

To all Members of the County Council

A virtual ordinary meeting of the County Council will be held at **10.30 am** on **Friday, 18 September 2020**.

Note: In accordance with regulations in response to the current public health emergency, this meeting will be held virtually with members in remote attendance. Public access is via webcasting.

The meeting will be available to watch live via the Internet at this address:

<http://www.westsussex.public-i.tv/core/portal/home>

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 7 - 28)

The Council is asked to confirm the minutes of the ordinary meeting of the County Council held on 17 July 2020.

4. **Review of Proportionality** (Pages 29 - 30)

Following a recent change to group affiliation, the County Council has a statutory duty 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 the proportionality following the changes.

5. **Appointments** (To Follow)

To consider proposed changes by the Groups to appointments. Proposals will be circulated and changes will take effect from the end of the meeting.

6. **Address by a Cabinet Member** (Pages 31 - 36)

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. A report is also attached. Members may ask questions of the Cabinet Member in accordance with Standing Order 2.33.

7. **Notices of Motion**

(a) **Motion on Support and Recognition for Veterans with Post-Traumatic Stress Disorder** (Pages 37 - 38)

To consider the following motion, submitted by Cllr Edwards, which was referred to the Leader and Cabinet Member for Adults and Health at the meeting of the County Council on 13 December 2019:

'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.'

and the report of the Leader and the Cabinet Member for Adults and Health.

(b) **Motion on Government Planning Consultation**

To consider the following motion, submitted by Cllr Bradbury, notice of which was given on 21 August 2020:

'This Council notes the Government's consultations on changes to the current planning system alongside the consultation on the 'Planning for the Future' White Paper, and welcomes the focus on building on brownfield sites, better energy efficiency standards and the requirement to enhance bio-diversity.

This Council also welcomes simplifying the planning process and the proposal to replace S106 and the Community Infrastructure Levy with a new Infrastructure Levy and to apply it to permitted development. However, it believes that planning should be kept local with public participation at its heart, with sufficient funding for local infrastructure that flows to the infrastructure provider. Therefore, the County Council must have a statutory role in the operation of the new levy and secure an appropriate share of the funds that are raised.

However, the Council calls for an urgent review of the housing allocation algorithm which concentrates housing numbers in the suburbs and rural areas, which already have an infrastructure deficit, and away from towns and cities, which post Covid-19, are crying out for regeneration of town centres and high streets. The Council registers its concern over the impact that this algorithm will have on West Sussex regarding:

- (1) The almost doubling of housing targets will impact the environment, loss of agricultural land, building on flood plains and the county's ability to combat climate change. The county already suffers from a lack of infrastructure such as roads, public transport, rail, and others and has just experienced water shortages in some areas;

- (2) Insufficient account is taken of the areas covered by national parks, AONBs and coastal flood plains, leading to mass development outside of these areas;
- (3) The need in rural areas is for affordable rented housing. The change to affordable housing thresholds would mean that in approximately 70% of small parishes no affordable housing contributions would be required on sites of fewer than 40 to 50 dwellings, this would mean that no affordable housing would be delivered in these communities which will be catastrophic for their sustainability.

Planning is not just about housing and it will be important to understand how the proposed changes to the operation of the planning system impact upon the County Council's statutory minerals, waste and other planning functions.

Council also supports the recommendation in the Glover Review to give AONBs statutory consultee status for planning applications in their area to strengthen their role in the planning system.

This Council therefore calls upon the Cabinet Member for Environment working with the Leader to liaise with the district and borough councils and Members of Parliament in making these points in the response to the consultation.'

(c) **Motion on unaccompanied Child Asylum Seekers**

To consider the following motion, submitted by Cllr Lord, notice of which was given on 1 September 2020:

'During summer 2020, the number of people arriving by boat to seek asylum in the UK has increased with an associated raised media profile for this issue. In August, Kent County Council announced that it is has now reached its capacity to accommodate unaccompanied asylum-seeking children. West Sussex County Council is signed up to the voluntary National Transfer Scheme and has taken six unaccompanied asylum-seeking children from Kent since June.

This Council:

- (a) Recognises the United Kingdom's proud tradition of welcoming people fleeing conflict and persecution;
- (b) Asks the Cabinet Member for Children and Young People to continue to work with other local authorities through the National Transfer Scheme, particularly Kent and Portsmouth, to meet the needs of as many Unaccompanied Asylum-Seeking Children as we are able;

- (c) Acknowledges the role of West Sussex County Council's Children's Services and the foster carers who provide a safe home for our Unaccompanied Asylum-Seeking Children and expresses our gratitude for their ongoing work; and
- (d) Acknowledges that, notwithstanding differing personal views, anyone engaged in discourse on this issue, including elected members, has a responsibility to treat the people involved with dignity, compassion and respect.'

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

(d) Motion on Post-16 Support Services

To consider the following motion, submitted by Cllr M Jones, notice of which was given on 1 September 2020:

'This Council notes that the Covid 19 pandemic has impacted on the education of young people over the age of sixteen in this County over the last six months or so. Those who have recently taken A levels, GCSEs and BTec examinations have had a particularly stressful time due to changes in the way exams were graded which impacted on choices for onward study for some young people. For those who were planning on seeking employment or apprenticeships after completing their education, the situation is even worse due to the current state of the economy.

Now more than ever these students need support to ensure they do not find themselves Not in education, employment or training (NEETs). Moreover, given the likely long term impact of the effects of the pandemic on the economy, it will become even more important than ever for this Council to be able to provide support for future generations of school-leavers.

This Council therefore calls on the Cabinet Member for Education and Skills to reprioritise funding to enable the reversal of the decision taken at full Council in February to reduce the post-16 support service that provides interventions and careers guidance for young people Not in Education, Employment or Training (NEETs) and instead to consider whether current staffing levels are adequate or should in fact be increased.'

8. Allocation of Additional Funding to support response to Covid-19 (Pages 39 - 42)

The Council is asked to approve an addition to the Council's revenue budget of grant funds allocated to the County Council by

the Government to support the work of the Council related to the public health emergency and to note how the allocations have been deployed, in the light of a report by the Director of Finance and Support Services.

9. **Question Time** (Pages 43 - 48)

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 17 July 2020. A supplementary report may be published.

(2 hours is allocated for Question Time)

10. **Governance Committee: Minor changes to the Constitution: Rights of Way Committee, Pension Advisory Board and Pensions Committee** (Pages 49 - 54)

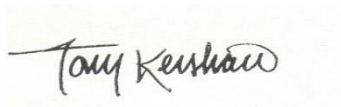
To consider minor changes to the terms of reference of the Rights of Way Committee, the Pension Advisory Board and the Pensions Committee, in the light of a report by the Governance Committee.

11. **Report of Urgent Action: Regulation 19** (Pages 55 - 56)

To note urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

County Council concludes

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



Director of Law and Assurance
9 September 2020

West Sussex County Council – Ordinary Meeting

17 July 2020

At the virtual Ordinary Meeting of the County Council held at 10.00 am on Friday, 17 July 2020, the members present being:

Cllr Duncton (Chairman)

Cllr Patel	Cllr Kitchen
Cllr Acraman	Cllr Lanzer
Cllr Arculus	Clr Lea
Cllr Atkins, RD	Cllr Lord
Cllr Baldwin	Cllr Magill
Cllr Barling	Cllr Markwell
Cllr Barnard	Cllr Marshall
Cllr Barrett-Miles	Cllr McDonald
Cllr Bennett	Cllr Millson
Cllr Boram	Cllr Mitchell
Cllr Bradbury	Cllr Montyn
Cllr Bradford	Cllr O'Kelly
Cllr Bridges	Cllr R Oakley
Cllr Brunsdon	Cllr S Oakley
Cllr Buckland	Cllr Oppler
Cllr Burgess	Cllr Oxlade
Cllr Burrett	Cllr Pendleton
Cllr Catchpole	Cllr Purchase
Cllr Cloake	Cllr Purnell
Cllr Crow	Cllr Quinn
Cllr J Dennis	Cllr Russell
Cllr N Dennis	Cllr Simmons
Cllr Elkins	Cllr Smith
Cllr Fitzjohn	Cllr Smytherman
Cllr Goldsmith	Cllr Sparkes
Cllr Hall	Cllr Sudan
Cllr High	Cllr Turner
Cllr Hillier	Cllr Urquhart
Cllr Hunt	Cllr Waight
Cllr M Jones	Cllr Walsh, KStJ, RD
Cllr A Jupp	Cllr Whittington
Cllr N Jupp	Cllr Wickremaratchi
Cllr Kennard	

1 Public Health Emergency

- 1.1 On behalf of all members, the Chairman thanked residents and staff for their many sacrifices and hard work in limiting the spread of and responding to the challenges caused by the COVID-19 virus in the county.

2 Deaths of former colleagues

- 2.1 The Chairman reported the death of a current member of the Council, Cllr Hilary Flynn, who had represented the Felpham division since 2017.
- 2.2 She also reported the deaths of Dr Howard Bloom, who had represented the Southgate and Crawley Central division from 2009 to 2013, Mrs Bernice Briggs, who had represented the Crawley Number 7 division from 1981 to 1984, Mr Geoff Hart who had represented the East Worthing division from 1993 to 1997, Mr Neil Matthewson, who had represented the Holbrook division from 1993 to 2001 and Mr John Sheridan, who had represented the Pulborough division from 1976 to 1996.
- 2.3 The Chairman also reported the death of Mr John Hooley, DL, former Chief Executive of the County Council, who was Deputy Clerk to the Council from 1967, County Secretary from 1974 and then Chief Executive from 1975 to 1990.
- 2.4 Members held a minute's silence.

3 Equality and diversity

- 3.1 The Chairman referred to recent incidents of racism across the world which had raised again the need for everyone to speak out against all forms of racism. She affirmed the Council's support for the 'Black Lives Matter' campaign.
- 3.2 The Chairman also referred to the 25th anniversary of the Srebrenica genocide and urged all members to continue to promote equality, to challenge hateful behaviour and to welcome diversity in their communities.

4 Apologies for Absence

- 4.1 Apologies were received from Cllr Barton, Cllr Edwards and Cllr A Jones.
- 4.2 Cllr Purchase and Cllr Whittington joined the meeting at 10.58 am and 11.00 am respectively.
- 4.3 Cllr Bridges left the meeting at 12.50 pm, Cllr Brunsdon and Cllr Smith at 1.00 pm, Cllr Oppler at 1.05 pm, Cllr Fitzjohn at 1.12 pm, Cllr Barling at 1.20 pm, Cllr Mitchell at 1.25 pm, Cllr Arculus at 1.28 pm, Cllr Goldsmith at 1.30 pm and Cllr Lea and Cllr Sudan at 1.32 pm.

5 Members' Interests

- 5.1 Members declared interests as set out at Appendix 1.

6 Minutes

- 6.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 14 February 2020 (pages 5 to 36) be approved as a correct record.

7 Appointments

- 7.1 The Council approved appointments as set out below.

Committee	Change
Health and Adult Social Care Scrutiny Committee	Cllr Oxlade in place of Cllr Sudan Cllr Pendleton to fill vacancy

8 COVID-19 Response

- 8.1 The Leader introduced the report on the response to the COVID-19 public health emergency (pages 37 to 66). The Council also had before it answers to written questions submitted in advance by members under Standing Order 11.22 (Appendix 2).
- 8.2 Members asked questions as set out at Appendix 3.

9 West Sussex: Reset and Reboot

- 9.1 The Leader introduced a report on a framework by which to address corporate, service and financial challenges facing the County Council in 2020/21 and beyond, and an approach to settling priorities for the future and how to achieve them (pages 67 to 116). The Council also had before it answers to written questions submitted in advance by members under Standing Order 11.23 (Appendix 4).
- 9.2 An amendment to recommendation (5) was moved by Cllr O'Kelly and seconded by Cllr Walsh.
- '(5) Agree the priority outcomes for discussion over the summer, as the basis of the County Council's business and financial planning, as set out at paragraph 29 **and additionally agree that climate change is an overarching theme;**'
- 9.3 The amendment was carried.
- 9.4 In accordance with Standing Order 11.23, the Leader and Chief Executive answered questions from members during the debate.
- 9.5 Resolved -
- (1) That the proposed approach to creating a Reset Plan, using agreed priority outcomes to drive our activities, deployment of resources, performance management, strengthening of partnerships and communications and lobbying work be approved;

- (2) That the local evidence base (Appendix 1 to the report) and the national and local policy outlook (Appendix 2 to the report) be noted;
- (3) That the summary of performance in 2019/20 (Appendix 3 to the report) be noted;
- (4) That the overview of our financial position and projections (paragraph 17 and Appendix 4 of the report) and identify any additional areas for exploration during the development of plans be noted;
- (5) That the priority outcomes for discussion over the summer, as the basis of the County Council's business and financial planning, as set out at paragraph 29 be agreed and, additionally, that climate change is an overarching theme be agreed;
- (6) That officers work up, in consultation with members, staff, and partners, activity, spending and saving proposals and a revised capital programme;
- (7) That reports on more detailed plans for 2021/22 and beyond be received in the autumn when there is greater certainty about the impact of the COVID-19 pandemic on West Sussex and future resources; and
- (8) That the substantial progress already made to strengthen the governance arrangements and approve the next steps laid out at paragraph 35 to reboot how we work be noted.

10 Address by Cabinet Member for Children and Young People

- 10.1 Members asked questions of the Cabinet Member for Children and Young People on the Children First Improvement Plan and considered a report (pages 117 to 120).

11 Address by the Cabinet Member for Fire & Rescue and Communities

- 11.1 Members asked questions of the Cabinet Member for Fire & Rescue Service and Communities on the Fire & Rescue Service Improvement Plan and considered a report (pages 121 to 126).
- 11.2 In response to a request from Cllr Smytherman for evidence of reciprocal arrangements with neighbouring authorities for responding to incidents to be shared with the Scrutiny Committee, the Cabinet Member said he would seek advice and respond to Cllr Smytherman.
- 11.3 In response to a question from Cllr M Jones the Cabinet Member said he would provide Cllr Jones with statistics about cross-border

calls and look into updating members on the frequency of such occurrences.

12 Performance and Finance Scrutiny Committee: Scrutiny Annual Report 2019/20 and Work Programme 2020/21

12.1 The Council considered the Annual Scrutiny Newsletter 2019/20 which summarises the work of the Scrutiny Committees and reports the performance measures for the end of the year and the Scrutiny Work Programme for 2020/21, in the light of a report by the Performance and Finance Scrutiny Committee (supplement pages 3 to 20).

12.2 Resolved –

- (1) That the Annual Scrutiny Report 2019/20 be approved; and
- (2) That the Scrutiny Work Programme 2020/21 be approved.

13 Governance Committee: Joint leadership arrangement with East Sussex County Council

13.1 The Council noted a review of the joint leadership arrangements with East Sussex County Council, in the light of a report by the Governance Committee (pages 127 to 128).

13.2 Resolved –

That the report be noted.

14 Report of Urgent Action: Regulation 19

14.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 129 and 130) was noted.

15 Report of Urgent Action

15.1 The report of urgent action taken by the Director of Law and Assurance, in consultation with the Chairman (pages 131 and 132), was noted.

Chairman

The Council rose at 1.41 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 5 - Covid-19 Response	Cllr Atkins	Member of Worthing Borough Council
	Cllr Boram	Member of Adur District Council
	Cllr Bradbury	Member of Mid Sussex District Council
	Cllr Crow	Member of Crawley BC re use of K2 Leisure Centre and food distribution and storage
	Cllr Elkins	Member of Arun District Council
	Cllr Goldsmith	Part of Chichester and District Cycle Forum
	Cllr N Jupp	Member of Horsham District Council
	Cllr Lord	Member of Organising Group for Hassocks and Keymer COVID-19 Volunteers
	Cllr Turner	Works as a Pharmacist
Item 6 - West Sussex: Reset and Reboot	Cllr Atkins	Member of Worthing Borough Council
	Cllr Boram	Member of Adur District Council
	Cllr Bradbury	Member of Mid Sussex District Council
	Cllr Elkins	Member of Arun District Council
	Cllr N Jupp	Member of Horsham District Council
Item 7(b) – Cabinet Member Address by Cabinet Member for Fire & Rescue and Communities	Cllr Atkins	Former Royal Navy qualified fire fighter

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COVID-19 Response: Written Questions

17 July 2020

1. Written Question from **Cllr Michael Jones** for reply by the **Cabinet Member for Adults and Health**

Question

Recent figures have shown the test and trace service had been unable to reach many people who tested positive for COVID-19 meaning their contacts could not be traced. What action has this Council taken to ensure our residents are clear how they can help prevent a spike in cases locally?

Answer

Since the start of the COVID-19 outbreak, the Council has shared a wide range of relevant public health and preventative messages across its communications channels including social media, local press, website and in regular bulletins including the weekly residents e-newsletter, which that is sent to 180,000 people. The content has included information on how residents can prevent COVID-19 infection through maintaining social distancing, regular handwashing and hygiene and how to arrange a test, including the location of local testing sites. As restrictions continue to be eased, we are continuing our efforts to share and remind residents of the continued need to follow public health guidance. These details will be localised and targeted to areas where we identify particular needs.

In addition, the County Council has produced a [COVID-19 Local Outbreak Control Plan](#), as required by the Government, which was published on 30 June 2020 on the Council's website. The publication was communicated to residents via social media, local press and radio. The plan details how local, regional and national organisations and responses will work together as a system to prevent cases of the virus, where possible, in West Sussex and respond to any local outbreaks. The County Council, like all upper-tier local authorities, was asked to produce a first version of a local outbreak control plan by the end of June 2020. The plan will evolve over time.

Next week, week commencing 20 July, sees the launch of the Keep West Sussex Safe campaign which will run throughout the summer across all channels including print and radio advertisements. The aim is to further reinforce these messages including the importance of arranging a test if you identify early symptoms and the guidance around isolation.

In addition, a targeted social media campaign for Crawley is being delivered. This is supported by community engagement work aimed at sharing the messages effectively with hard to reach groups as well as specific groups who have been identified as high risk, for example members of the BAME community.

2. Written Question from Cllr Brenda Smith for reply by the Cabinet Member for Adults and Health

Question

Does the Cabinet Member regret care homes in West Sussex were required to accommodate residents being rapidly discharged from hospital between March and April 2020 without them having tested negatively for COVID-19, and does she consider this directly led to deaths of residents in care homes?

Answer

The Government first published the guidance documents [COVID-19 Hospital Discharge Service Requirements](#) (PDF, 919KB) on 19 March. This has been updated throughout the pandemic, based on emerging evidence and advice as it has become available. It sets out the Hospital Discharge Service Requirements for all NHS trusts, community interest companies and private care providers of acute, community beds and community health services and social care staff in England. It also describes requirements around discharge for health and social care commissioners (including Clinical Commissioning Groups and local authorities). Unless required to be in hospital patients must not remain in an NHS bed. It established the requirement that 'acute and community hospitals must discharge all patients as soon as they are clinically safe to do so' in order to free up hospital capacity for the treatment of those infected with COVID-19. There was an expectation that the NHS would work closely with social care to ensure the discharge pathway was in place. Within West Sussex a multi-disciplinary discharge hub and combined placement and sourcing team was rapidly put in place to ensure the delivery of the discharge requirements in as safe and efficient a way as possible. The guidance has been followed by the County Council since its publication and there has been close working across the health and social care system throughout the period.

- Public Health England's Health Protection Teams have, from the outset, been testing residents when an outbreak is reported at a particular care home.
- On 16 April the Government announced that "the NHS now has responsibility for testing patients being discharged from hospital to a care home, in advance of a timely discharge". This guidance was implemented within West Sussex.
- On 28 April, the Government announced that testing would be expanded in the care sector to include both symptomatic and asymptomatic care home staff and residents.
- On 11 May the Government gave [guidance](#) as to how all symptomatic and asymptomatic care home staff and residents in England became eligible for testing. Testing was prioritised for care homes that look after the over 65s.

Throughout the pandemic people have been discharged from hospital to the place considered the most appropriate for their care, in some cases this would have been a care home; in other cases, people have been discharged home.

Where care homes continue to take new admissions the Government's guidance on [Coronavirus \(COVID-19\): admission and care of people in care homes](#) and [COVID 19: our action plan for adult social care](#) is followed. This details how to provide care during the COVID pandemic, including how to care for those discharged from hospital while supporting the wellbeing of those already living in the service. Please note it is the registered managers of care homes and care homes with nursing who are responsible for the safety of the service including considering whether the needs of

any person being admitted to the care home can be met safely when considering those people already being supported and cared for in the home.

Where care homes and care homes with nursing had challenges in obtaining PPE directly, the County Council has enabled access to stocks. It is worth noting that PPE guidance has also changed throughout the period, at the point the country moved to sustained transmission; in April, enhanced PPE recommendations for a wide range of health and social care providers were introduced.

The County Council has communicated directly with providers on a regular and often daily basis and ensured that all available guidance is shared. There is also a specific information page for providers on the County Council's [Connect to Support](#) webpage. A high volume of calls and contacts have been received from care homes which have been responded to directly or via newsletters.

Recognising the importance of effective infection control, particularly in care homes, the Government has provided grant funding to care homes through a specific Infection Control Fund. This highlighted that a contributory factor to increasing the rate of infection may be linked to staff who work in more than one service, including agency workers, thereby increasing the risk of infection across multiple sites. The grant, therefore, includes specific reference to supporting care homes to reduce the use of agency staff.

Testing is also an area that has evolved throughout the pandemic and the County Council welcomes the introduction of the national testing portal and expansion of testing to now include weekly tests for people working in care homes and monthly tests for residents. The County Council is working with the sector to ensure that all Council staff visiting Care Homes are also tested following the same regime.

It is recognised that COVID-19 is a very complex and novel virus and the understanding of its impact is ever evolving. The County Council is, therefore, not in a position to say that people being discharged from hospital between March and April directly led to deaths of residents in care homes; as you will read from the response there are a number of factors that are likely to have contributed to death in care homes.

The County Council is, of course, extremely saddened to hear about any death attributed to COVID-19, be that in a care home or the wider community and collectively extends sympathy to all those directly affected.

3. Written Question from Cllr Bob Smytherman for reply by the Cabinet Member for Adults and Health

Question

For each calendar week starting on Monday, 16 March 2020, would the Cabinet Member please advise:

- (a) What is the number of excess deaths in West Sussex; and
- (b) What is the number of deaths in care homes in West Sussex due to COVID-19?

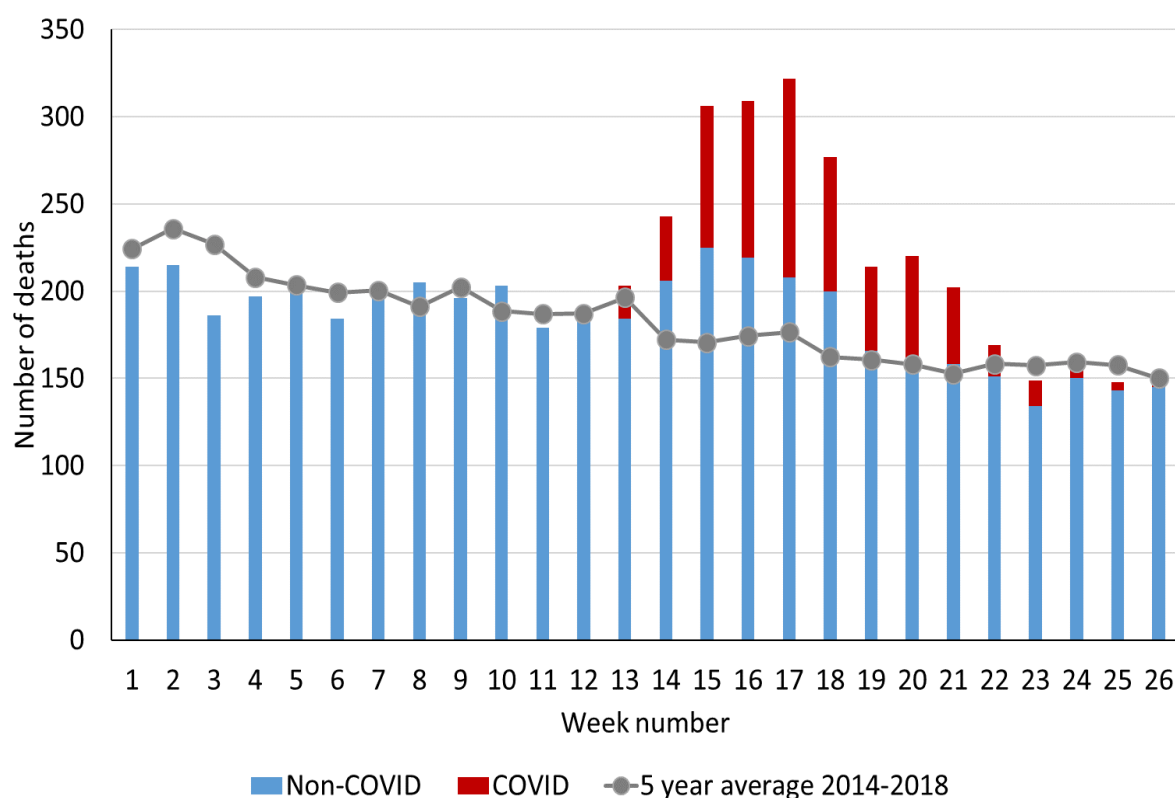
Answer

- (a) For the 26-week period of week ending 3 January to week ending 26 June 2020 there were 670 excess deaths (registered by 4 July 2020); this equates to 14 more deaths than the 2014-18 yearly average.

Graph 1 below shows weekly excess deaths, and deaths where COVID-19 was mentioned on the death certificate.

Please note that excess deaths have been calculated as the number of deaths observed in 2020 compared with the average number of deaths in the corresponding period for the five years 2014-18. The information presented here relates to the date of occurrence of death, not the date of registration.

Graph 1: COVID-19 and non-COVID deaths 2020, by week of occurrence of death and five-year average 2014-18, West Sussex residents

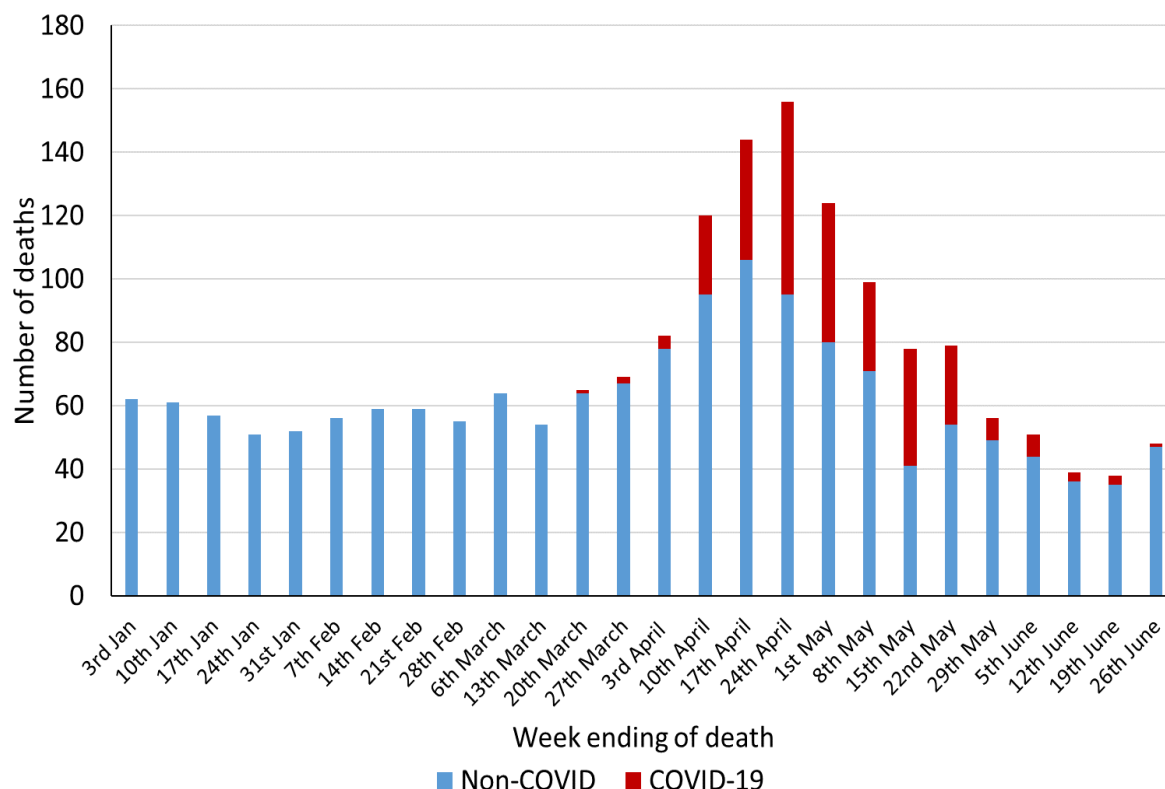


- (b) In relation to deaths of care home residents, for the 26-week period of week ending 3 January to week ending 26 June 2020 there were 286 deaths where COVID-19 was mentioned on the death certificate.

Graph 2 on the next page shows all deaths, and the number of deaths where COVID-19 was mentioned each week.

Please note that this is where death occurred in a care home. However, there will be some care home residents who were admitted to hospital prior to death; these deaths will not be included in this data.

Graph 2: COVID-19 and non-COVID deaths in care homes 2020, by week of occurrence of death, West Sussex residents



4. Written Question from Cllr Kirsty Lord for reply by the Cabinet Member for Children and Young People

Question

Given the lack of face-to-face support for new parents during lockdown, would the Cabinet Member please advise:

- How many more users accessed the Family Assist website compared to previous periods; and
- What steps are the County Council and partners taking to address the impact on maternal mental health, breastfeeding rates and child wellbeing?

Answer

- The number of people who accessed Family Assist and comparisons with previous periods are as follows:
 - At the end of May 2020 there were 11,084 total registered users of the Family Assist resource.
 - When looking specifically at new registrations at the start of the pandemic, Family Assist saw a 95% increase from 270 new registrations in February 2020 to 527 new registrations in March 2020.
 - In the three-month period between 1 December 2019 and 29 February 2020 there were 890 new registrations.

- This compares to 1,442 new registrations in the three-month period between 1 March and 31 May 2020.
- (b) The question relates to steps the County Council and partners are taking around maternal mental health, breastfeeding and child wellbeing during lockdown. The main actions undertaken by the Council and its partners and providers for these three areas, are summarised below.

Maternal mental health:

Family Assist

When COVID-19 began, Public Health shifted its focus to developing and expanding the digital resource, Family Assist, to ensure that pregnant women, new mothers and their families were supported during these particularly worrying times. In particular, the operational group, led by the Public Health Directorate, worked to:

- Upload new content on mental health of parents as well as children onto the website, alongside information on COVID-19 itself and particularly its implications for pregnant women.
- Upload videos to reassure new parents of what to expect when they came onto the wards during COVID-19.
- Start using new social media platforms such as Facebook to advertise and promote links to the above.
- Launch a Live Chat facility to enable residents to communicate with midwives and health visitors in real time.
- Add additional content on issues which we anticipated might be useful for new parents e.g. cooking on a budget, physical activity during COVID-19.

The Public Health Directorate are in the process of designing an evaluation to help assess which Family Assist services people have found most useful during COVID-19 to inform future service delivery.

ChatHealth Telephone Service

- School nurses adapted the ChatHealth telephone service to allow parents to use this service as well, as previously this service was only available to children. Most calls are recorded as being in relation to emotional health and wellbeing.

Sussex and East Surrey Perinatal Mental Health Clinical Network

- The Sussex and East Surrey Perinatal Mental Health (PNMH) Clinical Network experienced an increased demand for the support of specialist PNMH nurses and an increase in referrals following COVID-19; however, many of the PNMH trained champions had been redeployed.
- The PNMH Specialist Health Visitor in West Sussex developed targeted support for service users with PNMH issues in West Sussex and has supported her list of concerned perinatal mothers daily or weekly as needed.

Support groups for new parents

- Two informal virtual support groups for new parents have been offered in Mid Sussex by the Maternity Voices Partnerships, one focused on mental health and the other on infant feeding. The virtual support groups have been well received by parents.

Breastfeeding:

The Infant Feeding Team was prioritised as an essential service following the onset of COVID-19 and capacity was increased from four to 11 members, including four Lactation Consultants and experienced Infant Feeding Advisors who run the Milk Drop Ins.

To help meet the needs of all infants and mothers within West Sussex during the pandemic the Infant Feeding team:

- Set up a new advice line for all antenatal and postnatal women leading to approximately 100 new calls each week.
- Encouraged access to the Specialist Infant Feeding Service by any Health Professional within West Sussex who needed advice or referral for complex breastfeeding. Video consultations were offered alongside ongoing support with feeding issues to all mothers referred into this service.
- Supported the Live Chat facility on Family Assist.
- Opened an infant feeding Facebook page to provide up to date information for all parents regarding feeding and caring for their baby.
- Training and updating of peer supporters was continued via Google Classroom.
- Although the Breast Pump Scheme, jointly run between West Sussex Children & Family Centres and the Milk Infant Feeding Team was suspended due to concerns regarding the safe management of distribution, collection and cleaning of units across West Sussex, the team made alternative arrangements to enable families to source breast pumps whilst some of the Children and Families centres were closed. Similarly, with Healthy Start, partners worked together to develop a new system to ensure families could apply for and receive their vouchers and vitamins.

Child Wellbeing:

A host of resources have been advertised to schools and GPs in relation to children and young people's wellbeing. These include:

- Information and support via websites such as a new e-wellbeing website, Young Minds and apps to help young people manage anxiety.
- Early intervention and support services such as YES (Youth Emotional Support), MIND and Be OK services.
- Support for specific issues such as bereavement and sexual abuse.
- Specialist mental health services, such as Child and Adolescent Mental Health Services and services for eating disorders.

Digital e-wellbeing Website

- Our newest information resource is the [digital e-wellbeing website](#) developed by young people in partnership with YMCA and Sussex

Partnership Foundation Trust to support mental health in children and young people.

- The areas of West Sussex where young people were accessing the website most were highest Crawley and Worthing.
- Young people were focusing on obtaining information around COVID-19, low mood and depression.
- A Back to School Campaign is also being developed with the YMCA over the next few months.

Mental Health Support Teams

- New resources are also emerging in the form of Mental Health Support Teams in schools in two areas (Crawley and Arun) after West Sussex successfully bid for funding.
- Staff are already in schools and being trained to deliver support to children with low to moderate mental health needs in 15 schools in Crawley and 14 in Bognor. Unfortunately, the Council's bid to roll these out to schools in Worthing was not successful.
- Anticipating that Emotional Based School Avoidance might be one of the consequences of COVID-19, the Educational Psychology team in West Sussex has taken steps to ensure that this issue is becoming embedded in the developing work of the Mental Health Support Teams as school term begins in September 2020. There has been interest in this approach from the Department of Education and West Sussex were invited to lead seminars on this topic.

5. Written question from Cllr Brian Quinn for reply by the Cabinet Member for Education and Skills

Question

Can the Cabinet Member please tell me whether he anticipates increased school transport will be required in order to accommodate social distancing when schools return in September and if so:

- (a) Does the Council have the capacity in place to deliver this; and
- (b) Has the Government provided adequate funds to cover these costs?

Answer

Initial guidance on school transport has been released by the Government; however, there is a further update expected shortly. It is, therefore, not possible to be definitive about social distancing on home to school transport contracted routes in September 2020. The guidance, as it stands, makes it clear that there is scope for applying social distancing flexibly because school transport is not the same as general public transport. We await schools' confirmation of their opening arrangements in September as this will have an impact on the overall requirement for transport.

Public transport, including buses and rail, and the social distancing on board are subject to separate guidance. The bus companies are in the process of relaxing the social distancing guidance to accommodate c.50% capacity on board. Capacity up to this point has been c.25%.

- (a) The County Council is working closely with suppliers to understand the capacity in the market that could be made available. The requirement to do so is still unclear for the reasons given above. The County Council has also secured additional capacity within its own transport fleet for September.
- (b) The Government has not confirmed if additional funding will be allocated to cover any additional home to school transport costs that are necessary.

6. Written question from Cllr Karen Sudan for reply by the Cabinet Member for Education and Skills

Question

Can the Cabinet Member please confirm that, if and when pupils return to school in September, the County Council will not issue a fine to the parents or require head-teachers to do so if the parents decide not to send their child to school due to concerns about the current pandemic.

Answer

It is recognised that some children may be anxious about returning to school and the County Council will work closely with schools to help them prepare children and build the confidence of parents and carers in the plans for a safe and managed return.

The Education and Skills service will continue to work with schools to engage with and support parents in getting their children back into school before considering issuing penalties for poor attendance. Issuing fines for non-attendance is always a last resort. We will be exploring strategies for schools to engage and communicate with parents about the importance of school attendance and also about the actions schools are taking to minimise health risks on school return. We believe that work principally needs to build confidence and support a return. However, should there be instances where all efforts to engage with and support parents prove unsuccessful in improving a child's attendance then, in accordance with government guidance, the County Council will consider whether fining would be appropriate.

7. Written question from Cllr Nigel Dennis for reply by the Cabinet Member for Highways and Infrastructure

Question

Most bus services in West Sussex have been operated commercially (without subsidy) by the bus operators until the COVID-19 pandemic. Given Government advice against using public transport and the collapse in passenger demand, how will the County Council maintain the network as many of these services may be never commercially viable again?

Answer

The Government has been supporting the commercial bus network through the Coronavirus Bus Services Support Grant (CBSSG) paid directly to bus companies since the start of the crisis based on commercial bus mileage. The first tranche of the funding was to allow reduced services, targeting where key workers may need services. The second tranche of the grant (known as CBSSG Restart) has recently

been paid, allowing the bus companies to start to increase their services towards pre-COVID-19 levels to allow increased access to work and essential services for the wider population. The County Council has also received the first tranche of the local authority component for supported bus services and awaits news on the Restart grant.

The future of the bus network in West Sussex has clearly been adversely affected by the COVID-19 pandemic. However, the full extent is not yet understood and likely support needed is not yet known. The County Council will, therefore, continue to work closely with the bus companies and neighbouring local transport authorities to understand what changes are happening and how the commercial bus network might be sustained. If routes become unsustainable in the longer term the County Council will work with all those with a stake in bus services, as well as with the Government, to look at possible solutions for existing services. This work will also include alternative provision such as community transport.

COVID-19 Response: Questions

Members asked questions of Cabinet Members and officers on the response to the COVID-19 public health emergency. Instances where a member of the Cabinet undertook to take follow-up action are set out below.

Cabinet Member for Adults and Health

In response to a question from Cllr Turner about the Local Outbreak Engagement Board and how the Board would work with local members should an outbreak occur in their area and what help and support would be available to members, the Cabinet Member said she would keep all members updated once plans had been developed.

Cabinet Member for Children and Young People

In response to a question from Cllr Lord about when the baby health visitor clinics would reopen and what was happening to ensure all children had adequate mental health support for their return to school in September, the Cabinet Member said she would respond to Cllr Lord.

Cabinet Member for Education and Skills

In response to a question from Cllr Oxlade about school attendance and engagement levels for looked after children from March and confirmation that all such children had had access to IT equipment to enable them to carry out schoolwork, the Cabinet Member said he would respond to Cllr Oxlade.

Cabinet Member for Fire & Rescue and Communities

In response to a question from Cllr M Jones about whether the Council could help support heritage and leisure sites which were facing an uncertain future due to COVID-19, the Cabinet Member said he would see if there was anything the Council could do and would also look into a suggestion that the Communities Team might be able to assist.

Cabinet Member for Highways and Infrastructure

In response to a request from Cllr Goldsmith for an update about progress with the pop-up cycle and travel walk scheme and bids to the active travel fund, the Cabinet Member said he would provide members with a detailed update on the timing of the schemes.

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West Sussex Reset and Reboot: Written Questions

17 July 2020

1. Written question from **Cllr Chris Oxlade** for reply by the **Cabinet Member for Adults and Health**

Question

The Government issued a Directive to ensure rough sleepers and those with unstable housing arrangements were given emergency accommodation. This represents a golden opportunity to support these vulnerable people longer-term. Can the Cabinet Member confirm the current position and advise if adequate funding is available for this?

Answer

The directive to 'get everyone in' as it was termed was issued to local housing authorities. Two tranches of funding were provided by central government to support this and other financial pressures generated by the COVID-19 emergency.

The district and borough councils in West Sussex continue to provide accommodation to rough sleepers and people that became homeless during the lockdown period as required and would be able to confirm whether or not the funding allocations were adequate to meet this demand.

To support the district and borough councils, the County Council has co-ordinated the West Sussex Covid Response Group: Homelessness & Rough Sleeping. This is a multi-agency group comprising all local authorities within the county as well as the Clinical Commissioning Groups (CCGs), the County Council's Adults' Services, substance misuse and mental health services, Sussex Police, National Probation Service/Ministry of Justice, homeless charities in the county, Registered Providers and Ministry of Housing, Communities and Local Government.

The Group continues to meet to support local authorities with moving people placed during the lockdown into more stable and secure accommodation.

Throughout the crisis the County Council has funded a hospital discharge initiative to prevent patients being discharged from becoming homeless.

Additional refuge provision is scheduled to open at the end of July. The County Council is funding additional refuge accommodation to meet the anticipated rise in victims fleeing domestic abuse as a result of the lockdown period. Here they can receive specialist support and assistance. This supports the districts and boroughs in providing suitable temporary accommodation to homeless households for whom they have responsibility under homelessness legislation.

2. Written question from **Cllr Kate O'Kelly** for reply by the **Cabinet Member for Highways and Infrastructure**

Question

In view of the climate urgency and the current guidance that discourages use of public transport, would the Cabinet Member please advise:

- (a) How is this Council going to ensure that travel in WSCC during recovery and beyond is increasingly on foot or cycle; and
- (b) What is this Council's view on the use of E-scooters?

Answer

- (a) The County Council has maintained its normal service levels across highways during the pandemic by making changes to how we work and working closely with key suppliers to ensure operations can be carried out safely in line with government guidance. As demand has risen to use certain cycle and foot paths additional work has been undertaken to keep these paths clear of overgrown vegetation.

Officers have worked closely with the district and borough councils to agree a set of proposals in response to a call for bids for tranche 1 of the emergency active travel fund. The bid was successful and the full £781,000 was allocated. Works will commence very shortly on this programme of improvements for active travel that will include additional cycle lanes and improvements for walking. Details of how to bid for further funding were announced late last week and the County Council is looking to respond positively to that opportunity.

Alongside this a number of minor changes have been implemented in town centres to facilitate safe distancing.

The Cabinet Member has set up an executive task and finish group to oversee the delivery of tranche 1 of the active travel fund, support any further bids and support the review of the walking and cycling strategy.

Over 8,400 pupils received Bikeability cycle training over the last financial year. Training in schools is currently affected by COVID-19 and no training was undertaken during the summer term. The Bikeability Team is developing a new training programme that follows advice on social distancing and is based on intensive one to one training rather than training in groups. Three pilot courses have recently been successfully delivered. Dependant on take up from schools, it is anticipated that 2,850 year 6 pupils will be trained over the coming autumn term. The team is also exploring options for children who missed the opportunity to undertake training during the summer term.

- (b) The Department for Transport is expanding trials of rental e-scooters. At present there is no intention for the County Council to participate in these trials. As evidence emerges from these trials, the County Council will be able to contribute to the national debate from an informed position.

Proportionality

Background

- 1** It is the duty of the County Council, following Cllr Sudan becoming an independent member, 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** Cllr Flynn, the member for Felpham division, sadly died in July 2020. In ordinary circumstances a by-election would be arranged, but this is not possible due to the current public health emergency and the vacancy is expected to have to be held until the County Council elections in May 2021. It is therefore proposed that this should continue to be treated as a Conservative seat for the purposes of proportionality, because no other group can gain that seat. It is proposed that the Conservative Group should therefore be allowed to fill the committee seats that Cllr Flynn held. Group leaders have been consulted and have agreed that this would be followed should any other member cease to be a member of the County Council before May 2021.
- 3** 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.
- 4** The application of these rules produce different figures so they are 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. Numbers of seats are then reconciled with rules (3) and (4). If there are members of the Council who do not belong to a political group (independent members) then, once the allocation of seats between the political groups has been made, any remaining seats are allocated to the independent members by the County Council.
- 5** A table showing the number of seats on committees using the above formula is set out overleaf. As the two independent members, Cllr Buckland and Cllr Sudan, are entitled to three seats between them, they have been consulted and have agreed the proposed allocation below.

Proposed proportionality

Committee	Places	Con	Lib Dem	Lab	Ind Con	Ind 1*	Ind 2**
Performance and Finance	15	12	2	1	0	0	0
Children and Young People's Services	12 (16†)	9	1	1	1	0	0
Environment and Communities	12	9	2	1	0	0	0
Fire & Rescue Service	7	6	1	0	0	0	0
Health and Adult Social Care	12(19†)	9	2	1	0	0	0
Planning	13	10	1	1	0	0	1
Regulation, Audit and Accounts	7	5	1	0	1	0	0
Rights of Way	9	7	0	0	0	1	1
Governance	9	7	1	1	0	0	0
Standards	9	7	1	0	1	0	0
Allocation of seats	105	81	12	6	3	1	2

* Cllr Buckland

** Cllr Sudan

Recommended

That the proportionality on committees be approved.

Tony Kershaw

Director of Law and Assurance

Contact: Charles Gauntlett, Senior Adviser, 033 022 22524,
charles.gauntlett@westsussex.gov.uk

Background papers

None

West Sussex County Council's Children First Service Improvement Programme: Progress Report – September 2020

Introduction

- 1** I am writing with a further update to all members to coincide with the County Council meeting on 18 September. Children's Services is now ready to enter a period of accelerated development: we are building a culture geared to high standards, and will be able recognise when we are achieving these; we are designing a comprehensive employment Offer for social workers that will make West Sussex a highly competitive and rewarding place to work; we are creating an efficient staffing structure in which roles and accountabilities are clear; and we are introducing a new service model that will offer significantly improved effectiveness and efficiency. All these things support good outcomes for our children and young people, and a service we can again be proud of.
- 2** Meanwhile, our Covid-19 Recovery programme remains strong. Face-to-face visits are increasing. Staff have returned to the office where a 'business critical' need arises, and in a safe manner. Safeguarding referrals have broadly stabilized to pre-Covid levels, and we are confident that our safeguarding intelligence remains strong; having said that, we can expect higher reporting of issues now that schools have reopened, and have planned to accommodate a general increase in caseload volumes.

Our Vision

- 3** Everything we aspire to achieve is encapsulated in this statement that has been adopted within the service:

The West Sussex approach puts the child first. We work with children, families, communities, our partners and each other in a restorative, strength-based way. Strong Relationships are at the heart of what we do.

I draw constant inspiration from the principles flowing from this statement, and I urge all members to take this approach to heart, as they come into regular contact with their constituents and with our partners around the county.

Leadership and Management in Children's Services

- 4** I am pleased to report that Lucy Butler, the Director of Children's Services and Executive Director Children, Young People and Learning has made further permanent senior appointments to consolidate her leadership team. Having permanent management in place represents a springboard from which the next stage of service transformation can be undertaken with confidence. The new appointments will take effect during October and November, as follows:

Linda Steele, Assistant Director, Safeguarding, Quality and Practice
Daniel Ruaux, Assistant Director, Corporate Parenting
Jenny Boyd, Assistant Director, Social Care
Darlington Ihenacho, Principal Social Worker

Ofsted, Commissioner & Children's Trust

- 5** Ofsted has signified that its programme of monitoring visits will resume shortly. At

the time of the writing we do not have definite dates for our next visit, but based on the evidence I have seen since becoming Cabinet Member, I believe that the service is ready to face further scrutiny.

- 6 Members again had an opportunity on 3 September to hear directly from the Commissioner for Children's Services in West Sussex, John Coughlan. It is clear that the Commissioner, who reports to the Department for Education (DfE), has formed a favourable view of the Council's commitment to change, and the energy we have shown in taking the Children's Services improvement agenda forward so far, and he endorses our direction of travel.
- 7 In regard to the Children's Trust, the next stage of the process is for the County Council to agree the detail of a Memorandum of Understanding (MoU) with the DfE. The MoU will define the scope of any Trust that may subsequently take responsibility for the delivery of Children's Services in West Sussex. This matter will be considered by Cabinet on 18 October, preceded on 8 October by a cross-cutting Scrutiny Task and Finish Group of members drawn jointly from the Children and Young People's Services and Performance and Finance Scrutiny Committees.

Being a Good Service – and a Good Place to Work

- 8 This Autumn will see a period of significant service development, as we put in place the key components for the kind of service our children deserve. As previously noted, the factors absolutely critical to success are: (1) the way in which management and staffing structures promote efficiency and effectiveness; (2) having the best professional practice standards that we can; and (3) ensuring that high-quality staff are valued within the organisation, and wish to develop their careers with us in West Sussex. Therefore, we are approaching a redesign and simplification of post structures and pay grades, which will allow us to deploy staff resources more effectively. The service will adopt a new Practice Model, known as 'Family Safeguarding', and I will explain more about this as the process unfolds.
- 9 To replace the current staff Recruitment and Retention scheme, due to expire at the end of November 2020, a new remuneration package is being finalised. The intention is to give West Sussex a structured and competitive place in the social work employment market, with a remuneration package in line with those authorities that are our competitors. Staff will have balanced caseloads; good and reflective supervision and support will be in place; staff will have the right resources to hand and make the best use of technology to maximise their own effectiveness.

Residential Redevelopment Programme

- 10 The timetable for redeveloping our in-house residential facilities has inevitably experienced some slippage due to Covid-19, but progress remains satisfactory. Work commenced at the beginning of September at **Cissbury Lodge** in Worthing, and contracts have recently been awarded for **May House** in Worthing and **Seaside** at Shoreham. We now anticipate that all these homes will be ready to reopen during February to March 2021. The prospect of a return to full capacity is very welcome, and will help us to obtain the best outcomes for vulnerable children, while managing demand more effectively in this crucial part of our work, and in line with our Residential Strategy. In Phase 2 of the programme, our three open homes (Orchard House, High Trees and Teasel Close), are currently being assessed as to feasibility for further development, and I will provide an update in due course.

Unaccompanied Asylum-Seeking Children

- 11** I wanted to draw attention to an important issue affecting authorities in the South East – that of Unaccompanied Asylum-Seeking Children, or UASC. It is the case that West Sussex – both through Gatwick Airport and more informal 'lorry drops' – is regularly involved in supporting unaccompanied children who have asylum applications to the UK. Our colleagues in Kent and Portsmouth in particular are also closely involved in managing UASC cases through overseeing other points of entry into the country. West Sussex maintains very close co-operation with these authorities, and we are signed up to the National Transfer Scheme. Since June we have taken six unaccompanied asylum-seeking children from Kent. While we will always strive to assist our colleagues in this way, we must necessarily maintain some capacity with our provider system to meet needs arising within West Sussex. I wanted to assure members that we are committed to giving as much support to Kent and Portsmouth as it is possible for us to do.

Conclusion

- 12** I believe that the service stands on the brink of a major step towards achieving the quality we all wish to see. Nonetheless, this is an undertaking of considerable challenge and complexity, which I view as a journey of improvement lasting 12 to 18 months. I am sure that all members of the Council will share my resolve that this journey will reach its destination successfully.

Youth Cabinet

- 13** I am delighted to end this update by introducing once again a message from Daisy, the Chair of our Youth Cabinet. Once again, I am amazed by the energy displayed and the range of excellent work being undertaken: these young people are an inspiration to us all.

With my best wishes for your continued good health.

For information

Jacquie Russell

Cabinet Member for Children and Young People

Contact Officer: Lance John, Business Manager, 033 022 23456,
lance.john@westsussex.gov.uk

Statement from the Chair of West Sussex Youth Cabinet

September 2020

The West Sussex Youth Cabinet has been extremely busy this month, preparing, organising and assessing all of their campaigns, as well as the future of the cabinet itself.

All of our campaigns are up and running at the moment, covering three very relevant topics for young people in West Sussex: Mental health, environment, and West Sussex tackles racial inequality. Within each campaign, there are separate project organisation groups; all of these groups have been working tirelessly to get as much done in our campaigns as possible before they return to school.

Our Mental Health campaign is being run under the umbrella of the youth cabinet's wellbeing charity, 'Free Your Mind'. We are aiming to create a campaign that not only challenges the stigma around mental health but also reflects the needs of the West Sussex youth. The blog that has been set up, which allows young people to submit pieces of writing about their experiences with mental health, has been a real hit, and we've had several young people get in touch and share their thanks for creating an anonymous space to share. The group that was originally working on organising an online event has re-focussed their attention towards reaching out to more people in West Sussex; through the use of schools and social media the youth cabinet will be consulting young people throughout the county about what they would find most beneficial. It's been lovely for the youth cabinet members involved to see and hear what sort of difference they're making to people's lives.

Our environment campaign has made incredible progress in the past few weeks. The team of youth cabinet members organised some beach clean-ups in September. They worked incredibly hard to ensure that a safe and accessible event could be promised to the communities involved, so that Bognor, Littlehampton, Worthing and Pagham beaches could receive a good litter pick. It's been very impressive watching the members of this group go through the process of risk assessments, logistical planning and organising COVID-19 restrictions so professionally. It is a great accomplishment for the whole cabinet to be announcing our first event of the term. Similarly, the social media group has done a brilliant job of rounding up videos from all the cabinet members that explain ways to live more sustainably. These will go out soon.

The Racial Inequality campaign, which we've launched in light of recent global events, is growing more every day. The most prominent section of this campaign is going to be an online webinar which will span over three days in October, Black History Month. Each hour and a half session will have a series of speakers discussing various topics, culture, religion, history and personal experiences included. This event is striving to educate people of all ages about the history of racial inequality in the UK, as well as on the numerous cultures that exist globally. Once the event is complete, the cabinet will be getting in touch with schools about ways to implement more culturally and racially diverse history into schools, whether that is through the curriculum, PSHE or clubs. The social media campaign group is creating an assortment of posts that will continuously go out with facts about other cultures, religions and traditions. The Racial Inequality campaign is sensitive and needs care, compassion and understanding in its foundations for it to be done correctly. The youth cabinet has done an exceptional job in exercising that.

Outside of our campaigns, we have just completed all of the initial cabinet member meetings, which enables our young people to work with the cabinet members of their choice over Zoom. All the feedback has been excellent, and copious plans are being made to get the cabinet and the youth cabinet working more closely in the future. An example of this is Nigel Jupp, the cabinet member for education and skills, who is working with us to collect feedback about going back to school. This is ensuring that young people in West Sussex have a voice about the way they are feeling, emotionally and physically as well as what can be done to help in light of schools returning.

The youth cabinet has been especially busy this month, but it has to be said that every single member has made an effort in making sure our campaigns run smoothly. So here's to another month!

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Motion on Support and Recognition for Veterans with Post-Traumatic Stress Disorder

- 1** The Chairman of the County Council referred the notice of motion on Support and Recognition for Veterans with Post-Traumatic Stress Disorder (PTSD) submitted by Cllr Edwards to the County Council on 17 December 2019, to the Leader and the Armed Forces Champion for consideration, in consultation with the Cabinet Member for Adults and Health.
- 2** The motion called on the Cabinet to advocate better treatment of veterans who suffer from PTSD and better recognition for those who have died as a result of this disorder. The motion also called on the County Council to take the wellbeing of all those who have served extremely seriously and continually consider how it can better understand the needs of ex-services persons who are suffering from PTSD to provide the best possible support.
- 3** The Leader and the Cabinet Member met Cllr Edwards on 31 July 2020 to discuss the motion. The Armed Forces Champion was also in attendance.
- 4** Through the discussion, it was noted that the County Council was continuing 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. It was welcomed that the County Council had just received the Gold Award as part of the Defence Employer Recognition Scheme. The scheme, recognises organisations who pledge, demonstrate, and advocate their support for the Armed Forces Community. To win a Gold Award, organisations must proactively demonstrate that they advocate the benefits of supporting those within the Armed Forces community, encouraging others to sign the Armed Forces Covenant and to engage in the Employer Recognition Scheme.
- 5** The Leader and the Cabinet Member were supportive of County Council staff undertaking training in how to identify, understand and respond to signs of mental illnesses and substance use disorders in others, including veterans and this would include Mental Health First Aid Training which is aimed at the general population.
- 6** It was noted that the West Sussex Public Health Directorate intended to make specific reference to veterans in the forthcoming refresh of the Suicide Prevention Strategy in 2020 – this would include the relationship between mental health and experiencing traumatic events.
- 7** Point (1) of the motion, 'Lobby the Ministry of Defence to provide a fitting memorial to those who have served and ultimately succumbed to PTSD' was discussed in terms of what a memorial should look like. It was commented that if the monument displayed people's names there could be a potential issue around family permission and privacy. Different types of monuments were discussed including using churches and a book with a collection of names. It was noted that a PTSD monument could be explored at county level with the West Sussex Record Office and nationally by approaching the National Museum/Jeremy Quinn, the local MP. The Cabinet Member raised a concern in terms of cost and upkeep so supported a practical solution for a PTSD monument.

- 8** Both the Leader and the Cabinet Member agreed with elements of the motion but could not support the motion in its entirety for the reasons set out above and therefore, reserve the right to propose an amendment to the motion prior to debate at County Council on 18 September 2020. The Armed Forces Champion was in support of the motion in its entirety. The response to the motion was published via the Bulletin on 3 September 2020.

Paul Marshall

Leader

Amanda Jupp

Cabinet Member for Adults and Health

Contact Officer: Erica Keegan, Democratic Services Officer, 033 022 26052, erica.keegan@westsussex.gov.uk

Background papers

None

Allocation of Additional Funding to Support Response to Covid-19

Summary

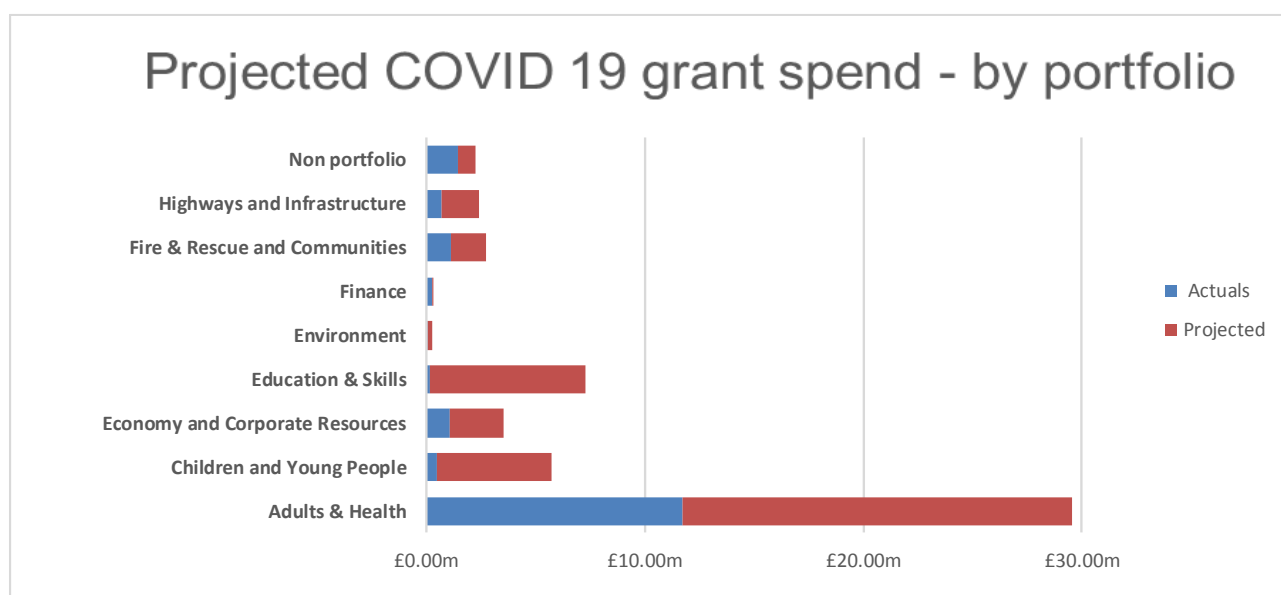
- 1 To date the Government has allocated an additional £41.4 million of funding in three tranches to support the additional costs incurred by the County Council as a consequence of responding to the Covid-19 pandemic. These funds are not ring-fenced giving the Council discretion to determine how best to use the resources.
- 2 The way the Council has responded is to allocate funds to budgets as spend is incurred. Urgent Action procedures have been used as the mechanism for taking and publishing these decisions. It is estimated that funding received to date will not be sufficient to meet all of the additional costs incurred during 2020/21 in response to the Covid-19 pandemic. The potential shortfall will be monitored and reported back to Members through the Total Performance Monitor (TPM).

Proposal

Background and context

- 3 The costs of the pandemic and the subsequent receipt of government funding were not known when the Budget Report for 2020/21 was approved by Full Council in February. As a result, expenditure is exceeding our agreed budgets. This report sets out how the additional funding received for the pandemic will be reflected within the Council's budgets.
- 4 Graph 1 sets out the current 2020/21 outturn forecast of Covid-19 expenditure by portfolio, which reflects actual expenditure incurred and the forecast further commitments during the remainder of the year.

Graph 1 – Projected Covid-19 Grant Spend by Portfolio



Proposal details

- 5** The Government has provided additional funding to local authorities to support the additional expenditure being incurred in order to respond to the local impact of the Covid-19 pandemic. This funding has been a mixture of ring-fenced and non-ringfenced funding. By definition the ring-fenced funding is allocated to the appropriate service area to meet the defined budget pressures. The non-ringfenced funding provides the County Council with some discretion as to how the funding is allocated between different services and the additional costs incurred as a consequence of Covid-19.
- 6** To date £41.4m non-ringfenced funding has been provided in three tranches. There remains significant uncertainty about the future levels of budget pressure as a direct consequence of the impact of Covid-19 and how it will develop during the remainder of the year. The impact across council services will vary.
- 7** As a consequence of this level of uncertainty, as well as the current anticipated shortfall of funding to meet the forecast budget pressures, it is proposed to allocate the funding pro rata to the level of the actual costs incurred.
- 8** This approach will mean that funding is applied in direct proportion to the changing circumstances and implications of the pandemic's impact, whilst continuing to allow the monitoring of overall costs and budget pressures in relation to services and portfolios.
- 9** The Total Performance Monitor (TPM) incorporates specific details about the costs incurred and the forecast outturn position arising from the impact of Covid-19 across all services.
- 10** The same approach of allocation against spend will be used for other non-ringfenced grants, including the hardship fund announced by Defra and the loss of income compensation scheme.
- 11** To date the Council has allocated grant funding using the approach set out above and officers have deployed the urgent action procedures, consulting relevant cabinet members and scrutiny chairmen as required and publishing the decisions as they arise. This report provides an opportunity to seek the Council's endorsement of the approach taken to managing the funds made available to assist the Council's response to the public health emergency.

Other options considered (and reasons for not proposing)

- 12** Allocation of funding could have been undertaken pro rata to forecast full year commitments but this would be subject to change as circumstances develop, resulting over time in a weakening audit trail and rationale. The degree of uncertainty about how circumstances and the impact of the pandemic may develop means that this approach would be more speculative.

Recommendations

- (1) Grant funding received in connection with the current pandemic and which is not ring fenced is allocated pro rata to the expenditure incurred in relation to each service area.
- (2) Ring fenced grant funding is allocated according to the purposes and in accordance with any rules specified.

- (3) That the Total Performance Monitor (TPM) report will report on the use and allocation of this funding during the course of 2020/21.

Katharine Eberhart

Director of Finance and Support Services

Contact Officer: Alistair Rush, Interim Deputy Director of Finance, Telephone 0330 222 7116; email alistair.rush@westsussex.gov.uk

Appendices

None

Background papers

None

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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

- A commitment to support children in care and care leavers has been launched by the County Council, its partners and the [Corporate Parenting Panel](#). **The Promise 2020** outlines the aspiration to help young people in care to stay healthy and happy, develop skills through education, training and work, listen to their views and act on what they say. It was developed in conjunction with [young people in care and care leavers](#) to ensure their thoughts and views were central in shaping The Promise, which aims to bring positive changes to their lives.
- Proposals are progressing to **re-open three Children's Homes** with works underway to remodel the properties. When the refurbishment is complete the homes will provide placements for the most vulnerable children, including those 'on the edge of care', enabling them to be supported close to home. The re-opening of [Cissbury Lodge](#), [May House and Seaside](#) Children's Homes, projected for early 2021, forms phase 1 of the [Children First In-House Residential Strategy 2019-22](#).

Cabinet Member for Education and Skills – Nigel Jupp

- A [Back to School webpage](#) was added to the County Council website in August containing a wealth of information and resources to help every pupil feel confident and ready to return to or start school. The page contains answers to typical questions that children, parents and carers have. It also contains a [video message](#) from pupils who attended school during the summer term, to assist children in understanding what they could expect the school experience to be like on their return.
- An online toolkit has been developed, in collaboration with key partners in health and safeguarding, to support schools in the teaching of the [new compulsory curriculum](#) for Relationships, Sex and Health Education (RSHE). The **Education for Safeguarding (E4S)** toolkit provides every child with a universal safeguarding offer and aims to ensure children and young people are taught to develop their own skills, knowledge and understanding of how to be who they are, understand the world they are growing up in and how to keep themselves safe.



A Prosperous Place

Leader – Paul Marshall

- Throughout the Coronavirus pandemic the Leader has been regularly participating in meetings with partners at a regional and national level to ensure a **coordinated COVID-19 response** and that Government understands the challenges West Sussex County Council is facing. These meetings include chairing a regular teleconference with West Sussex MPs, fortnightly calls with West Sussex district and borough leaders, weekly calls with South East 7 Leaders, and weekly calls with County Councils Network (CCN) leaders. In addition, there have been a range of meetings with partners on specific issues as they have arisen.
- As part of **government engagement on economic recovery** the Leader has recently written to the Chancellor, Rishi Sunak, alongside many of the Leaders of Gatwick Diamond local authorities and the Coast to Capital LEP, highlighting the impact of the coronavirus pandemic on the aviation sector. Separately, the Leader has written to the Chancellor to share concerns regarding the financial pressures that West Sussex County Council is facing due to the COVID-19 pandemic, and the impact that this is likely to have on the Council's ability to contribute to the economic and social recovery of the county.
- The County Council has received the prestigious **Gold Award as part of the [Defence Employer Recognition Scheme](#)**. Announced on 30 July this follows on from 2017, when the council achieved the Silver Award. In support of the Gold Award, the County Council has proactively demonstrated that it advocates the benefits of supporting those within the Armed Forces community, encouraged others to sign the Armed Forces Covenant and engaged fully in the Employer Recognition Scheme. The Council has also provided ten extra paid days leave for Reservists on the council staff and has supportive Human Resources policies in place for Veterans, Reserves, Cadet Force Adult Volunteers and Spouses and Partners of those serving in the Armed Forces.

Cabinet Member for Highways and Infrastructure – Roger Elkins

- **Emergency Active Travel funding** was [announced by the Secretary of State](#) for the Department for Transport in May 2020 as part of the work to combat the COVID-19 pandemic. Implementation of [seven temporary cycle route schemes](#) is underway in West Sussex following a successful Tranche One bid to the fund. An Executive Task and Finish Group meeting on 7 September considered feedback on the first schemes to open. Tranche 1 schemes are progressing to completion by the end of September in line with Government requirements.

- The [A259 Improvement Scheme](#) at Littlehampton and Angmering has commenced this month following advance site preparation works. The scheme, which is jointly funded by the County Council, Coast to Capital Local Economic Partnership and Developer Contributions will cost £25.8m and deliver 2km of dual carriageway and cycle path improvements, reducing traffic congestion and increasing the capacity of the network to support development. The works will take approximately 2 years to complete.



A Strong, Safe and Sustainable Place

Cabinet Member for Fire & Rescue and Communities – Duncan Crow

- As part of the Council's Fleet Asset Management Plan, the [West Sussex Fire & Rescue Service](#) has taken delivery of seven new Fire Appliance Vehicles. The new vehicles will reduce overall vehicle costs, reduce environmental impact, for example through reduced exhaust gas emissions and improve access to incidents particularly in urban areas.
- The [West Sussex Fire & Rescue Service](#) has been informed that Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) will visit the Service in the week commencing 5 October 2020 to undertake a COVID-19 Inspection Update. Over the course of the pandemic the Service has helped distribute more than 700,000 items of Personal Protective Equipment, visited vulnerable people or those on the National Shielding Register, carried out urgent welfare checks and Safe & Well Visits and assisted with urgent deliveries of medical and food supplies.
- Demonstrating the council's commitment to '[#West Sussex Together](#)' partnership working the Fire and Rescue Service's Technical Rescue Unit and the Communities team were able to deliver ten pallets of surplus food to [UKHarvest](#) and four pallets to [FareShare Sussex](#) to help West Sussex residents in need. The items became surplus from the beginning of August, when the government advised that shielding restrictions were eased.

Cabinet Member for Environment – Deborah Urquhart

- A previously disused **section of the Downs Link is now open** on the old Guildford Railway Line behind Christ's Hospital station. Works to the 'missing' 1.4km section included repairing two bridges, vegetation clearance, surfacing, drainage and platform repairs. The long-term collaborative project between WSCC and Christ's Hospital school was jointly funded and supported by the local community and local organisations. The upgrade means users no longer have to travel on the road network from Mill Lane to re-join the Downs Link at Christ's Hospital. The [Downs Link](#) is a nationally-important, long distance, shared route connecting the North and South Downs, largely following a disused railway line from Guildford to Shoreham-by-Sea.

- Plans for a [countywide charging network for electric vehicles](#) in West Sussex are moving forward. Switching to electric will help to reduce the county's carbon emissions and contribute to improved air quality. A tender has just been released to secure a supplier who will work with the County Council and its partners to plan, then fund, install, market and operate a publicly accessible chargepoint network across West Sussex. Horsham, Adur and Worthing, Mid Sussex, Arun and Crawley district and borough councils have committed assets where chargepoints could be installed. The aim is for the supplier to be in place by January 2021.
- Following assessment of the impact of the fire at [Crawley Transfer Station](#) in July it is hoped the site can re-open for Crawley Borough Council and Mid Sussex District Council to resume deliveries of kerbside collected recycling material in early September. In the meantime, material is being diverted to Burgess Hill and East Grinstead Transfer Stations. An outside transfer area has been established at Crawley for transfer of all other waste streams from the district and borough councils including green waste and litter. Public Access to the Crawley HWRS will remain unavailable until mid-September at the earliest. The HWRS at Horsham will remain open seven days a week whilst the Crawley site is closed. Extended opening hours will soon be introduced at the East Grinstead site.



Independence for Later Life

Cabinet Member for Adults and Health – Amanda Jupp

- As restrictions to prevent the spread of COVID-19 are eased West Sussex County Council has launched a **campaign to keep [West Sussex Safe](#)**. The [campaign provides resources](#) to help remind people that the virus is still active and advises the public to continue to follow guidelines on social distancing, hand hygiene, wearing a face covering whenever appropriate and, if symptomatic, urges a [COVID-19 test](#).
- West Sussex County Council has produced a [COVID-19 Local Outbreak Control Plan](#), as required by the Government. This details how local, regional and national organisations and responses will work together as a system to prevent cases of the virus, where possible, in West Sussex and respond to any local outbreaks.
- The Public Health Directorate is working in partnership with homeless charities across West Sussex and Totally Wicked (e-cigarette supplier) to **support homeless and rough sleepers to quit smoking** through the use of e-cigarettes, aiming to address some of the inequalities they face. These steps are being taken as high rates of smoking in this group places them at increased risk from COVID-19. Launched in July, this initiative links with the Council's COVID-19 response, providing accommodation for this population group. A six-week review with all partners is scheduled for September to monitor progress.



A Council that works for the Community

Cabinet Member for Economy and Corporate Resources – Bob Lanzer

- Work has completed on a **new creative and collaborative workspace in Bognor Regis. 'The Track'**, an initiative led by the Council, with the support of the Coast to Capital LEP, is located within Bognor Regis Railway Station. Once fully opened later this year, the hub will offer a shared and collaborative workspace, events space, meeting rooms and ultrafast fibre connection for emerging creative and digital businesses in the area. Interested parties can book an appointment to take a tour of the space via the [Bognor Regis Hub](#) website and see how it can help their local business to thrive through working in a creative, collaborative environment.
- Butlin's Resort in Bognor Regis was among several West Sussex tourist venues to welcome a **visit from the Secretary of State for Department of Digital, Culture, Media and Sport** on 18 August. Oliver Dowden took part in a round-table discussion at Butlins with [Experience West Sussex](#) business partners and council leaders focusing on the impact of COVID-19 on the tourism sector. Issues raised included how the summer season was progressing for businesses, the measures being taken to keep visitors safe and the ways the government could help the industry in the coming months. The discussion gave an opportunity to highlight issues and ask directly for support which will help to build the tourism offer for coastal areas in the future.

Cabinet Member for Finance - Jeremy Hunt

- The County Council's current financial modelling indicates that the **estimated gap in funding arising from the pandemic** will be between £9m and £19m in 2020/21. The picture for 2021/22 and future years remains challenging. The major variables include the impact of possible unemployment on the council tax base, the likely impact of a deteriorating economy on business rate income, and what future government funding will look like. The coming Autumn period will be key in determining the financial impact upon the Council, reflecting the local impact upon services as schools return, the likely impact on the economy as furloughing comes to an end and the possibility of a 'second' wave of COVID19 as the weather changes. The Government has indicated that plans for the future funding of local government and the public sector will be set out in the autumn statement. In the meantime, all these variable factors will be considered as the Council's Medium-Term Financial Strategy is developed alongside the Reset Plan.
- The [Pension Fund's Annual Report](#) has now been approved and provides an update to all stakeholders, including the 246 employers and nearly 80,000 members of the Pension Fund on the fund activities in 2019/20. The report refers to:

- How the £4.179m investment portfolio has been actively managed to provide above market returns (3.92 % pa. over three years, and 8.53 % pa. over ten years)
- How these strong investment returns have further improved the overall funding level (112% at the formal valuation at 31 March 2019) which has enabled a reduction in contribution rates for the majority of major employers from 1 April 2020;
- The strong Environmental, Social and Corporate Government engagement with companies undertaken by the appointed managers; and
- Administration performance since the transfer of the service to Hampshire Pension Services in March 2019, now reporting 100% compliance with the performance indicators.

For context, the Fund is currently estimated to be 114% funded.

Contact: Helen Kenny 033 022 22532

Background papers

None

Governance Committee: Minor changes to the Constitution: Rights of Way Committee, Pension Advisory Board and Pensions Committee

Rights of Way Committee terms of reference and Delegation Code of Practice

- 1 Following a review of the rights of way provisions within the Constitution, minor changes to reflect the statutory position in relation to the taking of decisions and for consistency and clarity are proposed to the terms of reference of the Rights of Way Committee and the Delegation Code of Practice in relation to rights of way matters. The minor changes are shown at Appendix 1.

Recommended

- (1) That the proposed changes to the Rights of Way Committee terms of reference and Delegation Code of Practice, as set out at Appendix 1, be approved;

Pension Advisory Board terms of reference

- 2 At its last meeting the Pension Advisory Board discussed a slight anomaly with its terms of reference and proposed minor amendment would resolve the issue as set out below.

'The Pension Advisory Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively. There will be no fewer than four meetings a year (one of which will be the Annual General Meeting) ~~be held in (provisionally) March, July and November.~~

Recommended

- (2) That the amendment to the terms of reference of the Pension Advisory Board set out in paragraph 2 be approved; and

Pensions Committee membership

- 3 A minor change is required to the membership of the Pensions Committee as set out below.

'The three representative members will comprise the following:

One representing the borough and district councils

One representing the scheduled bodies

One representing **members** employees.

Recommended

- (3) That the amendment to the membership of the Pensions Committee set out in paragraph 3 be approved.

Janet Duncton

Chairman of Governance Committee

Contact Officer: Clare Jones, Senior Democratic Services Officer, 033 022 22526
clare.jones@westsussex.gov.uk

Appendices

- Appendix 1 – Rights of Way Committee terms of reference and Delegation Code of Practice

Background papers

None

Changes to the Rights of Way Committee terms of reference and Delegation Code of Practice

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

Rights of Way Committee

Constitution

Nine members of the County Council. Quorum is three.

Terms of Reference

1. To exercise the ***statutory non-executive*** powers and duties of the County Council in relation to ***public rights of way (which includes, but is not limited to,*** public footpaths, bridleways, and byways open to all traffic and restricted byways) ~~under the associated legislation.~~
2. To exercise the ***statutory non-executive*** powers and duties of the County Council in relation to commons and town or village greens ~~under the relevant provisions of the Commons Registration (New Land) Regulations 1969 (SI 1969/1843) and the Commons Registration (General) Regulations 1966 (SI 1966/1471) and the Commons Registration (England) Regulations 2014.~~
3. ~~To exercise the non-Executive powers and duties of the County Council pursuant to the Highways Act 1980, the Wildlife and Countryside Act 1981, the Town and Country Planning Act 1990, the Countryside and Rights of Way Act 2000, the Natural Environment and Rural Communities Act 2006.~~
4. To review and adjust delegations to officers within the functions delegated to the Committee.
5. To delegate powers, when appropriate and on the recommendation of the Director of Law and Assurance, to another local authority including a borough or district ~~borough~~ council and to be able, subsequently, to review, amend or withdraw that delegation.
6. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b).

Rights of Way - Delegation Code of Practice (Public Path Orders, Definitive Map Modification Orders, Town and Village Green Applications and corrections to Common Land and Town and Village Green Registers)

Public Path Orders

The proposed framework in which the powers delegated to the Director of Highways, Transport and Planning in consultation with the Director of Law and Assurance relating to public path extinguishment orders, public path diversion orders, public path creation agreements, public path creation orders (**collectively known as public path orders**), providing comments to district/borough councils on applications they are determining, permissive path agreements and dedication agreements is to operate as set out below which provides the safeguards for the process of delegation. It should be remembered that officers will have discretion to determine a matter but will aim to err on the side of caution in deciding whether to exercise that discretion.

Local Member Notification

New application/consultation/proposal(s) will be reported within two weeks' of receipt in The Bulletin and again when the public consultation process is begun. The list will indicate the local member and, in the case of applications having a wider significance, adjoining division members. The application/consultation/ proposal will not be decided for a period of 21 days from the latter date of notification in The Bulletin.

Any local member (or adjacent division member where appropriate) wishing to express a view must do so to the Director of Highways, Transport and Planning's nominated officer as stated on the notification within the 21-day period and the member's view will then be taken into account in reaching a decision. If a member disagrees with the view of the Director, in relation to the delegation, and this is within the 21-day period, the matter will be referred to the Rights of Way Committee for determination. If the causes of disagreement can be resolved through discussion, the delegated action can proceed. This will apply to all applications/responses to district/borough consultations/ proposals.

Objections from County Local Committees, district and parish councils, Sussex Police and interested user groups

In respect of applications for public path orders where, as a result of the consultation process, a borough, district, town or parish council, the County Local Committee or a prescribed user group objects in writing to the application, the delegation is barred.

Objections from the public

In respect of applications for public path orders where, as a result of the consultation process, there remain outstanding substantive comments from members of the public, the delegation is barred.

Definitive Map Modification Orders (DMMO)/Town and Village Green (TVG) Applications and Corrections to Common Land/TVG Registers

The proposed framework in which the powers delegated to the Director of Law and Assurance relating to definitive map modification order applications, village green applications and applications to amend the commons and village green registers is to operate as set out below, providing safeguards for the process of delegation. It

should be remembered that officers will have discretion to determine a matter but will aim to err on the side of caution in deciding whether to exercise that discretion.

Local Member Notification

New applications for DMMO, TVG and to amend the Commons/TVG registers will be notified to the local member for information by email within two weeks of acceptance of a valid application.

Significant evidence in conflict

There are strict legal tests associated with such applications and relevant evidence will be needed. Objections are often received which must be discounted, for example where the objection is that a route is not suitable for use. Such objections would be discounted even if large in number or from other local authorities or prescribed user groups. In other cases there may be significant ~~credible~~ evidence in conflict.

Where such significant evidence exists ~~A significant conflict in credible evidence provided in support or against an application bar~~ the delegation ***is barred*** and the determination then rests with the Rights of Way Committee. Where there is uncertainty the officers will undertake the necessary report, setting out whether the legal tests have been met and explaining the evidence in conflict and a discussion will take place with the Chairman of the Rights of Way Committee and the local member about whether the delegation should be barred.

No significant evidence in conflict received

Where no significant evidence in conflict has been received the matter shall be determined by officers. The officer's report will be signed off as a delegated decision.

Report of Delegated decisions

All decisions on applications determined under delegated powers will be reported to the next meeting of the Rights of Way Committee for the Committee to note and monitor.

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Report of Urgent Action: Regulation 19

- 1** Under regulation 19 of the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the County Council is required to receive a report from the Leader on any decisions taken under regulation 11. These are key decisions which were not in the Forward Plan and which needed to be taken with less than five clear days' notice. Such urgent decisions can only be taken with the agreement of the relevant Scrutiny Committee Chairman or, in his or her absence, the Chairman of the County Council. Key decisions taken with less than five clear days' notice which are in the Forward Plan are reported via the Executive Decision Database.
- 2** Such action is avoided wherever possible as it circumvents the normal mechanism for publication of decisions and ensuring that members have the opportunity to comment before decisions are taken.
- 3** However, on occasion this is not possible and the County Council is asked to note the following decisions which have been taken by the Director of Law and Assurance with the agreement of the relevant decision-maker and Scrutiny Committee chairman.

Mental Health Individual Placement Agreements

- 4** A decision has been taken to enter into a contract with a single contractor to allow up to three Individual Placement Agreements to be made for adult mental health customers requiring community support services. The preferred provider is a specialist organisation which offers accommodation alongside care and support. The proposed contract covers care and/or support for people with autism and/or learning disabilities who have significant risk management challenges.
- 5** The urgency of the decision was due to the need for the County Council to respond quickly to patients in acute hospitals who are ready for discharge now. The County Council had been developing a new specialist service for these patients that should have come online in May 2020 but this has been significantly delayed due to COVID-19. This proposal allows the County Council to safely discharge the patients, is very similar in terms of cost, and is supported by the operational mental health colleagues budget holder.
- 6** The Director of Law & Assurance, with the agreement of the Cabinet Member for Adults and Health and the Chairman of the Health and Adults Social Care Scrutiny Committee, has therefore used his delegated powers under Standing Order 5.23 to authorise the Interim Executive Director of Adults to enter into a contract with Sussex Empowering Living Ltd.

Financial Support to the Care Sector

- 7** A decision has been taken, following the allocation of funding to commissioned care provision in April 2020 to support with COVID-19-related costs, and the Infection Control Grant allocated and disseminated to the wider market in June and July 2020, to temporally increase the contracted rates paid to care providers by 5% in recognition of additional costs related to provision of services during the pandemic. A simple across the board approach is being taken rather than one tailored to the needs of individual suppliers in order to achieve a timely response and to avoid administrative burdens. The arrangements are limited to three

months from 1 July to 30 September 2020 and subject to a continuation of conditions included in the original allocation. Any longer-term proposals will be considered and reviewed during the three-month period and subject to further decision. The decision was urgent as at the point of relevant consultation, engagement and planning the need to make the financial commitment to the market had become pressing as the recipients needed to have assurance about future funding.

- 8** The Director of Law and Assurance, in consultation with the Interim Executive Director Adults and Health and the Chairman of the Health and Adults Social Care Scrutiny Committee has therefore used his delegated powers under Standing Order 5.23 to authorise a cross-market uplift of 5% being given in payments to commissioned care providers for a period of three months from the 1 July to 30 September 2020.

Provision of site for Regional COVID-19 Testing Centre

- 9** The County Council has agreed to work with the Department of Health and Social Care to provide a Regional Testing Site for COVID-19. The decision was urgent due to a request by the Department of Health to make land available within four days (including a bank holiday weekend).
- 10** The Director of Law and Assurance, with the agreement of the Cabinet Member for Finance and the Chairman of the Performance and Finance Scrutiny Committee, has therefore used his delegated powers under Standing Order 5.23 to agree the proposal.

Paul Marshall

Leader

Contact Officer: Helen Kenny, Head of Democratic Services, 033 022 22532, helen.kenny@westsussex.gov.uk