

**To all Members of the County Council**

An ordinary meeting of the County Council will be held at **10.30 am** on **Monday, 28 February 2022** at **County Hall, Chichester PO19 1RQ**.

**Note:** Due to the continuing public health measures there will be limited public access to the meeting. Admission is by ticket only, bookable in advance via: [democratic.services@westsussex.gov.uk](mailto:democratic.services@westsussex.gov.uk).

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

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

**Agenda**

**(papers as per meeting postponed from 18 February 2022)**

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 3 - 24)

The Council is asked to confirm the minutes of the virtual informal ordinary meeting of the County Council held on 17 December 2021.

4. **Appointments**

To consider any proposed changes to appointments. Any proposals will be circulated and changes will take effect from the end of the meeting.

5. **Address by a Cabinet Member**

At the discretion of the Chairman, to receive an 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.

6. **Pay Policy Statement 2022/23** (Pages 25 - 36)

The Council is asked to approve the Pay Policy Statement 2022/23, in the light of a report from the Governance Committee.

7. **Governance Committee: Minor Changes to the Constitution**  
(Pages 37 - 40)

The Council is asked to approve changes to the Rights of Way Delegation Code of Practice and a new Standing Order on reasonable adjustments, in the light of a report from the Governance Committee.

8. **Council Plan and Budget 2022/23**

The Council is asked to consider and approve the Council Plan and budget for 2022/23, the Capital Strategy 2022-27 and the Treasury Management Strategy Statement 2022/23, in the light of a report pack by the Cabinet Member for Finance and Property which **is enclosed with the agenda.**

**Lunch**

9. **Question Time** (Pages 41 - 44)

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 December 2021. A supplementary report may be published.

**County Council concludes**

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

Director of Law and Assurance  
18 February 2022

**Webcasting**

Please note: this meeting is being filmed for live and subsequent broadcast via the County Council's website on the internet. The images and sound recording may be used for training purposes by the Council.

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

## West Sussex County Council – Ordinary Meeting

**17 December 2021**

At the virtual informal Ordinary Meeting of the County Council held at 10.30 am on Friday, 17 December 2021, the members present being:

Cllr Bradbury (Chairman)

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

### **42 Format of meeting**

- 42.1 The Chairman reminded members that, as the meeting was being held virtually and was therefore not a formal meeting of the Council, any vote taken on any business would be indicative only.
- 42.2 Any decisions which needed to be taken on the business on the agenda would be dealt with after the meeting using the Council's

Standing Orders on urgent action. Resolutions recorded in these minutes are therefore indicative only.

**43 Death of Former Member**

43.1 The Chairman reported the death of Mr Peter Griffiths, who had represented the Hurstpierpoint & Bolney division from 2005 to 2017.

43.2 Members held a minute's silence.

**44 Social Worker of the Year Award**

44.1 The Chairman offered congratulations on behalf of the Council to Vivian Okeze-Tirado who had recently been named Overall Social Worker of the Year 2021 at a national awards ceremony. Ms Okeze-Tirado will be invited to the next meeting of the Council to receive the Council's congratulations.

**45 Appointment of Vice-Chairman for the meeting**

45.1 The item on the appointment of a vice-chairman for the meeting was withdrawn as a formal decision was not possible.

**46 Apologies for Absence**

46.1 Apologies were received from Cllr Bennett, Cllr Charles and Cllr Wickremaratchi.

46.2 Apologies for the afternoon session were received from Cllr Baxter.

**47 Members' Interests**

47.1 Members declared interests as set out at Appendix 1.

**48 Minutes**

48.1 The Chairman reported that under minute 29.1, the period of service of former county councillor, Mr Peter Jones, should read 1997 to 2013. With that correction, it was agreed that the minutes of the Ordinary Meeting of the County Council held on 22 October 2021 (pages 5 to 26) be endorsed for approval as a correct record.

**49 Result of By-election**

49.1 The Council received the County Returning Officer's return of the by-election on 4 November 2021 for the county councillor for the Bourne electoral division (page 27).

**50 Review of Proportionality**

50.1 The County Council noted its statutory duty to review the proportionality on its committees following the by-election. A paper

on the application of the proportionality rules and how they were applied, together with a table showing the number of seats on committees, was set out on pages 29 and 30.

50.2 Resolved –

That the approval of the proportionality be endorsed.

## **51 Appointments**

51.1 The Council endorsed the approval of appointments as set out below.

<b>Committee</b>	<b>Change</b>
Communities, Highways and Environment Scrutiny Committee	Cllr Oxlade in place of Cllr Baxter
Fire and Rescue Services Scrutiny Committee	Cllr Chowdhury in place of Cllr Turley
Performance and Finance Scrutiny Committee	Cllr Kerry-Bedell in place of Cllr Linehan
Regulation, Audit and Accounts Committee	Cllr Dunn and Cllr Turley to fill vacancies

## **52 Governance Committee: Changes to Council Procedures**

52.1 The Council considered changes to Council procedures in the light of a report from the Governance Committee (pages 31 to 42).

52.2 Resolved –

That the approval of the proposed changes to Part 4, Section 1 of the Constitution, as set out in Appendix 1 to the report, be endorsed.

## **53 Governance Committee: Minor changes to the Constitution, including Regulation, Audit and Accounts Committee Terms of Reference**

53.1 The Council considered minor changes to the Constitution including changes to the terms of reference of the Regulation, Audit and Accounts Committee, in the light of a report from the Governance Committee (pages 43 to 50).

53.2 Resolved –

- (1) That the approval of the proposed changes to Part 3, Appendix 5 of the Constitution, as set out in Appendix 1 to the report, be endorsed; and
- (2) That the approval of the minor changes to the Constitution, as set out in Appendix 2 to the report, be endorsed.

**54 Regulation, Audit and Accounts Committee: Arrangements for appointment of an External Auditor**

54.1 The Council considered the appointment of an external auditor for both West Sussex County Council and West Sussex Pension Fund, in the light of a report by the Regulation, Audit and Accounts Committee (pages 51 to 54).

54.2 Resolved –

That the invitation from the Public Sector Audit Appointments Limited (PSAA) to continue to be an opt-in authority for the purposes of the appointment of an external auditor for both West Sussex County Council and West Sussex Pension Fund, for the period 1 April 2023 to 31 March 2028, under the provision of the Local Audit and Accountability Act 2014 and the requirements of the Local Audit (Appointing Person) Regulations 2015, be endorsed for acceptance.

**55 Question Time**

55.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios, as set out at Appendix 3. This included questions on matters contained within the Cabinet report (pages 50 to 60) and answers to written questions pursuant to Standing Order 2.38 (set out at Appendix 2).

**56 Motion on Food Waste Collection**

56.1 The following motion was moved by Cllr McGregor and seconded by Cllr Markwell.

'This Council welcomes the new duty in the Environment Act 2021 for local authorities to collect and process food waste separately from other waste. This mandate, if implemented within an appropriate overall collection and disposal system, will reduce overall emissions and is crucial in our fight to keep within the Climate Change 1.5 degree target.

This measure also benefits household budgets. Evidence from areas that already have separate food waste collections shows that many residents change their purchasing and cooking habits when they see how much they throw away. This saves them money as well as avoiding the carbon and water resource impacts of producing and transporting food which would have previously been wasted.

We acknowledge the good partnership working arrangements with our district and boroughs with Arun District Council already running a '123' trial and Mid Sussex District Council considering a similar trial in the spring.

As such, this council calls on the Cabinet Member for Environment and Climate Change to:

- (1) Urge the Government to clarify the 'implement by' date as soon as possible and to fully fund the transition costs for both the collection and disposal authorities, as well as additional on-going costs due to these new burdens; and
- (2) Ask the Government to ensure that councils who wish to introduce the measures ahead of the mandated timeframe do not lose out on funding so that the county can see these emission reductions and household benefits without unnecessary delay.'

56.2 An amendment was proposed by Cllr Condie and seconded by Cllr Kerry-Bedell as set out below.

To add to the motion the text as follows:

- '(3) ***Subject to the two above points being satisfactorily resolved, to introduce food waste collection and processing as soon as practically possible in conjunction with district and borough Councils.***'

56.3 An amendment to the amendment was moved by Cllr Baxter and seconded by Cllr Oxlade as set out below in underlined text.

- '(3) ***Subject to the two above points being satisfactorily resolved, to introduce food waste collection and processing at pace as soon as practically possible in conjunction with district and borough Councils.***'

56.4 The amendment was lost and the amendment to the amendment therefore fell.

56.5 The motion was carried and endorsed for approval.

## **57 Motion on Speed Limits**

57.1 At the County Council meeting on 16 July 2021 the following motion had been moved by Cllr O'Kelly, seconded by Cllr Condie, and referred to the Cabinet Member for Highways and Transport for consideration. A report by the Cabinet Member was included with the agenda (pages 61 and 62).

57.2 Following the meeting between Cllr O'Kelly and the Cabinet Member, the Chairman agreed that a revised version of the motion could be debated as set out below.

'This Council believes that promoting active travel and improved road safety is a priority.

This Council therefore calls upon the Cabinet Member for Highways and Infrastructure to introduce a more flexible policy on speed reduction including the 20mph limit and other measures such as quiet lanes all of which have the potential to improve road safety, air quality, and to encourage active travel.'

- 57.3 An amendment was proposed by Cllr Bence and seconded by Cllr Baldwin as set out below.

'This Council believes that promoting active travel and improved road safety is a **one of the Council's** priorities.

This Council therefore ~~calls upon~~ **supports** the Cabinet Member for Highways and Transport **in her current policy review and new Transport Plan which will consider options such as** ~~introduce a more flexible policy on~~ speed reductions including the 20mph limit and other measures such as quiet lanes all of which have the potential to improve road safety, air quality, and to encourage active travel.'

- 57.4 The motion, as amended and set out below, was endorsed for approval.

'This Council believes that promoting active travel and improved road safety is one of the Council's priorities.

This Council therefore supports the Cabinet Member for Highways and Transport in her current policy review and new Transport Plan which will consider options such as speed reductions including the 20mph limit and other measures such as quiet lanes all of which have the potential to improve road safety, air quality, and to encourage active travel.'

## **58 Report of Urgent Action**

- 58.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 63 and 64) was noted.

Chairman

The Council rose at 3.35 pm



## Interests

Members declared interests as set out below. All the interests listed below were personal but not pecuniary or prejudicial unless indicated.

<b>Item</b>	<b>Member</b>	<b>Nature of Interest</b>
12 – Question Time, Written Questions	Cllr Atkins	Member of Worthing Borough Council
12 – Question Time	Cllr Baldwin	Member of Horsham District Council
12 – Question Time (Levelling Up funded projects)	Cllr Boram	Member of Adur District Council
12 – Question Time	Cllr Burgess	Member of Crawley Borough Council
12 – Question Time	Cllr Burrett	Member of Gatwick Greenspace Partnership and Chairman of the Buchan Country Park Advisory Board
12 – Question Time (Climate Change Annual Report)	Cllr Condie	Member of Pensions Committee
12 – Question Time (COVID-19 Omicron variant)	Cllr B Cooper	Governor of Sussex Community NHS Foundation Trust
12 – Question Time	Cllr Elkins	Member of Arun District Council
12 – Question Time	Cllr Gibson	Member of Mid Sussex District Council and of Worth and Turners Hill Parish Councils
12 – Question Time	Cllr Lanzer	Member of Crawley Borough Council
12 – Question Time	Cllr Oakley	Member of Chichester District Council
12 – Question Time	Cllr Sharp	Member of Chichester District Council
12 – Question Time	Cllr Sparkes	Member of Worthing Borough Council
12 – Question Time	Cllr Walsh	Member of Arun District Council
12 – Question Time (Levelling Up funded projects)	Cllr Walsh	Member of Arun District Council

<b>Item</b>	<b>Member</b>	<b>Nature of Interest</b>
13(a) – Motion on Food Waste Collection	Cllr Burgess	Member of Crawley Borough Council
13(a) – Motion on Food Waste Collection	Cllr Burrett	Member of Crawley Borough Council
13(a) – Motion on Food Waste Collection	Cllr Crow	Member of Crawley Borough Council
13(a) – Motion on Food Waste Collection	Cllr Gibson	Member of Mid Sussex District Council
13(a) – Motion on Food Waste Collection	Cllr Lanzer	Member of Crawley Borough Council
13(a) – Motion on Food Waste Collection	Cllr Oakley	Member of Chichester District Council
13(a) – Motion on Food Waste Collection	Cllr Walsh	Member and former Leader of Arun District Council
13(b) – Motion on Speed Limits	Cllr Gibson	Member of Worth and Turners Hill Parish Councils

## Written Questions: 17 December 2021

1. Written question from **Cllr Smith** for reply by **Cabinet Member for Children and Young People**

### Question

Members will of course be aware of the shocking case of the tragic death of Arthur Labinjo-Hughes and the concerns raised about possible missed opportunities as a result of lockdown.

Given that the most recent children's services monitoring report by Ofsted stated that only 81.6% of Child Protection cases received statutory visits, how can members be reassured that the 18.4% who were not subject to those visits at the time are now receiving the most appropriate support?

Can the Cabinet Member reassure me that any lessons to be learnt from this tragic case will be taken into account at West Sussex to ensure as far as possible this doesn't happen again?

### Answer

This tragic event is receiving a concerted response at both national and West Sussex level. The Department for Education (DfE) has announced an independent national review, and Ofsted will be holding an inquiry into the circumstances of the case. The County Council is committed to adopting into practice any changes needed from learning arising from these investigations. At local level, the West Sussex Principal Social Worker is currently coordinating meetings with frontline practitioners to reflect on the case.

Standards are set for visiting for all children open to social care in West Sussex, depending on need and risk. With children on a Child Protection Plan (CPP), the standard is a visit at least every 10 working days. The 81.6% compliance noted for this indicator means that these children were seen within 10 working days; the remaining 18.4% of children have also been visited, but, due to a variety of circumstances, including non-attendance of the child/family, outside of this timescale. Therefore, children subject to CPP are visited on a regular basis, and a missed visit will always be promptly rescheduled. During the initial pandemic lockdown some risk-assessed visiting was done virtually, but the authority rapidly moved to a standard regime of face-to-face visits for CPP cases, in order to give the greatest possible assurance of the child's wellbeing.

All children subject to a CPP are supported by a Core Group of professionals, including health and schools and the child's parents. This group will respond rapidly to any concerns raised – for instance where there are repeated missed visits due to the child not being at home – and this can lead to a higher level of intervention being deemed necessary. These mechanisms, together with regular management supervision of social workers and their cases, ensure that the County Council has a robust and timely approach to intervening to safeguard the child where there are any causes for concern.

2. Written question from **Cllr Lord** for reply by **Cabinet Member for Learning and Skills**

**Question**

Following the announcement of a roll out of Mental Health First Aiders in every school at the Council meeting on 19 March, could the Cabinet Member for Learning and Skills confirm:

- (a) How many trained mental health first aiders there were in West Sussex schools and how many schools had mental health first aiders in March?
- (b) How many trained mental health first aiders there are in West Sussex schools and how many schools have mental health first aiders today?
- (c) If not yet in all schools, when will all schools have at least one trained mental health first aider?

Please provide the breakdown of these numbers for academies and maintained schools.

**Answer**

- (a) It is not possible to provide this information as schools do not need to report these numbers to the local authority.
- (b) There are 70 school staff signed up to do the next training event. However, it should be noted that staff do not need to undertake training via the local authority and can also access other providers of Youth Mental Health First Aid.
- (c) There is no requirement for schools to undertake this training. Given the current situation that Covid places on provision of sufficient staff cover it can be difficult to encourage them to take time away from school to undertake this training.

3. Written question from **Cllr Sharp** for reply by **Cabinet Member for Learning and Skills**

**Question**

- (a) Does West Sussex County Council have an accurate figure, or at least an estimate, of the number of 'ghost children' in the county who no longer attend school due to the Covid pandemic?
- (b) Can you confirm whether this has resulted in lower levels of referrals from schools to social care since March 2020?
- (c) Does the County support the [suggestion by Chief Inspector of Ofsted, Ms Amanda Spielman](#), that a register should be set up of children not attending school?
- (d) Does the County have any plans or initiatives to ensure that these 'ghost children' have an opportunity to re-access full time education?

## Answer

The term 'ghost children' appears to refer to children who may not be attending school since they reopened to all children, following periods of partial closure throughout the lockdown periods.

During the last two years when schools have been partially closed in lockdown to the majority of children, they remained open to children of key workers, children with Education Health and Care Plans and those deemed vulnerable. Schools remained in close contact with children in these categories and offered places for face-to-face teaching on site. For those families who did not take up the offer, pastoral care continued. The Pupil Entitlement Team worked alongside colleagues in Children's Social Care and those in SEND and Inclusion to ensure a triangulation between these departments, schools, and families with a focus on vulnerable children.

Schools are now fully open and are required to investigate any child's absence from school. For those where a school does not authorise the absence, they will follow protocols regarding the absences and consider referral to the local authority for non-attendance procedures, should this be appropriate. Schools must also refer matters where they are concerned about the welfare of a child to Children's Social Care who will review all contacts within the continuum of need and appropriate and timely action will be taken.

- (a) The local authority has not been made aware of any schools where they are encountering significant numbers of children absent from school since schools re-opened to all children; and non-attendance referrals are being monitored closely.
- (b) Schools are the second highest referral source to the Integrated Front Door with an average of 25% of overall contacts, this equates to an average of 800 contacts a month. There was a drop in the number of referrals when there were lockdown periods. However, since schools returned, there have been consistent numbers of contacts.
- (c) Schools are already aware of children who are absent and are following procedures, as required in these cases.
- (d) As non-attendance referral levels are consistent with pre-pandemic levels, there are no plans to make any alterations to current practice. Schools should continue to adhere to the current protocols in place in relation to absences and in making referrals regarding any concerns about a child's welfare.

4. Written question from **Cllr Oxlade** for reply by **Cabinet Member for Community Support, Fire and Rescue**

## Question

In October 2012 I raised the prominence of the 'Tell Us Once' (TUO) service operated by the Department of Work and Pensions (DWP) which enables those recently bereaved to provide details of their loss to one organisation which is then passed that on to others, thereby minimising the burden at a very difficult time. The County Council subsequently introduced this service for the benefit of West Sussex residents.

I remain a strong advocate for this valuable service and would be grateful if the Cabinet Member could provide details of what % of residents who registered the death of a family member activated the Tell us Once process in 2019 and 2020 and comment on the extent to which use of the scheme is increasing?

**Answer**

2019 - 75% of those who registered a death within West Sussex, then activated the Tell Us Once Service (TUO).

2020 - 80% of those who registered a death within West Sussex, then activated the TUO service.

The use of the TUO service continues to be much appreciated by those who need to register a death. The uptake has shown a continuous increase with 2016 and 2017 showing 71% and 72% respectively.

The Department of Work and Pensions (DWP) are also very pleased to see that West Sussex residents are using their website to self-serve. In 2020, 90% of those who used the service completed it via the DWP website rather than telephoning the DWP helpline.

5. Written question from **Cllr Cornell** for reply by **Cabinet Member for Environment and Climate Change**

**Question**

The Cabinet Member is currently consulting West Sussex residents on proposals to make permanent the need to pre-book a slot to dispose of household waste at some of the County's Recycling Centres. Residents have until 21 December 2021 to give their views ahead of a final decision being taken by Cabinet in March 2022.

We are told there is no evidence of a rise in fly-tipping linked to this scheme. However there was a 7.16% increase in fly-tipping incidents in West Sussex between April 2019 and March 2020 compared to the previous year. The increase did not include incidences of fly-tipping on private land which is a growing problem in rural areas. Furthermore, some evidence within Crawley suggests there has been a significant increase both in occurrences and resident reports of fly-tipping since the trial began.

Can the Cabinet Member therefore reassure me that:

- (a) A full assessment of incidences and reports of fly-tipping across the county including any on private land for the duration of the trial has or will be undertaken and reported to Councillors ahead of the Cabinet decision along with comparative data for the same period prior to the pandemic; and
- (b) That comparative data regarding the volume and type of items disposed of both during the trial period and prior to the pandemic will also be provided, with a particular focus on recycling rates, along with any credible explanation as to why the volume(s) has decreased if that is indeed the case?

**Answer**

- (a) A full breakdown of the data so far as recorded by the district and borough

councils will be provided as part of the decision report. This will include information on land where fly tipping has taken place including private land. Nationally fly tipping increased by 16% prior to the launch of the booking system at the end of March 2021. The national average sees 20 incidents of fly tipping per 1,000 people. I can confirm that the South East has 13 incidents per 1,000 people.

- (b) Data recorded at sites will be provided where it is available along with the recycling rate.

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

**Question**

- (a) Now that the six-month trial period for the Jet Patcher Pothole Pro has completed on 30 November 2021, please can you kindly provide statistics of how many potholes were filled in that time compared with the normal number of potholes that would have been filled without Pothole Pro and with a cost comparison between both methods?
- (b) Also, was the result of the trial period a success and if it was a success will the Jet Patcher Pothole Pro be deployed into regular use?

**Answer**

- (a) The strategy adopted for the application of the Velocity Jet Patcher (JP) was predominantly focused on a proactive approach to the treatment of deteriorating carriageway condition, focusing on areas that will likely become potholes over the next year or so. The approach to utilising the JP is quite different to that employed by a number of conventional two-person gangs, that deliver the reactive service, for the following reasons:
- The JP was predominantly used to treat areas of the carriageway that do not meet the investigatory levels set out in the Highway Inspection Manual i.e. focusing on larger areas and shallower depths than would contractually be able to deliver through the reactive service with a conventional two-person gang.
  - The repairs being undertaken with the JP, especially on those roads which are showing established signs of deterioration, are considered to last longer than a conventional unsawn repair undertaken by a two-person gang.
  - The speed in which the Jet Patcher operates and delivers individual jobs is far quicker and requires limited traffic management, whereas conventional reactive gangs often require setting up and taking down traffic management.

In terms of key headline operational statistics for the JP 6-month trial:

- Working days in operation – 117
- Number of repairs undertaken – 2,107
- Total sqm undertaken – 7,959
- Average jobs per day – 18

- Average sqm complete per day – 68sqm

Financial comparison:

- The JP trial was agreed to be delivered by Balfour Beatty for £500,000, plus Traffic Management costs of £20,000 totalling of £520,000.
  - Although difficult to compare given the output of sqm per day by the JP, it is expected that to deliver the same volume of sqm with conventional 2 person gangs, five gangs would be required at an approximate cost of £800,000 for the same number of days in operation.
- (b) It is felt that the trial was a success. However, one JP for the entire county is not optimal and, from conversations with other Highway Authorities, there are some that are operating multiple JP units, in some cases up to five units. It is also felt that the benefit of a JP will be more noticeable over a longer period of time and the benefits will compound. Discussions are underway with Balfour Beatty regarding the strategy for delivering the reactive service next year and, subject to funding, it is expected that Velocity will be back in the county with at least two JP units.

**Note:** The JCB Pothole Pro is a separate piece of equipment which undertakes larger structural pothole/patches. A small trial of this equipment was undertaken earlier in the year and it is hoped to use one next year. The main benefits of the Pothole Pro are increasing output of work, meaning larger structural patches can be undertaken and improved health and safety for the gangs. It is also a multi-function unit, which could be used to supplement other work streams delivered through Lot 1, such as road scraping, vegetation cutting, digging/maintenance of grips and ditches.

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

**Question**

Many Burgess Hill residents have complained over the last six months about localised flooding in the town in many cases due to blocked drainage gullies. They are repeatedly informed that their case is priority 2 and will be dealt with at some future unspecified date. None of these cases have to my knowledge been dealt with.

Will the Cabinet Member please:

- (a) Supply the annual amount spent (or budgeted for in the current year) over the last five years on the gulley clearance contract?
- (b) Provide data on the number of West Sussex Fire and Rescue Service (WSFRS) call outs for localised flooding over the same period?
- (c) Provide a target date by which all these accumulated priority 2 cases in Burgess Hill will be cleared?
- (d) Assure the Council that pedestrian and cyclist safety resulting from such localised flooding (and subsequent icing during winter) is being monitored?



- (e) Advise if they intend to revise the 2022/23 gully clearance budget to avoid further degradation of the road surface and alleviate these community concerns?

**Answer**

- (a)

<b>Year</b>	<b>Spend</b>
2021/22*	£1.6m*
2020/21	£1.3m
2019/20	£1.0m
2018/19	£1.2m
2017/18	£1.2m

\*Forecasted Spend

**Note:** Spend is revenue and includes cyclical and ad hoc gully cleansing and jetting

- (b) WSFRS – due to an IT issue, WSFRS cannot access this data at the moment. For information, the emergency call outs attended by highways for flooding in Burgess Hill is as follows:

2016 – 5  
2017 – 5  
2018 – 3  
2019 – 5  
2020 – 12  
2021 – 12

- (c) The latest update for Burgess Hill is as follows:

**Priority 1s (P1s)**

- There is currently one P1 job that has been committed and is due in the New Year

**Priority 2s (P2s)**

- 15 P2 jobs have been completed in December
- There are five P2 jobs that have been committed and are due for completion in February 2022. Two more P2s have been identified but the work is not yet committed. The local Senior Highway Steward can update the councillor when work is committed and timeframe is known

**Priority 3s (P3s)**

- Two P3s have been identified but the work is not yet committed.

We are beginning to work through the P2 work. As these reduce, we will be in a position to commit the next two P2 jobs in Burgess Hill. It is unlikely that we will commit to P3 defects at the current time. These should be monitored, as with all outstanding jobs, by the Stewards.

We have recently deployed two additional jettors to deal with the number of jobs in the system.

- (d) The County Council operates a four-year cyclical drainage cleansing programme across the county in order to ensure that drainage systems are working

efficiently. In addition to this, officers visit sites with reported drainage issues to ensure what remedial works are required to ensure the system is working to its capacity, and works are prioritised accordingly. In emergency situations that could potentially impact all road users, the Council's reactive contractor will respond to issues of flooding within two hours of receiving notification. They will try to resolve the situation where they can or request the drainage contractor to assist with clearing standing water. Where it is not possible, or there are a significant number of emergencies at one time, the site will be made safe either by barriers around the flooded areas or by erecting warning signs in all directions (significant flooding may result in a road being closed). This will be followed up as soon as possible after the event has passed to ascertain what additional remedial works are required.

- (e) The budget will be set in February and the outcome cannot be pre-empted at this time.

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

**Question**

Over the last six months a number of residents of Burgess Hill have requested new parking controls schemes for the areas they live in (e.g., Norman Road, Lower Church Road, Victoria Industrial Estate). During this time officers have advised that these requests be put on hold until a new West Sussex County Council car parking strategy is announced, but so far, no date has been given for this.

Will the Cabinet Member please:

- (a) Advise when this strategy document will be released so that these long-standing resident requests can be progressed?
- (b) Assure the Council that adequate resources will be made available to deal with the backlog of these car parking cases and provide a target date for completion?

**Answer**

A revised policy framework and parking management programme to replace the County Council's Road Space Audit Programme and associated decision-making process has been developed.

The framework sets out rules for the consideration, implementation, review and removal of Controlled Parking Zones; how decisions will be made by the County Council on whether particular proposals should be progressed; and incorporates an initial three-year programme for Controlled Parking Zone development.

The framework was scrutinised by a Communities, Highways and Environment Scrutiny Committee-led Task and Finish Group on 2 November 2021 and will be considered by the Cabinet Member in December. Accordingly, it will be available for all county councillors to view during the call-in period. If/once approved, the new framework and programme will become effective from January 2022.

The report being considered in December outlines in detail how the new parking management programme has been put together and how it is to be resourced. A recruitment process is underway for two new posts within the Parking Strategy Team to help drive this programme forward.

With regard to Burgess Hill, it is currently intended to commence feasibility work in January 2023, although this is subject to the progress of other projects.

9. Written question from **Cllr Lord** for reply by **Cabinet Member for Highways and Transport**

**Question**

Given the roll out of Light Emitting Diodes (LED) street lighting that is underway and the flexibility this brings, could the Cabinet Member for Highways and Transport confirm:

- (a) What the current expected timeline and roll out plan for delivery across the county is?
- (b) How many LED street lights there will be in the county when the programme is complete and what the cost per hour per light will be?
- (c) Whether a new street lighting policy is being considered which could allow for variation in lighting hours and resident involvement in recommending locations for such changes?

**Answer**

- (a) The changes to the Private Finance Initiative (PFI) contract are proving complex and therefore the exact start date is difficult to confirm. Negotiations are in the final stages and the suppliers are ready to commence four months after final agreement. We are hopeful that we can achieve approval from all parties early 2022 with a start during quarter two 2022. The delivery will be over four years, starting in Crawley, and moving through the county. This will ensure the most cost-effective maintenance scheduling, reducing travel and the County Council's carbon footprint.
- (b) On completion of the conversion programme there will be approximately 67,600 LED streetlights. There are numerous different types of LED lanterns all of which have a different energy usage. On average the energy usage per lantern is 27 Watts which at the current cost of £0.205 per kWh equates to £0.0055 per hour.
- (c) On completion of the conversion programme, the County Council will have the ability to remotely control the time and brightness of the streetlights. Working with key stakeholders, the plan is to review the part night and all-night streetlight policy to fully utilise this new facility.

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

**Question**

Nottingham City Council has had a [Workplace Parking Levy](#) since 2012. This has raised more than £64m, which has paid for two additional tramlines, improvements to the railway station and more clipper buses.

Nottingham now has the highest public transport use rates in the whole of Britain, something that has contributed to taking the equivalent of 2.5 million car journeys off its road networks every year. Not only has this resulted in a 33 per cent fall in carbon emissions, but it has also led to more businesses wanting to locate their premises in Nottingham due to its improved environmental credentials. A number of UK cities are considering the introduction of a Workplace Parking Levy (WPL). These include Leicester, Bristol, Reading, Oxford and Birmingham. Scotland had also passed permission for the charges as part of a new Transport Bill in 2019, with authorities in Edinburgh and Glasgow among those considering a WPL trial there. In London, it is hoped that introducing WPLs will contribute to the city's goal of ensuring 80% of journeys are made through walking, cycling or public transport.

- (a) Is the Workplace Parking Levy something that the County Council could look into in order to fund sustainable travel and/or public transport initiatives in the county?
- (b) Can the Cabinet Member for Highways and Transport confirm whether district and borough councils could lead on this or whether this should be a West Sussex-led initiative?

**Answer**

- (a) The Workplace Parking Levy (WPL) is an interesting concept in that it can help to level the cost of city centre parking between shoppers, residents who are typically already charged, and those who have free workplace parking. The main aim of WPL is to help to deal with road traffic congestion and air quality improvements while improving access to sustainable travel alternatives. The impact and relative success of the Nottingham scheme is interesting albeit it is the only scheme in operation nationally.

Work on renewing the West Sussex Transport Plan (WSTP) did not identify a need to introduce WPL for any of our town or city centres nor were any identified by consultees. Typically, it is only large cities that have the appropriate level of employment and associated non-charged for parking, existing public transport infrastructure and lack of opportunity for business to move premises to make WPL schemes a success. One concern being explored elsewhere is that introducing a charge may simply encourage business to move elsewhere. A further concern is the potential impact of the pandemic on business viability should a charge be made. As such, support for scheme deliverability is subject to considerable uncertainty.

That is not to rule out parking demand management as a tool to help manage town centre access. Therefore, the proposed approach to parking in the WSTP is to use the revised Controlled Parking Zone policy which has been considered by the Communities, Highways and Environment Scrutiny Committee and is

soon to be subject to a Cabinet Member decision. In the meantime, officers will take a keen interest in those larger cities that are currently considering implementing a WPL, alongside the district and borough councils to consider whether this is a solution that may suit West Sussex. Should this lead to a conclusion that a WPL is a suitable solution this may be added to the WSTP through a future review.

- (b) The exact mechanism for introducing a WPL scheme requires further investigation to be fully understood but the Cabinet Member understands that WPLs can only be introduced by Local Traffic Authorities under their various duties enabled by the Transport Act 2000 and the Traffic Management Act 2004. In West Sussex this means West Sussex County Council. It would be expected that each scheme would be developed in conjunction with the district and borough councils. Any scheme needs to be identified as supporting the aims of the WSTP and a full business case and scheme proposal submitted for approval by the Secretary of State.

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## **Question Time: 17 December 2021**

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.

Community consultation, from Cllr B Cooper.

In response to a question from Cllr Cooper, the Leader directed Cllr Cooper to the Council Plan and supporting metrics, which set out the Council's priorities.

Crawley's bid to become a city, from Cllr Burgess and Cllr Duncton.

COVID-19 grants and funding, from Cllr Baxter.

Home England development west of Ifield, from Cllr Cornell, Cllr Gibson and Cllr Oxlade.

### **Cabinet Member for Adults Services**

The Cabinet Member answered questions on the following matters:

Provision for victims of abuse, from Cllr Condie, Cllr Kenyon and Cllr Oakley.

Social care workforce pressures, from Cllr B Cooper and Cllr O'Kelly.

In response to a question from Cllr O'Kelly about social care workforce pressures and current waiting times for social care assessments, the Cabinet Member said she would write to her. She also agreed to include details of any parts of the county that have particular challenges and the business continuity plan for the next few months.

Joint Carer Strategy 2021-26, from Cllr Burgess.

### **Cabinet Member for Learning and Skills**

The Cabinet Member answered a question on the following matters:

Written question 2, Mental health support in schools, from Cllr Lord.

New college at Woodlands Meed, from Cllr Cornell, Cllr Greenway and Cllr Wall.

Impact of Covid on schools, from Cllr Lord and Cllr Smith.

Provision for free school meals over the Christmas holidays, from Cllr Lord and Cllr Payne.

### **Cabinet Member for Communities, Fire and Rescue**

The Cabinet Member answered questions on the joint Fire & Rescue Control Centre, from Cllr Walsh.

### **Cabinet Member for Environment and Climate Change**

The Cabinet Member answered questions on the following matters:

Local Nature Recovery Strategies, from Cllr Burrett, Cllr Kerry-Bedell and Cllr Oakley.

Climate Change Annual Report, from Cllr Boram, Cllr Condie, Cllr Kerry-Bedell and Cllr O'Kelly.

### **Cabinet Member for Finance and Property**

The Cabinet Member answered questions on the Local Government Finance Settlement, from Cllr Oakley and Cllr Walsh.

### **Cabinet Member for Highways and Transport**

The Cabinet Member answered questions on the following matters:

Traffic issues in relation to the Homes England Growth Programme, from Cllr Condie and Cllr Hillier.

Crash barriers on dual carriageways, from Cllr N Dennis.

In response to a request as to whether crash barriers should be installed on the central reservation of the A264 dual carriageway between Horsham and Crawley, the Cabinet Member said she would look into the matter and any other mitigations that may need to be put in place.

Salt bins, from Cllr Quinn.

Community highway schemes, from Cllr Sharp.

### **Cabinet Member for Public Health and Wellbeing**

The Cabinet Member answered questions on the Omicron variant, from Cllr Britton, Cllr B Cooper, Cllr Joy, Cllr Kerry-Bedell, Cllr O'Kelly and Cllr Walsh.

In response to questions from members about COVID-19 the Cabinet Member agreed to a request from the Chairman to pass on thanks on behalf of all councillors to all staff working in the community.

### **Cabinet Member for Support Services and Economic Development**

The Cabinet Member answered a question on the following matters.

Levelling up funded projects, from Cllr Boram, Cllr Elkins and Cllr Walsh.

Virtual meetings regulations, from Cllr Markwell.

In response to a request from Cllr Markwell, the Cabinet Member agreed to write to the Government to ask for the reintroduction of the virtual meeting regulations or legislation to allow councils to meet and vote virtually when required, particularly in relation to the budget meeting in February.



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## Pay Policy Statement 2022/23

### Background and context

- 1 The Localism Act requires each local authority to produce a Pay Policy Statement (the 'statement') explaining its approach to the pay of its 'chief officers' and its 'lowest paid' employees and the relationship between the two. The statement has to be published and accessible to the public. The statement must be approved annually before 31 March each year prior to the financial year to which it relates.

### Proposal details

- 2 **Appendix 1 to this report**, the Pay Policy Statement 2022/23, sets out the pay determination arrangements for staff. The proposed changes to the Pay Policy Statement since last year are summarised below. The changes are highlighted in italic and strike-through text in the Appendix:
  - (a) Paragraph 4.3: Paragraphs 4.3 and 4.4 (now deleted) set out the operational process for how pay is determined for SMG2-3 posts and SMG4 posts respectively. The process is fundamentally the same for all SMG posts and the arrangements are now set out in a single paragraph.
  - (b) Paragraph 6.3 (deleted) and paragraph 6.4: The amended wording reflects a change in arrangements so that the same decision-making process applies to all SMG2-4 roles.
- 3 The pay multiples between the highest paid salary and the median earnings and between the highest paid salary and the lowest paid staff **are shown in Appendix 2**. With effect from 6 January 2020 the County Council's Chief Executive has also been the Chief Executive of East Sussex County Council with the two roles being carried out together and salary costs shared equally between authorities. With these arrangements in place the highest paid salary in the County Council is not for the post of Chief Executive, as was the case prior to 2019/20. The reference figure used for the pay multiples as at 31 March 2021 is that of the highest paid West Sussex County Council employee.

### Recommended

That the proposed revisions to the Pay Policy Statement, as set out in Appendix 1, be approved.

### Pete Bradbury

Chairman of the Governance Committee

**Contact Officer:** Colin Chadwick, Head of HR Specialist Services, 0330 2223283, colin.chadwick@westsussex.gov.uk

### Appendices

- Appendix 1: Pay Policy Statement
- Appendix 2: Pay multiples

**Background papers:** None

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## **West Sussex County Council Pay Policy Statement**

For financial year 1 April 202~~1~~<sup>2</sup> - 31 March 202~~1~~<sup>3</sup>  
As approved by the County Council on ~~TBC~~<sup>19 March 2021</sup>

### **1. Aim of the Pay Policy**

- 1.1 The County Council's pay policy aims to ensure value for money whilst enabling the County Council to deliver high quality services to the residents of West Sussex.
- 1.2 The County Council seeks to set pay rates that are competitive but will determine pay at an appropriate level in accordance with relevant legislation, overall affordability, and other relevant factors in recruiting and retaining its workforce.

### **2. Governance Arrangements**

- 2.1 The Governance Committee determines the terms and conditions of employment for all staff.
- 2.2 The Scheme of Delegation provides for the Director of Human Resources and Organisational Development to manage, review and apply the County Council's Human Resources strategy and policies and to apply, with the Chief Executive, the appropriate pay and conditions for the appointment of staff. The responsibilities of members are as described in this Statement.
- 2.3 The Chief Executive is required to keep the Governance Committee informed of any matters of significance relating to staff terms and conditions.

### **3. Scope of the Pay Policy Statement**

- 3.1 This pay policy statement meets the statutory duty to provide the County Council with a description of the policy on staff remuneration for annual approval. It provides information on remuneration arrangements for staff directly employed by the County Council, excluding staff in schools.
- 3.2 The County Council defines its lowest paid employees as those staff paid on the first spinal column point of the County Council's pay grades for National Joint Council (NJC) for Local Government Services staff.
- 3.3 The relationship between the remuneration of the lowest paid employees and that of the Council's senior officers is as described in this statement and by reference to published data requirements.

### **4. Grading, or Fixed Pay Point, Structure**

- 4.1 For the officer on Strategic Management Grade (SMG) Tier 1 (i.e. the Chief Executive/Head of Paid Service) a single fixed pay point and grading

is determined by the Leader and Cabinet Member for Finance, with advice from the Director of Human Resources and Organisational Development, with reference to benchmarking remuneration arrangements, including Hay evaluation scores, of relevant comparator organisations. This arrangement applies where the post holder is an employee of the County Council.

- 4.2 For the period covered by this Statement the payment for the services of the Head of Paid Service (the Chief Executive) will be by way of a payment to East Sussex County Council, which will be the employer of the person appointed to the post and who also holds the equivalent post at East Sussex. That Council will determine the salary in consultation with this Council's Leader and Cabinet Member for Finance. This Council will be responsible for paying half of the salary and associated on-costs of the post.
- 4.3 For staff on Strategic Management Grades (SMG) ~~., Tiers 2 and 3 (i.e. Executive Directors and Directors),~~ a single fixed pay point and grading is determined either by the Chief Executive and/or, if appropriate, by the Director of Human Resources and Organisational Development ~~(other than in the case of the Director of Human Resources and Organisational Development — in which case it will be the Chief Executive alone),~~ using (a) the Hay job evaluation scheme ~~the local SMG job assessment method~~ and (b) reference to benchmarking remuneration arrangements, including Hay evaluation scores, of relevant comparators where available. ~~This method applies a number of weighted criteria and internal and external benchmarking.~~
- ~~4.4 — For staff on Strategic Management Grade (SMG) Tier 4 (i.e. Heads of Service or equivalent posts that report in to a SMG Tier 1, 2 or 3 post) a single fixed pay point within SMG Tier 4 Hay pay range is determined using (a) the HAY job evaluation scheme (b) reference to benchmarking remuneration arrangements of relevant comparators (c) the levels of skills and experience of the role holder.~~
- ~~4.54.4~~ For staff on Hay Grades the County Council uses the Hay job evaluation scheme to allocate jobs to the appropriate Hay pay grade.
- ~~4.64.5~~ For staff on NJC pay grades the County Council uses the NJC formal job evaluation procedures to allocate roles to the appropriate council pay grade.
- ~~4.74.6~~ For staff appointed on Uniformed Fire Fighters, Teachers (Centrally Employed), Soulbury and Youth Worker terms and conditions, grading is established using national frameworks.
- ~~4.84.7~~ Salaries for staff who have transferred into the authority under Transfer of Undertakings (Protection of Employment) Regulations (TUPE) or Cabinet Office Statement of Practice (COSOP) arrangements are those applicable at time of transfer and, by agreement, may also be determined in accordance with the local pay framework described above.
- ~~4.94.8~~ NJC and Hay pay grades are published on the County Council's website.

## **5. Pay Progression**

- 5.1 Staff on NJC and Hay grades are eligible for annual incremental increases to base pay until they reach the top of the grade for their role. There is no further base pay progression once the employee reaches the maximum of the grade, with the exception of a small number of staff who retain an entitlement to an additional long service increment, in accordance with the rules of a scheme which is no longer current.
- 5.2 Incremental progression is subject to 'satisfactory' performance and this will be defined within the Council's Performance Management Policy/Procedure.
- 5.3 Pay progression for Uniformed Fire and Rescue Service, Teachers (Centrally Employed), Soulbury and Youth and Community Worker roles is based on assessment against national standards and/or terms and conditions of service.
- 5.4 Pay progression for newly qualified social workers is determined by the Continuous Professional Development (CPD) and Pay Progression Policy. Progression is subject to satisfactory completion of an Assessed and Supported Year in Employment (ASYE).
- 5.5 Pay progression can also be achieved where an agreed career grade scheme is in place. Employees must satisfy specified criteria.
- 5.6 In exceptional circumstances staff increments may be accelerated within an employee's grade at the discretion of the Director in consultation with the Director of Human Resources and Organisational Development on the grounds of special merit or ability.
- 5.7 The pay progression arrangements for staff who have transferred into the authority with protected terms and conditions are those applicable at time of transfer.

## **6. Local Pay Awards**

- 6.1 There is no automatic annual cost of living increase for staff on SMG or Hay grading arrangements.
- 6.2 Pay awards for Strategic Management Grade, Tier 1 are determined locally through an agreement with East Sussex County Council whilst the postholder is employed by that Council. Any pay increase will be subject to reference to benchmarking remuneration arrangements of relevant comparators. Any pay award will follow consultation with the officer concerned.
- ~~6.3 Pay awards for staff on Strategic Management Grades, Tiers 2 and 3 are determined locally by the Chief Executive and Director of Human Resources and Organisational Development (other than in the case of the Director of Human Resources and Organisational Development – in which case it will be the Chief Executive alone). Pay reviews are undertaken every 2 years with the next review due April 2022. Any pay increase will be subject to satisfactory performance and/or reference to benchmarking remuneration arrangements of relevant comparators. Any pay award will follow consultation with the staff concerned.~~

**6.46.3** The pay awards for staff on Strategic Management Grades, Tiers 2-4, are determined locally and are approved by the Chief Executive in consultation with the Director of Human Resources and Organisational Development. Any pay award will follow consultation with the staff concerned.

**6.56.4** The pay awards for staff on Hay pay grades are determined locally and are approved by the Chief Executive in consultation with the Director of Human Resources and Organisational Development; and following consultation with the staff concerned and UNISON.

**6.66.5** The total sum available for any pay increase for staff is decided annually by the Cabinet Member for Finance on the recommendation of the Chief Executive, in consultation with the Director of Finance and Support Services, (S151 Officer) and Director of Human Resources and Organisational Development. This is based on consideration of appropriate market and other relevant information, including the performance of the County Council and affordability.

**6.76.6** In exceptional circumstances; and as approved by the Leaders of East Sussex and West Sussex County Councils in the case of SMG Tier 1; and as approved by the Chief Executive in the case of SMG Tier 2 to 4 and Hay grades - an unconsolidated additional payment may be made to recognise exceptional performance.

## **7. Market Supplements**

- 7.1 The County Council may pay a market supplement, in addition to base salary, in order to recruit or retain staff with special skills, experience or knowledge.
- 7.2 Market supplements are applied, reviewed and withdrawn in accordance with the County Council's market supplement policy which is published on the County Council's website.

## **8. Remuneration on Appointment and Promotion**

- 8.1 It is the County Council's policy to appoint at the minimum of the relevant pay range – where a pay range as opposed to a single spot pay point applies, unless:
- the individual is deemed to be immediately capable of performing the role at the optimum level required for the post;
  - the market value for the individual's experience and/or skills demands a higher entry point;
  - appointment above the minimum of the grade is required to ensure pay parity with other employees performing the role, with similar skills and experience; or
  - nationally determined arrangements apply to remuneration on recruitment and promotion.

- 8.2 The Governance Committee has delegated the authority to determine standard terms and conditions for staff and to delegate to appropriate roles the determinations of salaries on appointments as set out in this Statement.

## **9. Other elements of the Remuneration Package**

### **9.1 Allowances and Enhancements**

The County Council pays allowances to staff for additional responsibilities and duties as required to deliver services. The Allowances and Enhancements Policy is published on the County Council's Website.

Allowances for Uniformed Firefighters, Teachers (centrally employed by the County Council), Soulbury and Youth and Community Workers are determined in accordance with national arrangements, and as amended locally.

Staff who have transferred into the authority are covered by the applicable terms in place at time of transfer and as amended locally.

The Director of Law and Assurance is the Returning Officer for County Council elections and is eligible to receive election fees for carrying out these duties.

### **9.2 Annual Leave**

Annual leave entitlements vary according to the terms and conditions of employment. Annual Leave entitlements are published on the County Council's website.

### **9.3 Pension Scheme**

Membership is determined by the relevant conditions of service and is subject to the rules of the scheme. The County Council operates the following pension schemes: Local Government Pension Scheme (LGPS), the Teachers' Pension Scheme (TPS) the Teachers' Pension Scheme 2015, the Fire Fighters Pension Scheme (now closed to new entrants) (FPS), the New Fire Fighters Pension Scheme (NFPS) (now closed to new entrants), the Firefighters' Pension Scheme 2015, the NHS Pension Scheme and the 2015 NHS Pension Scheme.

### **9.4 Abatement of Pension**

Staff who are employed or re-employed by the County Council and who are in receipt of pension either under the Local Government Pension Scheme (LGPS), or the Fire Fighters Pension Scheme (FPS and NFPS) are subject to the rules on abatement of pension for the relevant scheme. The Abatement of Pension Policy is published on the County Council's website.

- 9.5 Staff in receipt of an NHS or Teachers' pension are subject to the relevant Pension Scheme Regulations on abatement.

## **10. Termination of Employment**

### **10.1 Severance**

Should a severance payment be proposed that exceeds any threshold prescribed by Regulations, the County Council shall act in accordance with the requirements of those Regulations. Until such time any severance payment shall be in accordance with statutory guidance, the Council's pay policy and Scheme of Delegation, including relevant cabinet member approval.

### **10.2 Redundancy**

The County Council's policy on redundancy, redundancy payments and re-employment is determined by the Governance Committee and is available on the County Council's website.

Staff who have transferred into the authority are covered by the applicable terms in place at time of transfer.

## **11. Settlements of employment-related claims**

11.1 In exceptional circumstances, and specifically so as to settle a claim or potential dispute, the Director of Law and Assurance can agree payment of a termination settlement sum in consultation with the Director of Human Resources and Organisational Development, subject to any requirements of the regulations referred to in paragraph 10.1 and the Council's Scheme of Delegation.

## **12. Pay Protection**

12.1 The County Council's pay protection policy is approved by the Governance Committee. The policy provides a mechanism for assisting employees to adjust to a reduction in pay as a result of organisational change, job evaluation or redeployment as a result of ill health or disability.

12.2 Staff who have transferred into the authority with protected terms and conditions are covered by the applicable terms in place at time of transfer.

## **13. Remuneration of staff on a Contract for Services, or engaged via a third-party Agency**

13.1 The County Council intends that individuals engaged via a Contract for Services are remunerated at a rate consistent with pay of directly employed staff performing a comparable role. However, the County Council may reflect market factors in remuneration levels, whilst ensuring value for money.

## **14. Employment Tax**

14.1 The Council encourages the direct employment of staff and pays them via the payroll system in order to ensure that appropriate deductions for income tax and national insurance contributions are made. However, in exceptional



circumstances individuals may be engaged through a Contract for Services in accordance with the relevant legislation.

**15. Publication of information on the remuneration of staff; or individuals engaged via Contracts for Service**

- 15.1 The County Council publishes information relating to the remuneration of staff over a level defined by Government guidance in the Annual Report and Accounts and on the West Sussex Data Store on the County Council's website. In addition, the County Council publishes the pay ratio between the highest paid salary and the lowest salary and this information is available on the County Council's website.
- 15.2 Gender pay reporting will be published annually in accordance with legislative requirements.
- 15.2 The County Council will ensure that all of its arrangements for managing personal data in relation to staff contractual, payment and performance arrangements are managed in accordance with all Data Protection legislation and the County Council's current Data Protection Policies. The County Council is committed to ensuring the security and maintaining the confidentiality of all personal staff data.

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### Pay Multiples

Date	Highest Paid	Median Pay	Median Pay: Pay Ratio (to highest paid)	Lowest Pay	Lowest Pay: Pay Ratio (to highest paid)
31/03/21	£152,518	£26,808	1:5.69	£17,842	1:8.55
31/03/20	£150,000	£26,095	1:5.75	£17,364	1:8.24
31/03/19	£190,000	£24,750	1:7.68	£16,394	1:11.59
31/03/18	£190,000	£23,850	1:7.97	£15,014	1:12.65
31/03/17	£190,000	£24,095	1:7.89	£14,514	1:13.09
31/03/16	£153,717	£23,763	1:6.46	£13,614	1:11.29
31/03/15	£152,666	£23,580	1:6.47	Not reported	Not reported
31/03/14	£119,366	£19,696	1:6.06	Not reported	Not reported

#### Notes:

- (1) Pay multiples:
  - (a) As specified in the Local Government Transparency Code 2015, the 'pay multiple' compares the taxable earnings of the highest paid employee to the median full time equivalent taxable earnings of all employees (excluding staff based in schools) at the specified date.
  - (b) 'Lowest pay' is the full-time equivalent lowest taxable earnings of all employees (excluding schools) at the specified date.
- (2) The variation in the median pay level for all other staff between 2014 and 2015 is due to the way the median has been calculated. The calculation has taken into account guidance available at the time of publishing.
- (3) The salary of the highest paid employee is used for the purposes of the pay multiples. With effect from 6 January 2020 the County Council's Chief Executive has also been the Chief Executive of East Sussex County Council with salary costs shared equally between authorities. Consequently, the highest paid salary in the County Council is not for the post of Chief Executive, as has been the case in previous years.

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## **Governance Committee: Minor Changes to the Constitution**

### **Amendments to the Delegation Code of Practice for Rights of Way**

#### **Background and context**

- 1** The current code of practice sets out the process for delegated decisions on Public Path Orders made by the County Council and by district and borough councils and the South Down National Park Authority (the local planning authorities).
- 2** Currently there is no distinction between County Council orders and those processed by the local planning authority. The following changes are proposed to improve consistency and clarity in this area.

#### **Proposal details**

- 3** It is proposed that the Code of Practice be split into two parts, part one being County Council Public Path Orders and part two local planning authorities' Public Path Order proposals. Consequential amendments to the Delegation Code of Practice for Rights of Way (Public Path Orders) in the Scheme of Delegation in Part 3 of the Constitution are set out at **Appendix 1**.
- 4** In part one it is proposed that the two-week time period for publication of a new proposal in the Bulletin is removed. This will eliminate risks where staffing is reduced. It is also proposed that details will be published once not twice.
- 5** In part two it is proposed that the 21-day time limit for local planning authorities' proposals be reduced to 10 days. This time, whilst still affording members enough time in which to consider a proposal and make their views known, also means that officers can submit responses within the statutory 28-day time period.

#### **Recommended**

- (1)** That the proposed changes to the Delegation Code of Practice for Rights of Way (Public Path Orders), as set out at Appendix 1, be approved;

### **Reasonable Adjustments**

#### **Background and context**

- 6** For employees with disabilities, an employer has a responsibility to make reasonable adjustments to the workplace to avoid employees being put at a disadvantage as a consequence of their disability. While this does not formally extend to elected members, members with disabilities are encouraged to speak to Democratic Services to see if the Council can provide reasonable adjustments to help them to be effective in their roles. Council's Standing Orders do not make any explicit reference to reasonable adjustments for members.

#### **Proposal details**

- 7** It is therefore proposed to add a new Standing Order to Section 1 of Standing Orders. This is the introductory section of Standing Orders that sets out how they are governed, enforced, changed or waived. This is the most appropriate place to add mention reasonable adjustments.
- 8** The proposed wording is for a new Standing Order 1.07:

'Subject to legal requirements any Standing Order may be waived or amended for an individual member requiring a reasonable adjustment to enable effective working on Council business, in line with best practice. The Director of Law and Assurance will actively consider any requests for such reasonable adjustments.'

**Recommended**

- (2) That Council be recommended to add a new Standing Order 1.07 to Part 4, Section 1 of the Constitution, as set out in paragraph 8.

**Pete Bradbury**

Chairman of Governance Committee

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**Appendices**

- Appendix 1 - Changes to the Rights of Way Delegation Code of Practice

**Background papers**

None

## Changes to the Rights of Way Delegation Code of Practice

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

### **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 ***orders (which in this case means all public path orders pursuant to the Highways Act 1980, permissive path agreements and dedication agreements)*** ~~extinguishment orders, public path diversion orders, public path creation agreements, public path creation 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.

#### **County Council Public Path Orders**

##### ***i. 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 Planning and 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.~~

##### ***ii. Objections from district and parish councils, Sussex Police and interested user groups***

In respect of ***proposal(s)*** ~~applications for public path orders~~ where, as a result of the consultation process, a borough, district, town or parish council, ***Sussex Police*** or a prescribed user group objects in writing to the application, the delegation is barred.

**iii. Objections from the public**

In respect of **proposal(s)** 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.

**Local district/borough councils and the South Down National Park Public Path Orders**

**i. Notification**

***Consultations on proposal(s) to change the network will be reported in the Bulletin and the consultation proposal will not be decided for a period of 10 days from the date of notification in the Bulletin. Any member 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 10-day period. If a member disagrees with the view of the Director, in relation to the delegation, and this is within the 10-day period, the County Council will lodge a holding objection with the authority dealing with the proposal and the matter will be reported to the next meeting of the Planning and Rights of Way Committee for consideration.***



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## Cabinet Report: Delivering Our Council Plan 2021-25

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.

### Leader – Paul Marshall

- On 19 January the Leader attended a meeting of the **SE7 Leaders' Board**, which included a discussion on proposals to support collective lobbying on issues for the region and to agree next steps, ahead of the Government's Levelling Up White Paper. The meeting also provided an opportunity for Leaders to share updates on the latest issues and priorities, with a key emphasis on the provisional Local Government Finance Settlement, budget plans, water neutrality and the pressure that proposed changes to the adults' social care system may have on areas with a high number of self-funding residents.
- The Leader has been working with district and borough councils, Natural England, the Department for Environment, Food and Rural Affairs, Ofwat, the Department for Levelling Up, Housing and Communities and Southern Water on **water neutrality**. Discussion focused on short, medium and long-term measures to mitigate the effects of water neutrality on the planning system and address the delays that this is leading to in housing and commercial development in the county. As part of this, a range of lobbying activity is being undertaken to raise the issue with the Government and to seek to balance the need to address water supply constraints overall with the need to enable development to progress. Work is also being undertaken with partners to progress a Water Neutrality Strategy for the area.

### Adults Services - Amanda Jupp

- The Council has been working to co-design with staff, customers, carers and partners a **longer-term vision and strategy for adult social care**. The creation of the strategy will support better understanding of what has changed for people since the start of the pandemic and what they want from their lives, so the care and support provided can be shaped to meet the needs of the people the County Council supports, in alignment with the [recently-published White Paper](#). The first phase of co-design activity included nine workshops, 17 focus groups and a survey that yielded almost 1,000 responses. [The Adult Social Care Strategy](#) (PDF, 536KB) was shared with everyone involved in its creation before being finalised by the [Cabinet](#) on 1 February.

### Children and Young People (Lead Member for Children) – Jacquie Russell

- A [campaign has been launched](#) by the County Council **to encourage people to consider fostering teenagers**. Of the children the County Council cares for, 64% are aged between 11 and 17 and it is crucial that these children are provided with a safe, stable home where they can be themselves and have the help they need to guide them into adulthood. Those interested in finding out more are encouraged to [watch the inspiring story](#) of Michelle Barnes, a West Sussex Foster Carer who has fostered teenagers for 26 years.

### **Learning and Skills – Nigel Jupp**

- The County Council has been successful in its bid to be part of a **national project that [improves the support and awareness of autism in schools](#)**. Funding will be provided to train Autism Champions within schools who will drive new and innovative measures to support autistic children. A partnership created between the County Council, the Parent Carer Forum and local charities will work intensively with 21 West Sussex schools over the next year to deliver the project.

### **Community Support, Fire and Rescue – Duncan Crow**

- The National Fire Chiefs Council (NFCC) co-ordinates a number of national safety initiatives and during the month of February the **West Sussex Fire and Rescue Service is supporting the NFCC Campaign on [Safer Cooking](#)**. More than 50 per cent of accidental fires at home are started by cooking - kitchen fires occur when people are distracted or leave things unattended. This campaign aims to raise public awareness and reduce preventable deaths.
- A significant area of focus for West Sussex Fire and Rescue Service is the **[prevention of Accidental Dwelling Fires](#)** as these fires relate directly to targeted prevention activity such as **[Safe and Well Visits](#)** post incident close call activity, community engagement events and service communication, as well as other targeted activity across social media platforms. This focus is designed to prevent accidental dwelling fires and the devastating consequences that result from these avoidable incidents.
- **[Libraries in the Chichester District](#)** are challenging residents to read 12 books in 12 months. The theme of each month differs to include genres that readers may not have experienced before, including books that celebrate diversity, a children's classic, and a book with a local connection. Alongside the enjoyment of reading for pleasure, which is a great way to look after mental health and wellbeing, participants can also share their love of books with other challenge members by emailing book reviews and recommendations to [library.events@westsussex.gov.uk](mailto:library.events@westsussex.gov.uk).

### **Environment and Climate Change (and Deputy Leader) - Deborah Urquhart**

- The **[West Sussex Chargepoint Network](#)** aspires to work in partnership with all community landowners to provide a comprehensive and cohesive Electric Vehicle charging solution on public land. Community landowners that can join the chargepoint network include parish and town councils and village halls. The Cabinet Member jointly hosted a webinar with **[Connected Kerb](#)** on 27 January to share details of the contract and answer questions from these organisations. The event, promoted by **[West Sussex Association of Local Councils](#)** and **[Action in Rural Sussex](#)**, was well attended by 80 people from 71 different organisations. Any landowners were encouraged to register their interest in taking part on the **[West Sussex Chargepoint Network website](#)**. Since the event 12 organisations have registered sites for consideration, despite there not being a deadline for applications.
- For the year ending 2020/21 the **County Council has achieved a recycling rate of 53.1%**, as **[published](#)** by Department for Environment, Food and Rural Affairs (DEFRA). A benchmarking exercise has highlighted that the County

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Council is outperforming the majority of its south-east partners. Operations and initiatives supporting this outcome include a high performing [Materials Recycling Facility \(MRF\)](#) with good quality input material, street sweepings recycling, high tonnage of green waste and wood recycling and production of Compost Like Output from the [Mechanical Biological Treatment Plant \(MBT\)](#).

### Highways and Transport – Joy Dennis

- A **safety scheme is planned on the A24 at Findon** to improve facilities for pedestrians and cyclists. The scheme will join to an existing path to provide a greatly enhanced route between the South Downs National Park and the coast. Funding for the scheme has come from the Government's Active Travel Fund. This represents another step towards achieving the Council's target of 30km of new cycle path across the County through the period of our [Council Plan](#).
- National Highways have started the [statutory consultation](#) of their **proposals for the A27 Arundel bypass**. The consultation is open until 8 March. A member briefing by National Highways on the proposals was held on 26 January. The County Council is a consultee of this project and its response will be considered by the Cabinet in March. The decision to proceed will be made by the Secretary of State through the Development Consent Order process.

### Public Health and Wellbeing – Bob Lanzer

- To support **Alcohol Awareness Week (AAW) 2021** (15 to 21 November), Council staff in Public Health and Communications developed a communications campaign to encourage people to consider their relationship with alcohol and [take the DrinkCoach alcohol test](#). This enables people to identify how risky their drinking is, receive tailored online feedback and take steps to reduce this risk through a range of measures including accessing free online sessions with a specialist DrinkCoach. A free app to track and change drinking habits and signposting to local support services are also available. [A large increase in visits to the DrinkCoach website](#), completion of alcohol tests, and visits to the dedicated AAW webpage at [West Sussex Wellbeing](#) was reported during this period. Building on the success of this approach, a similar communications strategy has been adopted to encourage people to take part in Dry January 2022 and to continue taking the DrinkCoach alcohol test.
- Looking after **mental health and wellbeing** is as important as supporting physical health. A range of services are available for individuals to provide support with mental health, which can be accessed through self-referral and via GPs, and [West Sussex Wellbeing provides](#) further information and signposting alongside programmes that can support improving low level stress and anxiety, such as through physical activity. In addition, the Council has developed and commissioned a range of initiatives including Mental Health First Aid training for staff with additional training modules for managers, to increase confidence and skills to have conversations about mental health, spot the signs of distress, proactively address problems, and champion good mental health at work. [Free mental health and suicide prevention training](#) is also available for small and medium enterprises in West Sussex. These are delivered by Grassroots in partnership with the Sussex Chamber of Commerce, the County Council, and district and borough council economic development teams.

### **Support Services and Economic Development – Steve Waight**

- Work is ongoing to replace the current locally operated SAP enterprise resource planning system which supports internal Finance, Human Resources and Procurement functions with **cloud-based business application system [Oracle Fusion](#)**. This system is based on a set of design principles that seek to establish 'a single source of truth' for key data and information relating to Finance, Human Resources, Payroll and Procurement and Contract Management Services. This will support strategic and operational decision making and planning, whilst also providing an opportunity to introduce productivity gains via business process improvements. Implementation is planned by the spring of 2023.

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### **Background papers**

None