational Development	Tricia Palmer	04/09/2017	31/03/2018

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

Question

Earlier this year Ofsted published its inspection report on the Council's Children's Services which gave an 'inadequate' judgement. Arising from this a Statutory Direction from the Department for Education (DfE) required the County Council to prepare an improvement plan and appointed a Commissioner for Children's Services to oversee the Council's response to the Statutory Direction.

The Commissioner was expected to report to the Secretary of State by 30 September 2019 giving his view on whether operational service control for children's services should remain with the County Council.

Can the Cabinet Member confirm that:

- (a) He has seen the response to the Secretary of State and if so:
- (b) Whether he is able to share details of the recommendation made by the Commissioner to the Secretary of State with members (either confidentially or otherwise);
- (c) If he is unable to share the outcome at this stage, can he advise members when he anticipates this information being shared (i) with members of this Council and (ii) with members of the public.

Answer

- (a) and (b)

I have seen a draft of the Commissioner's report and his recommendations to the Secretary of State for Education: this was subject to further amendment

and discussion before being finalised. It is not possible for me to comment on a draft report and its contents cannot be shared at this time.

- (c) The Commissioner's final report is now expected to be published by the end of October and will be available to members of this Council and the general public at that time. There will be a full debate about the report and its implications, once its recommendations have been accepted by the Secretary of State and it is in the public domain.

3 Written question from **Ms Sudan** for reply by **Cabinet Member for Children and Young People**

Question

The Children's Commissioner for England recently published details of a six-point plan that she would like all political parties to include in their election manifestos to transform the life chances for disadvantaged children. The plan includes:

- extending and expanding the troubled families programme;
- a child and adolescent mental health counsellor in every school;
- adequate funding for special educational needs and disabilities;
- schools open in the evenings, weekends and holidays;
- police officers and youth workers in school; and
- a cross-government cabinet committee for children.

She also calls for existing statutory services to be put in a sustainable financial footing. Can the Cabinet Member tell me if he supports these ambitions and whether he will write to the relevant Secretary of State urging them to consider adopting and funding these initiatives?

Answer

The recent 'Manifesto for Children' from the Children's Commissioner for England is a national-level initiative, addressed in the first instance to the main political parties in anticipation of a future general election. It powerfully lays out the issues faced by so many of our children across England, and the factors involved undoubtedly have implications for the future of our country. I would commend it to all members to study.

The solutions advocated would require a great deal of central government resolve and resource, and this will be a question for future national policy. At local level, this authority has experienced the reductions in government grant and funding shortfalls that arise. At the same time, West Sussex has always given its full support to government initiatives – for instance the outstanding performance, with the Council's partners, on the Troubled Families Initiative, about whose future the Council has previously made representations to government.

This Council has publicly made improving its children's services its highest priority, and allocated very significant additional resources to this purpose. Naturally, the Council is in the process of examining the detail of the Children's Commissioner's recommendations and their implications for West Sussex.

I am, however, broadly supportive of the recommendations for national-level investment, recognising that they will inevitably face strong competing demands for

funding across the public sector. I, therefore, intend to signify the County Council's endorsement of the case for investment to the Secretary of State.

4 Written question from **Mrs Millson** for reply by **Cabinet Member for Corporate Relations**

Question

This month marks the 25th Anniversary of the Fairtrade Foundation, which exists to promote better prices, decent working conditions, fair terms of trade for farmers in the developing world.

West Sussex was awarded Fairtrade County status by the Foundation in October 2017, following your decision, as Cabinet Member for Corporate Relations in 2015, committing West Sussex County Council to become a Fairtrade Council, by actively supporting and promoting the concept of Fairtrade, and ensuring that producers from developing countries get a fair price for their goods and labour.

Despite the work of the Fairtrade Foundation, exploitation remains rampant in global supply chains. More than 40 million people are trapped in modern slavery, including forced labour, and 152 million young people in child labour. Hundreds of millions more are earning less than a living income or wage.

Therefore, to mark the 25th Anniversary, will you please:

- (a) Renew the commitment of West Sussex County Council to retaining its 'Fairtrade Council' status;
- (b) Continue to actively promote Fairtrade locally, through support for Fairtrade West Sussex, in the media including social media, and events including during Fairtrade Fortnight;
- (c) Continue to support local Fairtrade Schools and Communities, actively promoting Fairtrade teaching materials in local schools and educational institutions and continuing to stock Fairtrade publications in our Libraries;
- (d) Celebrate businesses championing Fairtrade products in the local community; and
- (e) Continue to champion Fairtrade in the Council's procurement policies including its catering offer, to ensure that Fairtrade produce is chosen wherever possible and viable, and ensuring that Fair Trade considerations are included as a requirement in any contracts that could involve Fairtrade products being used, such as catering, going out to tender.

Answer

- (a) The County Council believes in and values the principles of Fairtrade, and is proud to be one of a small number of shire counties to hold the status of a Fairtrade County. The Council remains committed in trading fairly, not only in its own communities but also further afield worldwide.
- (b) The County Council works closely with the Fairtrade West Sussex group in a supportive and collaborative fashion. The Council celebrates and champions

Fairtrade Fortnight each year, both across its own services and also through its communication channels. Many activities take place that highlight Fairtrade to staff and to residents, and show why we believe in Fairtrade.

- (c) The Council works closely with school meals providers all year around, delivering added value sessions in schools around healthy eating, how food is grown, how it makes the body work, knife and fork skills, etc, and during Fairtrade Fortnight there is a focus on Fairtrade. This is sometimes by way of a themed Fairtrade menu item, printed resources, a poster drawing competition or delivering a school assembly on the subject. The library service stocks educational books that are themed on Fairtrade, and will continue to do so.

The Meals on Wheels service delivers literature to its customers across the county and also gives away a free Fairtrade item; this year it was a hot chocolate sachet, last year it was bananas. The Council's restaurants use Fairtrade all year around where possible, as well as increasing products over the Fortnight and then trying to keep those products when the demand is there.

- (d) The Council's food and catering service providers who engage with the Council locally are in general very supportive of the aspiration to use Fairtrade. Using social media posts on the Council's accounts, via an annual summary of Fairtrade events given by the Council to Fairtrade West Sussex at their annual AGM, the Council encourages and celebrates Fairtrade Providers to the wider community.
- (e) The Council's catering contracts continue to feature requirements for Fairtrade to be included within the service offer. Obviously, there is a need to balance commerciality with availability and suitability, however providers are keen to work with the Council and it continues to encourage the use of Fairtrade products in Council contracts.

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

Question

Can the Cabinet Member for Corporate Relations please inform me of:

- (a) The budget for office furniture replacement across the County Council in each of the last three years.
- (b) The justification for replacing perfectly serviceable tables and chairs in most of the committee rooms.
- (c) When where these same tables were last replaced, as I recall that it has happened in the last 15 years?
- (d) How this aligns with the commitment to cut out wasteful expenditure?

Answer

- (a) See table below.

	2018/19	2017/18	2016/17
Budget	£175,000	£175,000	£175,000
Spend	£148,307	£151,752	£19,238

- (b) Due to changes in working practices, the front of house team now has increased duties across the whole campus and the meeting room tables in Committee Room 3 were not suitable for individual team members to move the tables by themselves and required two people to set up and reconfigure rooms.

Because the old tables had been dragged across the carpets in recent years, the carpets have stretched and have had to be repaired twice. The new furniture is lighter and has wheels so can be moved by a single member of staff. This means the front of house team can be deployed for additional works around campus. In addition, it makes it easier for users to reconfigure rooms during meetings and workshops.

All of the existing furniture will be redeployed to sites where it can be reused, the majority has already been reserved by other services.

- (c) Facilities do not have records of these tables being replaced in their collective time at the Council; the longest standing member of the team being here for 13 years. Records are not kept that go back further than that.
- (d) All of the furniture bought to date has been to create more ergonomically designed furniture that enables the meeting rooms to be used more effectively.

None of the older furniture will be wasted as it will be reutilised elsewhere on the estate, i.e. Fire Service training rooms. The expenditure will reduce carpet repair maintenance and will enable Facilities to provide a better service to meeting rooms in the main building, Edes House, The Grange and Northleigh.

6 Written question from **Ms Lord** for reply by **Cabinet Member for Education and Skills**

Question

On 11 September at the Children and Young People's Services Select Committee in response to a question I asked, an officer and the Cabinet Member for Education and Skills stated that the decision on Woodlands Meed would be going ahead that month and that the council was doing everything in its power to meet the September 2021 opening date.

On 26 September, the decision was delayed in the Forward Plan until November.

On 3 October at Performance and Finance Select Committee, the reports showed that the project has been red RAG (Red Amber Green) rated since June (page 93, 2.8), that the construction start date is challenging, that an update will be provided following further discussions with the school and that the deliverability status is to be reviewed. In response to questions, officers and the Cabinet Member for Finance and Resources stated that a review of the options was underway and would not provide further assurances on timelines or deliverability.

Given this uncertainty and seemingly rapid change in the status being provided in public, could the Cabinet Members for Education and Skills and for Finance and Resources please:

- (a) Provide a timeline and details of what new information became available in the two weeks between 11 and 26 September for the decision to be delayed by two months;
- (b) Provide details of who was involved in the decision to delay to November;
- (c) Provide details of when County Council officers last met with the Governing Body to discuss the latest status of the project and details of all future meetings as referenced in the Performance and Finance Select Committee documents;
- (d) Provide details of how the delay in the decision and the subsequent review of options mentioned at Performance and Finance Select Committee have been communicated to the Governing Body, how the Governing Body is being involved in this review and when the results of this review will be available;
- (e) Provide details of the role of Faithful & Gould on this project including what their role entails, whether their fees are being charged directly to the project budget and, if so, what they are expected to amount to, and details of the roles of any other consultants, contractors or sub-contractors working on this decision including what their role entails, whether their fees are being charged directly to the project and, if so, what they are expected to amount to;
- (f) Provide details of all options currently being considered by the County Council including costings following Mr Hunt's comment that the proposals were now 'upwards of £25m';
- (g) Confirm both the most likely opening date and whether the September 2021 opening date is still possible, assuming the decision is made to proceed; and
- (h) Confirm whether the officers involved in the project at the County Council are full time employees of West Sussex County Council or are contractors/consultants and, if they are the latter, what their role in the project and decision-making is and which departments they are situated in.

Answer

- (a) Discussion around the designs and site feasibility along with risks linked with access to the school site during the period of construction took place. Greater detail and discussion of potential risks to both access and the safety of pupils in the adjacent primary school during the course of any construction work arose during the period in question. In addition, development of the SEND and Inclusion Strategy 2019-24 provided a greater understanding of current and future SEND needs across the county requiring the team to assess how this project contributed towards the longer-term provision across the county.
- (b) The education and capital teams, along with Capital Project Board, reviewed whether all the information is in place in order to proceed and agreed that more information is required.

- (c) We last formally met with the college on 4 July 2019 and thereafter provided weekly updates until 13 September. The various building options are now awaiting review and being considered alongside the SEND and Inclusion Strategy development.
- (d) The Cabinet Member for Education and Skills has maintained contact with the governing body along with the Council's Development and Capital Adviser.

Following the current review of this project, along with finalising any capital development to meet the County's future specialist provision requirements as a whole, governing bodies of all those schools involved in any development or expansion will be engaged in reviewing the options and requirements to ensure that planned work enables them to meet the Council's future provision requirements and ambitions.

- (e) The role of Faithful & Gould is to provide full technical advice and support to West Sussex on the Woodlands Meed project and Faithful & Gould fees are funded from the allocated project budget. All other consultants required to provide technical support for this project are also funded directly via the project budget.
- (f) There are several options being considered and the costs currently range from £2,360,000 to £25,000,000 for the construction work. However, there may be additional costs associated with mitigating some of the risks and difficulties faced in accessing the site safely during the period of construction as the site and adjacent primary school will still need to operate during the period of construction.
- (g) For options requiring a full new build, it is very unlikely that the works could be fully completed for a September 2021 opening date.
- (h) Officers involved in the project include representatives from the Resources Department including Capital Projects, and the Education and Skills Directorate. External contractors have been used purely through Faithful and Gould to undertake the design and site appraisal.

7 Written question from **Mr Oxlade** for reply by **Cabinet Member for Education and Skills**

Question

In February the Cabinet Member took a decision to approve an allocation of £0.5m from the Capital Programme to enable a costed design to be produced for rebuilding and expanding Woodlands Meed College on its current site.

I understand the proposed decision to formally allocate the funding from the Capital Programme to enable the rebuilding and expansion project to proceed which was due to have been taken in September has now been delayed to November.

Given that this Council acknowledges that this Special School and College has significant suitability and condition issues meaning it is unable to offer the full curriculum and is unable to accommodate the full range of Special Educational Needs, I would be grateful if the Cabinet Member could tell me:

-
- (a) Why the project has been delayed by up to two months?
 - (b) Whether there are any issues with allocating the £20m capital funding to this project?
 - (c) Whether it is still feasible for the new College to open in September 2021? and
 - (d) Whether the school Governors are being kept fully informed of the reasons for delay?

Answer

- (a) The project has not been delayed - the project was undergoing an options appraisal. The building options have now been reviewed alongside the broader SEND and Inclusion Strategy which is in its final stages of planning. It is essential that any major development of SEND specialist provision in the county is informed by, and contributes towards meeting the future need for SEND across West Sussex.
- (b) Some of the project capital is reliant on access to a central grant which currently is not secured and work is ongoing to pursue this.
- (c) It is very unlikely a new-build option can meet a completion date of September 2021. However, a replacement of some of the existing modular units could meet a September 2021 completion date.
- (d) The Cabinet Member for Education and Skills along with the Council's Developments and Capital Adviser have maintained communication with the governing body.

8 Written question from **Mr Jones** for reply by **Cabinet Member for Finance and Resources****Question**

- (a) Please provide details of all costs incurred relating to the purchase and use of a drone by the County Council, regardless of the budget header they appear in, for the financial years:
 - 2017/18
 - 2018/19
 - 2019/20 to date

These would include but not be limited to: the cost of the drone; Licensing/Civil Aviation Authority permits; training costs including accommodation and food; and IT costs.
- (b) How many staff have been trained to fly the drone including travel costs (if any)?
- (c) How many of these staff have subsequently left the employment of West Sussex County Council?
- (d) How many days training did they undertake?

- (e) How many times has the drone flown in furtherance of WSCC business objectives?
- (f) How many hours has the drone flown in furtherance of WSCC business objectives, and how much is this in miles?

Answer

- (a) See table below.

	Purchase	Training	Insurance	Total
2017/18	£20,850	£2,000	N/A	£22,850
2018/19	N/A	£10,353	£2,753	£13,106
2019/20	N/A	N/A	N/A	£0
Total	£20,850	£12,353	£2,753	£35,956

- (b) Fifteen Fire and Rescue Service Personnel in total have been trained to fly the drone, all costs for the training are represented in the answer to question (a).
- (c) One of the 15 trained pilots has left the service through retirement.
- (d) Initial training consisted of a six-day course for each pilot with the cost contained in the answer to question (a).
- (e) The drone has not flown operationally either for the County Council or the Fire and Rescue Service.
- (f) Please see answer to (e) above.

9 Written question from **Dr Walsh** for reply by **the Cabinet Member for Finance and Resources**

Question

Can the Leader of the Council confirm that a payment of around £5,137 was made by the County Council to HMRC on 12 February 2019 as a settlement of a claim by the Revenue for a refund of an allegedly tax exempt payment made to the Chief Executive in relation to his £ 47,000 relocation expense?

Can the Leader of the Council further confirm that this sum has subsequently been repaid by the Chief Executive to the County Council?

Answer

The information is correct, except that the payment by the County Council to HMRC followed a self-referral following an internal review which identified the error, not a claim from HMRC. The employee subsequently repaid to the Council his share of the payment made.

10 Written question from **Mrs Smith** for reply by **Cabinet Member for Highways and Infrastructure**

Question

The Cabinet Member recently decided to charge local restaurants and cafes across the county a flat rate licence fee of £520 to enable them to have tables and chairs on the highway for customers, regardless of how many tables and chairs they have outside.

The Cabinet Member will no doubt be aware this has led to a not unexpected backlash from local businesses from across West Sussex, many of who consider it unfair, vastly disproportionate and an unnecessary charge solely being imposed as a cynical revenue raiser for the County Council.

Can the Cabinet Member please tell me:

- (a) What action he proposes to take if a business chooses not to pay the fee; and
- (b) Whether he now regrets introducing a flat fee and whether he has come to a view regarding charging arrangements for the next financial year.

Answer

The County Council has a duty to ensure that the highway remains unobstructed in order that everyone can use it safely. I am particularly aware of the needs of more vulnerable groups especially those with a disability who may find navigating an obstructed pathway more challenging.

The County Council fully supports the use of the highway for trading by businesses where this can be done without impacting on others' enjoyment of the space, but this does need to be monitored and managed effectively. To do this the County Council issues licences to traders and has done so for many years, charging a flat fee for that licence to cover the associated administration and inspection costs.

In the review of fees and charges decision taken in February 2019, the charge for the licence for tables and chairs on the public highway was increased to cover the full costs associated with managing this activity. As stated in the question, that fee now stands at the equivalent of £10 per week and is levied at this rate regardless of the space taken up by the tables and chairs. The County Council has also written to all traders reminding them of the need to have a licence.

- (a) There has been an increase in the number of licences applied for across the county and it is anticipated that more applications will be received in the coming months.

The County Council has not enforced this activity in the recent past, although historically has taken action where businesses have chosen to trade on the highway illegally. Options for enforcement remain and officers will make decisions regarding the way this is done on a site by site basis.

- (b) In the meantime, I have listened to the comments that have been received about the current charging regime and considered some of the options put forward. This charge will be looked at again as part of the Council's fees and charges review in autumn.

The County Council will, of course, continue to have to cover all costs associated with managing this activity as it would be unfair to burden tax payers with the costs of managing a commercial activity.

Question Time: 18 October 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**Cabinet Member for Education and Skills**

The Leader answered questions on the following matters.

Written questions 6 and 7, Woodlands Meed School, from Mr Barrett-Miles, Mr Bradbury, Mrs Jones and Ms Lord.

The Leader said he would liaise with the Cabinet Member for Education and Skills to assess the current situation and would then contact the four members for a discussion.

A Prosperous Place**Cabinet Member for Highways and Infrastructure**

The Cabinet Member answered questions on the following matters.

Request to relocate traffic lights, from Mr Fitzjohn.

Competitive funding opportunities for local authorities (page 82), from Mr Crow, Dr Dennis and Mr S J Oakley.

In response to a question from Mr Crow about the Hazelwick roundabout in Crawley and the time scale for the installation of signals, the Cabinet Member said he would find out and let him know.

A27 (page 82), from Mr Montyn and Mr S J Oakley.

In relation to the A27 consultation, in response to a question from Mr Oakley about the A27 at Chichester and whether it was possible to get an all-options consultation within RIS 2 and implementation in RIS 3, the Cabinet Member said he would explore whether it was possible to get a commitment.

A Strong, Safe and Sustainable Place**Cabinet Member for Fire & Rescue and Communities**

The Cabinet Member answered questions on the following matters.

Hate Crime Awareness Week (page 84), from Mr Edwards.

In response to a request for support for the broadening of the definition of hate crime to include political beliefs, for putting in place a policy to deal with malicious communications to members and staff, the provision of training and the compilation of a register of people known to commit such crime to protect members and staff, the Cabinet Member said she would ask her successor to consider the suggestions.

County Line Intensification (page 84), from Mrs Arculus, Mrs Millson and Dr Walsh.

Independence in Later Life

Cabinet Member for Adults and Health

The Cabinet Member answered a question from Mr Cloake on funding for foyer units.

The Cabinet Member said she would respond to Mr Cloake with an update.

A Council that works for the Community

Cabinet Member for Corporate Relations

The Cabinet Member answered questions on the following matters.

Mental health first responders for staff, from Ms Goldsmith.

In response to a request for the Council to consider mental health first responders for staff the Cabinet Member said consideration would be given to extending the current initiative within the Fire & Rescue Service to all staff.

Next generation broadband (page 85), from Mrs Dennis.

Cabinet Member for Finance and Resources

The Cabinet Member answered a question on written question 1, from Dr Walsh.

Chairman of the Governance Committee

In relation to written question 1 and the following questions from Mr Jones, Mr Oxlade, Mr Quinn and Ms Sudan, the Chairman said she would provide answers where possible to all members.

- Have some on the list been paid on a daily pay rate and, if so, what was the highest daily pay rate?
- A list of all those staff who have been or are paid a daily rate in the last 12 months, with details of the rate
- If the Chairman agreed that the current situation of the Council was no surprise given the evidence of so many changes in staff?
- How much has been spent advertising the same positions within the last 10 years, if not in name, in terms of the broad responsibilities?
- How much has been spent in settlement or severance pay?
- What the pension liability is in total for those on the list no longer employed?
- How many on the list have appealed against the decision for them to leave the Council's employment?
- How many of the positions listed attracted a payment to facilitate relocating to West Sussex?
- For how many positions has the Council met or contributed towards accommodation costs excluding one-night stays and away days?
- What was the total cost for such expenditure over the period of time in question?
- Why was role of Executive Director Resource Services considered necessary?
- What was the purpose of the role?
- Why was it no longer deemed necessary two months later?
- What was the annual salary offered and how much did it cost to advertise and fill the position?