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## West Sussex County Council – Ordinary Meeting

**27 May 2022**

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 27 May 2022, at County Hall, Chichester PO19 1RQ, the members present being:

Cllr Bradbury (Chairman)

|                                     |                      |
|-------------------------------------|----------------------|
| Cllr Wickremaratchi (Vice-Chairman) | Cllr Kenyon          |
| Cllr Albury                         | Cllr Kerry-Bedell    |
| Cllr Ali                            | Cllr Lanzer          |
| Cllr Atkins, RD                     | Cllr Linehan         |
| Cllr Baldwin                        | Cllr Lord            |
| Cllr Baxter                         | Cllr Markwell        |
| Cllr Boram                          | Cllr Marshall        |
| Cllr Britton                        | Cllr McDonald        |
| Cllr Burgess                        | Cllr McGregor        |
| Cllr Burrett                        | Cllr Mercer          |
| Cllr Cherry                         | Cllr Milne           |
| Cllr Chowdhury                      | Cllr Mitchell        |
| Cllr Condie                         | Cllr Montyn          |
| Cllr Cooper                         | Cllr Nagel           |
| Cllr Cornell                        | Cllr Oakley          |
| Cllr Crow                           | Cllr O'Kelly         |
| Cllr J Dennis                       | Cllr Oppler          |
| Cllr N Dennis                       | Cllr Oxlade          |
| Cllr Duncton                        | Cllr Patel           |
| Cllr Dunn                           | Cllr Payne           |
| Cllr Elkins                         | Cllr Pudaloff        |
| Cllr Evans                          | Cllr Quinn           |
| Cllr Forbes                         | Cllr Richardson      |
| Cllr Gibson                         | Cllr Russell         |
| Cllr Greenway                       | Cllr Sharp           |
| Cllr Hall                           | Cllr Smith           |
| Cllr Hillier                        | Cllr Sparkes         |
| Cllr Hunt                           | Cllr Turley          |
| Cllr Johnson                        | Cllr Urquhart        |
| Cllr A Jupp                         | Cllr Waight          |
| Cllr N Jupp                         | Cllr Walsh, KStJ, RD |

### **89 Her Majesty the Queen's Platinum Jubilee**

89.1 The Chairman reported that he has sent a Loyal Address to Her Majesty the Queen, offering the county's congratulations on the occasion of her Platinum Jubilee.

### **90 Attendance and Apologies for Absence**

90.1 The following members attended the meeting virtually and therefore did not take part in or vote on items requiring a decision.

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Cllr Hall (morning session), Cllr Mitchell, Cllr Pudaloff, Cllr Richardson and Cllr Smith.

90.2 Apologies were received from Cllr Bence, Cllr Bennett, Cllr Charles, Cllr Joy, Cllr Pendleton and Cllr Wall.

90.3 Apologies for the morning session were received from Cllr Oakley who arrived at 2.50 pm. Apologies for the afternoon session were received from Cllr Hall. Cllr Kenyon arrived for the afternoon session at 3.00 pm. Cllr Hillier gave his apologies and left at 3.30 pm.

90.4 Cllr Dunn and Cllr Evans left at 3.30 pm.

## **91 Members' Interests**

91.1 Members declared interests as set out at Appendix 1.

## **92 Minutes**

92.1 It was agreed that the minutes of the Annual Meeting of the County Council held on 1 April 2022 (pages 7 to 36) be approved as a correct record.

## **93 Appointments**

93.1 The Council approved appointments as set out below.

| <b>Committee</b>   | <b>Change</b>  |
|--|--|
| Children and Young People's Services Scrutiny Committee              | Cllr Payne in place of Cllr Charles  |
| Communities, Highways and Environment Scrutiny Committee substitutes | Cllr Baxter to fill vacancy<br>Cllr Kerry-Bedell in place of Cllr O'Kelly  |
| Fire and Rescue Service Scrutiny Committee                           | Cllr Evans and Cllr Patel in place of Cllr Charles and Cllr Richardson   |
| Governance Committee   | Cllr Walsh in place of Cllr Lord   |
| Performance and Finance Scrutiny Committee                           | Cllr Baldwin and Cllr McDonald in place of Cllr Evans and Cllr Payne<br><br>Cllr Payne as substitute in place of Cllr McDonald |

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## **94 Address by a Cabinet Member**

- 94.1 Members received an address by the Cabinet Member for Children and Young People on the Ofsted inspection of Children's Service.
- 94.2 In relation to the recently-published Independent Report to the Government on Children's Services, the Cabinet Member agreed to a request from Cllr Baldwin to keep members briefed on the implications and outcomes.

## **95 Report of Urgent Action**

- 95.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 37 to 40) was noted.

## **96 Question Time**

- 96.1 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 41 to 46) and a supplementary report (supplement page 1) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

## **97 Motion on Water Neutrality**

- 97.1 The following motion was moved by Cllr Burrett and seconded by Cllr Baldwin.

'This Council notes that in September 2021, Natural England issued a Position Statement with regard to planning applications within the Sussex North Water Supply Zone, which required Local Planning Authorities to only permit planning applications which were able to demonstrate water neutrality in response to concerns about the effect of new developments on the water table in several protected sites in the Arun Valley.

The Council also notes the serious delays this has caused for Local Planning Authorities and for developers seeking to build or convert premises within the county, meaning that proposals for thousands of new homes for West Sussex people, and for thousands of square metres of new business premises which would provide employment for West Sussex people, have had to be put on hold indefinitely due to the inability of the relevant Local Planning Authority to grant planning permission in the absence of the evidence to demonstrate that these developments will be able to ensure water neutrality.

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The Council recognises the significant efforts made by all parties to work together to try to negotiate and agree a resolution to this issue, but expresses serious concern about the length of time that this is taking and the lack of any definitive timescale within which the matter is likely to be resolved. The Council therefore calls upon the Leader to make further representations to the relevant Government departments and other stakeholders involved, urging them to seek a sustainable resolution to the problem as a matter of extreme urgency.

The Council also notes that, even when this issue has been resolved, concerns about water stress will remain, and that a sustainable solution to that problem needs to be found in order to mitigate the effects of water stress in the long term. The Council therefore asks the Leader to write to the Secretary of State for the Environment, Food and Rural Affairs and to the Secretary of State for Levelling Up, Housing and Communities, urging the Government to introduce legislation to require all new developments to conform to a minimum level of water efficiency in the future.'

97.2 The motion was approved.

## **98 Motion on Pension Divestments**

98.1 The motion on pension divestments by Cllr Baxter was withdrawn.

## **99 Motion on Smokefree Fund**

99.1 The following motion was moved by Cllr Ali and seconded by Cllr Cooper.

'This Council notes that:

- (1) Preventable disease continues to have a massive impact on the public's health, the NHS and the economy.
- (2) Tobacco is the biggest preventable cause of cancer and death in the United Kingdom.
- (3) Decades of comprehensive policy action have meant that adult smoking prevalence in the United Kingdom in 2019 was at a record low at 14.1%, but this masks significant inequality.
- (4) Differences in smoking rates make it one of the leading drivers of health inequalities, responsible for half the difference in life expectancy between the lowest and highest income groups in England.
- (5) That through their public health duties, local authorities are responsible for improving the health of their populations and do this through initiatives such as stop smoking services and wider tobacco control activities.

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This Council believes that local government must be adequately resourced to fulfil their public health duties.

This Council asks the Cabinet Member for Public Health and Wellbeing to support Cancer Research UK's calls for a Smokefree Fund (a fixed annual charge on the tobacco industry, making them pay for the damage their products cause without having any influence on how the funds are spent) to fund local tobacco control work, and urges the United Kingdom government to consider implementing a Smokefree Fund as part of its efforts to tackle health disparities.'

99.2 An amendment was moved by Cllr Walsh and seconded by Cllr O'Kelly.

'This Council notes that:

- (1) Preventable disease continues to have a massive impact on the public's health, the NHS and the economy.
- (2) Tobacco is the biggest preventable cause of cancer and death in the United Kingdom.
- (3) Decades of comprehensive policy action have meant that adult smoking prevalence in the United Kingdom in 2019 was at a record low at 14.1%, but this masks significant inequality.
- (4) Differences in smoking rates make it one of the leading drivers of health inequalities, responsible for half the difference in life expectancy between the lowest and highest income groups in England.
- (5) That through their public health duties, local authorities are responsible for improving the health of their populations and do this through initiatives such as stop smoking services and wider tobacco control activities.

This Council believes that local government must be adequately resourced to fulfil their public health duties **and deprecates the reduction in public health funding to local government over the last few years.**

This Council asks the Cabinet Member for Public Health and Wellbeing to support Cancer Research UK's calls for a Smokefree Fund (a fixed annual charge on the tobacco industry, making them pay for the damage their products cause without having any influence on how the funds are spent) to fund local tobacco control work, and urges the United Kingdom government to consider implementing a Smokefree Fund as part of its efforts to tackle health disparities.'

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

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(a) For the amendment – 18

Cllr Baxter, Cllr Cherry, Cllr Chowdhury, Cllr Condie, Cllr Cornell, Cllr N Dennis, Cllr Gibson, Cllr Johnson, Cllr Kerry-Bedell, Cllr Lord, Cllr Mercer, Cllr Milne, Cllr O’Kelly, Cllr Oppler, Cllr Quinn, Cllr Sharp, Cllr Turley and Cllr Walsh.

(b) Against the amendment – 35

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burrett, Cllr Cooper, Cllr Crow, Cllr J Dennis, Cllr Duncton, Cllr Elkins, Cllr Forbes, Cllr Greenway, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Lanzer, Cllr Linehan, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr Patel, Cllr Payne, Cllr Russell, Cllr Sparkes, Cllr Urquhart, Cllr Waight and Cllr Wickremaratchi.

(c) Abstentions – 0

99.4 The amendment was lost.

99.5 The motion was put to a recorded vote under Standing Order 3.35.

(a) For the motion – 53

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Baxter, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burrett, Cllr Cherry, Cllr Chowdhury, Cllr Condie, Cllr Cooper, Cllr Cornell, Cllr Crow, Cllr J Dennis, Cllr N Dennis, Cllr Duncton, Cllr Elkins, Cllr Forbes, Cllr Gibson, Cllr Greenway, Cllr Hunt, Cllr Johnson, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Kerry-Bedell, Cllr Lanzer, Cllr Linehan, Cllr Lord, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Mercer, Cllr Milne, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr O’Kelly, Cllr Oppler, Cllr Patel, Cllr Payne, Cllr Quinn, Cllr Russell, Cllr Sharp, Cllr Sparkes, Cllr Turley, Cllr Urquhart, Cllr Waight, Cllr Walsh and Cllr Wickremaratchi.

(b) Against the motion – 0

(c) Abstentions – 0

99.6 The motion was approved.

Chairman

The Council rose at 4.10 pm