
West Sussex County Council – Ordinary Meeting

7 June 2019

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 7 June 2019, at the County Hall, Chichester, the members present being:

Mrs Duncton (Chairman)

Mrs Arculus	Mr Lanzer
Lt Cdr Atkins, RD	Mr Lea
Mr Baldwin	Ms Lord
Mr Barling	Mr Marshall
Mr Barnard	Mr McDonald
Mr Barrett-Miles	Mrs Millson
Mrs Bennett	Mr Mitchell
Mr Bradbury	Mr Montyn
Mr Bradford	Mr R J Oakley
Mrs Bridges	Mr S J Oakley
Mrs Brunsdon	Dr O'Kelly
Mr Buckland	Mr Oppler
Mr Burrett	Mr Oxlade
Mr Catchpole	Mr Parikh
Mr Cloake	Mr Patel
Mr Crow	Mrs Pendleton
Mrs Dennis	Mr Purchase
Dr Dennis	Mrs Purnell
Mr Elkins	Mr Quinn
Mr Fitzjohn	Mrs Russell
Ms Goldsmith	Mr Simmons
Mrs Hall	Mrs Smith
Mr High	Mr Smytherman
Mr Hillier	Mrs Sparkes
Mr Hunt	Ms Sudan
Mrs Jones, MBE	Mr Turner
Mr Jones	Mrs Urquhart
Mrs Jupp	Dr Walsh, KStJ, RD
Mr Jupp	Mr Whittington
Ms Kennard	Mr Wickremaratchi
Mrs Kitchen	

16 Apologies for Absence

- 16.1 Apologies were received from Mr Acraman, Lt Col Barton, Mr Boram, Ms Flynn, Mr Petts and Mr Waight. Apologies for the morning session were received from Mr Oxlade who arrived at 12.10 p.m. and for the afternoon session from Mrs Brunsdon, Mr Cloake, Mr Lea, Mr Simmons and Mr Whittington. Mr Edwards and Mr Markwell were absent and Mr Baldwin was absent for the afternoon session. Mr Oppler arrived at 10.40 a.m. and was absent for the afternoon session.

17 Members' Interests

17.1 Members declared interests as set out at Appendix 1.

18 Minutes

18.1 It was agreed that the minutes of the Annual Meeting of the County Council held on 5 April 2019 (pages 5 to 40) be approved as a correct record.

19 Result of By-election

19.1 The Council received the County Returning Officer's return of the by-election held on 2 May 2019 for the county councillor for the Northgate & West Green Electoral Division.

20 Review of Proportionality

20.1 The County Council was reminded of its statutory duty to review the proportionality on its committees following the by-election. A paper on the application of the proportionality rules and how they were applied was set out at pages 43 and 44.

20.2 Resolved –

That the proportionality be agreed.

21 Appointments

21.1 The Council approved appointments as set out below.

Committee	Changes
Children and Young People's Services Select Committee	Mr High as Chairman Mrs Russell as Vice-Chairman Ms Sudan to fill vacancy Mr Jones as substitute in place of Mr Oxlade
Health and Adult Social Care Select Committee	Ms Sudan as substitute in place of Mr Jones
Performance and Finance Select Committee	Mr High in place of Mr Cloake Mr Jones to fill vacancy Mr Oxlade as substitute in place of Mr Jones
Governance Committee	Mr Jones to fill vacancy

Committee	Changes
Planning Committee	Mr Wickremaratchi to fill substitute vacancy
Member Development Group and Member Development Working Group	Ms Sudan to fill vacancies

22 West Sussex Independent Remuneration Panel

22.1 The Council was invited to consider extending the appointments of two members of the Independent Remuneration Panel. Members were informed that Dr Neil Beer (Chairman of the Panel) and Mr John Donaldson had been first appointed to the Panel in October 2015 for a four-year term. The Council was invited to appoint them for a second term, to run from October 2019 to October 2023.

22.2 Resolved –

That the extensions to the appointments be approved.

23 Address by a Cabinet Member

23.1 Members received an address by the Cabinet Member for Children and Young People on the Council's improvement plan in relation to the actions and proposals to address the requirements arising from the recent Ofsted report into Children's Services. A report by the Cabinet Member had been circulated.

23.2 It was agreed that the Cabinet Member would bring a report on the Children's Services improvement plan to every Council meeting under the item whilst the improvement work remained in train, in addition to any other cabinet member address which might arise due to urgency.

24 Motion on Ofsted inspection of Children's Services

24.1 The following motion was moved by Mr Jones and seconded by Ms Sudan.

'In light of the recent Ofsted inspection of Children's Social Care Services which rated all elements of the service inadequate and the acknowledgement of the Executive that it has failed to provide adequate funding to prevent substantial service decline, this Council:

- (a) Calls on the Leader and Cabinet Member for Children and Young People to arrange a Member Day at the earliest opportunity so all members can understand how the political and corporate leadership enabled services to decline so

severely since the last inspection and, given that all members have corporate parenting responsibilities, to provide an update on the improvement programme and receive assurances that all the children and young people the County Council is responsible for are receiving adequate support;

- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;
- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and that any funding deemed necessary to turn these services around is made available, and that no savings targets are allocated to Children's Social Care; and
- (d) Calls for oversight, scrutiny and challenge to be more robust and independent minded, by enabling all of the Select Committees to nominate their own Chairman and Vice-Chairman, one of which should be drawn from the minority groups. Such nominations to be conducted by secret ballot, in line with recent national scrutiny guidance, and to be implemented as soon as possible.'

24.2 An amendment was moved by Mr Simmons and seconded by Mr Crow as set out below:

'In light of the recent Ofsted inspection of Children's Social Care Services which rated all elements **the overall effectiveness** of the service inadequate and the acknowledgement of the Executive that **the Council needs to address** it has failed to provide adequate funding to prevent substantial service decline, this Council:

- (a) Calls on the Leader and Cabinet Member for Children and Young People **and the Chairman of the Corporate Parenting Panel** to arrange a **member event** Member Day at the earliest opportunity so all members can understand how the political and corporate leadership enabled services **were able** to decline so severely since the last inspection, **how they can support, enable and ensure the changes required** and, given that all members have corporate parenting responsibilities, to provide an update on the improvement programme and receive assurances that all the children and young people the County Council is **all members are** responsible for are receiving adequate support;
- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;

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- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and, **recognising the swift action already taken**, that any funding deemed necessary to ~~turn around~~ **support these services and the valued staff who provide them** is made available, and that no savings targets are allocated to **proposals divert this ambition for Children's Social Care**; and
- (d) Calls for **members who carry out** oversight, scrutiny and challenge to **ensure they are** ~~be more~~ robust and independent minded, **and invites the Governance Committee to consider whether any changes should be made to the Council's scrutiny arrangements** ~~by enabling all of the Select Committees to nominate their own Chairman and Vice-Chairman, one of which should be drawn from the minority groups. Such nominations to be conducted by secret ballot, in line with recent national scrutiny guidance, and to be implemented as soon as possible.'~~

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

- (a) For the amendment – 39

Lt Cdr Atkins, Mr Barnard, Mr Barrett-Miles, Mrs Bennett, Mr Bradford, Mrs Bridges, Mr Burrett, Mr Catchpole, Mr Cloake, Mr Crow, Mr Elkins, Ms Goldsmith, Mrs Hall, Mr High, Mr Hillier, Mr Hunt, Mrs Jones, Mrs Jupp, Mr Jupp, Ms Kennard, Mrs Kitchen, Mr Lanzer, Mr Marshall, Mr McDonald, Mr Mitchell, Mr Montyn, Mr R J Oakley, Mr S J Oakley, Mr Parikh, Mr Patel, Mrs Pendleton, Mrs Purnell, Mrs Russell, Mr Simmons, Mrs Sparkes, Mr Turner, Mrs Urquhart, Mr Whittington and Mr Wickremaratchi.

- (b) Against the amendment - 17

Mrs Brunsdon, Mr Buckland, Dr Dennis, Mrs Dennis, Mr Jones, Mr Lea, Ms Lord, Mrs Millson, Dr O'Kelly, Mr Oppler, Mr Oxlade, Mr Purchase, Mr Quinn, Mrs Smith, Mr Smytherman, Ms Sudan and Dr Walsh.

- (c) Abstentions – 5

Mrs Arculus, Mr Baldwin, Mr Barling, Mr Bradbury and Mr Fitzjohn.

24.4 The amendment was carried.

24.5 An amendment was moved by Dr Walsh and seconded by Ms Lord as set out below:

'In light of the recent Ofsted inspection of Children's Social Care Services which rated all elements of the service inadequate and the

acknowledgement of the Executive that it has failed to provide adequate funding to prevent substantial service decline, **calling into question the confidence this Council can have in its Leader and whether she should retain that position**, this Council:

- (a) Calls on the Leader and Cabinet Member for Children and Young People to arrange a Member Day at the earliest opportunity so all members can understand how the political and corporate leadership enabled services to decline so severely since the last inspection and, given that all members have corporate parenting responsibilities, to provide an update on the improvement programme and receive assurances that all the children and young people the County Council is responsible for are receiving adequate support **and in particular by ensuring senior staff stability**;
- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;
- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and that any funding deemed necessary to turn these services around is made available **if necessary by drawing on contingencies this year, with appropriate budget provision next year and following**, and that no savings targets are allocated to Children's Social Care; and
- (d) Calls for oversight, scrutiny and challenge to be more robust and independent minded, by enabling all of the Select Committees to nominate their own Chairman and Vice-Chairman, one of which should be drawn from the minority groups. Such nominations to be conducted by secret ballot, in line with recent national scrutiny guidance, and to be implemented as soon as possible.'

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

- (a) For the amendment – 18

Mr Baldwin, Mrs Brunsdon, Mr Buckland, Dr Dennis, Mrs Dennis, Mr Jones, Mr Lea, Ms Lord, Mrs Millson, Dr O'Kelly, Mr Oppler, Mr Oxlade, Mr Purchase, Mr Quinn, Mrs Smith, Mr Smytherman, Ms Sudan and Dr Walsh.

- (b) Against the amendment - 38

Lt Cdr Atkins, Mr Barling, Mr Barnard, Mr Barrett-Miles, Mrs Bennett, Mr Bradford, Mr Burrett, Mr Catchpole, Mr Cloake,

Mr Crow, Mr Elkins, Ms Goldsmith, Mrs Hall, Mr High, Mr Hillier, Mr Hunt, Mrs Jupp, Mr Jupp, Ms Kennard, Mrs Kitchen, Mr Lanzer, Mr Marshall, Mr McDonald, Mr Mitchell, Mr Montyn, Mr R J Oakley, Mr S J Oakley, Mr Parikh, Mr Patel, Mrs Pendleton, Mrs Purnell, Mrs Russell, Mr Simmons, Mrs Sparkes, Mr Turner, Mrs Urquhart, Mr Whittington and Mr Wickremaratchi.

(c) Abstentions – 5

Mrs Arculus, Mr Bradbury, Mrs Bridges, Mr Fitzjohn and Mrs Jones.

24.7 The amendment was lost.

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

(a) For the motion, as amended – 44

Lt Cdr Atkins, Mr Barling, Mr Barnard, Mr Barrett-Miles, Mrs Bennett, Mr Bradford, Mrs Bridges, Mr Burrett, Mr Catchpole, Mr Cloake, Mr Crow, Mr Elkins, Ms Goldsmith, Mrs Hall, Mr High, Mr Hillier, Mr Hunt, Mr Jones, Mrs Jones, Mrs Jupp, Mr Jupp, Mrs Kitchen, Mr Lanzer, Mr Marshall, Mr McDonald, Mr Mitchell, Mr Montyn, Mr R J Oakley, Mr S J Oakley, Mr Oxlade, Mr Parikh, Mr Patel, Mrs Pendleton, Mrs Purnell, Mr Quinn, Mrs Russell, Mr Simmons, Mrs Smith, Mrs Sparkes, Ms Sudan, Mr Turner, Mrs Urquhart, Mr Whittington and Mr Wickremaratchi.

(b) Against the motion, as amended - 9

Mr Buckland, Dr Dennis, Ms Lord, Mrs Millson, Dr O'Kelly, Mr Oppler, Mr Purchase, Mr Smytherman and Dr Walsh.

(c) Abstentions – 7

Mrs Arculus, Mr Baldwin, Mr Bradbury, Mrs Brunsdon, Mrs Dennis, Mr Fitzjohn and Mr Lea.

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

'In light of the recent Ofsted inspection of Children's Social Care Services which rated the overall effectiveness of the service inadequate and the acknowledgement of the Executive that the Council needs to address substantial service decline, this Council:

(a) Calls on the Leader and Cabinet Member for Children and Young People and the Chairman of the Corporate Parenting Panel to arrange a member event at the earliest opportunity so all members can understand how services were able to decline, how they can support, enable and ensure the changes required and, given that all members have corporate parenting responsibilities, to provide an update on the

improvement programme and receive assurances that all the children and young people all members are responsible for are receiving adequate support;

- (b) Pledges to do everything necessary to improve services for those children and families who need support as directed by the Commissioner (soon to be appointed) and the Independent Improvement Board;
- (c) Calls on the Leader to ensure that improving these services is the County Council's top priority and, recognising the swift action already taken, that any funding deemed necessary to support these services and the valued staff who provide them is made available, and that no savings proposals divert this ambition for Children's Social Care; and
- (d) Calls for members who carry out oversight, scrutiny and challenge to ensure they are robust and independent minded, and invites the Governance Committee to consider whether any changes should be made to the Council's scrutiny arrangements.'

25 Motion on Night-time Economy

25.1 The following motion was moved by Mr Jones and seconded by Mr Purchase:

'This Council is aware that High Streets across West Sussex are struggling, with many well-known retail stores disappearing from our towns at an alarming rate. Whilst proposals to enhance the West Sussex experience are evident in the Economic Growth Plan 2018-23, this Council considers that the night-time economy has an important role to play in diversifying our town and city centres, ensuring that they are inclusive, diverse, safe and accessible – for all residents and visitors, young and old.

This Council acknowledges that the night-time economy is the fifth largest industry in the UK and considers that West Sussex is not currently maximising the opportunities that exist which could transform our high streets and towns, particularly those with a University presence, which could ultimately encourage more young people to study, live and work in the county, as well as providing more opportunities for existing residents to enjoy themselves locally.

This Council therefore calls on the Leader to reflect the importance of the night-time economy within West Sussex by setting up an officer working-group with partners from the district and borough councils, the food and drink industry and those with expertise in events to explore the benefits that an enhanced night-time economy could deliver across the county and report its findings to the Environment, Communities and Fire Select Committee with an

interim report on progress in six months, and a final report with conclusions and recommendations in 12 months' time.'

25.2 The motion was lost.

26 Question Time

26.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios and asked questions of chairmen, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 45 to 48) and a supplementary report (supplement page 1) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

27 Governance Committee: Select Committee Business Planning Group Membership/Webcasting Criteria

27.1 The Council considered a proposal that the membership of Business Planning Groups should be amended to include the Vice-Chairman of the relevant Select Committee and suggested criteria for webcasting meetings in the light of a report from the Governance Committee (pages 49 to 54).

27.2 Resolved –

- (1) That the Constitution should require the Vice-Chairman of a Select Committee to be a member of its Business Planning Group and to be Vice-Chairman of this Group and that the Scheme of Delegation be amended accordingly, as set out at paragraph 4 to the report;
- (2) That there should be a presumption in favour of webcasting all meetings of Planning Committee, Select Committees and formal meetings of the Cabinet;
- (3) That the decision to waive the presumption of webcasting should rest with the chairman and vice-chairman and that, for select committees, if a difference of opinion should arise between those two members, the decision should be referred to the members of the Business Planning Group; and
- (4) That the criteria to be used to inform the decision as to whether to webcast all or part of a meeting, be as set out in paragraph 9 of the report and be included in Standing Orders, as set out at Appendix 1 to the report.

Chairman

The Council rose at 4.12 pm