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West Sussex County Council – Ordinary Meeting

16 December 2022

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 16 December 2022, at County Hall, Chichester PO19 1RQ, the members present being:

Cllr Bradbury (Chairman)

Cllr Albury	Cllr Marshall
Cllr Ali	Cllr McDonald
Cllr Atkins, RD	Cllr McGregor
Cllr Baldwin	Cllr McKnight
Cllr Baxter	Cllr Mercer
Cllr Bence	Cllr Milne
Cllr Boram	Cllr Mitchell
Cllr Britton	Cllr Montyn
Cllr Burrett	Cllr Nagel
Cllr Cherry	Cllr Oakley
Cllr Chowdhury	Cllr O'Kelly
Cllr Cooper	Cllr Oppler
Cllr Cornell	Cllr Patel
Cllr Crow	Cllr Payne
Cllr Duncton	Cllr Pendleton
Cllr Dunn	Cllr Pudaloff
Cllr Elkins	Cllr Quinn
Cllr Evans	Cllr Russell
Cllr Gibson	Cllr Sharp
Cllr Greenway	Cllr Smith
Cllr Hillier	Cllr Sparkes
Cllr Hunt	Cllr Turley
Cllr A Jupp	Cllr Urquhart
Cllr N Jupp	Cllr Waight
Cllr Kerry-Bedell	Cllr Wall
Cllr Lanzer	Cllr Walsh, KStJ, RD
Cllr Lord	Cllr Wild
Cllr Markwell	

135 Death of Cllr Edward Belsey

135.1 The Chairman reported the death of Cllr Edward Belsey, a former co-opted member of the Health and Adult Social Care Scrutiny Committee.

135.2 Members held a minute's silence.

136 Apologies for Absence

136.1 Apologies were received from Cllr Bennett, Cllr Burgess, Cllr J Dennis, Cllr N Dennis, Cllr Forbes, Cllr Hall, Cllr Johnson,

Cllr Joy, Cllr Kenyon, Cllr Linehan, Cllr Oxlade, Cllr Richardson and Cllr Wickremaratchi. Cllr Condie was absent.

136.2 Apologies for the afternoon session were received from Cllr Albury, Cllr Bence and Cllr Russell. Cllr Britton arrived for the afternoon session at 2.10 pm. Cllr Evans and Cllr Markwell were absent for the afternoon session. Cllr Dunn and Cllr Elkins left at 3.50 pm.

137 Appointment of Vice-Chairman for the meeting

137.1 As Cllr Wickremaratchi, the County Vice-Chairman, had given his apologies, Cllr Patel was appointed as vice-chairman for the meeting.

138 Members' Interests

138.1 Members declared interests as set out at Appendix 1.

139 Minutes

139.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 14 October 2022 (pages 5 to 28) be approved as a correct record.

140 Review of Proportionality

140.1 The County Council noted the review of proportionality on its committees following a change in group affiliation. A paper on the application of the proportionality rules and how they were applied was set out on page 29. A table showing the number of seats on committees had been circulated.

140.2 Resolved –

That the proportionality be approved.

141 Appointments

141.1 The Council approved appointments as set out below.

Committee	Change
Appeals Panel	Cllr Quinn to fill vacancy
Communities, Highways and Environment Scrutiny Committee	Cllr Sharp in place of Cllr Oxlade. Cllr Gibson as substitute
Planning and Rights of Way Committee	Labour group vacancy in place of Cllr Sharp Cllr Sharp as substitute in place of

Committee	Change
	Cllr Johnson

142 Address by a Cabinet Member

142.1 Members received an address by the Cabinet Member for Finance and Property on the Chancellor's Autumn Statement, by the Cabinet Member for Children and Young People on the most recent Ofsted inspection of Children's Services and the re-inspection of Teasel Close children's home and by the Cabinet Member for Adults Services on the deferment by the Government of the planned adult social care changes.

142.2 The Cabinet Member for Finance and Property agreed to look into a suggestion by Cllr Baxter that increases in social care funding would be reduced to 1% from 2025. The Cabinet Member also agreed to respond to Cllr Oakley on whether the Government takes into account any Council Tax support schemes which apply to the Council's tax base.

142.3 The Cabinet Member for Adults Services agreed to respond to Cllr O'Kelly on whether the 237 people medically fit for discharge, as reported by NHS partners to the last meeting of the Health and Adult Social Care Scrutiny Committee, were waiting for an assessment or a care package.

143 Standards Committee: New Councillor Code of Conduct

143.1 The Council considered a proposed new Code of Conduct, based on the Local Government Association's Model Code, in the light of a report by the Standards Committee (pages 31 to 46).

143.2 In response to a suggestion from Cllr Oakley, in relation to paragraph 15 (c) of Appendix B of the Code, that a scrutiny project day should consider the position if a scrutiny committee member of an Executive Task and Finish Group does not agree with a cabinet member's proposals, the Chairman said this could also be something for the Standards Committee to consider.

143.3 Resolved -

- (1) That the draft Code of Conduct at Appendix 1 to the report be approved; and
- (2) That all councillors be asked to sign up to the new Code by the end of January 2023.

144 Report of Urgent Action

144.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to

Information) (England) Regulations 2012 (pages 47 and 48) was noted.

145 Question Time

145.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios and asked questions of chairmen, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 49 to 56) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

146 Motion on Skills

146.1 The following revised motion (additional text shown in bold, italic type) was moved by Cllr Sparkes and seconded by Cllr McGregor.

'Since Covid attitudes towards traditional careers and ways of working have changed and some people might prefer to follow a career path outside an office setting, particularly in areas that will contribute to a more environmentally friendly and carbon neutral future.

Would the Cabinet Members for Learning and Skills and Support Services and Economic Development consider setting up a Task and Finish Group to explore working with local enterprises such as the South Downs National Park Authority, district and borough councils, the Local Enterprise Partnership and similar organisations involved with promoting the economy of West Sussex so as to help in the provision of apprenticeships and internships throughout the county. ***To confirm, the provision of apprenticeships and internships will fully comply with the Equality Act 2010 and the protected characteristics therein.***

146.2 An amendment was proposed by Cllr Sharp, as set out below, which was accepted by Cllr Sparkes.

'Since Covid attitudes towards traditional careers and ways of working have changed and some people might prefer to follow a career path outside an office setting, particularly in areas that will contribute to a more environmentally friendly and carbon neutral future.

Would the Cabinet Members for Learning and Skills, ***Environment and Climate Change*** and Support Services and Economic Development consider setting up a Task and Finish Group to explore working with local enterprises such as the South Downs National Park Authority, district and borough councils, the Local Enterprise Partnership and similar organisations involved with promoting the economy of West Sussex so as to help in the provision of apprenticeships and internships throughout the county. To confirm, the provision of apprenticeships and internships will fully comply

with the Equality Act 2010 and the protected characteristics therein.'

146.3 An amendment was moved by Cllr Chowdhury and seconded by Cllr Pudaloff as set out below:

'Since Covid attitudes towards traditional careers and ways of working have changed and some people might prefer to follow a career path outside an office setting, particularly in areas that will contribute to a more environmentally friendly and carbon neutral future.

Would the Cabinet Members for Learning and Skills, Environment and Climate Change and Support Services and Economic Development consider setting up a Task and Finish Group to explore working with local enterprises such as the South Downs National Park Authority, district and borough councils, the Local Enterprise Partnership and similar organisations involved with promoting the economy of West Sussex so as to help in the provision of apprenticeships and internships throughout the county, **to include targeted measures that tackle inequalities faced by Black, Asian and Minority Ethnic communities, disabled people, people with learning difficulties, young care leavers and people from a low socio-economic background supporting an inclusive and accessible economy.** To confirm, the provision of apprenticeships and internships will fully comply with the Equality Act 2010 and the protected characteristics therein.'

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

(a) For the amendment – 19

Cllr Baxter, Cllr Cherry, Cllr Chowdhury, Cllr Cornell, Cllr Gibson, Cllr Kerry-Bedell, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O'Kelly, Cllr Oppler, Cllr Pudaloff, Cllr Quinn, Cllr Sharp, Cllr Smith, Cllr Turley, Cllr Walsh and Cllr Wild.

(b) Against the amendment – 29

Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burrett, Cllr Cooper, Cllr Crow, Cllr Duncton, Cllr Greenway, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Lanzer, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Nagel, Cllr Patel, Cllr Payne, Cllr Pendleton, Cllr Sparkes, Cllr Urquhart, Cllr Waight and Cllr Wall.

(c) Abstentions – 1

Cllr Oakley

146.5 The amendment was lost.

146.6 The revised motion as set out below was carried.

'Since Covid attitudes towards traditional careers and ways of working have changed and some people might prefer to follow a career path outside an office setting, particularly in areas that will contribute to a more environmentally friendly and carbon neutral future.

Would the Cabinet Members for Learning and Skills, Environment and Climate Change and Support Services and Economic Development consider setting up a Task and Finish Group to explore working with local enterprises such as the South Downs National Park Authority, district and borough councils, the Local Enterprise Partnership and similar organisations involved with promoting the economy of West Sussex so as to help in the provision of apprenticeships and internships throughout the county. To confirm, the provision of apprenticeships and internships will fully comply with the Equality Act 2010 and the protected characteristics therein.'

147 Motion on Elections

147.1 The following motion was moved by Cllr Lord and seconded by Cllr O'Kelly.

'Following the introduction of compulsory voter identification for the local elections next May, this Council:

- Notes the low level of alleged voter fraud, and zero convictions in 2021, across the country.
- Notes the concerns of the Electoral Commission and Association of Electoral Administrators about the challenging timelines for implementation of voter identification.
- Notes the limited number of identification options for younger people relative to older people and the possible asymmetrical impact this will have on voter turnout in younger age groups.
- Notes the need to ensure all West Sussex residents are made aware of the need for voter identification prior to the May 2023 elections.

This Council therefore calls on the leader to:

- (1) Write to the Secretary of State for Levelling Up, Housing and Communities to request that implementation be delayed to allow for further consideration of the necessity of compulsory voter identification and, if he still chooses to proceed, request that he reconsiders the timelines for implementation and allows a broader range of identification than currently proposed to ensure younger voters are not disproportionately impacted.

- (2) Request that district and borough councils:
 - (a) Prepare information on the requirement for voter ID, details on how to obtain free voter cards and details on registering for postal votes; and
 - (b) Prepare for this to be included in the Council Tax bills being sent to residents in Spring 2023 should implementation of voter identification proceed as proposed.'

147.2 The motion was put to a recorded vote under Standing Order 3.35.

- (a) For the motion – 18

Cllr Baxter, Cllr Cherry, Cllr Chowdhury, Cllr Cornell, Cllr Kerry-Bedell, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O'Kelly, Cllr Oppler, Cllr Pudaloff, Cllr Quinn, Cllr Sharp, Cllr Smith, Cllr Turley, Cllr Walsh and Cllr Wild.

- (b) Against the motion - 30

Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burrett, Cllr Cooper, Cllr Crow, Cllr Duncton, Cllr Greenway, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Lanzer, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr Patel, Cllr Payne, Cllr Pendleton, Cllr Sparkes, Cllr Urquhart, Cllr Waight and Cllr Wall.

- (c) Abstentions – 1

Cllr Gibson

147.3 The motion was lost.

Chairman

The Council rose at 4.40 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
10 – Question Time (Learning and Skills)	Cllr Atkins	Member of Worthing Borough Council and Governor of Durrington Infant and Junior Federated Schools
10 – Question Time (Manor Royal Matters and Business Improvement District)	Cllr Burrett	Member of Crawley Borough Council
10 – Question Time	Cllr Duncton	Member of South Downs National Park Authority and Chichester District Council
10 – Question Time	Cllr Hillier	Mid Sussex District Council Cabinet Member for Economic Growth and net Zero
10 – Question Time	Cllr McGregor	Member of Adur District Council
10 – Question Time	Cllr Mercer	Chair of the Orchard Hill College Academy Trust, to which Brantridge School belongs
10 – Question Time (Worthing Growth Deal – Station Approach)	Cllr Sparkes	Member of Worthing Borough Council
10 – Question Time (Worthing Growth Deal – Station Approach)	Cllr Waight	Member of Worthing Borough Council
10 – Question Time (food waste trial and youth engagement)	Cllr Walsh	Member of Arun District Council
11(a) – Notice of Motion on Skills	Cllr Ali	Member of Crawley Borough Council
11(a) – Notice of Motion on Skills	Cllr Burrett	Member of Crawley Borough Council
11(a) – Notice of Motion on Skills	Cllr Duncton	Member of South Downs National Park Authority and Chichester District Council

Item	Member	Nature of Interest
11(a) – Notice of Motion on Skills	Cllr Hillier	Mid Sussex District Council Cabinet Member for Economic Growth and net Zero
11(a) – Notice of Motion on Skills	Cllr McGregor	Member of Adur District Council
11(a) – Notice of Motion on Skills	Cllr Mercer	Chair of the Orchard Hill College Academy Trust, to which Brantridge School belongs
11(b) – Notice of Motion on Elections	Cllr Ali	Member of Crawley Borough Council
11(b) – Notice of Motion on Elections	Cllr Burrett	Member of Crawley Borough Council
11(b) – Notice of Motion on Elections	Cllr McGregor	Member of Adur District Council
11(b) – Notice of Motion on Elections	Cllr Oakley	Member of Chichester District Council
11(b) – Notice of Motion on Elections	Cllr Sharp	Member of Chichester District Council

16 December 2022**1. Written question from Cllr Pudaloff for reply by Cabinet Member for Adults Services****Question**

The West Sussex Plan currently shows poor performance against the target for adults with a learning disability in paid employment. I understand work is underway to review how best to engage with the market to increase the number of people in employment or engaged in 'meaningful activities'.

Can the Cabinet Member:

- (a) Explain what is meant by meaningful activities, with examples.
- (b) Confirm how the data for meaningful activities will be captured in the performance and resources reports.
- (c) Provide an overview of the different pathways for adults with a learning disability to receive support and training to enable them to secure paid employment and how many adults are being supported through these.

Answer

- (a) Meaningful activities add value and quality to a person's life. These can include engaging in skills development and other activities to promote individuals' health and well-being. Skills development prepares people for employment and greater independence through travel training, voluntary work, peer support, work placements and activities that could lead to employment such as gardening, cooking and hospitality.
- (b) The Performance and Resources report will include data that captures how the Council is supporting people into paid employment. This will not include data on meaningful activity, as it is impossible to collect in a meaningful way.

As reported in the Performance and Resources report for quarter 2, not all people with a learning disability in paid employment are currently being counted in performance reports therefore, we have undertaken a data check that identified an additional 50 eligible individuals in paid employment. We will also be reviewing our internal processes to ensure individuals in paid employment are fully counted in the future.

- (c) People are signposted in the first instance to the Department of Work and Pensions [Job Centre Plus](#) offer who provide help with employment and training and ensure access to the right help. People who need additional help receive support from:
 - County Council-funded [Supported Employment West Sussex \(SEWS\)](#). SEWS supports people with a learning disability, autism, physical and sensory disabilities and family carers to find employment. They are currently working with 57 people with Learning disabilities.

- Some district councils also provide employment services such as [Employ Crawley](#), [Choose Work](#) in Chichester and [One Stop Junction](#) in Adur and Worthing.
- The Library Service has MyWorkSearch - an online toolkit that helps jobseekers find job opportunities. It also has a job finder and a CV builder.

Training and Development:

- The County Council funds Workaid to support people with a learning disability to prepare for and find voluntary work. Workaid supported 23 people with a learning disability to volunteer throughout 2021/22.
- Supported Internships funded by local colleges provide a training route to employment and this year offered 20 places.

2. Written question from Cllr Sharp for reply by Cabinet Member for Adults Services

Question

- (a) How many West Sussex care homes are there and how many will accept County Council rates?
- (b) How many of these homes have rooms available?
- (c) How many people currently need County Council funding support for their care?
- (d) Is it correct that the Council makes only one alternative offer when it cannot pay to continue to house someone at their care home, which has been described as 'basically take it or leave it'?
- (e) Is distance from family and friends taken into account when making an offer, to enable visits to take place to support mental health and quality of life?
- (f) What are residents' options if they cannot cover the costs between the cost of the room and the amount available from the Council?

Answer

- (a) 227 Older Peoples' Care Homes, 223 of which are contracted to take County Council rates. However, whether the homes choose to accept referrals at our rates depends on a range of factors at the time of referral including care needs of the referred customer, dependency of existing customers in the care home as well as market conditions at time of referral. In addition to older peoples' care homes, there are 118 lifelong & mental health care homes, 115 of which are contracted to take agreed rates (i.e. the weekly fee agreed is based on the support needs of the individual customer).
- (b) 121 older people's care homes have some level of vacancy, as at 8 December 2022. There are 79 bed vacancies across Lifelong & Mental Health Care homes as at 12 December 2022.
- (c) Approximately 20% of the 8,000 Care Home beds in West Sussex are funded by the County Council.

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- (d) The Care Act requires local authorities to offer at least one alternative. County Council policy follows this but also provides that the Council will commit to offer to a person, wherever possible, a choice of care and accommodation, by advising on suitable facilities in the area which they can visit and select from, with reference to the specific care required and the personal budget amount available.
- (e) As above in (d) people's needs are considered in the offering of choice.
- (f) With regard to value for money, the determination by the Council will take into consideration the following:
- Whether the provider delivers a service in line with nationally recognised levels
 - The cost of equitable care that is provided at similarly registered settings local to the provider being considered
 - The specific care needs of the individual person – it is recognised that people with exceptional or extraordinary needs may require a higher level of care or specialist expertise
 - This list is not exhaustive, and no single factor should be taken as being determinative of a decision to agree or not to agree placement funding

3. Written question from Cllr Baxter for reply by Cabinet Member for Environment and Climate Change

Question

I understand that 57 local authorities across England have recently been awarded funding of up to £150,000 each to accelerate tree planting activity, create green jobs and boost access to nature as part of the Woodland Creation Accelerator Fund. Can the Cabinet Member please confirm:

- (a) That the County Council applied for funding for this initiative;
- (b) How much funding it will receive; and
- (c) Outline how many staff the funding will resource and what the plans are for accelerating tree planting activity across the county.

Answer

- (a) West Sussex County Council and East Sussex County Council (working with the South Downs National Park Authority and the Woodland Trust) jointly applied to the Department for Environment, Food and Rural Affairs (Defra) for a £192,000 grant to co-ordinate, map, and resource a pipeline of woodland creation projects across Sussex.

The bids were scored by Defra against the following weighted technical criteria: need (15%), commitment (18%), deliverability (22%), public access (5%), deprivation (10%). The remaining 30% was for commercial.

Disappointingly, the joint bid was one of 25 bids nationally that was not selected for funding. Although scoring of the bid against each criterion was

given, Defra provided limited qualitative feedback on the technical criteria and no feedback on the commercial element of the scoring.

The bid scored well against need, commitment, and deliverability but relatively poorly against public access (probably because details of the location of potential projects were limited at the time of submission). Importantly, the bid did not score against deprivation; this was because no projects in deprived areas were identified.

- (b) Not applicable.
- (c) Not applicable

4. Written question from Cllr Oakley for reply by Cabinet Members for Environment and Climate Change and Finance and Property

Question

Given the County Council is seeking to plant a significant number of trees in support of its Carbon reduction and Climate Change agenda, could you advise as to:

- (a) Whether any County Council-owned land has been identified for significant tree planting;
- (b) Whether consideration is being given to a policy of changing the use of land owned by the County Council from horse grazing to tree plantations, enhanced ecological benefits and for flood risk management purposes;
- (c) Have/or will those considerations include pursuing partnerships to deliver the above; and
- (d) To what degree will any new tree planting projects on County Council land mitigate the loss of trees being felled due to Ash dieback and for road safety reasons?

Answer

- (a) The County Council will, in 2023/24, undertake a feasibility study at the start of a process to catalogue council (and potentially – see below under (c) – third party) land to determine which, if any, could be suitable for planting or naturally regenerating trees or other types of vegetation. This will be a lengthy process given the large and diverse extent of County Council landholdings and the need to determine suitability for planting/natural regeneration versus other considerations.
- (b) The County Council has a number of landholdings let on grazing licenses. This can be for several reasons. In some cases, the land is let for grazing whilst it is held for other purposes such as school expansion, optioned for future residential development, or highway/road widening. In these cases, re-purposing the land for an off-setting or other environmental scheme would be a permanent change to the use of the land. The Council would therefore need to be certain that the land no longer needs to be held for other purposes and can be made available.

In other circumstances land is let for equine purposes in line with other farm operations within the County Council's agricultural estate. Where such land is declared surplus to requirements, and is deemed suitable, it could be considered, together with other options, as part of an emergent off-setting policy.

- (c) It is considered unlikely that the County Council will be able to undertake sufficient carbon sequestration on its own land to offset all its residual emissions from 2030. Exploratory discussions are therefore commencing with potential partners in West Sussex to sequester carbon on a collaborative basis. The Council will be particularly keen to explore this with intermediaries such as the South Downs National Park Authority which have aligned aims in relation to climate change and nature protection. Any such partnerships could be considered as part of the feasibility study referred to at (a) above.

While there are no specific tree planting partnership schemes being discussed by the County Council at this time, work is underway within a partnership (Sussex Local Nature Partnership), helping to develop tools such as Woodland Opportunity Mapping to help direct the most suitable tree planting in the best place. The County Council will also be a Responsible Authority for the delivery of a Local Nature Recovery Strategy (LNRS) under the new provisions within the Environment Act 2021. The LNRS will, similarly, promote woodland/tree/hedgerow planting in the most ecologically suitable places.

- (d) The County Council's currently preferred approach to replacement of ash trees is to allow for natural regeneration to take place. The advantage of natural regeneration is that the seed source is already well adapted to the soils and moisture regimes of that location. Trees developing from natural regeneration are ideally suited to their growing environment and are likely to be established far more quickly and successfully than stock trees which must be planted in and take some years to grow new roots and establish themselves properly. Where new planting is considered, it will be undertaken following the principle of: 'right tree, right place, right reason'.

In addition, this year, as part of the Council's routine tree maintenance programme, 124 trees will be planted as replacements for trees that have been removed. The Council is also planting 165 trees that have been part funded by the Council's ['Donate a Tree Scheme'](#).

- 5. Written question from Cllr Cherry for reply by Cabinet Member for Finance and Property**

Question

How does the County Council manage the charitable trusts for which it is the only or dominant trustee? As part of this question, I should like to know:

- (a) How many charitable trusts is the County Council responsible for?
- (b) Are financial accounts available for all of these and where can they be found?
- (c) Where tangible assets are involved, what provision is made for their repair and keeping them in good condition?

- (d) Is there a dedicated management team for this work?
- (e) If not, where does the responsibility reside?

Answer

- (a) The Cabinet Member is aware of one charitable trust of which the County Council is the sole or dominant trustee, the St Johns Institute Charity, registered number 305190.
- (b) Financial statements are prepared and submitted to the Charity Commission annually and available on the Charity Commission website.
- (c) The now vacant Park Centre, in Burgess Hill was the asset involved and was maintained by the County Council's Property and Assets (P&A) directorate in line with the County Council's Asset Management Policy.
- (d) The Park Centre, when operational, was managed by the County Council's Early Help Team, part of the Children, Young People and Learning Directorate. The Centre was closed and handed to the County Council's P&A team in December 2021. The P&A team is responsible for managing the vacant property pending resolution of its future.

6. Written question from Cllr Gibson for reply by Cabinet Member for Highways and Transport

Question

Congestion on the A264 and A22 during peak periods is recognised as a key issue in the West Sussex Transport Plan 2022-36 and the significant plans for house-building will make this worse.

- (a) What progress has there been on working with Surrey County Council, including the details of any draft scope of studies agreed?
- (b) What form might the improvements to the A22 and A264 take and how will their effectiveness against the 2019 baseline traffic data be assessed?
- (c) Are there any current plans to (re-)introduce the two lanes right turn at the A264/A22 Felbridge junction or for enhancements on the A22 between Imberhorne Lane and the Lingfield Road junctions?
- (d) If so, which developments will provide the funding necessary?
- (e) Does the Council support the use of Grampian conditions to ensure that road infrastructure improvements and enhancements required to ensure that developments are sustainable and meet biodiversity net gain targets?

Answer

- (a) The County Council is working with Surrey County Council (SCC) to agree a brief for a feasibility study looking at the A22 corridor. The scope of the study is not yet finalised but it is likely to commence in early 2023. Engagement with local stakeholders is expected to take place as part of the study.

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- (b) The form of improvements to A22 and A264 will be determined as part of the feasibility study. In line with the West Sussex Transport Plan 2022-36, the study is expected to consider all modes of transport, including shared transport and active travel modes.
 - (c) The A22/A264 Felbridge junction is in Surrey; therefore, reinstalling two right-turn lanes would be a matter for SCC. It is expected that this will be considered as part of the feasibility study, as it has previously been identified as a potential option. The feasibility study is also expected to consider the section of A22 corridor between Imberhorne Lane and Lingfield Lane junctions, which is in West Sussex.
 - (d) The funding arrangements for any improvements will be considered once the feasibility study is complete. Some developments that have already taken place, have paid contributions towards A22 improvements. As other site allocations that would have an impact on the corridor come forward, it is expected that further contributions will be secured.
 - (e) In essence, Grampian conditions are negative conditions that preclude the implementation of development permitted by a planning permission until some step required by the condition has been undertaken. It is a matter for the relevant Local Planning Authority (LPA), not the County Council as Local Highway Authority, to determine whether the use of Grampian conditions is appropriate in each case. In doing so, the LPA will need to consider whether such conditions meet the relevant legal tests.

7. Written question from Cllr Quinn for reply by Cabinet Member for Highways and Transport

Question

Many of the roads around the county are in a very bad state either with potholes or crumbling edges. I appreciate this is the result of heavy rainfall and weather conditions. As you are aware, the County Council has invested £32m of investment in Highways and Transport. Also agreed in the budget in March was a further £21m over five years. I understand we have a new contractor, Velocity, with two road patching machines.

Can the Cabinet Member please confirm the new contractors are remaining on track to tackle the backlog of repairs.

Also, please provide details, on an annual basis, of the number of claims relating to pot hole damage in the period from March 2018 to February 2022:

- (a) Received by the County Council.
- (b) Amount paid out.
- (c) The amount paid in respect of each claim.

Answer

Balfour Beatty Living Places continue as the County Council's contractor responsible for fixing potholes. The Velocity patching machines are being used as a proactive

programme of repairs in addition to patching and larger scale resurfacing.

Performance has significantly improved and the backlog of repairs has been cleared. Over the last five months Key Performance Indicators related to delivery of safety repairs have been exceeded.

(a)

- (i) 2018/19 – 919 claims received
- (ii) 2019/20 – 1,348 claims received
- (iii) 2020/21 – 820 claims received
- (iv) 2021/22 – 570 claims received.

(b)

- (i) 2018/19 – £119,932.52 paid
- (ii) 2019/20 – £83,958.37 paid
- (iii) 2020/21 – £35,466.74 paid
- (iv) 2021/22 – £35,467.08 paid.

(c) Total number of claims received 3,657 against which 504 were settled with payments. The amounts paid ranged from between £13.39 and £19,278. Claims paid were for motor damage and/or personal injury claims and where the latter, these would include payment of legal costs.

8. Written question from Cllr Sharp for reply by Cabinet Member for Highways and Transport

Question

- (a) What impact do you foresee there will be on Killed and Seriously Injured (KSIs) statistics from the new Speed Limit Policy?
- (b) How and at what intervals will you measure and assess this and what criteria will be used to measure the success of this Policy?
- (c) Have you set any targets for the County to achieve speed limit changes in response to KSI stats or community requests?
- (d) Do you consider that the Policy could be more effective if a budget was allocated to enable more speed limit changes to be progressed through the Community Highways Scheme process?

Answer

- (a) The changes to the policy were not specifically designed with the intention to reduce KSI casualties and therefore no projections have been made. That said, speed management can be an effective tool in reducing KSIs at specific locations. Where this is the case and speed related crashes are being

investigated as part of a road safety remedial scheme, this policy will allow lower speed limits to be part of an overall package that will reduce KSIs.

- (b) The key measure of success is whether the revisions to the policy allow for greater latitude in applying the lower speed limits that are requested by the community. Records of applications assessed will be monitored and, if it becomes apparent that this is not the case, and that the number of revised speed limits that are implemented following a community request (as opposed to turned down) is as a result of not meeting policy requirements, the reasons why will be investigated. Community feedback will be monitored in respect of whether the policy allows for applications to be made on appropriate roads, and when they are made, and whether this results in an implemented lower speed limit.
- (c) No targets have been set.
- (d) Some requests may become Community Highway Schemes and be assessed through that process but it is envisaged the majority will be considered through the community Traffic Regulation Order (TRO) programme, which is funded to allow for 40 TROs per year. Therefore, there is potential funding for up to 40 speed limit requests per year currently should all such requests be for reduced speed limits. If demand for reduced speed limits in addition to other TROs and Community Highways Schemes far outstrips the ability to respond, we may need to reconsider the level of TROs within the annual programme.

9. Written question from Cllr Gibson for reply by Cabinet Member for Learning and Skills

Question

- (a) The document Planning School Places 2022 indicates for each school whether any bulge classes are being used but does not provide any details for the Year Group(s) involved. What is the total number of bulge classes in each Year Group in each of the seven districts and borough councils and in the East Grinstead Planning Area?
- (b) What are the criteria (e.g. Year Group, size, expected duration) that justify the use of bulge classes over investment in increased permanent school places?
- (c) How many land parcels subject to Section 106 or other agreements within new or recent housing developments are awaiting decisions whether to be used for a new school?

Answer

- (a) (Reception to Year 11)

District/Borough /East Grinstead planning area	R	1	2	3	4	5	6	7	8	9	10	11
Adur					1	1	2		2	2	2	

District/Borough /East Grinstead planning area	R	1	2	3	4	5	6	7	8	9	10	11
Arun			1				2					
Chichester						1						
Crawley								2	2	2	2	
Horsham												2
Mid Sussex	1					1		2	1			
Worthing												
East Grinstead								1				

- (b) If there is more demand for places than available places in a year of entry (Reception for primary and Year 7 for secondary) the option of a bulge class will be considered by the Local Authority in conjunction with Headteachers in the planning area affected. Generally, bulge classes are agreed if the increase in demand is not forecast to be permanent, or a locality-wide restructure is underway, such as the Age of Transfer changes that were historically undertaken, or there is a delay to the building of permanent capacity.
- (c) There are three primary school sites in the south of the county and five primary school sites and one special school site in the north of the county that are secured as part of s106 agreements that are under consideration for new schools.

10. Written question from Cllr Smith for reply by Cabinet Member for Learning and Skills

Question

Please advise how the County Council can support local Special schools who are regularly facing short-notice class closures due to high staff sickness? SEND children in Special Schools deserve access to fulltime education, like all other children in mainstream settings, yet they are disproportionately affected by class closures more than mainstream peers due to high staff to pupil ratios. Class closures disrupt their education, their routines and family responsibilities to work and access to respite. I am aware of parents losing jobs over short notice leave, and children missing therapeutic services due to repeated short-notice closures.

Can the Council consider offering holiday playscheme placements, or alternative provisions to these families who are having to home school their children through no choice of their own? Are there ways the Council can assist special schools, with classes remaining open during these periods of increased staff sickness, to minimise any disruption to all?

Answer

There are a number of factors affecting staffing generally in schools, particularly the supply of teaching and learning support assistants. Due to the nature of school staffing, special schools are disproportionately impacted by issues of recruitment and retention into these roles. With winter illness, staffing in a small number of schools has been impacted. Where staff absence is acute, decisions have to be taken at a local level by headteachers based on safeguarding, as to whether some groups of children need to be working virtually. Whilst this will always be the last resort, in cases where this has had to occur schools will always work with their parent community.

The Holiday Activities and Food Programme (HAF) provides activities in some key holiday periods for children and is in place for the Christmas break. It is not feasible for alternative provision to be commissioned by the local authority to cover short-term absences of staff. Schools would be responsible for commissioning and funding the provision. However, as places are often booked in advance, it is unlikely to be a practical solution to address the short-term challenges highlighted in the question.

The local authority does not have access to a team of additional staff it can deploy and indeed staffing, recruitment and management remains with schools. The County Council is leading a recruitment drive for school based staff and provides support and guidance to schools in how to manage situations and communicate to parents where there are insufficient staff to have all pupils in school.

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Question Time: 16 December 2022

Members asked questions of members of the Cabinet. In instances where a Cabinet Member or the Leader undertook to take follow-up action, this is noted.

Leader

The Leader answered questions on the following matters:

The Create Growth Programme, from Cllr Albury, Cllr Kerry-Bedell and Cllr Mercer.

Skills development and the skills pipeline in the Gatwick area (Gatwick Economic Summit), from Cllr Burrett, Cllr Chowdhury and Cllr Gibson.

Cabinet Member for Adults Services

The Cabinet Member answered questions on the following matters:

Adult education, from Cllr Cherry, Cllr Oppler, Cllr Pudaloff and Cllr Sharp.

In response to a question from Cllr Cherry about what provision is made to make sure that West Sussex is fully literate, the Cabinet Member said she would respond to him.

Total amount of unpaid social care charges, from Cllr McKnight.

In response to a question from Cllr McKnight about the total amount of unpaid charges owed to the Council by residents receiving social care, the Cabinet Member said she would respond to him.

Safeguarding, from Cllr Payne.

Cabinet Member for Learning and Skills

The Cabinet Member answered questions on the following matters:

Worthing and Durrington Schools, from Cllr Baxter and Cllr Turley.

The Schools Bill, from Cllr Hillier, Cllr Lord and Cllr Nagel.

Cabinet Member for Community Support, Fire and Rescue

The Cabinet Member answered questions on the following matters:

Cost of living, from Cllr Ali, Cllr Greenway and Cllr Lord.

In relation to the rising cost of living, in response to a question from Cllr Lord about how the number of calls to the Community Hub compared to the previous six months the Cabinet Member agreed let her know. The Cabinet Member also agreed to find out the waiting times for energy support advice from Citizens Advice.

In response to a question from Cllr Greenway about whether there is an opportunity for joint working between the Community Hub and the Arun Family Centre, the Cabinet Member said he would find out.

Safe Drive Stay Alive, from Cllr Duncton and Cllr Quinn.

Pension payments for fire fighters, from Cllr Walsh.

In response to a question about the personal taxation issues preventing the payment of immediate detriment pensions to retired or retiring fire fighters by fire authorities, the Cabinet Member said he would look into it and respond to Cllr Walsh.

Cabinet Member for Environment and Climate Change

The Cabinet Member answered questions on the food waste trail and youth engagement, from Cllr Gibson, Cllr Lord, Cllr Wall and Cllr Walsh.

Cabinet Member for Highways and Transport

The Leader, on behalf of the Cabinet Member, answered a question on the following matter:

Review of underpasses affected by flooding, from Cllr Cornell, Cllr Oakley, Cllr Pudaloff and Cllr Turley.

In response to a question from Cllr Cornell, following the sad death of a teenager crossing Crawley Avenue near to an underpass, as to whether there will be a full survey of such underpasses, particularly those that are used by children to get to and from school, the Leader, on behalf of the Cabinet Member, said he would provide a written response.

The Cabinet Member for Environment and Climate Change, on behalf of the Cabinet Member, answered a question on the following matter:

West Sussex Charge Network, from Cllr Kerry-Bedell, Cllr Lord, Cllr O'Kelly, Cllr Pudaloff, Cllr Quinn and Cllr Sharp.

In response to a comment from Cllr Quinn that the EV charging points in Chequer Mead car park were out of order due to snow, the Cabinet Member said she would report the information for investigation.

In response to a question from Cllr Sharp about whether there could be the option to pay at charge points by debit card to simplify the process, the Cabinet Member agreed to raise the suggestion with Connected Kerb.

Cabinet Member for Public Health and Wellbeing

The Cabinet Member answered questions on the following matters:

Integrated Care Strategy, from Cllr Boram and Cllr Walsh.

Supply of PPE, from Cllr Kerry-Bedell.

In response to a question about the level of Covid deaths in the Southbourne area and preparations for another major pandemic in relation to supplies of PPE, the Cabinet Member said he would respond to Cllr Kerry-Bedell.

Stoptober campaign, from Cllr McDonald.

Cabinet Member for Support Services and Economic Development

The Cabinet Member answered questions on the following matters:

Worthing Growth Deal – Station Approach, from Cllr Burrett and Cllr Sparkes.

Esplanade Public Realm Improvement in Bognor Regis, from Cllr Greenway.

The County Council's website, from Cllr Montyn and Cllr Pudaloff.

In response to a request from Cllr Pudaloff as to whether, when searching for 'accessibility' on the website, the first response in the search list could be accessibility of the main website, the Cabinet Member agreed that this would be investigated.

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