
West Sussex County Council – Ordinary Meeting

11 December 2020

At the virtual Ordinary Meeting of the County Council held at 10.30 am on Friday, 11 December 2020, the members present being:

Cllr Duncton (Chairman)

Cllr Arculus	Cllr Kitchen
Cllr Acraman	Cllr Lanzer
Cllr Atkins, RD	Cllr Lea
Cllr Baldwin	Cllr Lord
Cllr Barnard	Cllr Magill
Cllr Barrett-Miles	Cllr Markwell
Cllr Bennett	Cllr Marshall
Cllr Boram	Cllr McDonald
Cllr Bradbury	Cllr Millson
Cllr Bradford	Cllr Mitchell
Cllr Bridges	Cllr Montyn
Cllr Brunsdon	Cllr R Oakley
Cllr Buckland	Cllr S Oakley
Cllr Burgess	Cllr O'Kelly
Cllr Burrett	Cllr Oppler
Cllr Catchpole	Cllr Oxlade
Cllr Cloake	Cllr Patel
Cllr Crow	Cllr Pendleton
Cllr J Dennis	Cllr Purchase
Cllr N Dennis	Cllr Purnell
Cllr Edwards	Cllr Quinn
Cllr Elkins	Cllr Russell
Cllr Fitzjohn	Cllr Smith
Cllr Goldsmith	Cllr Smytherman
Cllr Hall	Cllr Sparkes
Cllr High	Cllr Sudan
Cllr Hillier	Cllr Turner
Cllr Hunt	Cllr Urquhart
Cllr A Jones, MBE	Cllr Waight
Cllr M Jones	Cllr Walsh, KStJ, RD
Cllr A Jupp	Cllr Whittington
Cllr N Jupp	Cllr Wickremaratchi
Cllr Kennard	

51 Award for Member Development

- 51.1 The Chairman reported that South East Employers (SEE) had awarded the County Council the Charter for Member Development. She congratulated Cllr Kennard and the Member Development Group on an excellent achievement.

51.2 Cllr Burrett, Chairman of South East Employers, offered congratulations to the Council on behalf of SEE.

52 Executive Director Adults and Health

52.1 The Chairman welcomed Keith Hinkley, the new Executive Director Adults and Health, to his first Council meeting.

53 Apologies for Absence

53.1 Apologies were received from Cllr Barling, Cllr Barton and Cllr Simmons. Cllr Hall was absent.

53.2 Apologies for the morning session were received from Cllr Purchase who joined the meeting at 2.15 pm. Apologies for the afternoon session were received from Cllr Cloake who left the meeting at 12.50 pm and from Cllr Lea.

53.3 Cllr Millson joined the morning session at 11.00 am. Cllr Purnell joined the meeting at 12.50 pm, having given her apologies for late arrival. Cllr Markwell joined the afternoon session at 3.25 pm. Cllr Smith left the meeting at 2.50 pm, Cllr Goldsmith at 3.35 pm, returning at 4.00 pm, and Cllr Buckland at 4.10 pm.

54 Members' Interests

54.1 Members declared interests as set out at Appendix 1.

55 Minutes

55.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 6 November (pages 7 to 36) be approved as a correct record.

56 Appointments

56.1 The Council approved appointments as set out below.

Committee	Change
Performance and Finance Scrutiny Committee	Cllr Montyn as Vice-Chairman in place of Cllr Catchpole
Corporate Parenting Panel	Cllr Burgess in place of Cllr Baldwin

57 Address on Children First Improvement Plan

57.1 Members received an address by the Leader and the Cabinet Member for Children and Young People on the Council's Children First Improvement Plan.

58 Address on Fire & Rescue Service Improvement

58.1 Members received an address by the Cabinet Member for Fire & Rescue and Communities on Fire & Rescue Service improvement.

58.2 In response to a question from Cllr Smytherman, the Cabinet Member agreed to provide an update on the investigation by the Information Commissioner's Officer on the joint control centre.

59 West Sussex County Council Reset Plan

59.1 The Leader moved the report on the latest draft of the West Sussex County Council Reset Plan (pages 41 to 54).

59.2 Resolved –

That the first iteration of the Reset Plan be noted.

60 Motion on Hidden Disability

60.1 At the County Council meeting on 6 November 2020 the following motion was moved by Cllr Edwards, seconded by Cllr Pendleton, and referred to the Cabinet Member for Adults and Health for consideration. A report by the Cabinet Member was included with the agenda (pages 55 and 56).

'Many businesses, emergency services and local authorities have recognised the Hidden Disabilities Lanyard and West Sussex County Council should embrace this too. Anyone with a hidden disability which does not have physical signs, including learning disabilities, lung conditions and chronic illnesses can opt to wear a Hidden Disability Sunflower to show they may require additional help, understanding or extra time to carry out an action. This symbol allows us to give them the help and understanding they may need in their day-to-day lives. This Council calls on the Cabinet Member for Adults and Health to support the following commitments;

- (1) To officially recognise the Hidden Disabilities Sunflower.
- (2) To officially promote what it stands for and its importance in breaking stigma.
- (3) To help promote Hidden Disabilities Sunflower to local businesses and encourage them to formally look at recognising it.
- (4) To promote that the council offices are Hidden Disability friendly and promote the Sunflower on its buildings so people can identify the Council as Hidden Disability friendly.
- (5) To actively promote and encourage local district and borough councils, and town and parish councils to recognise the scheme.'

60.2 An amendment was moved by Cllr A Jupp, seconded by Cllr Kennard and accepted by Cllr Edwards, as set out below:

'Many businesses, emergency services and local authorities have recognised the Hidden Disabilities Lanyard and **it would be good if** West Sussex County Council ~~should embrace this~~ **could do so** too. Anyone with a hidden disability which does not have physical signs, including learning disabilities, lung conditions and chronic illnesses can opt to wear a Hidden Disability Sunflower **if they so wish** to show **that** they may require additional help, understanding or extra time to carry out an action. This symbol ~~allows us to~~ gives them the **opportunity to show that they may need extra** help and understanding they may need in their day-to-day lives. This Council calls on the Cabinet Member for Adults and Health to support the following commitments;

- (1) To ~~officially~~ recognise the Hidden Disabilities Sunflower.
- (2) **Where possible, to** ~~officially~~ promote what it stands for and its importance in breaking stigma.
- (3) To ~~help promote Hidden Disabilities Sunflower to~~ **encourage** local businesses **to recognise it where possible for example by displaying posters** and ~~encourage them to formally look at recognising it.~~
- (4) To ~~promote that the~~ **explore displaying posters and details of the sunflower in our** council offices are Hidden Disability friendly and ~~promote the Sunflower on its buildings so people can identify the Council as Hidden Disability friendly.~~
- (5) To ~~actively promote and encourage~~ **our partners in** local district and borough councils, and town and parish councils to recognise the scheme.'

60.3 The amended motion, as set out below, was agreed.

'Many businesses, emergency services and local authorities have recognised the Hidden Disabilities Lanyard and it would be good if West Sussex County Council could do so too. Anyone with a hidden disability which does not have physical signs, including learning disabilities, lung conditions and chronic illnesses can opt to wear a Hidden Disability Sunflower if they so wish to show that they may require additional help, understanding or extra time to carry out an action. This symbol gives them the opportunity to show that they may need extra help and understanding they may need in their day-to-day lives. This Council calls on the Cabinet Member for Adults and Health to support the following commitments;

- (1) To recognise the Hidden Disabilities Sunflower.

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- (2) Where possible, to promote what it stands for and its importance in breaking stigma.
 - (3) To encourage local businesses to recognise it where possible for example by displaying posters.
 - (4) To explore displaying posters and details of the sunflower in our council offices so people can identify the Council as Hidden Disability friendly.
 - (5) To encourage our partners in local district and borough councils, and town and parish councils to recognise the scheme.'

61 Motion on Council Investments

61.1 At the County Council meeting on 6 November 2020 the following motion had been moved by Cllr Millson, seconded by Cllr Walsh, and referred to the Cabinet Member for Finance for consideration. A report by the Cabinet Member was included with the agenda (pages 57 and 58).

'This Council welcomes the fact that the Pensions Committee's investment managers have signed up to the United Nations Principles of Responsible Investment which has been set up by the United Nations Environment Programme Finance Initiative (UNEP FI) to encourage asset owners and asset managers to:

- incorporate environmental, social and governance (ESG) issues into investment analysis and decision making;
- be active owners;
- seek disclosure of ESG issues; and
- promote the principles within the industry.

This Council therefore calls on the Cabinet Member for Finance to follow the lead of the Pensions Committee and to ask the Council's investment advisers to ensure they follow the United Nations Principles of Responsible Investment for all of the Council's investments. This will ensure that West Sussex County Council achieves a more ethical investment policy by incorporating matters like human rights and environmental issues, such as reducing reliance on fossil fuels (in line with the Council's Climate Change Strategy), into its investment decisions.'

61.2 The motion, as set out in minute 61.1 above, was agreed.

62 Motion on Milk at School Break Time

62.1 At the County Council meeting on 6 November 2020 the following motion had been moved by Cllr M Jones, seconded by Cllr Walsh, and referred to the Cabinet Member for Education and Skills for consideration. A report by the Cabinet Member was included with the agenda (pages 59 and 60).

'This Council notes that the number of families relying on support from food banks in some parts of the county has increased by as much as 80% in the last 12 months and that there has been a county-wide increase in applications for free school meals over the last six months compared to last year.

This Council also believes the provision of school milk provides a nutritional boost and keeps children hydrated between breakfast and lunch, helping them to concentrate and learn.

This Council therefore calls on the Cabinet Member for Education and Skills to work with the Cabinet to provide funding to enable the reversal of the decision to cease providing morning break time school milk for the over 5s for 2020/21 with effect from September 2020. It calls on him to utilise the savings achieved over the past six months as a result of members not having to travel to meetings to meet the cost.'

62.2 The motion, as set out in minute 62.1, was lost.

63 Motion on provision of Free School Meals in School Holidays

63.1 At the County Council meeting on 6 November 2020 the following motion had been moved by Cllr M Jones, seconded by Cllr Walsh, and referred to the Cabinet for consideration. A report by the Cabinet was included with the agenda (pages 61 and 62).

'This Council expresses disappointment that the Government has voted against providing free meals for children entitled to free school meals in the October 2020 half term and during future school holidays. This Council also expresses disappointment that none of the West Sussex Members of Parliament who took part in the Parliamentary vote supported the proposal to provide meals during future school holidays, with seven of the eight actively voting against.

This Council recognises that the on-going pandemic is causing hardship and poverty for many families within West Sussex and calls on the Cabinet to follow the example of other councils around the country to step in and provide free meals for children entitled to free school meals during future school holidays during the current pandemic.'

63.2 The Chairman informed the Council that following the receipt of further information about the grants, Cllr Jones, with the agreement of the seconder Cllr Walsh, had agreed to withdraw the motion.

64 Governance Committee: Report of the Independent Remuneration Panel

64.1 The Council considered the report of the Independent Remuneration Panel and recommendations for the scheme of allowances and

expenses from May 2021, in the light of a report from the Governance Committee (pages 63 to 96).

- 64.2 An amendment was moved by Cllr M Jones and seconded by Cllr Walsh.

'The Labour Group and the Liberal Democrat Group generally welcomes the report of the Panel and thanks the Panel for its work during its review of the Member Allowance Scheme. The Labour Group and the Liberal Democrat Group support the Panel's recommendations about sustainability as a move to reducing the County Council's carbon footprint, to support our climate change emergency.

The Labour Group and the Liberal Democrat Group welcomes the IRP's recommendation to freeze allowances in 2021/22 in view of the 'present economic environment in which Council services are being increasingly severely restricted, and constituents are suffering with furlough, loss of business income and possible looming unemployment' (paragraph 31). This is further re-enforced by the decision by the Government to impose a public sector pay freeze for public sector workers which includes all of the workers in services that the county council employs.

In light of this, the Labour Group and the Liberal Democrat Group recognises that recommendations (m) and (p) in the Panel's report may lead to reductions in the special responsibility allowance paid to some future postholders in the roles of senior advisers to cabinet members and minority group leaders.

However, the Labour Group and the Liberal Democrat Group have become concerned that there is an overall lack of consistency in the report relating to the treatment of special responsibility allowances. If it is appropriate to reduce the aforementioned allowances, then it believes it is also appropriate to apply a similar reduction by the same effective amount.

The Labour Group and the Liberal Democrat Group therefore puts forward the following amendment to the Governance Committee's recommendation, in the light of the severe financial pressures and in order to ensure consistency with all special responsibility allowances for councillors, which could save £88,290 compared to the current cost of special responsibility allowances. Combined with the potential reductions in minority group leader of £4,285 and senior adviser to cabinet members' allowances of £7,324, this could total £99,809.

'That the Independent Remuneration Panel's report and recommendations be approved, **but the Council agrees to go further than the IRP's recommended approach to freeze allowances and thereby agrees to reduce the special responsibility allowances paid to the Chairman, Vice-Chairman, Leader, Cabinet Members, Committee Chairmen**

and Foster Panel members by 25% in May 2021. This would have consequential amendments to the IRP's recommendations (g)-(k).'

An extract from Schedule 1 of the Member Allowance Scheme is shown below, illustrating the effect of the proposed amendment.

Schedule 1

Special Responsibility Allowances

Appointment	Allowance per member £ per annum
Chairman of the County Council	16,247 21,663
Leader of the Council	25,387 33,849
Vice-Chairman of the County Council	6,462 8,616
Cabinet Member (and Deputy Leader)	18,278 24,371
Cabinet Member for Adults and Health	16,247 21,663
Cabinet Member for Children and Young People	16,247 21,663
Cabinet Member for Economy and Corporate Resources	16,247 21,663
Cabinet Member for Education and Skills	16,247 21,663
Cabinet Member for Environment	16,247 21,663
Cabinet Member for Finance	16,247 21,663
Cabinet Member for Fire & Rescue and Communities	16,247 21,663
Cabinet Member for Highways and Infrastructure	16,247 21,663
Leaders of Minority Parties with at least three members**	£5,000
Leaders of Large Minority Parties with at least 15 members*	12,995
Leaders of Medium Minority Parties (five to 14 members)*	10,640
Leaders of Small Minority Parties (three to four members)*	4,236
Chairman of the Performance and Finance Scrutiny Committee	7,164 9,552
Chairman of the Children and Young People's Services Scrutiny Committee	7,164 9,552
Chairman of the Environment and Communities Scrutiny Committee	7,164 9,552

Appointment	Allowance per member £ per annum
Chairman of the Fire & Rescue Service Scrutiny Committee	7,164 9,552
Chairman of the Health and Adult Social Care Scrutiny Committee	7,164 9,552
Chairman of the Planning and Rights of Way Committee	7,164 9,552
Chairman of the Regulation, Audit and Accounts Committee	7,164 9,552
Senior Adviser to a Cabinet Member	5,658
Adviser to a Cabinet Member*	4,397 3,640
Member of the Fostering Panel	2,730 3,640

* and ** reflect the IRP's recommended levels.'

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

(a) For the amendment – 11

Cllr Buckland, Cllr N Dennis, Cllr M Jones, Cllr Lord, Cllr Millson, Cllr O'Kelly, Cllr Oppler, Cllr Oxlade, Cllr Purchase, Cllr Quinn and Cllr Smytherman.

(b) Against the amendment – 40

Cllr Acraman, Cllr Atkins, Cllr Baldwin, Cllr Barnard, Cllr Barrett-Miles, Cllr Bennett, Cllr Boram, Cllr Bradbury, Cllr Burrett, Cllr Catchpole, Cllr Crow, Cllr J Dennis, Cllr Duncton, Cllr Elkins, Cllr Hillier, Cllr Hunt, Cllr A Jones, Cllr A Jupp, Cllr N Jupp, Cllr Kennard, Cllr Kitchen, Cllr Lanzer, Cllr Magill, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr Mitchell, Cllr Montyn, Cllr R J Oakley, Cllr S J Oakley, Cllr Patel, Cllr Pendleton, Cllr Purnell, Cllr Russell, Cllr Sparkes, Cllr Turner, Cllr Urquhart, Cllr Waight, Cllr Whittington and Cllr Wickremaratchi.

(c) Abstentions – 8

Cllr Arculus, Cllr Bradford, Cllr Bridges, Cllr Brunson, Cllr Burgess, Cllr Edwards, Cllr Fitzjohn and Cllr Sudan.

Cllr Barling, Cllr Barton, Cllr Cloake, Cllr Goldsmith, Cllr Hall, Cllr High, Cllr Lea, Cllr Smith, Cllr Simmons and Cllr Walsh were absent for the vote.

64.4 The amendment was lost.

64.5 Resolved –

That the Independent Remuneration Panel's report and recommendations, as set out at Appendix 1 to the report, be approved.

65 Governance Committee: Minor Change to Scrutiny Arrangements

65.1 The Council considered a minor change to the arrangements for scrutiny, in the light of a report from the Governance Committee (pages 97 and 98).

65.2 Resolved –

That the Constitution be amended to provide that scrutiny of the Drug and Alcohol Action Team is by the Health and Adult Social Care Scrutiny Committee rather than the Environment and Communities Scrutiny Committee.

66 Standards Committee: Member Officer Relations Protocol

66.1 The Council considered proposed revisions to the Code of Conduct Section 2, Member Officer Relations Protocol, in the light of a report from the Standards Committee (pages 99 to 110).

66.2 Resolved -

That the revised protocol, as set out at Appendix 1, be approved for inclusion in the Code of Conduct section of the Constitution.

67 Standards Committee Annual Report

67.1 The Council noted a report from the Standards Committee on its activities for the period from May 2019 to April 2020 (pages 111 and 112).

67.2 Resolved -

That the report be noted.

68 Report of Urgent Action

68.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 113 and 114) was noted.

69 Question Time

69.1 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 (page 115 to 118) and a

supplementary report (supplement pages 1 and 2) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

Chairman

The Council rose at 4.30 pm