

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

Webcasting

Please note: this meeting may be filmed for live or subsequent broadcast via the County Council's website on the internet - at the start of the meeting the Chairman will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council.

Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

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 Brunson	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

- 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;

- (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;
- (1) Provide practical tools and officer support during the partnership phase in helping to make all the transitional arrangements; and
- (2) Not consult with the public as to the future of any school in West Sussex without having gone through such a process with schools.'

56.1 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.'

56.2 The amendment was carried.

56.3 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;

- (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 –

- (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

Agenda Item 3
Appendix 2

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?

County of West Sussex
By-Election of County Councillor
for the Bourne Electoral Division
21 November 2019

Return by County Returning Officer
of persons elected as County Councillors

Electoral Division	Name and Address of Person Elected	Description
Bourne	Mr Mike Magill Waterways Westbourne Road Westbourne West Sussex PO10 8UL	Conservative

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Proportionality

Background

- 1** It is the duty of the County Council, following the Bourne by-election to review the entitlement of political groups to seats on committees in line with the proportionality rules set out in the Local Government and Housing Act 1989. The rules allow adjustments to be made to make whole numbers of seats and, once the County Council has determined how adjustments should be made, appointments are made to committees on that basis.
- 2** The proportionality rules are as set out below:
 - (1) No political group can have all the places on a committee (the exception is the Cabinet).
 - (2) A group having an overall majority on the County Council is entitled to a majority of seats on each committee.
 - (3) The gross number of seats is allocated in accordance with each group's entitlement.
 - (4) The number of seats on each committee is allocated in accordance with each group's entitlement.
- 3** The application of these rules produces different figures so the figures have to be reconciled by applying the rules in descending order of importance. The critical rule is rule (2) if, as in the case of the County Council, there is an overall majority, and numbers of seats are then reconciled with rules (3) and (4). Under the rules, if there are members of the Council who do not belong to a political group (independent members) then, once the division of seats between the political groups has been made, any remaining seats are allocated to the independent members by the County Council.
- 4** A table showing the number of seats on committees using the above formula following the outcome of the Bourne by-election is set out overleaf.
- 5** Please note that if the Council agrees to the establishment of a Fire and Rescue Service Select Committee with effect from April 2020, the effect on proportionality will be taken into account when proportionality is reviewed at the annual Council meeting in April 2020.

Committee	Places	Con	Lib Dem	Lab	Ind Con	Ind
Performance and Finance	15	12	2	1	0	0
Children and Young People's Services	12 (16+)	9	1	1	1	0
Environment, Communities and Fire	12	9	2	1	0	0
Health and Adult Social Care	12(19+)	9	2	1	0	0
Planning	13	11	1	1	0	0
Regulation, Audit and Accounts	7	5	1	1	0	0
Rights of Way	9	7	0	0	1	1
Governance	9	7	1	1	0	0
Standards	9	7	1	0	1	0
Allocation of seats	98	76	11	7	3	1

Recommended

That the proportionality on committees be approved.

Tony Kershaw

Director of Law and Assurance

Contact Officer: Charles Gauntlett 033 022 22524

Background papers

None

Proposals for change – improving Council Governance

Background and context

- 1** There is a need to review the effectiveness and soundness of parts of the Council's governance arrangements – how decisions are taken and how members discharge their various roles. The Governance Committee has, in the context of externally raised concerns, considered options for change that may improve things and ensure the interests of residents are better served.
- 2** In June 2019 an adverse Ofsted report into the Council's Children's Services identified ineffectiveness in the scrutiny of this area of the Council's business. It also raised concerns about the quality of the Council's oversight of corporate parenting responsibilities. The HMICFRS inspection report into the Fire and Rescue Service received in June also raised concerns about arrangements the Council has for the governance of its Fire and Rescue functions.
- 3** In July 2019 the Government published revised guidance on local authority scrutiny arrangements and a member panel was established to consider options for the improvement of the scrutiny function. This coincided with a decision to commission the Centre for Public Scrutiny to undertake a 'health check' of the Council's scrutiny arrangements focused on the scrutiny of children's services. The Committee has considered the work of the Panel and of the health check.
- 4** The adverse Ofsted report led the Department for Education to appoint a Commissioner to prepare a report on the capacity and capability of the Council to secure the necessary improvement to its Children's Services. The Commissioner's findings were reported to the Department for Education and the Department has issued a Direction to the County Council with requirements for the improvement of Children's Services. One of the requirements is to address aspects of the Council's governance. In particular the report identified the following concerns:
 - Inadequate transparency in executive decision making
 - A lack of collective Cabinet responsibility in important business
 - Excessive effort and resource needed to process committee and executive decision reports, stifling the Council's ability to move at pace
 - Insufficient engagement with partners and other agencies as part of business planning and decision making
- 5** Some changes have already been implemented, as set out below, and the Committee has endorsed these.
 - Changes to the scheme of delegation to enhance collective cabinet decision-making were approved by Council in October
 - Cabinet has scheduled monthly meetings in public to enable more executive decisions to be taken collectively and in public
 - These meetings will include opportunities for contributions from select committee chairmen and leaders of the main opposition groups.
 - The Forward Plan has been revised to identify the key decisions allocated for collective decision by the Cabinet meeting in public

Effectiveness of scrutiny

- 6** The challenge for members is to settle what is meant by effectiveness in scrutiny

and to determine the changes needed to better achieve those aims. They can perhaps be summarised as:

- Influencing policy ideas or proposals before they are developed.
- Spending time on matters critical to service outcomes for residents
- Meaningful challenge to the performance management of services
- Showing the difference scrutiny makes to service outcomes for residents

The Committee has considered the proposals for change against these aims.

- 7** Concentrating on decision preview or call-in may be the least effective way of influencing policy development and so the greater use of task and finish groups or member reference groups will provide a more agile and influential use of member time and provide more opportunities for scrutiny members to have an impact.
- 8** Members should identify what service outcomes are at issue, what lines of enquiry should provide the focus for them and which areas of performance to examine rather than be overwhelmed by an excess of data. There is a need to have clearer criteria for agenda planning and the allocation of work to small member groups and for a more structured dialogue with cabinet members to inform that work.
- 9** Then there are the challenges of member skill and capacity. If scrutiny committees are to achieve the aims set out above their members must have the skills, tools and sources of advice to enable them to do so.
- 10** The health-check carried out by the Centre for Public Scrutiny includes a set of recommendations that will help to address some of these areas for improvement. The member panel endorsed these recommendations and identified a number of actions which have been agreed by the Governance Committee.

Proposals

Proposals for Cabinet and the executive

- 11** It is proposed that a schedule of monthly Cabinet meetings be published to accompany the Forward Plan of key decisions and that the format for these meetings **set out in Appendix 1** be approved for inclusion in the Constitution. Also included are consequential changes to Standing Orders.
- 12** It is proposed that a simplified decision report template be adopted and that the number of officers able to contribute to the text of a report be defined, that strict timetables for the completion of reports be adopted and that the Modern.Gov system be used as soon as possible to provide a single version of a draft report. Publication deadlines will provide additional discipline.
- 13** It is proposed that a programme of training of report authors and senior officers be arranged to promote better report writing.

Proposals for scrutiny – select committee for the Fire & Rescue Service

- 14** The Governance Committee has endorsed the recommendation of the Panel that a separate committee for the scrutiny of Fire & Rescue business, should be established with effect from April 2020. Whilst it was accepted that the need to improve the transparency of the Council's governance of its Fire and Rescue

functions will be addressed primarily by raising the profile of collective responsibility of the Cabinet which discharges the executive functions of Fire and Rescue, members felt a separate select committee would ensure there is enough time to scrutinise the service properly and that this justifies the additional cost. It will also be important for the County Council, as the Fire and Rescue Authority, to ensure that areas for debate, notices of motion, questions to the executive and other strategic issues affecting the service are given due prominence at Council. Proposed terms of reference for the select committee are **set out at Appendix 2**. Other consequential changes are **set out at Appendix 3**.

Proposals for scrutiny – general

- 15** It is recommended that select committees should be known as **scrutiny committees**. This is in line with the approach taken by other councils. It will also help to make their role clear to the public.
- 16** The Committee supported a recommendation to take immediate effect that the **Economy portfolio**, which currently sits within the Environment, Communities and Fire Select Committee (ECSS) portfolio of responsibilities, should be transferred to the Performance and Finance Select Committee (PFSC). This will ease the workload on ECFSC and the Economy is considered to sit better within the PFSC portfolio terms of reference. Changes to the Constitution **are set out at Appendix 3**.
- 17** Consideration was given to the **call-in procedure**. In most other councils the role of deciding whether or not call-in requests should be accepted is undertaken by the Monitoring Officer or Chief Executive. It is recommended that the decision to accept or reject a call-in request be removed from the BPGs and become the responsibility of the Monitoring Officer. This will remove any perception of political bias. The criteria for considering a call-in request are still considered to be appropriate and should remain. The Monitoring Officer should report back to the relevant committee on any decisions to reject call-in requests to include reasons. Consequential changes to the Constitution **are set out at Appendix 4**.
- 18** The Governance Committee considered options for changing the **process by which select committee chairmen are appointed**. Currently the chairmen are nominated by the Leader of the Council and approved at County Council. The Committee recommends that, with effect from the annual Council meeting in April 2020, annual appointments are made by each select committee using a secret ballot at its first meeting after the annual meeting of the Council.
- 19** This recommendation has an impact on both the timing of the appointment of members to and the proportionality of the make-up of the Performance and Finance Select Committee (PFBC) as it currently includes the chairmen of the other select committees. Even if the membership of PFSC was adjusted after the other select committee had appointed their chairmen, there is no guarantee that the appointments could be reconciled with the proportionality rules. In order to avoid such a conflict, it is recommended that, with effect from April 2020, the **membership of PFSC should no longer automatically include the chairmen of the other select committees**. This will not preclude select committee chairmen sitting on PFSC.

- 20** It is also suggested that there should be an automatic right for chairmen of the service select committees who do not sit on PFSC to attend its meetings and speak when the select committee work programme or annual report are considered. In addition, it is proposed that there are regular informal liaison meetings between select committee chairmen and vice-chairmen to provide oversight of the scrutiny function.
- 21** This complements the new Cabinet arrangements whereby select committee chairmen will be able to attend Cabinet meetings to represent the views of their committee on any item relevant to the committee's terms of reference.
- 22** Changes to the Constitution relating to the appointment of select committee chairmen and vice-chairmen and associated changes **are set out in Appendices 3 and 5**. These changes will take effect after the annual meeting in April 2020.
- 23** The Governance Committee has approved measures to improve scrutiny for immediate implementation, to be overseen by the Performance and Finance Select Committee. These include:
- The Centre for Public Scrutiny health-check recommendations and actions identified by the member panel
 - Greater emphasis on business and agenda planning, including strengthening and clarifying the work of business planning groups and pre-agenda meetings and the use of a new guide and checklist for business planning, referred to in **Appendix 3**
 - Having a clear focus for scrutiny in reports, to include key lines of enquiry
 - More effective use of external evidence and witnesses
 - That the principal focus for scrutiny should be the Cabinet Member, to ensure a strategic approach focusing on democratic accountability and to help avoid scrutiny drifting into operational detail.
 - A schedule of skills and development for members of scrutiny committees

Recommended

Cabinet and the executive

- (1) That the proposals for changes to executive arrangements, as set out in Appendix 1, be approved;

Scrutiny

- (2) That Select committees be renamed scrutiny committees;
- (3) That a separate select committee for the Fire & Rescue Service be established with effect from the annual Council meeting in April 2020, to be reviewed in March 2022 and that the terms of reference in Appendix 2 and other constitutional changes set out in Appendix 3 be approved;
- (4) That responsibility for scrutinising the Economy portfolio be transferred from the Environment, Communities and Fire Select Committee to the Performance and Finance Select Committee, as set out in Appendix 3, with immediate effect;

- (5) That the decision to accept or reject call-in requests be transferred to the Monitoring Officer (or Deputy), using the criteria in the Constitution, the Monitoring Officer to report to the relevant select committee on reasons for rejecting/accepting any call-in requests and that the changes to the Constitution set out in Appendix 4 be approved;
- (6) That, with effect from the annual Council meeting in April 2020, appointments of select committee chairmen and vice-chairmen be made by the select committee using a secret ballot at its first meeting after the annual meeting of the Council and that the consequential changes set out in paragraphs 20 and 21 above and in Appendices 3 and 5 be approved; and
- (7) That the Director of Law and Assurance, in consultation with the Chairman, be authorised to make any consequential changes to the Constitution following from the recommendations set out above.

Janet Duncton

Chairman of the Governance Committee

Contact Officer: Tony Kershaw 033 022 22662

Appendices

- Appendix 1: Changes to the executive
- Appendix 2: New Fire & Rescue Service Select Committee
- Appendix 3: Consequential changes in relation to scrutiny (description of select committees, business planning groups and procedures at meetings)
- Appendix 4: Changes to the call-in procedure
- Appendix 5: Changes to appointment of select committee chairmen and vice-chairman and the constitution of the Performance and Finance Select Committee

Background papers

None

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Changes to the executive

Changes Part 3 of the Constitution: Scheme of Delegation – executive

Changes to the scheme of delegation to the Cabinet were approved by Council in October. Cabinet has scheduled monthly meetings for decisions to be taken collectively and in public. These meetings will allow contributions from scrutiny committee chairmen and leaders of opposition groups. The Forward Plan has been revised to show the key decisions allocated for decision by cabinet meeting in public. It is proposed that these provisions be further clarified by including the following text in the Constitution Part 3 appendix 1 (Cabinet Functions)

Cabinet Functions

To replace paragraph 4 with:

4. The Cabinet collectively will decide policy framework matters for recommendation to Council and those matters as shown in the Forward Plan of key decisions by the Cabinet. There is a presumption that a decision will be scheduled for collective decision unless allocated to an individual cabinet member. The Leader, in consultation with the **Cabinet**, shall identify those decisions which are to be taken by an individual **Cabinet Member**.

Paragraph 5 is retained.

Meetings of Cabinet

6. The Cabinet will meet in public on dates and times published in advance. A schedule of monthly meetings of Cabinet will be issued showing the proposals in the Forward Plan of key decisions which are to be considered at each meeting. Meetings may be cancelled for lack of business or for some other substantial reason.
7. The published schedule shall be updated from time to time to include on the planned agenda any aspect of the executive functions of the Cabinet which are to be considered, including those matters of collective responsibility described in Appendix 2 [of Part 3 of the Constitution].
8. The Cabinet Member holding the relevant portfolio shall introduce any item for consideration or decision by the Cabinet.
9. The chairman of each Select Committee shall be invited to attend any meeting of the Cabinet and shall have a right to speak for up to five minutes to convey or represent the views of that committee on any agenda item relevant to the terms of reference of the committee.
10. The leaders of each of the large and medium minority groups of the Council shall be invited to attend any meeting of the Cabinet and may speak for up to five minutes on any item on the agenda.
11. In accordance with the provisions of Standing Order 3.20, other members may make a request to the Leader to attend and speak.

12. At the conclusion of representations and comments from cabinet and all other members the Cabinet Member will sum up the position and the Cabinet will take a decision on the proposal or otherwise resolve the agenda item.

Changes to Part 4, Section 1 - Standing orders

(changes shown in bold, italic text, deletions struck through)

Attendance

- 3.20 A member of the County Council may request the Chairman of a committee ~~other than the Cabinet~~ to allow him or her to attend a particular meeting in order that he or she may:

- (a) take part in the discussion of an item relating to his or her division; or
- (b) take part in the discussion of an item where the member's attendance is desirable in the interests of the County Council.

With the exception of the Cabinet, in the event of the Chairman of the Committee not agreeing that the member can attend the member should be given the right of appeal to the Chairman of the Council.

- 3.21 A Cabinet Member may request the Chairman of a select committee to allow him or her to attend a particular meeting in order that he or she may take part in the discussion of a particular item relating to his or her portfolio.

- 3.22 A member of the County Council may:

- (a) attend meetings of the Cabinet but not to speak (***except in accordance with Standing Order 3.20***) or to vote;
- (b) attend and speak but not vote at adjoining County Local Committee meetings where matters affecting their division are being discussed;

and this shall be an "approved duty" for the payment of travelling allowance (as set out in the Member Allowance Scheme, Part 6).

New Fire & Rescue Service Select Committee

Addition to Part 3 – Responsibility for Functions

Appendix 8E

Fire & Rescue Service Select Committee

Constitution

7 members of the County Council. Quorum is three.

Terms of Reference

1. To consider policies and the effectiveness of their delivery for the County Council's responsibilities as Fire and Rescue Authority for the County.
2. To plan and carry out its business in the context of the Council's ambitions and objectives associated with needs and aspirations of the community in relation to fire and rescue functions and associated responsibilities.
3. To undertake the scrutiny of the performance of the Council's fire and rescue services against the outcomes objectives and measures set by the Council.
4. To consider developing policies, proposals or decisions of the Executive in relation to fire and rescue responsibilities.
5. To review proposed decisions of the Executive including key decisions under delegated powers made by officers on behalf of the Executive (call-in).
6. To consider matters referred to the Committee by the Executive.
7. To consider a programme of work which the Committee believes is in the interests of the County Council, and to recommend it to the Performance and Finance Select Committee for approval by the County Council.
8. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) and to consider a request for a review of the County Council's response to a petition in accordance with the Scheme.
9. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
10. To encourage members individually or in a group to lead on specific topics within the Committee's remit, as agreed by the Committee.

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Consequential changes in relation to scrutiny

(changes shown in bold, italic text, deletions struck through)

Extract from Part 3, Scheme of Delegation

Appendix 8

Select Committees

There is a Performance and Finance Select Committee (Appendix 8A), a Health and Adult Social Care Select Committee (Appendix 8B), a Children and Young People's Services Select Committee (Appendix 8C), ~~and an Environment~~ **and Communities and Fire Select Committee (Appendix 8D) and a Fire and Rescue Service Select Committee (Appendix 8E)**. Their constitutions and terms of reference are set out in the Appendices. Each committee shall undertake the functions set out below in respect of those items relevant to the Select Committee's specific service area.

Each Select Committee shall have no more than 12 County Council members with the exception of the Performance and Finance Select Committee which will have 15 members (~~inclusive of the three other Select Committee chairmen~~). The members of each Select Committee shall be appointed, having taken into account the following guiding principles:

- That the member has an interest in the business of the Committee.
- That the member is able to devote the time needed to undertake the work of the Committee.
- ~~That the member is not also a member of another select committee.~~
- That the member remains free to serve on scrutiny or executive task and finish Groups.
- ~~Three of the members of the Performance and Finance Select Committee shall be the three members who are at any time the chairmen of the other three Select Committees.~~

A list of Select Committees is below, including areas of responsibility:

Select Committee	Area of Responsibility
Performance and Finance	Strategic overview of scrutiny process; Leader's portfolio; general strategy issues; Partnership Working; County Local Committees; IT and Customer & Community Access; Finance; Property; Procurement; Human Resources Strategy; Performance Management; Equality and Diversity; Law and Governance; Communications; Media & Marketing; Europe liaison, Economic Strategy .
Health and Adult Social Care	Adults' Social Care Services; Adults' Safeguarding; Coroner and Mortuaries; Dementia Services; Health and Health Partnerships; Public Health;

	Review and scrutiny of the planning, provision and operation of health services in West Sussex (The health functions of the Health and Adult Social Care Select Committee arise under Part I of the Health and Social Care Act 2001.)
Children and Young People's Services	Social Services relating to children and young people; Education; Educational Attainment and Skills; Adult Skills and Learning; Youth Services; Youth Justice
Environment and Communities and Fire	Economic Strategy ; Environment; Coast and Countryside Matters (including the South Downs National Park); Rights of Way; Transport Planning and Policy; Highway Infrastructure; Aviation; Public Transport Liaison; Land-use Planning; Minerals and Waste; Fracking; Waste Minimisation; Fire and Rescue Service ; Community Safety; Trading Standards; Gypsies and Travellers; Emergency Planning ; Police Liaison; Registration Services; Arts & Heritage Liaison; Libraries and Archives; Crime and Disorder; Domestic Violence; Drug and Alcohol Action
Fire & Rescue Service Select Committee	Fire & Rescue Service and Emergency Planning

Business Planning Groups

Each Select Committee shall have a Business Planning Group comprising the Chairman and Vice-Chairman of that Committee and three other members. Two of the five members shall be minority group members. The Chairman of the Select Committee shall be the chairman of the Business Planning Group and the Vice-Chairman of the Select Committee shall be the vice-chairman of the Group.

The Business Planning Group shall oversee the planning of the Committee's business and may identify issues of common interest to other Select Committees. It may do this by acting jointly with the Business Planning Group of another Select Committee. ***In doing this, the Business Planning Group will use the 'Scrutiny Business Planning Guide and Checklist' [link].***

The Business Planning Group(s) shall discuss with the relevant Cabinet Member(s) the need for any referral by the Cabinet Member to the Committee for the undertaking of work relating to the planning of services or their commissioning. In such circumstances, the Business Planning Group shall decide its terms of reference in discussion with the Cabinet Member(s).

The Business Planning Group shall have responsibility for deciding whether an area of work is considered by a Task and Finish Group. The Business Planning Group is

responsible for deciding to establish a Task and Finish Group and for defining its outline terms of reference.

Changes to Part 4, Section 1 - Standing Orders

Procedures at Select Committee Meetings - General

- 8.17 Select Committees shall operate having regard to Section 3, Decision-making and Committees General, including the rules of debate when formal decisions are to be taken but chairmen of select committees shall have regard to the need to conduct meetings in a flexible manner, with the aim of improving decision-making, and to the provisions of the protocol on questioning officers. The principle is that a person undertaking scrutiny of an issue should not also be closely involved in the decision itself.
- 8.18 ***Short, informal, private pre-meetings of members of select committees can be used to ensure the best use of time by the Committee and to agree the aims of the Committee for each item*** ~~may take place, particularly to prepare for the questioning of witnesses (internal or external) in relation to high profile scrutiny investigations including call ins or in relation to work planning for the budget.~~
- 8.21 Chairmen of the four service select committees who are not already members of the Committee may attend and speak at meetings of the Performance and Finance Select Committee when the scrutiny work programme and annual report are considered.**

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Changes to the call-in procedure

Extract from Part 4, Section 1 - Standing Orders

(changes shown in bold, italic text, deletions struck through)

Call-in Protocol

- 8.26 The call-in mechanism is an important part of a short decision-making process and the role of select committees in calling-in a proposal before it is finalised is to test the merits of the proposal, consider the process by which the proposal has been formulated and to make recommendations to the Cabinet Member. Select committees may call-in any proposal by the Cabinet or a cabinet member, an executive decision by a county local committee (CLC) or a key decision proposed by an officer. The only exception is any decision taken under the urgent action procedure.
- 8.27 Once a proposed decision is published in the Executive Decision Database (EDD), members are encouraged to read the reports and the relevant background papers if considering making a call-in request.
- 8.28 A member wishing to request the call-in of a proposed decision must notify the statutory Scrutiny Officer by, at the latest, 5 p.m. on the seventh working day (fifth day for CLC decisions) after the proposal is published via the EDD. The request must be supported by four (including the requester) members of the County Council. The request should be in writing (which includes e-mail), should contain the reason for the request and the outcome being sought. The decision whether to call-in a proposed decision will be taken by **the Monitoring Officer or Deputy Monitoring Officer** ~~the members of the relevant Select Committee's Business Planning Group (BPG).~~
- 8.29 If a call-in request is received, the call-in period will end at 5 p.m. on the eighth working day (sixth working day for a CLC decision) after the publication of the proposal in the EDD (subject to, for example, bank holidays). If a call-in request is not accepted by the BPG the proposal will take effect at the end of the call-in period i.e. on the ninth working day after publication (seventh for CLC decisions).
- 8.30 If a call-in request is not received, the proposal will take effect on the eighth working day after publication (sixth for CLC decisions), as the call-in deadline was 5 p.m. on the seventh working day (fifth working day for CLCs).
- 8.31 A call-in request will be determined by the ~~appropriate Select Committee's BPG, which will have regard to the advice of the~~ Monitoring Officer, **or in their absence, the Deputy Monitoring Officer**. ~~BPG members who are signatories to the call-in request may not also be party to the BPG's consideration of that request.~~ The key factors in determining whether to accept a call-in request are whether:
- (a) The item has already been considered by the relevant Select Committee;
 - (b) Significant new information has become available since previous Select Committee consideration;

- (c) It is a decision that the Committee can or would expect to preview;
- (d) A delay in making the decision would be likely to significantly damage the interests of the County Council.

8.32 ~~The decision of the BPG may be by majority if a unanimous view cannot be reached. Where there is no majority view the Select Committee Chairman's view will prevail.~~

8.32 If a call-in request is received, the **Monitoring Officer or Deputy Monitoring Officer** Chairman of the BPG must notify the statutory Scrutiny Officer in writing (which includes e-mail) by no later than 5 p.m. on the eighth working day (sixth day for CLC decisions) after the publication of the proposal via the EDD, of the intention to call-in the proposal and of any requirement for Cabinet Member, CLC Chairman and/or officer attendance. If a decision is taken not to call-in the item, then the **Monitoring Officer or Deputy Monitoring Officer** will confirm this in writing to the statutory Scrutiny Officer and the call-in requester by the deadlines set out above explaining the reasons for the rejection, which will also be published on the next set of Committee papers. See paragraph 5.11 for when decisions will take effect following a call-in.

8.33 *The Monitoring Officer's decision and the reasons for it will be included in the next Select Committee agenda.*

Changes to the appointment of Select Committee Chairmen and Vice-Chairmen and the constitution of the Performance and Finance Select Committee

(changes shown in bold, italic text, deletions struck through)

Extract from Part 3, Scheme of Delegation

Appendix 8A

Performance and Finance Select Committee

Constitution

15 members of the County Council including the chairmen of the other select committees. Quorum is four.

Extract from Part 4 Section 1, Standing Orders

- 2.12 The chairmen, vice-chairmen and members of ***non-executive*** committees shall be appointed each year at the annual meeting of the County Council. The County Council may at any meeting fill a vacancy in the office of chairman or vice-chairman of any ***non-executive*** committee.
- ~~2.13 Appointments by the County Council shall include the appointment ex officio of:~~
- ~~(c) the chairmen of the three service select committees as members of the Performance and Finance Select Committee;~~
- 2.13 Members of the Cabinet may not be members of a select committee nor County Council appointed members of the West Sussex Joint Scrutiny Steering Group. An adviser or senior adviser to a cabinet member may not be a member of the Select Committee that deals with his or her Cabinet Member's portfolio.
- 2.14 *The chairmen and vice-chairmen of each select committee shall be appointed each year at the annual meeting of the committee. The committee may at any meeting fill a vacancy in the office of chairman or vice-chairman.***
- 2.15 *The Chairman and vice-chairman of each select committee shall be appointed following a secret ballot held at the start of the annual meeting.***
- 2.16 The chairmen and where appropriate vice-chairmen of county local committees shall be appointed each year at the annual meeting of the committee. ***The committee may at any meeting fill a vacancy in the office of chairman or vice-chairman.***
- 2.17 Chairmen of county local committees shall be appointed following a ballot of members of the Committee prior to the annual meeting. Where voting is tied the Leader will decide the outcome.

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Review of County Local Committees

Background and context

- 1 Following a review of County Local Committees (CLCs) in Mid Sussex last year it was agreed that there should be a full review of all CLCs to consider the impact of changes to CLCs introduced in May 2017 and different options for all CLCs across the county. The Governance Committee has considered and endorsed the findings of the Working Group set up to undertake that review, as set out below.

Findings

- 2 The Working Group concluded that CLCs are fit for purpose and should remain in their current format. CLCs provide a line of communication and an open forum where the public can hold local councillors to account. It is also important for some decisions to be taken at the local level. Feedback from the consultation by the Working Group supported a continuation of the current arrangements. The Working Group could not support any changes that would lead to increased costs.
- 3 Consideration was given to the potential to make savings through removing CLCs altogether, reducing their number or by replacing them with an informal community forum. Members concluded that they play a valuable role and that it is important for the County Council to have a local presence and a mechanism for engagement in the community. The allocation of grant funding through the Community Initiative Fund (CIF) is seen as particularly important in helping to support local action to address the Council's priorities.
- 4 It is important to consider ways of increasing public interest in, and attendance at, CLC meetings. Public engagement typically arises from issues relating to infrastructure or one-off topics of local concern and there is little public interest in the nomination of school governors. As there is no statutory requirement for the nomination of school governors to be approved by members, it is proposed that the delegation for this be moved from CLCs to the Director for Education and Skills, in liaison with the local member.
- 5 The current configuration of CLCs should be retained, with eleven CLCs covering the same geographical areas as at present. The Working Group recognised that that changes introduced in May 2017, with a reduction in the number of CLCs from 14 to 11 had a negative impact, particularly in Mid Sussex and Arun. However, a return to previous arrangements is not supported, given the cost implications. A reduction in the number of CLCs was also not supported, as this would not reflect communities and would discourage attendance and engagement. The Working Group noted that the arrangements in Arun may need further review jointly with Arun District Council to identify any specific areas for improvement.
- 6 As the Working Group recommends no change to the areas covered by CLCs, this means that two Council divisions will continue to be split between two CLCs. These are Bourne (split between North and South Chichester CLCs) and Lindfield and High Weald (split between North Mid Sussex and Central and South Mid Sussex CLCs). The Working Group concluded that the current arrangements provide the best fit with the interests of local communities and parishes.
- 7 There should not be a 'one-size-fits-all' approach to CLCs and they should be able to take a flexible approach to best reflect their communities' interests. However, it

is important to explore how CLCs can develop and improve. The Committee supported the Working Group's conclusion that different ways of working should be encouraged, to include

- holding more themed meetings on topics of local interest, alongside the proposed annual Highways meeting.
- Agendas should be dynamic and influenced by issues of local concern raised by residents and parish/town councils and community groups.
- Engagement with the public through 'Talk with Us' sessions should take priority and be given as long as possible on the agenda.
- Best practice should be shared, particularly in how best to encourage public involvement. Best practice guidelines and suggestions for different ways of working should be developed as a checklist or toolkit for members' use.
- Area profiling data should be made available to CLCs to help members identify local priorities and to inform the allocation of CIF.
- Pre-events are considered a useful way of highlighting key Council services or significant issues of public interest.

- 8** All members should be involved in reviewing CLC activity and planning for the year ahead. It is therefore recommended that CLC Chairmen's meetings should become an annual event to which all members are invited.

Conclusions

- 9** The only recommendation requiring County Council approval is the change in delegation for the nomination of school governors. Other recommended areas for improvement or action will be for immediate implementation.

Recommended

That the Cabinet Member for Education and Skills be asked to delegate the approval of nominations of school governors to the Director for Education and Skills, in liaison with the relevant local member, with the subsequent deletion of Section 1D of the County Local Committee terms of reference, removing nominations and appointments to school and academy governing bodies.

Janet Duncton

Chairman of the Governance Committee

Contact Officer: Helen Kenny, 033 022 22532

Background papers

None

Governance Committee: Corporate Parenting Panel Terms of Reference and Pension Advisory Board – Chairman Appointment Process

Corporate Parenting Panel Terms of Reference

Background and context

- 1** The County Council has a Corporate Parenting Panel (CPP) that meets four times per year, consisting of six members and representatives of organisations who work with children in care. It meets regularly with the Children in Care Council and care leavers in order to ensure their views are represented, but there is no formal role for young people, families and carers in the process.

Proposal

- 2** The Governance Committee has considered a number of recommended changes to the terms of reference of the CPP, as summarised below and **set out in Appendix 1**. The aim of the changes is to deliver a more outcomes- and outward-focused Panel, and to ensure the voice of the child is central to its work.
 - (a) Chairmanship:** It is recommended that the Chairman of the CPP should be the Cabinet Member for Children and Young People. This will ensure a closer connection with the responsibilities of the lead member.
 - (b) Membership:** It is recommended that the elected membership be increased to seven to extend capacity and reach.
 - (c) Areas of Responsibility:** A simpler list of responsibilities has been added to help ensure a focused work programme.
 - (d) Sub-Groups:** a mechanism to establish sub-groups, led by the service, is suggested to better deliver the range of work of the Panel.
- 3** The Governance Committee has agreed that the revised terms of reference will be reviewed in six months, when further changes may be proposed following engagement with the Children in Care Council.

Recommended

- (1)** That the revised terms of reference and constitution of the Corporate Parenting Panel, as set out at Appendix 1, be approved; and

Pension Advisory Board – Chairman Appointment Process

Background and context

- 4** As a result of the Public Services Pensions Act 2013 the County Council established a Pension Advisory Board, effective from 1 April 2015. The Board has a broad oversight role over the local Pension Scheme and assists the Scheme Manager in compliance with regulations and best practice.
- 5** The Board comprises three member representatives, three employer representatives and an Independent Chairman.

- 6 The initial appointment of the Independent Chairman followed advertisement and shortlisting by officers and an interview by a panel of three members from this Committee. The current appointment expires in March 2020.

Members of the Pension Advisory Board

- 7 The terms of reference for the Pension Advisory Board refer to members of the Board other than the Chairman being appointed:
- by the Chairman with advice from the Director of Finance and Support Services and the Director of Law and Assurance;
 - following an invitation which maximises the opportunity for all scheme members and employers to participate; and
 - following approval of candidates being through an open and transparent process.
- 8 The terms also make provision of an extension of the term of office for the employer and member representative (initial term of four years extended up to a maximum of three terms) following reselection.
- 9 It is proposed that that reselection of the employer and member representative is clarified to be either via an invitation or at the discretion of the Chairman, with advice from the Director of Finance and Support Services and the Director of Law and Assurance. It is further proposed that the appointment of members is phased to ensure continuity of experience on the Board.

Independent Chairman of the Pension Advisory Board

- 10 The terms of reference for the Pension Advisory Board refer to the appointment of the Chairman, as reproduced below:

'Chairman

The Chairman will be the independent member appointed for an initial term of 2 years by the Governance Committee, from a short list of nominees drawn up by the Director of Finance and Support Services and the Director of Law and Assurance. A job description approved by the Committee will be used to identify the candidate best suited to the role. The independent Chairman cannot vote, in accordance with the regulations.'

- 11 There is no provision relating to further terms of appointment for the Independent Chairman. It is proposed that this is regularised to reflect the established nature of the Board and in line with other boards such as the Independent Remuneration Panel by the addition of the following to the terms of reference of the Board:
- the term of office for the Independent Chairman is for four years;
 - subject to agreement of the Governance Committee, on advice from the Director of Finance and Support Services and the Director of Law and Assurance, the Independent Chairman will be able to serve a maximum of two consecutive terms before the opportunity is re-advertised.
 - future appointments will be by a panel of three members from the Governance Committee, supported by appropriate technical advice, and shall be made from a short list of nominees drawn up by the Director of Finance and Support Services and the Director of Law and Assurance following suitable

advertisement of the opportunity. The incumbent Chairman would be eligible for consideration for the post.

- amendments to the Independent Chairman's job description will be approved by the Governance Committee.
- the appointment of the Independent Chairman is phased with other members of the Board to ensure continuity of experience on the Board.

12 There is a job description for the Chairman's post. It is remunerated and expenses are paid in line with arrangements approved by the Committee in 2014. It is not proposed that these terms of appointment be changed.

13 The changes to the constitution of the Board **are set out at Appendix 2.**

Recommended

- (2) That the changes set out in paragraphs 9 and 11 above and the constitutional changes set out at Appendix 2 be approved.

Janet Duncton

Chairman of Governance Committee

Contact Officers: Rachel Allen, 033 022 28966
Vickie Hampshire, 033 022 23386

Background papers

None

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Corporate Parenting Panel – Terms of Reference

Position statement

Any child in the care of the County Council is the legal responsibility of the whole Council. Members and staff are Corporate Parents. We must ensure that the voice and experience of the child are paramount, that every child's experience is good and that their health and education needs are met, giving them the same life chances as any other child. The Panel works to the principles set out below.

Constitution

A multi-agency advisory panel to the Council with seven members of the County Council appointed from those best qualified to serve but including the Cabinet Member for Children and Young People, at least one minority group member and one from either the foster or adoption panels. At least two County Council members of the Panel will also be members of the Children and Young People's Services Select Committee.

Representatives of service partners in West Sussex including the designated nurse (NHS), a representative of Independent Reviewing Officers, a foster carer, chairman or vice-chairman of the West Sussex Foster Carer Association, a member of the Children in Care Council and a care leaver. The quorum is three.

The Chairman of the Panel is the Cabinet Member for Children and Young People, the Vice-Chairman to be appointed by the Leader. The Panel can decide to invite representatives from across the Council and partner agencies as required depending upon the business of the Panel.

Meetings will be held in private. Reports and minutes for the Panel will be reported in a confidential manner so as not to identify individuals. A summary of the work of the Panel will be made available to all members and any other person with an interest in the Panel's business.

Purpose

1. To ensure the County Council acts as a good corporate parent towards children, young people and care leavers and fulfils its duties in partnership with other statutory agencies in accordance with the principles.
2. To make sure the voice of the child influences policy and that young people are engaged with in all work to develop and improve services.
3. To be proactive in securing better outcomes for looked after children through challenge and engagement with officers, partners and members.

Responsibilities of the Corporate Parenting Panel

1. To examine how the Council and its partners can improve the life chances of all children/young people in care and care leavers.
2. To maintain an overview of developments, policies, strategies and plans across the Council and to ensure that the needs of children looked after and care leavers are considered in all areas of the Council's business.

3. To provide scrutiny and challenge to the performance of Children's Services and relevant partner agencies relating to children in care and care leavers.
4. To ensure there is effective partnership working between directorates and with partner agencies, holding services to account where required.
5. To consider the outcomes of regulatory visits and inspection reports on provision for children and young people in care.
6. To receive reports from the Fostering and Adoption services, the Independent Reviewing Service, the Virtual School and others as identified to consider and propose actions
7. To acknowledge and celebrate the achievements of children and young people in care and their carers and to attend celebration events as organised.
8. To ensure that the views of foster carers, adopters and birth parents are gathered and used to develop and improve service delivery,
9. To prepare and monitor a Corporate Parenting Panel Action Plan setting out priorities, targets and monitoring systems, and to approve an annual Corporate Parenting Panel report to the County Council to be sent also to the Local Safeguarding Children Partnership and to report further to the County Council as the Panel decides.
10. To support the promotion of Children's Services initiatives, including the recruitment of adopters and foster carers and supported lodgings carers.
11. To maintain an oversight of complaints received by or on behalf of children and young people in care and care leavers, ensuring that complaints are properly addressed and lessons learned.

Sub-Groups

12. The Corporate Parenting Board will establish, as required, sub-groups, to carry out work on specific areas in relation to outcomes for looked after children including participation; education; transitions; housing, employment and training; health and well-being and performance.
13. Sub-groups may be chaired by an officer from the Council or partner agency as agreed by the Panel. The remit and reporting timescale for each sub-group will be decided by the Panel.

Children and Young People's Services Select Committee

The Panel will liaise with the Children and Young People's Services Select Committee to seek to avoid duplication of work. Members of the Panel who are also on the Select Committee will be responsible for sharing knowledge and issues of concern so that the Committee and the Panel can each fulfil their roles in the knowledge of the work undertaken by the other body.

Corporate Parenting Principles

A strong corporate parenting ethos means that the care system is not just about keeping children safe, but about promoting recovery, resilience and wellbeing. The Children and Social Work Act 2017 introduced corporate parenting principles to which councils must have regard when they exercise a function for children looked after or care leavers so as to facilitate secure, nurturing, and positive experiences for children and enable positive outcomes for them. The experiences of children looked after and whether they feel cared for and listened to will be a measure of how successfully we embed the principles.

The principles

- To act in the best interests, and promote the physical and mental health and wellbeing, of those children and young people;
- To encourage those children and young people to express their views, wishes and feelings;
- To take into account the views, wishes and feelings of those children and young people;
- To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
- To promote high aspirations, and seek to secure the best outcomes, for those children and young people;
- For those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- To prepare those children and young people for adulthood and independent living.

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Pension Advisory Board Terms of Reference

Extract from Part 3 – Responsibility for Functions

Appendix 19, Pension Advisory Board

Term of Office

13. The term of office for employer and scheme member representatives is four years **and will be on a phased basis**. This can be extended following reselection up to a maximum of three terms. **Reselection will be at the invitation or discretion of the Chairman, with advice from the Director of Finance and Support Services and the Director of Law and Assurance.**

Chairman

22. The Chairman will be the independent member appointed for an initial term of two years by the Governance Committee, from a short list of nominees drawn up by the Director of Finance and Support Services and the Director of Law and Assurance. A job description approved by the Committee will be used to identify the candidate best suited to the role. The independent Chairman cannot vote, in accordance with the regulations. **The following provisions will apply:**
- **the term of office for the Independent Chairman is for four years;**
 - **subject to agreement of the Governance Committee, on advice from the Director of Finance and Support Services and the Director of Law and Assurance, the Independent Chairman will be able to serve a maximum of two consecutive terms before the opportunity is re-advertised.**
 - **future appointments will be by a panel of three members from the Governance Committee, supported by appropriate technical advice, and shall be made from a short list of nominees drawn up by the Director of Finance and Support Services and the Director of Law and Assurance following suitable advertisement of the opportunity. The incumbent Chairman would be eligible for consideration for the post.**
 - **amendments to the Independent Chairman's job description will be approved by the Governance Committee.**
 - **the appointment of the Independent Chairman is phased with other members of the Board to ensure continuity of experience on the Board.**

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

- 1** The Chairman of the County Council referred a notice of motion on the prospective sale of County Council-owned land at Withy Patch, submitted to the County Council on 19 July 2019, to the Cabinet Members for Finance and for Fire & Rescue and Communities, for consideration.
- 2** The motion called on the Cabinet Member for Finance 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'.
- 3** The motion also called on the Cabinet Member for Fire & Rescue and 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'.
- 4** Mr Hunt and Mrs Russell (the then Cabinet Member for Fire & Rescue and Communities) met Mr Jones on 4 October 2019 to discuss the motion. At that meeting Mr Hunt explained that negotiations were currently ongoing and no further information was available. Mr Jones agreed to defer the meeting to a later date.
- 5** Mr Hunt and Mr Crow (the current Cabinet Member for Fire & Rescue and Communities) met Mr Jones on 21 November 2019. At that meeting Mr Hunt explained that unfortunately negotiations had still not concluded, were confidential and no further information could be made available at this stage.
- 6** The meeting discussed various outcomes that could arise depending on the outcome of negotiations. While Mr Hunt and Mr Crow noted Mr Jones' concerns Mr Hunt cautioned that nothing could be formally determined until the way forward was established. Mr Crow explained that once negotiations were concluded, should that affect the residents of the Withy Patch, the usual consultation process would be undertaken.
- 7** It was noted that:
 - (a) In respect of the call on the Cabinet Member for Finance: no answer could be given at this point as the development at Monk's Farm was still the subject of negotiations between the parties involved; and
 - (b) In respect of the call on the Cabinet Member for Fire & Rescue and Communities: once negotiations were concluded, should that affect the residents of the Withy Patch, the usual consultation process would be undertaken.
- 8** The Cabinet Members are unable to support the motion and propose to recommend at the County Council meeting on 17 December 2019 that members do not support the motion. The Cabinet Members' decision on this matter was published via the Executive Decision Database 4 December 2019.

Jeremy Hunt

Cabinet Member for Finance

Duncan Crow

Cabinet Member for Fire & Rescue and Communities

Contact Officer: Suzannah Hill, 033 022 22551

Background papers

None

Motion on Highways Maintenance

- 1** The Chairman of the County Council referred the notice of motion on Highways Maintenance submitted to the County Council on 18 October 2019, to the Cabinet Member for Highways and Infrastructure, for consideration.
- 2** The motion called on the Cabinet Member to reverse the cut to the highways maintenance budget, 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.
- 3** The Cabinet Member notes the highways maintenance briefing note circulated with the 18 October 2019 County Council agenda.
- 4** The Cabinet Member met Mr Michael Jones on 19 November 2019 to discuss the motion with the Director for Highways, Transport and Planning and the Head of Local Highway Operations in attendance.
- 5** Mr Jones' restated his disagreement with the decision to reduce service levels for highways maintenance across the county as set out in the Cabinet Member decision in July 2019.
- 6** The Cabinet Member explained that a risk-based approach had been taken to the actions endorsed by the decision and that these were in line with actions taken by other local authorities country-wide. The Director of Highways, Transport and Planning confirmed that the actions adhered to the UK Roads Liaison Group's National Code of Practice set out in its document 'Well-managed Highway Infrastructure'.
- 7** Mr Jones noted that the service had overspent in this area over the past two years and had had to revise service levels in the light of reducing budgets. The Director of Highways, Transport and Planning confirmed that the budget shortfall was circa £1m. He further explained that that contracts for service provision would shortly be agreed with contractors with discussions on the details of service provision following in mid-December/January. The Cabinet Member confirmed that a clearer overview of service levels could be given to Mr Jones at that time.
- 8** Mr Jones questioned what work was being done in liaison with partner councils to pick up on additional maintenance. The Director of Highways, Transport and Planning explained that despite liaison work by the County Council's Communities Team there had been limited take-up across the county.
- 9** Mr Jones raised concern on bus service requirements for gritted roads. The Head of Local Highway Operations explained that a routine engagement meeting was to be held with bus companies in early December and that no concerns had been raised by the bus companies at this point.
- 10** Mr Jones questioned the impact of the decision on the visitor economy. It was explained that this was hard to quantify and that the priority for the service was to maintain a safe highway network.

- 11** In relation to safety, Mr Jones asked what provision was in place to ensure good line of sight for drivers across verges and safety for pedestrians travelling along the highway. The Head of Local Highway Operations explained that there was the ability to vary schedules to increase attention to verge maintenance where required.
- 12** Mr Jones questioned the opportunity to use the County Council's reserves to fund a reverse in the budget cut. The Cabinet Member explained that this was possible in theory but could only be done once and would not support the revenue requirement of an on-going service. He assured Mr Jones that once all tenders were in and discussions on service levels were complete he would provide the best service possible within the budget available.
- 13** Mr Jones requested information on the numbers of vehicle damage claims made to the County Council and numbers receiving compensation. The Head of Local Highway Operations undertook to send Mr Jones the link to the information on the County Council's website.
- 14** Mr Jones explained that he remained dissatisfied with the decision to reduce the budget for highways maintenance and confirmed he still wished his motion to be debated at the Council meeting on 17 December 2019.
- 15** Subsequent to the meeting with Mr Jones, at Cabinet on 3 December 2019, the Cabinet Member confirmed that pre-emptive county-wide weed spraying will be undertaken in 2020. The cost will be contained within the overall highways budget.
- 16** The Cabinet Member is unable to support the motion, so will recommend that members do not support it at the County Council meeting on 17 December 2019. The Cabinet Member's decision on this matter was published via the Executive Decision Database 4 December 2019.

Roger Elkins

Cabinet Member for Highways and Infrastructure

Contact Officer: Judith Shore, 033 022 26052

Background papers

None

Motion on Hate Crime

- 1 The Chairman of the County Council referred the notice of motion on Hate Crime submitted to the County Council on 18 October 2019 to the Cabinet Member for Fire & Rescue and Communities, for consideration.
- 2 The Cabinet Member held a meeting with Mr Oxlade on 4 December 2019 to discuss the motion. In discussing the motion, the Cabinet Member responded to each point raised in the motion as follows:
 - (1) As things currently stand there is provision within the Community Safety & Wellbeing service budget to maintain the Hate Incident Support Service for 2020/21. I am keen that this funding continues. Having said that it is recognised that there are significant financial pressures facing the Council. At present investment is being maintained for Children and Young People and the Fire & Rescue Service and so the corporate requirement for further savings are being apportioned across the remaining services which includes Communities.
 - (2) I would be delighted to take advantage of any offers for wide reaching promotion and will explore with Commercial Business & Marketing colleagues to establish if there might be a 'free' opportunity for using County Council-owned assets. I understand that the Council has funded bus shelters and public transport adverts in years gone by but these are now cost prohibitive and a correlation between investment and increase in service take up was not achieved. It is recognised that it is essential to find innovative and creative ways to keep re-energising the communication messages so that the agenda and indeed the Hate Incident Support Service offer is at the forefront. With that intent we now have a [Hate Crime Awareness - West Sussex County Council](#) campaign page and have this month launched a new Facebook site: [West Sussex Community Safety - Home](#).

These tools will increase our social media reach and wider engagement. The service would be keen to take up any other offers that members can make to support or access promotional opportunities such as radio, local publications or presentations to community groups. The experience shows us that for victims of hate crime, and indeed other forms of abuse, it is essential that individuals are able to seek support when they are ready and so it is essential that we can also promote the key contact details in a very discrete yet accessible manner. The Council is currently exploring the use of QR codes (a machine-readable code that can be scanned by the camera on a smartphone), for example, to allow someone to scan a sticker in public spaces and obtain a direct link to service contact details. A blend of universal promotion and sensitive communications which meet right time and right place are recognised as essential.

The County Council does not fund the Hate Incident Support Service alone but we have no reason at this stage to believe that the Police & Crime Commissioner will alter the level of grant funding contribution received in 2019/20 (currently approximately £35,000).

I would welcome this opportunity to highlight not only the work of the Hate Incident Support Service in supporting individuals across West Sussex but also to explore wider activity which links to this agenda, such as the development of content for the new Safeguarding for Education curriculum and resources available for schools, youth organisations and communities. The service already provides a quarterly update as part of the existing County Council performance pack available via the website ([Open Performance | West Sussex County Council](#)) but would be pleased to complement this with an annual/bi-annual report and if desired exception highlights of emerging trends/issues:

- 3** In light of the information above and whilst the Cabinet Member supports many elements of the motion, he is unable to support its entirety as drafted, so will prepare an amendment in advance of the County Council meeting on 17 December 2019. The Cabinet Member's decision on this matter was published via the Executive Decision Database 4 December 2019.

Duncan Crow

Cabinet Member for Fire & Rescue and Communities

Contact Officer: Erica Keegan, 033 022 26050

Background papers

None

Cabinet Report: Delivering the West Sussex Plan 2017-22

This report sets out the key strategic decisions, policy and programme initiatives, consultations, government announcements and key events within each Cabinet portfolio area to deliver our strategic priorities.



Best Start in Life

Cabinet Member for Children and Young People – Jacquie Russell

- The [report](#) (PDF, 273KB) of the **Ofsted inspection of Orchard House Children’s Home** has been published, judging the provision as ‘Outstanding’. The inspectors found that Orchard House is a highly effective home that consistently exceeds the standard of good and that children’s voices and opinions are valued and promoted. The care offered at Orchard House contributes to significantly improved outcomes and positive experiences for children and young people, who live or access services at the home.
- In recognition of its work developing carer friendly primary school communities the [Young Carers Service](#) has been chosen as a **finalist for the Children and Young People Now Awards**. The awards celebrate excellence, innovation and impact. The Service was nominated following the creation of a learning resource designed to help young schoolchildren and staff better understand the challenges young carers face.

Cabinet Member for Education and Skills – Nigel Jupp

- The County Council has published a new [SEND and Inclusion Strategy 2019-24](#). The strategy, which has been co-produced with key stakeholders including parents, carers and children aims to ensure that young people in West Sussex, irrespective of their learning needs or abilities, can gain the skills and confidence to live well in their communities.



A Prosperous Place

Leader – Paul Marshall

- The Leader, along with the Acting Chief Executive, attended the November [County Councils Networks’ annual conference](#). The conference provided an opportunity to build relationships with colleagues and to explore the key challenges faced by county councils across the country, including the 2020 Spending Review and the challenges in relation to adults’ and children’s social care and place-based growth.

- Following appointment in October, the Leader has been **meeting key partners** including: district and borough council leaders; the Chairman and Chief Executive of the Coast to Capital Local Enterprise Partnership; colleagues from the health sector; the Chairman of the South Downs National Park; and chief executives and leaders from neighbouring authorities. These meetings provide opportunities to discuss mutual challenges and shared priorities and to explore options for future service delivery for residents.
- **Youth Take Over Day** (22 November) gave members of the [West Sussex Youth Cabinet](#) valuable insight and experience of the work of the County Council. In turn the County Council benefits from a fresh perspective on the way the Council works. Members of the Youth Cabinet have joined Cabinet Members for visits to the highways depot at Drayton which included the opportunity to quiz highway staff on the challenges and variety of their roles. Visits have also been made to the County Council's Contact Centre, the Ford Materials Recycling Facility for tours, demonstrations and discussions on the work they do. Young people also joined members for a visit to a Special School.

Cabinet Member for Highways and Infrastructure – Roger Elkins

- The Cabinet Member has approved the County Council's [consultation response](#) for submission to Highways England indicating that the County Council's **preference for the A27 Arundel Bypass scheme** is Option 4/5AV1 (the Magenta option).



A Strong, Safe and Sustainable Place

Cabinet Member for Fire & Rescue and Communities – Duncan Crow

- The Cabinet Member officially opened the [new library at Burgess Hill](#) on 3 December. Residents were welcomed to the new building which, in addition to a public computer area, also has a study space for customers using their own devices, allowing them to make use of free Wi-Fi.
- Gatwick Airport Ltd has pledged its backing for West Sussex Fire & Rescue's award-winning [Safe Drive Stay Alive roadshow](#) by committing £10,000 to the 2020/21 roadshow. The show, which includes first-hand accounts from highway incident victims, their family members and 999 responders, has been delivered to more than 112,000 West Sussex students and young drivers, raising road safety awareness in this key age group.

Cabinet Member for Environment – Deborah Urquhart

- A campaign to show West Sussex residents which **items can and cannot be recycled** at home features a local West Sussex student. The [Mia Recycles campaign](#) comprises a series of short videos which have been viewed nearly 100,000 times to-date. The videos can be watched from the [@WSRecycles Facebook](#), [Twitter](#) and [Instagram](#) accounts.

- The Cabinet Member has attended the first **Gatwick Area Eco Summit** organised by the [E.Y.E. Project](#). Eco Summits, education-based days for school children, have previously been held in Chichester, Littlehampton and Worthing and Adur and promote to children at a young age, the all-important message of environmental awareness.
- The County Council supported [Localis](#)/the Green Alliance to undertake research into how clean local growth can be supported and how it can relate to local industrial strategies. The resulting 'Clean Local Growth' report was launched at an event held on 23 October and attended by representatives of local and central government, industry and other interested parties. The event was opened by a panel of speakers, which included the Cabinet Member for Environment, and included workshops on climate change, pollution, energy and transport. Information was also shared on engaging and informing local policymakers about policy options that can secure environmental benefits for residents as well as economic benefits for local businesses.



Independence for Later Life

Cabinet Member for Adults and Health – Amanda Jupp

- The County Council has been awarded a [Rough Sleepers Grant](#) of £345,529 from the Department of Health and Social Care following a successful application to Public Health England. The grant will support work to give rough sleepers vital access to health services with the aim of reducing the need for hospital admissions.
- **A Collaborative Working Agreement** has been launched by the West Sussex Health and Wellbeing Board, the West Sussex Safeguarding Children's Partnership, West Sussex Safeguarding Adults' Board and the Safer West Sussex Partnership. The four boards will work cooperatively to safeguard children, young people and adults and improve the health, wellbeing and safety of all residents of West Sussex.
- A County Council Social Worker has been shortlisted for the [Social Worker of the Year Award 2019](#). The Cabinet Member will be attending the award event that shines a light on exceptional social workers who are making a significant difference to the lives of adults in their care. Richard Betts (CEO Local Government) said that, 'All the finalists demonstrate dedication, professionalism and passion – they truly are a credit to the social work profession.'



A Council that works for the Community

Cabinet Member for Economy and Corporate Resources – Bob Lanzer

- Construction of a new, creative digital hub has started in Bognor Regis. '**The Track**', will offer a shared and collaborative employment workspace, events space, meeting rooms and ultra-fast fibre connection for creative and digital businesses in the area. The Track will take about five months to construct and will support the growth of creative and digital businesses.

Cabinet Member for Finance - Jeremy Hunt

- The West Sussex County Council Pension Fund has commenced its triennial valuation which seeks to ensure the **long-term solvency of the Pension Fund** to be able to pay all its members benefits. The Actuary has calculated that the Fund is 112% funded which helps meet the Pension Panel's objective of keeping employer contribution rates stable and minimising the long-term cash contributions which employers need to pay to the Fund.

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Background papers

None