

To all Members of the County Council

An ordinary meeting of the County Council will be held at **10.30 am** on **Tuesday, 17 December 2019** at **County Hall, Chichester**.

Agenda

1. **Apologies for Absence**

2. **Members' Interests**

Members are asked to disclose any pecuniary or personal interests in matters appearing on the agenda.

3. **Minutes** (Pages 11 - 44)

The Council is asked to confirm the minutes of the ordinary meeting of the County Council held on 18 October 2019.

4. **Result of By-election** (Pages 45 - 46)

To receive the County Returning Officer's return of the by-election on 21 November 2019 for the county councillor for the Bourne Electoral Division.

5. **Review of Proportionality** (Pages 47 - 48)

The County Council has a statutory duty following a by-election to review the proportionality on its committees.

A brief explanation of the proportionality rules and how they are applied is set out in the attached report together with a table showing the number of seats on committees.

6. **Appointments**

Following the by-election and review of proportionality, to consider proposed changes by the Groups to appointments.

Proposals will be circulated. Changes will take effect from the end of the meeting.

7. **Governance Committee: Improving Council Governance**
(Pages 49 - 66)

To consider changes to governance arrangements in the light of a report by the Governance Committee.

8. **Governance Committee: Review of County Local Committees**
(Pages 67 - 68)

To consider recommendations resulting from the review of County Local Committees in the light of a report by the Governance Committee.

9. **Governance Committee: Other changes** (Pages 69 - 78)

To consider changes to the Constitution in relation to the Corporate Parenting Panel and the Pension Advisory Board in the light of a report by the Governance Committee.

10. **Mrs Brenda Smith**

The Council is asked to resolve that, in accordance with Section 85 of the Local Government Act 1972, Mrs Smith's ill health should be approved as a reason for absence.

11. **Address by a Cabinet Member**

At the discretion of the Chairman, to receive any address by a Cabinet Member on a matter of urgency and/or significant interest to the County Council and which relates to the powers and responsibilities of the County Council or which affects the Council.

The Cabinet Member for Children and Young People will make a statement on the Council's Children First Improvement Plan. Members may ask questions of the Cabinet Member in accordance with Standing Order 2.33.

12. **Notices of Motion**

(a) **Motion on Prospective sale of County Council-owned land at Withy Patch** (Pages 79 - 80)

To consider the following motion, submitted by Mr Jones, which was 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.

'This Council notes that West Sussex County Council owns the freehold land known as Withy Patch which currently forms part of an area that has planning permission from Adur District Council for an extensive new development, commonly known as New Monks Farm.

This Council recognises that the proposals for a major development and retail park has been a source of considerable controversy in recent years. This Council believes that the continued uncertainty, anger and stress this has caused local residents, is unacceptable and calls on the Cabinet Member for Finance and Resources to either

take action now to reassure the community that the Council will not proceed with selling or transferring this land to developers or to confirm he will not accept any arrangement which attempts to get the Council to agree to waive, or write off, any of the section 106 developers' contributions from the New Monks Farm developers that will be required to provide sufficient education provision to meet the needs of the resulting community. The needs of West Sussex children and their education must come first.

This Council believes that there is already an increasing shortage of places both in primary and in secondary education in the Adur and Worthing areas with children currently being sent to maintained schools much further from their homes, because the local schools have not got the places for the existing population. The additional population from the New Monks Farm development will inevitably create further pressures and reduce local parents' ability to find school placements close to them without these contributions. Moreover, the additional financial burden of creating places will almost certainly have to be met by this Council, which already faces unprecedented financial pressures without having to absorb the costs of building additional buildings and increasing capacity elsewhere.

This Council also believes that facilitating this development through the sale of the land will result in outcomes entirely at odds with the values recently expressed in the cross-party motion on climate change and the 'climate action pledge'. Not only may the new development increase the local flooding risk, but the increased traffic and congestion on this part of the A27 relating to the increased population and high profile retail offer will exacerbate further the already serious problems relating to pollution and air quality in the current Air Quality Management Areas within the District.

In the event that the Cabinet Member decides to sell or transfer the land it is understood the gypsy and travellers' site at Withy Patch would be required to move to the edge of the development and the residents effectively living directly on the edge of a building site, with all the dust, noise and disruption that such construction would entail. Given what this would mean for that community, this Council also calls on the Cabinet Member for Safer, Stronger Communities to undertake a meaningful consultation with those residents as the person accountable for their welfare on the Council's land and to object to the sale of the land should the residents ask for that.

Therefore for the reasons stated above, this Council urges the Cabinet Member for Finance and Resources to refuse any sale or transfer of the land at Withy Patch.'

and the report of the Cabinet Members.

(b) **Motion on Highways Maintenance** (Pages 81 - 82)

To consider the following motion, submitted by Mr Jones, which was referred to the Cabinet Member for Highways and Infrastructure at the meeting of the County Council on 18 October 2019.

'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.'

and the report of the Cabinet Member for Highways and Infrastructure.

Lunch (In the event that the morning business is finished before lunch the afternoon business will be brought forward as appropriate.)

(c) **Motion on Hate Crime** (Pages 83 - 84)

To consider the following motion, submitted by Mr Oxlade, which was referred to the Cabinet Member for Fire & Rescue and Communities at the meeting of the County Council on 18 October 2019.

'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 and 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).'

and the report of the Cabinet Member for Fire & Rescue and Communities.

(d) **Motion on Abuse of Members and Staff**

To consider the following motion, submitted by Mr Edwards, notice of which was given on 19 November 2019. [Note: The Chairman has indicated that she intends to refer the motion to the Cabinet Member for consideration so it will not be debated at this meeting]

'Recently West Sussex County Council supported Hate Crime

Awareness Week. Many councillors and staff have been subjected to verbal abuse, vitriol, and personal attacks in their time as elected members or as members of staff. There is a perception that this kind of attack comes with the territory, and that standing as a candidate means putting your head above the parapet so expect to be shot at. Unfortunately to an extent this has become almost acceptable, while this Council regards this as entirely unacceptable.

The Crown Prosecution Service uses a specific definition: "The term 'hate crime' can be used to describe a range of criminal behaviour where the perpetrator is motivated by hostility or demonstrates hostility towards the victim's disability, race, religion, sexual orientation or transgender identity". This Council believes that this does not go far enough and that abuse due to a victim's political beliefs should also be included.

This Council takes the safety of members and officers extremely seriously but believes that more should be done to record instances of malicious communication and that a list of persons who might present a danger to members or officers should be created.

This Council calls on the Cabinet Member for Economy and Corporate Resources to:

- (1) Lobby the Government to broaden the definition of a hate crime to include the victim's political beliefs in order to prevent elected members being threatened for expressing different political opinions;
- (2) Devise a policy for dealing with malicious communication;
- (3) Provide elected members and officers with training on dealing with malicious communication; and
- (4) Compile a register of people who send or verbalise malicious communication in any format in order to better protect members and staff.'

(e) **Motion on Support and Recognition for Veterans with Post-Traumatic Stress Disorder**

To consider the following motion, submitted by Mr Edwards, notice of which was given on 19 November 2019. [Note: The Chairman has indicated that she intends to refer the motion to the Leader and Armed Forces Champion for consideration so it will not be debated at this meeting]

'This Council advocates better treatment of veterans who suffer from post-traumatic stress disorder (PTSD) and better

recognition for those who have died as a result of this disorder. The County Council takes the wellbeing of all those who have served extremely seriously and is continually considering how it can better understand the needs of ex-services persons who are suffering from PTSD and provide the best possible support.

In this country there is a National Memorial Arboretum to commemorate those who have given their lives in the service of our country. Families are able to spend time there remembering their loved ones. Every name, in one place, a calm, respectful space, where people can reflect and honour these heroes. However, those veterans who have taken their own lives, succumbing to Post Traumatic Stress Disorder caused by combat, are not remembered at the National Memorial Arboretum.

This Council believes that this must change. These service personnel have given their all in their service for our country and in many cases have been medically discharged from service because of the trauma they have seen and taken part in. Subsequently, as civilians, they take their own life and therefore are recognised as combat related casualties.

This Council calls upon the Leader of the Council and the Armed Forces Champion to:

- (1) Lobby the Ministry of Defence to provide a fitting memorial to those who have served and ultimately succumbed to PTSD;
- (2) Continue to work with partners through the West Sussex Civilian Military Partnership Board to improve the lives of veterans and promote the services available to them with particular emphasis on mental health services, including use of the Forces Connect South East App to all staff as a signposting mechanism;
- (3) Encourage staff to undertake Armed Forces Mental Health First Aid training; and
- (4) Work with the Cabinet Member for Adults and Health to ensure that health and wellbeing matters affecting veterans, including PTSD, are recognised in health and wellbeing strategies including the forthcoming refresh of Suicide Prevention Strategy in 2020.'

(f) **Motion on the A27**

To consider the following motion, submitted by Mr Montyn, notice of which was given on 25 November 2019. [Note: The Chairman has indicated that she intends to refer the motion to the Cabinet Member for consideration so it will not be

debated at this meeting]

'This Council welcomes the improvement plans for the A27 at Arundel and the broad agreement around a preferred solution, the Magenta Route. It acknowledges that the scheme has benefitted from sustained and active support from the local MP to get it to this point.

However, the Council notes that the Chichester situation is very different: with 51,300 average daily traffic movements (2018) this is the most heavily used unimproved section of this Strategic Route notorious for its acknowledged traffic congestion. This also impacts heavily on the 32,000 inhabitants to the south of the A27 on the Manhood Peninsula and beyond who have to cross or join this road to travel anywhere.

Over the last 15 years three national road initiatives have failed:

- in 2003 the South Coast Corridor Multi-Modal Study was abandoned by the Secretary of State.
- in 2004/05 a public consultation took place for a Chichester scheme. It was not well received and was abandoned by the Department for Transport a year later.
- the third Chichester initiative was launched in 2016 but ended in 2017 with the Secretary of State cancelling the scheme, citing lack of community consensus.

After three cancellations of an A27 scheme at Chichester within 15 years and a lack of funding, there is considerable public cynicism that there is any high-level political will to grasp the situation and to arrive at an acceptable long-term solution to Chichester's perennial traffic congestion. Without government investment for improvements this has continued to deteriorate.

Through and local traffic movements now are roughly equally split at Chichester, and the share of commercial traffic is increasing. The worsening congestion and delays on the only major east-west arterial route along the south coast between the ports from Kent to Hampshire, are a brake on the economy. Air quality along the bypass is unacceptable, and the accident rate is among the worst in the country.

This Council believes that now is the time for the County Council to acknowledge the real need for major investment in this strategic route.

Therefore, this Council resolves to ask the Cabinet Member for Highways and Infrastructure to work jointly with the elected MP and with Chichester District Council in a concerted effort to:

- (1) Call for an open and transparent consultation of all options for a long-term solution for the Chichester section of the A27;
- (2) Secure the much-needed government funding for the construction of such a route and its associated environmental mitigation; and
- (3) Provide local members with regular progress updates.'

(g) **Motion on Quiet Lanes**

To consider the following motion, submitted by Mrs Dennis, notice of which was given on 27 November 2019. [Note: The Chairman has indicated that she intends to refer the motion to the Cabinet Member for consideration so it will not be debated at this meeting]

'This Council recognises that our residents and visitors alike should be able to enjoy the West Sussex country Lanes whether walking, cycling and horse riding. The West Sussex plan has clear ambitions to provide a place that:

- residents feel happy as Sussex as a place to live in
- is healthy
- is safe
- encourages carbon reductions

This Council accepts that country lanes are an integral part of our rural environment but it is clear that the volume and speed of traffic, and the presence of heavy lorries can make them uninviting and intimidating. This Council also welcomed the Transport Act in 2000 which enabled local authorities to designate certain types of country lanes as 'Quiet lanes'. Quiet Lanes being a positive way of:

- Providing a chance for people to walk, cycle and horse ride in a safer environment.
- Widening transport choice; and protecting the character and tranquillity of country lanes.

This piece of legislation has received new interest from district, borough and parish councils (our partners) and some have written into neighbourhood plans the lanes they wish to designate as 'Quiet Lanes'. Other local authorities are restarting the process of implementing 'Quiet Lanes'.

This Council calls on the Cabinet Member for Highways and Infrastructure to support our partners and empower them, by developing an initiative to facilitate simple and speedy designation of 'Quiet Lanes'.'

13. **Question Time** (Pages 85 - 88)

Questions to the Leader and Cabinet Members on matters contained within the Cabinet report, written questions and any other questions relevant to their portfolios. Members may also ask questions of the Leader on anything that is currently relevant to the County Council. The report covers relevant Council business or developments in respect of portfolios arising since the meeting of the Council on 18 October 2019. A supplementary report may be published.

(2 hours is allocated for Question Time)

County Council concludes

Items not commenced by 4.15 p.m. will be deferred to the following meeting.

Director of Law and Assurance
6 December 2019

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