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West Sussex County Council – Ordinary Meeting

17 July 2023

At the Ordinary Meeting of the County Council held at 10.30 am on Monday, 17 July 2023, at County Hall, Chichester PO19 1RQ, the members present being:

Cllr Bradbury (Chairman)

Cllr Wickremaratchi (Vice-Chairman)	Cllr N Jupp
Cllr Albury	Cllr Lanzer
Cllr Ali	Cllr Linehan
Cllr Atkins, RD	Cllr Lord
Cllr Baldwin	Cllr Markwell
Cllr Boram	Cllr Marshall
Cllr Britton	Cllr McDonald
Cllr Burrett	Cllr McGregor
Cllr Cherry	Cllr McKnight
Cllr Chowdhury	Cllr Mercer
Cllr Condie	Cllr Milne
Cllr Cooper	Cllr Mitchell
Cllr Cornell	Cllr Montyn
Cllr Crow	Cllr Oakley
Cllr Dabell	Cllr O'Kelly
Cllr J Dennis	Cllr Oxlade
Cllr N Dennis	Cllr Patel
Cllr Duncton	Cllr Payne
Cllr Dunn	Cllr Pendleton
Cllr Elkins	Cllr Quinn
Cllr Evans	Cllr Russell
Cllr Forbes	Cllr Sharp
Cllr Gibson	Cllr Smith
Cllr Greenway	Cllr Sparkes
Cllr Hall	Cllr Urquhart
Cllr Hillier	Cllr Waight
Cllr Hunt	Cllr Wall
Cllr Johnson	Cllr Walsh, KStJ, RD
Cllr Joy	Cllr Wild
Cllr A Jupp	

20 Apologies for Absence

- 20.1 Apologies were received from Cllr Baxter, Cllr Bence, Cllr Burgess, Cllr Kenyon, Cllr Kerry-Bedell, Cllr Nagel, Cllr Oppler, Cllr Pudaloff, Cllr Richardson and Cllr Turley. Note: A number of members gave apologies due to a change in meeting date.
- 20.2 Cllr Markwell arrived at 12 noon. Cllr Joy gave his apologies and left the morning session at 12.20 pm. Apologies for the afternoon session were received from Cllr Britton, Cllr Crow, Cllr Marshall and Cllr Smith.

20.3 Cllr Evans was absent for the afternoon session. Cllr Markwell and Cllr Chowdhury left at 2.45 pm and 3.30 pm respectively.

21 Members' Interests

21.1 Members declared interests as set out at Appendix 1.

22 Minutes

22.1 It was agreed that the minutes of the Annual Meeting of the County Council held on 26 May 2023 (pages 5 to 26) be approved as a correct record.

23 Appointments

23.1 The Council approved appointments as set out below.

Committee	Change
Governance Committee substitutes	Cllr Montyn and Cllr Sparkes in place of Cllr Hunt and Cllr Urquhart

24 Governance Committee: Severance Payments Procedures

24.1 The Council considered changes to the terms of reference of the Governance Committee and to Standing Orders in line with government guidance on severance payments to staff, in the light of the report by the Governance Committee (pages 27 to 32).

24.2 In response to a comment from Cllr Oxlade about whether the new procedure would have been triggered in previous years had it been in place, the Chairman said officers would respond to the member's request for information should he wish it.

24.3 Resolved –

That the proposed changes to the Governance Committee's terms of reference in the Scheme of Delegation and to Standing Orders, as set out at Appendix 1 to the report, be approved.

25 Performance and Finance Scrutiny Committee: Scrutiny Annual Report 2022/23

25.1 The Chairman of the Performance and Finance Scrutiny Committee asked the Council to note the Scrutiny Annual Report which summarises the main activities of scrutiny, lessons learnt and any development issues identified during 2022/23 (pages 33 to 42).

25.2 Resolved –

That the Scrutiny Annual Report 2022/23, as attached at Appendix 1 to the report, be noted.

26 Standards Committee: Annual Report 2022/23

26.1 The Council noted a report from the Standards Committee on its activities for the period from April 2022 to March 2023 (pages 43 to 46).

26.2 Resolved -

That the report be noted.

27 Question Time

27.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 47 to 52) and a supplementary report (supplement pages 7 and 8) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

28 Notice of Motion on Infrastructure Levy

28.1 The following motion was moved by Cllr Dabell and seconded by Cllr Baldwin.

'This Council notes that the County Councils Network has joined 29 other signatories in signing a letter to the Secretary of State for Levelling Up, Housing and Communities, calling on him not to implement the proposed Infrastructure Levy, warning that it could result in less infrastructure being delivered, fewer affordable homes being built, and could impact negatively on housing delivery.

The Council shares these concerns, and believes that the proposed Levy will have an impact on securing much-needed community infrastructure, such as schools, roads and health facilities amongst others, with the required funding from housing developments not being secured as a result. The Council is also concerned that the detail of how the proposed Levy is expected to work could have unintended consequences which could actually lead to fewer new affordable homes being built.

The Council also notes that under the Government's proposals, county councils would no longer be statutory consultees with regard to future planning developments in their counties, meaning that local district and borough planning authorities would be able to ignore county council requests for developer contributions towards the vital infrastructure which new and existing communities will need as a direct result of those developments, including new schools, roads, public transport and active travel schemes, and new

community facilities such as doctors' surgeries and other health facilities.

The Council believes strongly that county councils should be statutory stakeholders in any future Infrastructure Levy scheme designed to respond to new infrastructure needs generated by housing development, to enable them to lobby, negotiate and advocate effectively on behalf of the communities they represent, to ensure that the needs of those communities are met in full in response to new development.

The Council therefore asks the Leader to write to the Secretary of State for Levelling Up, Housing and Communities reiterating these concerns on behalf of the whole Council, and asking that the Infrastructure Levy is not implemented in its current proposed format.'

28.2 The motion was carried.

29 Notice of Motion on Highways Repairs

29.1 The following motion was moved by Cllr Lord and seconded by Cllr Condie.

'County and district and borough councillors across West Sussex are regularly approached by residents, parish, neighbourhood and town councils about potholes and the state of the highways locally. The transparency of priorities, intervention levels and programming is poor leading to residents believing that their roads are forgotten at the expense of other parts of the county.

The cold and wet weather of the past winter has caused huge damage to our roads which West Sussex County Council has struggled to fix in a timely manner. This has led to significant frustration amongst residents and occasional regrettable and unacceptable behaviour towards our hardworking highways officers and the Council's contractors.

Therefore, this Council:

- (1) Expresses its thanks to all officers who have worked diligently throughout the winter and spring to repair our roads and deal with resident frustration.
- (2) Asks residents to be mindful that the individuals on the frontline are not responsible for the policies that have caused the problems.
- (3) Declares that it no longer has confidence in the current model for highways repairs and therefore asks the Cabinet Member for Highways and Transport to:

- (a) Urgently review the contract, oversight and response to emergency repairs to ensure this Council is better able to manage winter pressures and the impacts of climate change.
- (b) Ensure that there is no perception of geographical preference in the prioritisation of repairs through greater transparency of data shared with councillors and residents.
- (c) Improve engagement with district, borough, town and parish councils on highway matters to aid knowledge sharing and transparency.
- (d) Explore how the Council could fund an alternative approach to repairs and pilot this with district, borough, town and parish councils who are willing to work together on this.'

29.2 An amendment was moved by Cllr Boram and seconded by Cllr Elkins.

~~'County and district and borough~~ councillors across West Sussex are regularly approached by residents, parish, neighbourhood, and town, **district and borough** councils about potholes and the state of the highways locally. ~~The transparency of~~ **Priorities**, intervention levels and programming **are misunderstood** ~~is poor~~ leading to **some** residents believing that their roads are forgotten at the expense of other parts of the county.

The cold and wet weather of the past winter has caused huge damage to our roads which West Sussex County Council, **as with all highway authorities**, has struggled to fix in a timely manner. This has led to significant frustration amongst residents and occasional regrettable and unacceptable behaviour towards our hardworking highways officers and the Council's contractors.

Therefore, this Council:

- (1) Expresses its thanks to all officers **and contractors** who have worked diligently throughout the winter and spring to repair our roads and deal with resident frustration.
- (2) Asks residents to be mindful that the individuals on the frontline are not responsible for the **complex set of factors** policies that have caused the problems.
- (3) ~~Declares that it no longer has confidence in the current model for highways repairs and therefore~~ **Asks** the Cabinet Member for Highways and Transport to:
 - (a) **Continue to** Urgently review the contract, oversight and response to emergency repairs to ensure this Council is

better able to manage winter pressures and the impacts of climate change.

- (b) **Maintain and enhance the current approach to data sharing with councillors and residents** to ensure that there is no perception of geographical preference in the prioritisation of repairs through ~~greater transparency of data shared with councillors and residents.~~
- (c) **Continue** Improve engagement with district, borough, town and parish councils on highway matters to aid knowledge sharing and transparency.
- (d) Explore how the Council could **work** fund ~~an alternative approach to repairs and pilot this with district, borough, town and parish councils who are willing to work together on~~ **alternative practical value for money approaches which meet legislative requirements and our statutory responsibilities across the whole of the county** ~~this.~~

29.3 The amendment was put to a recorded vote under Standing Order 35.5.

(a) For the amendment – 36

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Boram, Cllr Bradbury, Cllr Burrett, Cllr Cooper, Cllr Dabell, Cllr J Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Forbes, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Lanzer, Cllr Linehan, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Oakley, Cllr Patel, Cllr Payne, Cllr Pendleton, Cllr Russell, Cllr Sparkes, Cllr Urquhart, Cllr Waight, Cllr Wall and Cllr Wickremaratchi.

(b) Against the amendment - 15

Cllr Cherry, Cllr Condie, Cllr Cornell, Cllr N Dennis, Cllr Johnson, Cllr Joy, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O’Kelly, Cllr Oxlade, Cllr Quinn, Cllr Sharp and Cllr Walsh.

(c) Abstentions – 1

Cllr Gibson

29.4 The amendment was carried.

29.5 The motion, as amended, was put to a recorded vote under Standing Order 35.5.

(a) For the motion – 36

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Boram, Cllr Bradbury, Cllr Burrett, Cllr Cooper, Cllr Dabell, Cllr J Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Forbes, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Lanzer, Cllr Linehan, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Oakley, Cllr Patel, Cllr Payne, Cllr Pendleton, Cllr Russell, Cllr Sparkes, Cllr Urquhart, Cllr Waight, Cllr Wall and Cllr Wickremaratchi.

(b) Against the motion - 2

Cllr Johnson and Cllr Sharp.

(c) Abstentions - 14

Cllr Cherry, Cllr Condie, Cllr Cornell, Cllr N Dennis, Cllr Gibson, Cllr Joy, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O'Kelly, Cllr Oxlade, Cllr Quinn and Cllr Walsh.

29.6 The motion, as amended and set out below, was carried.

'County councillors across West Sussex are regularly approached by residents, parish, neighbourhood, town, district and borough councils about potholes and the state of the highways locally. Priorities, intervention levels and programming are misunderstood leading to some residents believing that their roads are forgotten at the expense of other parts of the county.

The cold and wet weather of the past winter has caused huge damage to our roads which West Sussex County Council, as with all highway authorities, has struggled to fix in a timely manner. This has led to significant frustration amongst residents and occasional regrettable and unacceptable behaviour towards our hardworking highways officers and the Council's contractors.

Therefore, this Council:

- (1) Expresses its thanks to all officers and contractors who have worked diligently throughout the winter and spring to repair our roads and deal with resident frustration.
- (2) Asks residents to be mindful that the individuals on the frontline are not responsible for the complex set of factors that have caused the problems.
- (3) Asks the Cabinet Member for Highways and Transport to:
 - (a) Continue to review the contract, oversight and response to emergency repairs to ensure this Council is able to manage winter pressures and the impacts of climate change.

- (b) Maintain and enhance the current approach to data sharing with councillors and residents to ensure that there is no perception of geographical preference in the prioritisation of repairs.
- (c) Continue engagement with district, borough, town and parish councils on highway matters to aid knowledge sharing and transparency.
- (d) Explore how the Council could work with district, borough, town and parish councils who are willing to work together on alternative practical value for money approaches which meet legislative requirements and our statutory responsibilities across the whole of the county.'

Chairman

The Council rose at 3.33 pm

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
9 – Question Time	Cllr Ali	Member of Crawley Borough Council
9 – Question Time	Cllr Boram	Cabinet Member for Community & Wellbeing at Adur District Council
9 – Question Time	Cllr Condie	Member of Burgess Hill Town Council
9 – Question Time	Cllr Elkins	Member of Arun District Council
9 – Question Time	Cllr Lanzer	Member of Crawley Borough Council
9 – Question Time	Cllr Mercer	Member of Horsham District Council and Chair of Orchard Hill College Academy Trust
9 – Question Time	Cllr Sharp	Member of Chichester District Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Ali	Member of Crawley Borough Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Atkins	Member of Worthing Borough Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Boram	Member of Adur District Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Condie	Member of Burgess Hill Town Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Elkins	Member of Arun District Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Gibson	Cabinet Member for Sustainable Economy and Housing at Mid Sussex District Council, Member of East Grinstead Town Council, Worth Parish Council and Turners Hill Parish Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Johnson	Member of Chichester District Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Milne	Cabinet Member for Planning at Horsham District Council

Item	Member	Nature of Interest
10(a) – Notice of Motion on Infrastructure Levy	Cllr Oakley	Member of Tangmere Parish Council
10(a) – Notice of Motion on Infrastructure Levy	Cllr Sharp	Member of Chichester District Council
10(b) – Notice of Motion on Highways Repairs	Cllr Ali	Member of Crawley Borough Council
10(b) – Notice of Motion on Highways Repairs	Cllr Atkins	Member of Worthing Borough Council
10(b) – Notice of Motion on Highways Repairs	Cllr Boram	Member of Adur District Council
10(b) – Notice of Motion on Highways Repairs	Cllr Condie	Member of Burgess Hill Town Council
10(b) – Notice of Motion on Highways Repairs	Cllr Elkins	Member of Arun District Council
10(b) – Notice of Motion on Highways Repairs	Cllr Johnson	Member of Chichester District Council
10(b) – Notice of Motion on Highways Repairs	Cllr Lanzer	Member of Crawley Borough Council
10(b) – Notice of Motion on Highways Repairs	Cllr Mercer	Member of Horsham District Council
10(b) – Notice of Motion on Highways Repairs	Cllr Milne	Cabinet Member for Planning at Horsham District Council
10(b) – Notice of Motion on Highways Repairs	Cllr Sharp	Member of Chichester District Council
10(b) – Notice of Motion on Highways Repairs	Cllr Waight	Member of Worthing Borough Council

Written Questions: 17 July 2023

1. Written question from **Cllr Cornell** for reply by **Cabinet Member for Children and Young People, Learning and Skills**

Question

The recent scrutiny of the 2021 re-design of early help services highlighted the lack of available funding for a pre-school outreach worker to identify need.

Given a key aim of the new service model is to 'Improve early identification; taking action to respond to problems before they are more difficult to reverse' and that a major re-design impact was the closure of 31 out of 43 Sure Start Centres across the county, can we look again at priorities and resources to ensure that pre-school children are not doubly disadvantaged in this way?

Answer

Early identification of pre-school children is a priority area of work for Early Help and supported by the work undertaken in Education and Skills.

There are a number of approaches taken to ensure there are strong links with other early years providers. Early Help is co-located in Family Hubs with midwives and health visitors which provides immediate opportunities to raise concerns and share resources. Health and early years providers are represented at the six locality partnership groups. In addition to this the senior advisors from the Standards and Effectiveness team, responsible for early years, also attend the groups. This ensures that issues relating to this cohort are visible, addressed and provide an additional link to Early Help, Social Care and Education and Skills.

In addition, there is further cross over with Early Help and Education and Skills in the provision of follow up for Free Entitlement. This work provides contact with families who are struggling through the direct follow up process.

The number of early years settings across the county are significant at over 500 meaning it is not possible to provide each setting with a named link worker within the resource available. However, the Early Years Childcare Advisors and SEND Early Years team both provide regular contact with settings.

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

Question

Speeding on 'rat-runs' is a key concern for residents in rural areas. This has been recognised through the commitment to tackle 'inappropriate use of unsuitable routes using behavioural initiatives' in the area transport strategies of the West Sussex Transport Plan 2022-36.

- (a) What form will these behavioural initiatives take and what progress has been made in their implementation?
- (b) How will the effectiveness of these behavioural initiatives be quantified?

- (c) Has the Council held discussions with Sussex Police regarding the use of Speed Indicator Displays with Automatic Number Plate Recognition (ANPR) capability and are these one of the initiatives being considered?
- (d) How is the 'inappropriate use of unsuitable routes' represented in the transport models used by the Council to assess the impact of traffic generated by new developments on the road network?

Answer

- (a) The scope of these initiatives is still being determined. The West Sussex Transport Plan (WSTP) is a 15-year plan and some initiatives, such as the one to tackle 'inappropriate use of unsuitable routes', need to be developed before they can be implemented. Initiatives will be progressed subject to funding and availability of resources.
- (b) The WSTP includes a range of measures and indicators that will be monitored and reported in the Annual Monitoring Report. These include the National Highways & Transport Public Satisfaction Survey, which includes overall satisfaction with highways and transport services benchmarked against other authorities. This can be supplemented with specific measures and indicators that will be identified at the scoping stage of projects to develop behavioural initiatives.
- (c) The Sussex Safer Roads Partnership (partners include the County Council and the police) has a recently convened an Innovations Group whose purpose is to identify and trial new ways of reducing the number of people killed and seriously injured. Although no decisions have been made at this stage, the use of speed indicator devices with number plate recognition is being considered alongside other competing interventions.
- (d) There is no single up-to-date transport model with county-wide coverage. Instead, a range of transport models are used to assess the impact of new developments on the road network. The area of coverage and capabilities of the transport models depend on their intended purpose. If the transport model is capable of assessing impacts on roads with lower classifications, which may be considered to be 'unsuitable' depending on the proposed development, they will typically be reported in a transport assessment or study.

3. Written question from Cllr Oxlade for reply by Cabinet Member for Highways and Transport

Question

Residents are concerned about the Council's approach to pothole repairs; many would consider criteria of no intervention until a pothole measures 40 mm by 10 mm as unacceptable. Can the Cabinet Member tell me:

- (a) How the parameters for pothole repair have changed in the county over the last 15 years (how many changes, what they were and when they occurred) and are any changes planned at present?
- (b) How do the Council's pothole repair parameters compare with those of neighbouring councils?

- (c) Surrey County Council has a five-year investment programme which will see £188m invested in improving and maintaining roads and pavements over five years. To what extent does the level of investment by West Sussex County Council for repairing potholes, improving and maintaining roads and pavements (over and above funding provided by central government) compare with other local authorities in the South East on a per kilometre of road basis?

Answer

- (a) Over the last 15 years West Sussex County Council (WSSC) has operated under two key approaches to the response and treatment of safety defects. The Safety Plus Regime was introduced in 1997 and was replaced with the current Highway Inspection Manual in May 2021, to align with the change in Code of Practice to 'Well Managed Highways'. The criteria in both regimes are largely the same. The more significant amendments were the introduction of a risk-based approach, which is an approach that aligns with the latest Code of Practice, as well as the introduction of a new 24-hour response which gives more flexibility and agility to the response to safety defects. No changes are planned but the approach is periodically reviewed.
- (b) The majority of Highway Authorities have a minimum intervention level of 40mm in depth for potholes in the carriageway, with a minimum width of between 150mm and 300mm. WSSC operates a minimum width of 150mm and, for contrast, Hampshire County Council and East Sussex County Council (ESCC) have a minimum width of 300mm before they intervene and raise a pothole for repair.

For the most urgent repairs, neighbouring local authorities and WSSC all have a two-hour response. For their lowest risk safety defects, WSSC and ESCC have a 28-day response time. In comparison, Surrey has a 20-day response time, with caveats that this will extend to six months if the area of concern will be rectified by a larger permanent solution. Hampshire County Council has a 14-day response time but similar to Surrey, this can be extended to two months, depending on the type of defect and risk to the highway user.

- (c) The level of funding for highways maintenance inevitably varies from one authority to another, as does the level of need. WSSC has spent approximately £146m of capital on highway maintenance activities over the past five years. Historical funding covers all highways maintenance activities i.e. resurfacing roads and pavements, bridge repairs and maintenance of other highway assets.

4. Written question from **Cllr Pudaloff** for reply by **Cabinet Member for Highways and Transport**

Question

Does the Cabinet Member take the view that existing legislation governing transport accessibility, such as the 2010 Equality Act, is adequate?

- (a) What steps is the Council taking to improve accessibility in the transport sector specifically for disabled people who are adults of working age and children and those with long-term health conditions?

- (b) What steps are the Council taking to work with health and social care providers to ensure that public transport is co-ordinated with other services?
- (c) What is the Council's timeline for implementing the 20's Plenty (20mph speed limit) broader implementation to reduce social and health inequalities?
- (d) What are the Council's plans to educate the public about the importance of accessible transportation?

Answer

National legislation is a matter for the Government. However, legislation affecting buses has ensured that local buses have been fully accessible for years, though coaches have proven more challenging due the nature of their construction and use. The County Council has sought to use accessible minibuses across most of its fleet to ensure they can be used by all passengers. Across the wide range of publicly available transport which is not within the Council's influence such as taxi, rail or air, the Cabinet Member recognises that users' experiences can vary depending on the type of transport used and location where it is accessed.

- (a) The County Council has a statutory duty to provide off peak free bus travel for entitled disabled people. However, the County Council does more than this and provides free travel 24/7.

Some of the Bus Services Improvement Programme funding is being used to launch new fully accessible digital demand responsive transport services allowing fully inclusive services in hard-to-reach areas in July 2023. These will complement the conventional bus services, many supported financially by the County Council, which also works closely with local bus operators through the Enhanced Partnership. Local buses must meet accessibility standards.

The BusIt campaign is encouraging older and disabled people to use buses again following the pandemic. Numbers of free bus passes have increased.

- (b) Through the Enhanced Partnership, bus services are being promoted to health and social care providers offering cost-effective or free transport solutions for staff, patients and carers, a sustainable alternative to the car where appropriate. In addition, community transport providers are supported through the County Council's Service Level Agreement with Community Transport Sussex who develop, support and deliver community transport services across the county, sometimes in partnership with key organisations such as Age UK to tackle social isolation.

We work with bus companies to co-ordinate buses with key destinations such as hospitals to aide staff and visitors have services when they are most needed.

- (c) There is not currently a programme for widespread implementation of 20mph speed limits in West Sussex. All applications submitted from the community will be carefully considered.
- (d) The County Council works with a number of organisations, including Passenger Focus, in the delivery of information and promotions by the County Council and partners, emphasising the importance of transport solutions being accessible to all.

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

Question

In an answer to my written question at December 2022 full Council, I understood the pothole repairs backlog was cleared and that between 2018 and 2022 the County Council had paid out on just 14% of claims, an amount over £274,800 for damage to vehicles/persons. A recent Highways email highlighted a significant rise in such claims being received. Could the Cabinet Member tell me:

- (a) What assessment has been made of the cost impact this increase will have on Council finances?
- (b) And confirm, between April 2022 to April 2023:
- The number of claims made
 - The number of claims settled by payment
 - The percentage of claims settled by payment
 - The number and percentage of claims that were unsuccessful
 - The total amount paid out
- (c) Does the Cabinet Member believe it reasonable for claimants to wait at least 24 weeks, or six months, for their claim to be processed given that in some cases motorists may be without transport?

Answer

- (a) The increase in claims is likely to lead to an increase in the level of compensation paid but this will still be manageable within allocated budget provision.
- (b) Between April 2022 to April 2023:
- **the number of claims made:** total claims received between 1 April 2022 and 31 March 2023 is 2,475. However, these have not all been processed
 - **the number of claims settled by payment:** 78. However, not all claims have been processed
 - **the percentage of claims settled by payment:** of the claims processed, 60%
 - **the number and percentage of claims that were unsuccessful:** 31 and 40%. These figures will change as claims are processed
 - **the total amount paid out:** £30,219. This figure is likely to increase once all claims have been processed
- (c) The County Council has not been able to increase the staffing resources to process claims and this has led to an increase in the time taken to process

them. In most, if not all, cases claims are based on repairs having been carried out, the claim being for the cost incurred.

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

Question

Concerning the Draft Active Travel Strategy:

- (a) What methods will be used to assess and evidence to Active Travel England, and the public, that attitudes towards Active Travel have changed? Have before and after surveys taken place?
- (b) Walking levels have been static for several years. Urban sprawl means residents make fewer journeys on foot. Fewer journeys are made on foot in rural areas. How will the Cabinet Member replace medium (two to five-mile) car journeys by walking and measure success?
- (c) Research has shown most people are reluctant to walk more than 20 minutes for everyday journeys. Is this concentration on walking limiting modal shift by failing to provide for safe (electric) bike journeys?
- (d) Have people with disabilities, different ages and users of cargo bikes and bikes used as mobility aids been involved in co-producing the Strategy? If not, why not?
- (e) What contingencies have been built into the Strategy if it does not fulfil its aims?

Answer

- (a) The draft Active Travel Strategy consultation planned for September will give insight into public views regarding active travel priorities. In addition, on-street sensors have been installed at new active travel schemes and School Street sites that will provide valuable before and after data. In relation to School Streets, there is also travel data from schools that will continue to be monitored.
- (b) Whilst levels of walking have been static at a national level, the Department for Transport reports that the number of people who walk at least once a week for any purpose has increased in recent years. The figure for West Sussex is higher than the national average and neighbouring counties. The County Council continues to develop significant numbers of longer distance active travel schemes e.g. the Strategic Transport Investment Programme schemes, three Local Cycling and Walking Infrastructure Plan schemes, and Arundel/Ford and Chemroute. Beyond this, shorter distance walking naturally feeds into public transport therefore medium/longer trips may be met and improved via the County Council's Bus Service Improvement Plan work. All schemes will be monitored for their effectiveness. In addition, consideration will be given to replacing the county plan length of cycleway implementation target with one which measures usage more directly.

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- (c) This is unlikely to be the case. Active Travel England suggest that 90% of the Government's target will be achieved via walking and wheeling. The Government's objectives relate to short distance (less than 20 minutes) journeys in towns and cities. These include a target in relation to increasing the proportion of children aged five to 10 who walk to school and encouraging people who already walk to walk more, or people who do not walk to walk. This is likely to result in greater modal shift than increasing cycling levels for longer journeys where part of the issue is that e-bikes, whilst excellent, remain unaffordable for many people.
 - (d) The forthcoming public consultation will give an opportunity to input into the draft Active Travel Strategy. All suggested amendments will be considered. In addition, the Local Transport Note 1/20 design guidance upon which the strategy is based was produced with people with different needs and types of bike.
 - (e) This is to be confirmed given the strategy is currently draft and subject to consultation. An action plan and strategy governance are to be agreed following formal adoption of the strategy post consultation.

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

Question

The County Council currently uses glyphosate as a weed killer. However, it is known to harm wildlife and bees in particular, and bees especially are needed for helping in our food production.

Could the Cabinet Member advise me when the County Council will be removing this toxic poison from use?

Answer

The product used to control weed growth in the county is a glyphosate-based herbicide called Trustee Amenity. It is applied at a concentration of 3.5% (in water) and is considered to be a low risk to bees when used in accordance with the manufacturer's instructions.

There are currently no other cost-effective alternatives available to treat such significant areas of network. However, the situation is being continually monitored as officers are working with other local authorities with a view to considering any alternative methods of weed control should they become available.

Last year, hot-foam removal of weeds was trialled. Whilst this method of removal contains no herbicide, the hot water/foam is likely to kill insects it comes into contact with. It takes considerably longer to apply, and the foam system uses significantly more fuel and water than conventional treatment. It is estimated that it could cost around 37 times more than conventional treatment.

Glyphosate is currently licenced for use in the UK until December 2025.

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Question Time: 17 July 2023

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:

Sussex Visitor Economy Initiative, from Cllr Chowdhury, Cllr Lord and Cllr Payne.

Let's Go! Net Zero, from Cllr Albury and Cllr Lord.

In response to a question from Cllr Lord, about how many businesses will be involved over the year of the initiative, the Leader agreed to respond on the scope of involvement.

Supporting the aviation ecosystem, from Cllr Boram and Cllr N Dennis.

Cabinet Member for Adults Services

The Cabinet Member answered questions on Learning Disability Week, from Cllr Patel.

The Cabinet Member agreed to send details of day services and activities for those with learning disabilities to all members.

Cabinet Member for Children and Young People, Learning and Skills

The Cabinet Member answered questions on the following matters:

6.5% uplift for school staff, from Cllr Johnson and Cllr O'Kelly.

In relation to the recently announced uplift, 3.5% of which will need to be found from underspends in schools' existing budgets, Cllr O'Kelly asked for details of those underspends and the Cabinet Member agreed to let her know.

School bursaries, from Cllr Condie.

In response to a question about whether bursaries, used to assist with transport costs, have been withdrawn from specialist schools, the Cabinet Member said she would find out and respond.

Cabinet Member for Community Support, Fire and Rescue

The Cabinet Member answered questions on the following matters:

The new Training Centre and Fire Station for Horsham, from Cllr Burrett, Cllr Montyn and Cllr Pendleton.

Community Risk Management Plan and the risk of wild fires near domestic properties, from Cllr Oakley.

Cabinet Member for Environment and Climate Change

The Cabinet Member answered questions on the following matters.

Let's scrap fly-tipping campaign, from Cllr Burrett, Cllr Greenway and Cllr Lord.

Drainage problems after heavy rain and impact on highways, from Cllr Chowdhury and Cllr Oakley.

Local Nature Recovery Strategies, from Cllr Cherry, Cllr Hillier and Cllr Lord.

Cabinet Member for Highways and Transport

The Cabinet Member, answered questions on the following matters:

Drainage problems after heavy rain and impact on highways, from Cllr Chowdhury and Cllr Oakley.

Written question 3, pothole repairs, from Cllr Ali, Cllr Condie, Cllr Oxlade and Cllr Walsh.

In relation to paragraph (a) of the written answer, the Cabinet Member agreed to let Cllr Oxlade have details of when the current depth criterion of 40 mm for pothole repairs was introduced and the changes in criteria over the last 15 years.

In relation to a comment from Cllr Condie that the depth criterion for pothole repairs on cycle ways is 30 mm compared to 40 mm for roads, the Cabinet Member said she would review the situation.

In response to a comment by Cllr Walsh about a road in his division (Norfolk Road, Littlehampton) with defects in an area where tarmac is laid over concrete being evident for two years, the Cabinet Member agreed to look into it.

Apprenticeship Task and Finish Group, from Cllr Greenway and Cllr Sparkes.

Active Travel Strategy – Cycling and Walking Task and Finish Group and written question 6, from Cllr Condie, Cllr O’Kelly and Cllr Sharp.

Cabinet Member for Public Health and Wellbeing

The Cabinet Member answered questions on the following matters.

Disposable vapes, from Cllr Ali, Cllr Boram, Cllr Lord and Cllr McKnight.

NHS long-term manpower plan, from Cllr Walsh.

In response to a question about the Government’s plans to introduce a second tier of medical qualifications, the Cabinet Member said he would respond to Cllr Walsh’s request for a view of the likely impact on residents from a public health perspective.

Cabinet Member for Support Services and Economic Development

The Cabinet Member answered questions on the following matters.

Digital infrastructure in the horticultural sector tour, from Cllr Atkins, Cllr Gibson and Cllr Lord.

Apprenticeship Task and Finish Group, from Cllr Greenway.