
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:

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- (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** ~~olicies~~ 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.

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- (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.

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- (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