

## West Sussex County Council – Written Questions

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**27 May 2022**

1. Written question from **Cllr O’Kelly** for reply by **Cabinet Member for Adults Services**

### **Question**

There is national and local concern about access to adult social care. Can the Cabinet Member;

- (a) Summarise the current waiting times for assessment, reviews and actual care being delivered and provide comparable data to show whether (a) the situation has worsened and (b) there are geographical differences across the county;
- (b) Tell me whether assessments and support are having to be prioritised to manage the current workload and if so in what way;
- (c) Whether there has been any raising of the bar in terms of eligibility;
- (d) What impact the situation is having on those needing care assessments, reviews, care packages and personal budgets;
- (e) Whether any family carers have been asked to take paid or unpaid leave from work when care and support are not available for their family members; and
- (f) Comment on the action she is taking to address the situation and the timescale for improvements.

### **Answer**

- (a) Unprecedented demand is being experienced across all locality teams throughout the county. All community teams have assessment waiting lists, although northern teams are experiencing the highest levels of demand at present. When responding to requests for assessment, if a customer is in crisis, then the teams are able to respond immediately or within 24 hours as appropriate, to mitigate any immediate risks. All teams have also been set target response times and endeavour to respond to urgent cases within seven days. Due to the level of demand and pressures on the workforce, customers are however waiting on average 16 days.

At the end of the last quarter of 2021/22, the percentage of users of adults’ services and their carers that are reviewed and/or assessed in the last 12 months stood at 60%, which was the lowest during 2021/22. Reviews were temporarily suspended between December 2021 and March 2022, to allow for prioritisation of new assessment activity and manage the challenges of Covid-19 and pressures to facilitate discharge from hospital. Review teams have now been established to manage reviews moving into 2022/23, focusing on embedding a strength-based approach and reducing the numbers of customers waiting for review.

Ongoing care market capacity challenges are influencing the availability of care that can be delivered. This led to the County Council prioritising resources for paying uplifts in fees to the independent care market as part of its budget strategy for 2022/23. The outcome has been average increases of between 8% and 10%, which should enable the market to improve opportunities to recruit care workers, ultimately bringing more capacity to the market and reducing the waiting times for those with an assessed need for social care. The numbers of older people being supported by the Council is approximately 4,500 out of a total customer cohort of 8,200 across all care types. Those numbers are largely the same as in March 2021, having not yet returned to their pre-Covid peak of 4,700 (8,400). Further data will be available at the end of the first quarter of 2022/23 which will show the impact of establishing the reviewing teams and making fee increases to the care sector and I will write with a further update then.

- (b) When responding to requests for assessment, if a customer is in crisis, then the teams are able to respond immediately or within 24 hours as appropriate, in order to mitigate any immediate risks. All referrals are prioritised on receipt, as either urgent, normal or low. Customers waiting are frequently reviewed and reprioritised if their circumstances change, to ensure that those people with the most pressing needs are responded to in as timely a way as possible. Directors of Adults' Social Services (ADASS) are reporting that most councils across the country are facing increasing waiting times for assessment and service, as referred to in response to question (f) below.
- (c) There has been no change in eligibility.
- (d) As set out in the answer to question (b), prioritisation processes and the monitoring of waiting lists are mitigating the impact on those needing care assessments, reviews, care packages and personal budgets. As stated, the number of older people being supported by the Council is approximately 4,500 out of a total customer cohort of 8,200 across all care types.

In terms of care costs, market-related factors led to the average cost of a care package for an older person increasing to approximately £505 per week in March 2022. This is £27 per week more than in March 2021. That represented an annual rate of increase of 5.7%, which equates to a real terms pressure of almost 4% when discounted for the inflationary uplift of 1.75% agreed by the County Council for 2021/22. To put this in context, approximately £125m is spent on care costs through the older people's budget, so every 1% increase in the average price equates to a pressure of £1.25m.

- (e) All assessments and support plans are based on individual circumstances which includes the ability of family and friends to provide support, in line with best practice and the strengths-based approach being taken by councils across the country. Support plans will therefore reflect an agreed approach to the role of family carers in providing care.
- (f) In relation to those waiting for care and support, ADASS published the results of a national survey on 13 May 2022, which set out the pressures that all councils across the country are experiencing. The County Council, through ADASS, the Local Government Association and the County Councils Network will continue to support the lobbying of the Government to address this ongoing pressure as soon as possible.

To address staff capacity and reduce current waiting times for assessments, community teams are not undertaking green assessments, although these are being reviewed regularly and reprioritised if circumstances change, including any safeguarding concerns, change of need or request for re-assessment. All review activity is being undertaken by a stand-alone review team to enable community teams to concentrate on waiting lists within their locality.

Agency staff are also being recruited in order to address the vacancy gap for qualified social workers and occupational therapists. A cohort of newly qualified social workers and workers recruited from overseas are due to start work from July onwards, which will provide additional staff capacity.

The Care Act 2014 requires local authorities to 'consider the person's own strengths and capabilities, and what support might be available from their wider support network or within the community to help' in considering 'what else other than the provision of care and support might assist the person in meeting the outcomes they want to achieve'. Focus has been placed on this as part of a strengths-based approach to practice, providing interventions throughout the customer journey to meet people's needs through information and advice as well as provision of preventative services and redirection of customers who may have been added to assessment waiting lists.

Work is continuing to take forward the 'we will' statements included within the Adult Social Care Strategy, continuing the successful co-production work undertaken with customers and carers. This will inform the directorate's business planning, seeking to address the issues currently being experienced, which as the ADASS survey indicated, is a national issue.

The current situation reflects the ongoing challenges that are being experienced by all councils across the country. Financial constraints, growing demand, shortfalls on workforce, reducing market capacity and imminent Adult Social Care Reform means that local authorities will be needing to manage significant uncertainty for the foreseeable future. This Council will ensure that it continues to use all available resources to meet this challenge and work with customers, carers and broader partners to implement the Adults Strategy that was agreed by Cabinet in February. The impact of the steps we are taking will be reported through monitoring on Our Council Plan.

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

**Question**

According to BBC News (18 May) "UK inflation, the rate at which prices rise, jumped to 9% in the 12 months to April, up from 7% in March ....The Bank of England has warned that UK inflation could reach 10% in the last three months of 2022."

A level of inflation that has outstripped the central government and County Council calculations of 3%+. A cost-of-living disaster that has left affected County Council social care service users with insufficient income to cover their daily living expenses and a redundant Minimum Income Guarantee (MIG) no longer fit for purpose. Given this reduction in purchasing power and the hardship caused, will the Council with due expedition, permit social care service users to retain more of their income, that is to

say MIG plus uplift buffer to ameliorate the continuation of the present injustice, and if not, why not?

### **Answer**

As previously discussed, the Cabinet Member agreed to revert to statutory Minimum Income Guarantee (MIG) for working age adults in 2018.

The statutory MIG rates are issued by central government and have been increased in line with inflation as advised in the Social Care - charging for care and support: local authority circular - LAC(DHSC)(2022)1 which is sent to all local authorities. Any further changes to the statutory calculation would need to be made by central government.

The impact of rising costs is a national issue and we will continue to lobby the Government to consider how it can close the gap between the impact of the inflation on current costs when compared with the uplift that was applied to the MIG for this financial year.

We take an individualised approach when considering the impact of contributions to care and the person's ability to pay as individual customers circumstances differ.

If people are having difficulties contributing to their care, they should contact us directly regarding the affordability of the charge at [FinancialReassessments@westsussex.gov.uk](mailto:FinancialReassessments@westsussex.gov.uk).

Affordability is also considered at the time of financial re assessment along with disability related expenses and household related expenses.

### **3. Written question from Cllr Kerry-Bedell for reply by Cabinet Member for Environment and Climate Change**

#### **Question**

Both climate change and population growth make water resources scarcer, and a European Commission's Joint Research Centre report estimates a 90% chance of wars being fought over water within 100 years.

The Government lacks any form of legislation on Storm Sewage Overflows, and the Government's National Planning Policy Framework and other legislation forces Southern Water to connect new housing developments to sewage systems, even where there is known to be no or limited sewage capacity remaining.

It is incorrect for the County Council to say, as I was told recently, that issues like sewage capacity and nutrient neutrality are only issues for borough and district councils, as these factors directly impact all County Council-planned developments too.

Will the County Council act to create a cross-party task and finish group by the end of July to review four factors related to water supply and associated environmental damage, namely sewage capacity, storm sewage overflows, nutrient neutrality and water neutrality?

## Answer

Water quality and capacity, along with adequate sewage infrastructure, is of concern to the County Council as it impacts on residents' well-being in many areas. It also impacts on our environment, economic growth and jobs.

However, with regard to planning, the capacity of wastewater infrastructure to meet demands associated with new housing and associated development is not the responsibility of the County Council. It is a matter for the local planning authorities to consider through the preparation of their local plans and when determining planning applications. For example, Chichester District Council (CDC) has useful information on this and related matters on its [website](#).

As county planning authority and a minerals and waste planning authority, the County Council is only responsible for considering wastewater infrastructure in relation to the County Council's own development and minerals and waste development (outside the South Downs).

Although the discharge of untreated sewage is of great concern, it is not the responsibility of the County Council. It is a matter for the Environment Agency, which is responsible for pollution prevention under the environmental permitting regime.

In West Sussex, currently, nutrient neutrality is only an issue for CDC in relation to planning applications likely to discharge into Chichester Harbour. CDC is working with other affected authorities (in Hampshire) to address this issue and has details on its [website](#) whilst keeping the County Council fully informed.

The issue of water neutrality is the subject of a Notice of Motion on this agenda. In summary, the County Council is already working with other affected authorities, Natural England, Southern Water, and the Environment Agency to address this issue. Information is available on the County Council's [website](#).

Therefore, a cross-party task and finish group is not required to review sewage capacity, storm sewage overflows, nutrient neutrality and water neutrality.

## 4. Written question from **Cllr Cherry** for reply by **Cabinet Member for Finance and Property**

### Question

The UK is committed to net zero carbon emissions by 2050 and a 78% reduction by 2035.

The current Woodlands Mead development project is running successfully but has failed to maximise opportunities to achieve carbon neutrality. There are some solar panels planned but these will not substantially negate reliance on fossil fuels. Options like ground source heating seem not to have been considered.

So how conscientious is the County Council in pursuing a policy of carbon neutrality with its building projects? The component parts of this question are as follows.

- (a) How many active new building projects does the County Council have?
- (b) How many will commence in the next five years?

- (c) How many will rely on fossil fuels to meet a significant proportion of their energy needs?
- (d) How many will be totally carbon neutral?

### **Answer**

- (a) The County Council currently has 40 new-build projects that are being built or where a business case has been prepared or where the project is going through the viability stage.
- (b) Currently around 23 projects are in the pre-construction stage, that is viability, feasibility design etc. It is anticipated that these will start on site within the next five years. However this number is anticipated to increase as directorates further refine their requirements. Further information is provided in the [Capital Programme](#) (PDF, 5.7MB) (Annex 2a, Appendix A).

(c & d) The aim is that all projects that are included within the County Council's Capital Programme will be carbon neutral and comply with the Council's Climate Change Policy. For example, the new secondary school planned for Burgess Hill, which is currently in the design stage, is being planned to achieve this level of compliance. However, it should be noted that an extension to an existing asset will be influenced by the existing infrastructure and the Council's ability to achieve carbon zero which may require offsetting to be carbon neutral.

Even though the County Council will design to a zero-carbon standard there are factors outside of its direct control such as the users purchase of electricity which may not be 'green' and so will require carbon offsetting.

The 23 projects identified above are at viability stage which will consider factors such as affordability, deliverability and whether it will meet the objectives. The presumption is that these 'new builds' will be carbon neutral.

### **5. Written question from **Cllr Gibson** for reply by **Cabinet Member for Finance and Property****

#### **Question**

- (a) How much has the County Council received in New Homes Bonus since the grant was introduced in 2011 (by district if known)?
- (b) Has this money been used to support revenue expenditure or spent on capital or strategic projects within the communities in which the development that generated the grant?
- (c) How much of this money remains unspent (by district if known)?
- (d) How has the Council met the Government requirement to "engage with the communities most affected by housing growth to decide how the money is spent, so residents can share in the benefits of growth" when deciding where and on what New Homes Bonus money is spent?

## Answer

- (a) The County Council has received £36m in New Homes Bonus Grant (NHB) since its introduction in 2011. The district and borough councils have collectively received £145m. The portion received by the County Council can be attributed to housing growth in the district and borough areas as follows:

Area	£m
Adur	£0.95
Arun	£6.62
Chichester	£5.66
Crawley	£3.68
Horsham	£8.92
Mid Sussex	£7.99
Worthing	£2.45
<b>County Council</b>	<b>£36.28</b>

- (b) The County Council has used the NHB Grant to support its revenue expenditure.
- (c) The County Council has no unspent NHB Grant.
- (d) The County Council has used the NHB Grant to further support its revenue budget. Increased housing leads to an increasing population which in turn engenders greater demand on council services, such as an increased demand for adult social care services, increased demand for children's services, increased traffic on county roads and increased waste disposal. The basis of grant distribution from the Government is not updated to reflect the growth in housing and the increase in the council tax base is not sufficient to cover the costs of the increase in high demand services, such as social care. If the Council did not use the grant to support its revenue budget, further savings would need to be identified to balance the budget.

6. Written question from **Cllr Kerry-Bedell** for reply by **Cabinet Member for Highways and Transport**

## Question

42% of West Sussex residents and over half of our businesses are located in rural areas, with nine out of ten of our rural population living in small towns and villages. Reliable and cheap local transport is key to the recovery and sustainability of rural communities' post COVID as a third of residents are over 65 and a third rely on public transport.

- (a) What is the projected breakdown of the £17.4m spend awarded from the Government in towns versus rural areas, and by district.
- (b) What categories will money be spent on e.g. new or replacement bus stations, bus lanes, bus shelters, new and replacement bus stops, real time information screens and digital demand responsive transport trials?
- (c) Also, will a Digital Demand Responsive Transport trial be considered for the far west of the county that is highly rural and that relies on the bus network for jobs, education, social and shopping needs of its residents?

## Answer

The £17.4m Bus Services Improvement Plan (BSIP) funding is currently an indicative amount that could be awarded to the County Council and remains subject to the Department for Transport (DfT) agreeing with the priority BSIP ambitions. These ambitions are subject to ongoing discussions with the bus operators and other key partners, as well as highways engineers, on deliverability within the 2022-25 funding window.

The County Council has yet to meet the DfT to discuss the priority ambitions, the outcome of which will inform final submission to the DfT due at the end of June 2022. The current outline list of ambitions totals in excess of £17.4m.

- (a) The current list broadly amounts to £8m for rural areas and £10.2m for more urban areas. This is to be expected with costs for capital funded bus infrastructure improvements such as bus lanes being in urban areas where they help bus speeds where there is congestion. At present the split by District/Borough has not been determined, partially as several items are county wide
- (b) The current list of ambitions includes all of the categories mentioned. In addition, fare price reductions for young people and provision of improved information is being considered.
- (c) A number of trials of Digital Demand Responsive Transport solutions including in the west/north-west of the county to improve rural access are under consideration. This could include working with bus operators, community transport, taxi operators and using some of the County Council's internal fleet.

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

### Question

West Sussex residents will be surprised to learn that in many urban areas, WSCC Highways do not own the freehold of the land on which the roads are built. It resides with the original vendor or property company. Increasingly these freeholds are now being sold off, for example in the case of Greenfields Farm, Roffey North, Horsham. Frequently they are being bought by speculative developers in the hope of getting permission to build on small pockets of green space left in the original street plan.

Will the Cabinet Member look into this situation urgently, as it is causing residents great distress and in some cases, costs running into tens of thousands of pounds?

### Answer

In the majority of cases land that has highway status (urban or rural) is not owned by the County Council as highway authority. The surface of the highway is vested in the highway authority and the owner of the sub-soil is, in most instances, the person who owns the land adjoining the public highway. However, it is illegal for anyone to build on land that has highway status. Changing ownership does not increase the risk that highway land will be subject to development.

A market has developed over recent years whereby landowners are selling land that is part of the public highway. This is permissible in law and something that the County



Council is aware of. This is an issue nationally. As soon as the County Council becomes aware of the sale of land that forms part of the highway a notification is sent to the seller/auctioneer explaining that any purchaser needs to be aware that the land is part of the public highway and they will not be permitted to encroach upon, develop the land or obstruct the highway.

In the case of the land at Roffey North, the relevant plot was offered for sale with a note to the effect that it was occupied by adopted public highway and that relevant permissions would be needed for the land to be used for any other purpose.

There are two routes for obtaining permission to remove highway status from land so as to make other use of it.

- (1) As part of a larger development the owner or developer can seek planning permission and then, if it is approved, may seek the agreement of the Secretary of State for the removal of highway status if it can be shown to be necessary to enable the development for which permission has been given.
- (2) This proposal will form part of the planning application and so will be evident at the point of public consultation. Interested parties will also be able to comment on any application. Such requests are usually only considered where highway rights are being improved or differently provided as part of the development.
- (3) The owner of land with highway status can make a formal application to the County Council requesting it to 'stop up' the highway – which removes the highway status. This involves an application to the Magistrates Court and requires wide public notice and consultation with interested parties. Only the County Council can make such applications.

When such applications are received the County Council considers each application taking into account such matters as use, safety, highways management, future need, amenity etc. The local member will also be involved.

The position of the County Council is that, in the absence of a compelling case, requests to 'stop-up', are likely to be contrary to the public interest in the maintenance of the public rights to pass and re-pass along the highway. The County Council has a duty to maintain such rights.

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

### **Question**

WSSC Highways control significant potential tree planting areas in the form of roadside verges. Currently, most applications for planting come at the initiative and the expense of local residents. In order to make a stronger contribution to the climate emergency, will the Cabinet Member consider introducing a proactive tree-planting policy including:

- (a) A more aspirational target than the current 125 per year.
- (b) A more flexible approach to funding.

## Answer

In December 2020 the County Council adopted its [Tree Plan](#) and the three strategic aims are:

- to maintain the trees and woodlands in the County Council's ownership
- to protect trees and woodlands from new development and other threats
- to improve tree cover in West Sussex through natural regeneration, the planting of new trees, and the creation of new woodlands

West Sussex has extensive tree coverage; the county has 42,500 hectares of woodland of which over 82% is broadleaved. This equates to woodland cover of 23% compared to 10% for England as a whole.

However, it is recognised that the data the County Council holds relating to Council-managed trees is not as good as it could be and work is underway to improve this.

Opportunities exist for residents, parishes and other bodies to promote tree planting and utilise highway verges for this. The County Council promoted 'donate a tree' scheme has seen more than 400 trees planted over the last two years. Whilst this may not appear to be a significant number it should be noted that highway verges are a small proportion of the land the County Council controls and that planting and improving hedgerows, for example, are sometimes the better ecological option (the cost of planting and caring for a young tree cost around £500 for the first three years.)

A cross-directorate officer group is currently looking at how the County Council can best support the aspirations within the Tree Plan and to submit bids for external funding to support a wider programme which includes highways trees.

### 9. Written question from **Cllr Cornell** for reply by **Cabinet Member for Learning and Skills**

#### Question

How many surplus places are there currently in West Sussex primary schools and, given the reported 5% drop in birth rate, what measures are under consideration to identify, support and protect schools that may become vulnerable?

#### Answer

As of the October 2021 School Census, there were 130,057 places across all West Sussex schools and 116,853 pupils on roll. This equates to an overall surplus capacity of 11.2%. However, this varies by locality as the primary bulge begins to work through into our secondary schools with some localities having in excess of 16% surplus provision in primary schools.

Regular discussions take place between County Council officers from the school place planning and admissions teams with locality groups of schools. This determines pupil numbers across an area and identifies where any additional conversations may be needed to discuss support to schools experiencing a decline in pupil numbers.

Whilst there has been a drop in pupil numbers applying to start school in September 2022, there will be a further review of projected pupil numbers during the summer to help inform conversations about provision in future years.