

## **Cabinet**

15 March 2022 – At a meeting of the Cabinet held at 10.30 am at County Hall, Chichester, PO19 1RQ.

Present: Cllr Marshall (Chairman)

Cllr Crow, Cllr J Dennis, Cllr Hunt (joined virtually), Cllr A Jupp, Cllr N Jupp, Cllr Lanzer, Cllr Urquhart and Cllr Waight

Also in attendance: Cllr Baxter (joined virtually, left at 12pm), Cllr Boram (left at 12.40pm), Cllr Britton (joined virtually), Cllr Hillier (joined virtually), Cllr Johnson (joined virtually), Cllr Lord and Cllr Montyn

Apologies were received from Cllr Russell and Cllr Wall

### **Part I**

#### **43. Declarations of Interest**

43.1 No declarations of interest were made.

#### **44. Minutes**

44.1 Resolved – that the minutes of the meeting held on 1 February 2022 be approved as a correct record and that they be signed by the Chairman.

#### **45. Performance and Resources Report - Quarter 3 2021/22 (CAB16\_21/22)**

45.1 Cabinet considered a report by the Chief Executive and Director of Finance and Support Services. The report was introduced by Cllr Jeremy Hunt, Cabinet Member for Finance and Property who outlined progress against Key Performance Indicators (KPIs) and year end projections.

45.2 Cllr Stephen Hillier, Chairman of the Children and Young People's Services Scrutiny Committee said the Committee was pleased with the continued improvement in the service particularly in areas of re-referrals, phase 2 of foster carer recruitment and early help plans. Some concerns were expressed about the increasing staff vacancy level and outcomes were awaited from the national review of Special Educational Needs and Disabilities.

45.3 Cllr Kevin Boram, Chairman of the Fire and Rescue Service Scrutiny Committee said the Committee continues to review the KPIs. Whilst Safe and Well visits continued to be low, the service aims to look at high risk areas and numbers were improving. A Task and Finish Group will consider the issues facing retained firefighter

capacity. Delivery of the Horsham Fire Training facility continues to be reviewed by the Committee.

- 45.4 Cllr David Britton, Chairman of the Communities, Highways and Environment Scrutiny Committee said the Committee was supportive of the initiatives to prevent fuel poverty. KPIs of concern were highway defects and repairs and the number of road fatalities. The Committee recognised the recently announced budget increase.
- 45.5 Cllr Pieter Montyn, Chairman of the Performance and Finance Scrutiny Committee said the Committee wants to see the best use of council assets for communities. The appointment of the new Director of Human Resources and Organisational Development was welcomed and the Committee expects to receive information on his plans in due course. Assurances were sought and received on children in care in unregulated placements. The Committee supports the rollout of gigabit butr emphasised the need to focus on rural areas. The Committee noted the red KPI around employee disclosure rates and the lower completion rate of staff induction.
- 45.6 Cllr Kirsty Lord, Leader of the Liberal Democrat Group was concerned at the number of high risk rated KPIs, particularly in the areas of keeping people safe from vulnerable situations. Cllr Lord noted KPI 39 and the percentage of adults with a learning disability in paid employment and highlighted that voluntary roles should also be recorded. Cllr Lord noted that no further action is planned for KS2 pupils achieving the expected standard and the attainment gap of disadvantaged children although the pandemic was still having an impact. Cllr Lord noted the rise in performance in the Fire and Rescue Service.
- 45.7 Cllr Caroline Baxter, Leader of the Labour Group welcomed the positives in the report and highlighted concerns about the Dedicated Schools Grant (DSG) overspend and associated risks. Cllr Baxter has concerns about outsourcing jobs and the importance of supporting residents as a local employer. Cllr Baxter said more should be done for road safety, including expansion of the team.
- 45.8 The following points were made by Cabinet Members in discussion:
- Cllr Steve Waight, Cabinet Member for Support Services and Economic Development was pleased to report that measures in the support services area of his portfolio were all on track and that work to deliver savings was ongoing. Cllr Waight highlighted the serious nature of cyber attacks and the introduction of stronger passwords.
  - Cllr Bob Lanzer, Cabinet Member for Public Health and Wellbeing said that activity to promote flu vaccines had reduced incidence. The service is working with partners to reinstate group exercise classes halted by the pandemic.
  - Cllr Joy Dennis, Cabinet Member for Highways and Transport reported planned savings had been achieved with a balanced budget. Inflation could be a challenge going forward.

Workstreams are in place to deal with KPI 41 (killed and seriously injured casualties). Cllr Dennis advised a road safety manager had been appointed and two more members to the team would be recruited.

- Cllr Duncan Crow, Cabinet Member for Community Support, Fire and Rescue said the projected overspend in the service continued to decrease and savings were on course, or had been delivered. All 7 KPI areas had seen improvement and the Community Risk Management Plan (CRMP) would contribute to improving these further.
- Cllr Nigel Jupp, Cabinet Member for Learning and Skills said that, at the end of December, the percentage of schools in West Sussex rated Good or Outstanding was at the highest level in recent years. Cllr Jupp noted the attainment gap indicator relates to numbers of children off school due to Covid, and that it is hoped the DSG situation would improve in the later part of the year.
- Cllr Amanda Jupp, Cabinet Member for Adults Services advised there continue to be close working relationships with care providers and that the service remains on track to reduce admissions and enable more people to live at home for longer. The Adult Social Care Strategy was developed during this quarter which will set priorities and guide future plans.
- Cllr Deborah Urquhart, Cabinet Member for Environment and Climate Change highlighted the income from solar farms, the high fuel costs in schools without solar energy and that the service had been asked to fast-track these projects.
- Cllr Paul Marshall, Leader of the Council advised of the progress made in building a network of digital and gigabit capability and he updated on growth deals and their good outcomes. Work continues with improvement plans and support had been given to residents and to businesses to protect the local economy, whilst sustaining the underpinning theme of the Council Plan of Climate Change.

45.9 Resolved – that Cabinet note the Q3 Performance and Resources report.

#### **46. National Highways Consultation A27 Arundel Bypass: Approval of WSCC consultation response (CAB17\_21/22)**

46.1 Cabinet considered a report by the Assistant Director of Highways and Transport. The report was introduced by Cllr Urquhart who said that congestion at various locations represents a barrier to growth. The report highlights areas of concern and urges National Highways to provide additional information prior to the proposal's submission for a Development Consent Order (DCO). The Cabinet Member acknowledged the impact the proposal had on the road network and communities and, in proposing to support in principle as the only option available from National Highways, that work with stakeholders, residents and the local MP is crucial in order to seek

increased mitigations of the effects of the bypass. Lee Harris, Director of Place said that the DCO process was lengthy and referred to the Council's role as a statutory consultee and the importance to WSCC of the de-trunking of the current route.

46.2 Cllr David Britton, Chairman of the Communities, Highways and Environment Scrutiny Committee said the committee invited members for the divisions most impacted by the proposal to speak at the recent meeting on behalf of residents. The Committee was pleased that its recommendations had been considered and that some amendments had been made to strengthen the response, including reference to financial consequences to the county council.

46.3 Cllr Kirsty Lord, Leader of the Liberal Democrat Group felt that National Highways had not listened to residents and their preference for a different route and that the council was forced to accept the grey route or risk no bypass at all. Cllr Lord said the council could strengthen the argument for the inadequacy of the consultation in terms of ecological and other impacts. Cllr Lord said, whilst there were benefits to the de-trunking strategy, it was not clear what this would look like and that the response should in general be more robust and upfront around funding.

46.4 Cllr Caroline Baxter, Leader of the Labour Group supported the principle of a bypass but not the proposed one. She considered the impact on the wildlife and biodiversity and that without further detail of ongoing costs that no commitment should be made.

46.5 Cllr Donna Johnson, Leader of the Green and Independent Alliance Group felt a more robust response should be given and that the views of communities should be respected. Cllr Johnson said the proposal changes the character of the current settlement and, if approved, risks dispersing communities with fewer access routes to the wider transport network. She said trends indicating fewer car journeys meant this is not the safest or most sustainable route.

46.6 The following points were made by Cabinet Members:

- Cllr Lanzer said reappraising the scheme would mean waiting years for a new investment proposal. The option did not encroach on the South Downs National Park. The county population is increasing and there is a need for the bypass. Cllr Lanzer felt that National Highways should be given the chance to improve the proposals and that the opportunity should not be missed.
- Cllr Dennis felt the points raised which needed further clarity and investigation were made clear in the report and response to National Highways.
- Cllr Crow considered the need for the bypass had been a longstanding issue and that the opportunity may not return;

to do nothing isn't an option. He highlighted WSCC's role as a significant consultee and feels the response is thorough.

- Cllr N Jupp said the improvement the bypass would make would be felt in the immediate vicinity, but also in other parts of the county to help the general flow of traffic.
- Cllr Waight emphasised that this response did not signal the end of WSCC's involvement but was the start of a lengthy process which the council would still influence.
- The Leader felt the report addresses the sensitivities, particularly around Walberton. The council would work with National Highways to mitigate impact and find solutions. He highlighted the need for an infrastructure which could manage an improved economic landscape and the links with the Government's Levelling Up agenda, creating better opportunities for local residents and businesses. He felt it important not to undermine the opportunity for a huge investment in the county.

46.7 Cllr Urquhart summarised this is the first part of process and there is a lot of work ahead. She emphasised the council's role as consultee and not decision maker, but that work would take place with MPs and National Highways to find viable solutions.

46.8 Resolved – that Cabinet:

- (a) approve the comments in paragraphs 2.36-2.108 of the report and the detailed comments on the PEIR in Appendix C of the report as the County Council's formal response to the consultation on the A27 Arundel bypass;
- (b) authorise the Assistant Director of Highways, Transport, and Planning to respond to any further stages of pre-submission consultation, in consultation with the Cabinet Member for Environment and Climate Change - in support of the formal response approved under (a);
- (c) if an application for a Development Consent Order is submitted, authorises the Assistant Director of Highways, Transport, and Planning to:
  - (i) approve the County Council's 'adequacy of consultation' response;
  - (ii) prepare and submit the County Council's written representation and Local Impact Report; to negotiate with the applicant on the DCO requirements, any S106 Agreement, and the preparation of a Statement of Common Ground; and to comment on the written representations of third parties – all in support of the formal response approved under (a);
  - (iii) attend the examination hearings and answer the Examining Authority's questions in support of the County Council's position; and

- (d) if a Development Consent Order is made, approve 'in principle' the County Council becoming a relevant authority for the discharge of requirements.

**47. West Sussex Fire and Rescue Service Community Risk Management Plan 2022-2026 (CAB18\_21/22)**

- 47.1 Cabinet considered a report by the Chief Fire Officer. The report was introduced by Cllr Crow who outlined the purpose of the Community Risk Management Plan (CRMP) and the objectives to meet the risks identified within the County, including six proposals for change which enable the service to do this effectively, all aligned with the Council Plan. The Chief Fire Officer advised the CRMP is focused on achieving statutory objectives and improving the Service. Consultation had taken place with the public and risks identified were responded to in the plan.
- 47.2 Cllr Boram, Chairman of the Fire and Rescue Service Scrutiny Committee advised as part of the scrutiny process, the risks facing West Sussex were reviewed and the dynamic nature of the county was recognised. The Committee considered the change in response to unwanted false alarms in low-risk commercial properties and agreed with the approach of a risk based and managed approach. The Committee were happy to support the CRMP 2022-26.
- 47.3 Cllr Lord, Leader of the Liberal Democrat Group supported the increased firefighter and weekend cover and considered the importance of cultural behaviours for the service now and into the future. Cllr Lord questioned the impact of response times for real incidents in relation to the changes to the management of false alarms, and that changes to road infrastructure and the improved safety of waste and recycling sites could help alleviate pressures on the Fire service.
- 47.4 Cllr Waight felt the document is well laid out and accessible and that it clearly defines what it would deliver for residents. Cllr Waight advised the Cabinet Member for Community Safety, Fire and Rescue and Chief Fire Officer were well placed to answer any technical questions relating to the content of the plan and encouraged members to do so if they had queries. The Leader added the report demonstrated the diversity emerging in the county and how the service was responding to and prioritising this.
- 47.5 Resolved - that Cabinet approves the West Sussex Fire and Rescue Service Community Risk Management Plan 2022-26 for publication.

**48. Strategic Options for Processing of Separate Food Waste and Other Waste Disposal Services (CAB19\_21/22)**

- 48.1 Cabinet considered a report by the Assistant Director of Environment and Public Protection. The report was introduced by Cllr Urquhart who outlined the requirement for the separate collection of food waste. A detailed review had shown that the council's existing mechanical biological treatment (MBT) facility could be adapted to process food waste separately and create refuse derived fuel. This kept jobs in West Sussex, disposes locally as opposed to exporting and was the best solution financially. It would also increase recycling rates, reduce landfill and operating costs and provide better use of the anaerobic waste digester.
- 48.2 Cllr Britton, Chairman of the Communities, Highways and Environment Scrutiny Committee advised the Committee supported the proposals and the modifications at Warnham. The need for effective communication with residents to enable their understanding of the requirement and benefits of separate food waste collection ahead of its introduction was highlighted.
- 48.3 Cllr Lord, Leader of the Liberal Democrat Group supported the decision which decreases carbon and provides a West Sussex solution for West Sussex waste. Cllr Lord endorsed the Scrutiny Committee's recommendation to keep pressure on the Government to confirm arrangements for the new duties in order to support and encourage the District and Borough Councils in committing to the new statutory requirements once the timetable and funding arrangements are clear.
- 48.4 Cllr Johnson, Leader of the Green and Independent Alliance Group was pleased to support the proposals and supported the efforts to reduce waste but said there is still some way to go and that more could be done to lead on informing communities on the impact of food waste.
- 48.5 Cllr A Jupp felt this was a good move forward and that everyone could contribute through composting and changing shopping habits.
- 48.6 The Leader advised the recycling rate for West Sussex is 53%, a good achievement when considering Government targets (55% by 2025). He felt this raises awareness and provides an opportunity to work with district and borough councils on this new scheme. He advised government funding would be available but it is not determined yet when this would be announced. If the opportunity arises to implement the scheme earlier then retrospective funding allocations would be sought to rollout the scheme in partnership with district and borough councils. Cllr Urquhart advised a successful trial had taken place in Arun. A further trial in Mid Sussex is about to commence, and the Cabinet Member had chased the Government for a response to recent letters seeking clarity around an implementation date and new burdens funding.
- 48.7 Resolved – that the Cabinet:

1. Approves the variation of the Materials Resource Management Contract and associated capital investment to allow for:
  - a. processing of source-segregated food waste
  - b. production of loose Refuse Derived Fuel (RDF)
  - c. improvements for the capture, storage, and disposal of metal for recycling to achieve the income from metals
  - d. removal of redundant equipment
  - e. bulking of dry mixed recycling (DMR) for delivery to the materials recycling facility (MRF)
  
2. Approves the commencement of a procurement for the disposal of refuse derived fuel until 2035 with a possible extension until 2040, delegation of authority to commence (1) and (2) above to the Assistant Director of Environment and Public Protection at a time to be agreed in consultation with the Cabinet Member for Environment and Climate Change and the Directors of Finance and Law and Assurance.  
In the event that either or both (1) and (2) are not exercised prior to 31<sup>st</sup> March 2024, to bring a further report to Cabinet no later than 30th June 2024.

#### **49. Emerging Issues**

49.1 Cllr Crow provided an update on the 'Homes for Ukraine' and 'Ukraine Families' schemes supporting Ukrainians escaping conflict. WSCC is ready to work with national government and local partners to deliver schemes for people arriving to live and work in the UK for up to three years who can access services. The Communities Directorate is leading this work and coordinating the response across the county. Information is provided on how people can make contributions and donations by visiting the [dedicated pages on the website](#).

#### **50. Date of Next Meeting**

50.1 The next meeting of the Cabinet will be held on 12 April 2022.

The meeting ended at 12.59 pm

Chairman