
West Sussex County Council – Ordinary Meeting

14 October 2022

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 14 October 2022, at County Hall, Chichester PO19 1RQ, the members present being:

Cllr Bradbury (Chairman)

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

119 Death of Her Majesty Queen Elizabeth II

119.1 Members held a minute's silence in honour of Her Majesty, the late Queen Elizabeth II.

120 Apologies for Absence

120.1 Apologies were received from Cllr Albury, Cllr Britton, Cllr Cooper, Cllr Joy, Cllr McKnight and Cllr Oxlade.

120.2 Apologies for the morning session were received from Cllr Montyn. Apologies for the afternoon session were received from Cllr Bence and Cllr Bennett. Cllr Baldwin was absent for the afternoon session.

120.3 Cllr Chowdhury, Cllr Markwell and Cllr McGregor left at 3.30 pm, Cllr N Dennis, Cllr Forbes and Cllr Oppler at 4.00 pm and Cllr Burgess, Cllr Gibson, Cllr Mitchell and Cllr Nagel left at 4.15 pm.

121 Members' Interests

121.1 Members declared interests as set out at Appendix 1.

122 Minutes

122.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 15 July 2022 (pages 5 to 28) be approved as a correct record.

123 Result of By-election

123.1 The Council received the County Returning Officer's return of the by-election on 8 September 2022 for the county councillor for the Felpham electoral division (page 29).

124 Review of Proportionality

124.1 The County Council noted the review of proportionality on its committees following the by-election. A paper on the application of the proportionality rules and how they were applied, together with a table showing the number of seats on committees, was set out on pages 31 and 32.

124.2 Resolved –

That the proportionality be approved.

125 Appointments

125.1 The Council approved appointments as set out below.

Committee	Change
Foster Panel (South East)	Cllr Smith in place of Cllr Chowdhury
Planning and Rights of Way Committee	Cllr Wild in place of Cllr Hall

Committee	Change
Regulation, Audit and Accounts Committee	Cllr Kenyon in place of Cllr Dunn
Standards Committee	Cllr Wild in place of Cllr A Jupp

126 Designation of Section 151 Officer

126.1 The County Council was asked to approve arrangements for the designation of the Section 151 Officer in the light of a report by the Director of Law and Assurance (pages 33 and 34).

126.2 Resolved –

- (1) That the action taken to approve the designation of the role of Section 151 Officer arising on its vacancy and prior to the arrival of a permanent post holder, as set out in paragraph 5 of the report, be approved; and
- (2) That the statutory role of Section 151 Officer (Chief Finance Officer) be vested in the post of Director of Finance and Support Services, to be held by Taryn Eves with effect from 8 November 2022.

127 Address by a Cabinet Member

127.1 Members received an address by the Cabinet Member for Children and Young People on the Ofsted inspection of Teasel Close children's home and by the Cabinet Member for Community Safety, Fire and Rescue on HMICFRS inspection of the Fire & Rescue Service.

128 Governance Committee: Review of County Local Forums

128.1 The Council considered the discontinuance of County Local Forums, following a one-year trial, in the light of a report by the Governance Committee (pages 35 to 38).

128.2 Resolved –

That County Local Forums be ceased.

129 Governance Committee: Constitutional Matters

129.1 The Council considered a number of constitutional matters in the light of a report by the Governance Committee (pages 35 to 56). These included the continuance of the Fire & Rescue Service Scrutiny Committee, the term of office of members of the Independent Remuneration Panel, the governance of the Property Joint Venture Partnership, matters relating to the Pension Advisory Board and the Pensions Committee, the description of urgent and

short notice decisions in Standing Orders and technical proposals relating to stopping up orders for rights of way.

129.2 Resolved –

- (1) That the continuation of the arrangements for scrutiny of the Fire and Rescue Service be approved;
- (2) That the term of office for members of the Independent Remuneration Panel, as set out in Part 3, Appendix 13 of the Council's Constitution, be amended from a maximum of two four-year terms to a maximum of three four-year terms;
- (3) That the proposed changes to Appendix 3 and the new Appendix 22 of Part 3 of the Constitution, as set out at Appendix 1 to the report, be approved;
- (4) That the Leader be recommended to add the role of the Cabinet Member for Finance and Property in the governance arrangements to the list of portfolio responsibilities in Part 3, Appendix 2 of the Constitution, as set out at Appendix 2 to the report;
- (5) That that Part 3, Appendices 7 and 19 of the Council's Constitution be amended, as set out at Appendix 3 to the report, to state that no person may be a Board member and also a member of the Pensions Committee;
- (6) That the constitution of the Pensions Committee in Part 3, Appendix 7, be amended, as set out at Appendix 3 to the report, to show that the Cabinet Member with responsibility for the Finance portfolio is ex-officio Chairman of the Pensions Committee;
- (7) That the Leader be recommended to amend the portfolio responsibilities of the Cabinet Member for Finance and Property in Part 3, Appendix 2, as set out at Appendix 2 to the report;
- (8) That Part 4, Section 1 of the Constitution be amended with new wording on urgent and short notice decisions and removal of references to the Executive Decision Database, as set out at Appendix 4 to the report; and
- (9) That the changes to Part 3, Appendix 4 of the Council's Constitution relating to stopping up order applications, as set out at Appendix 5 to the report, be approved.

130 Armed Forces Covenant Annual Report

130.1 The Council considered the Armed Forces Covenant Annual Report 2021/22 (pages 59 to 60).

130.2 Resolved –

That the report be noted.

131 Report of Urgent Action

131.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 61 and 62) was noted.

132 Question Time

132.1 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 63 to 68) and a supplementary report (supplement page 1) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

133 Motion on Oil and Gas

133.1 The following motion was moved by Cllr Lord and seconded by Cllr Cherry.

‘Following the Government’s announcement that they will lift the moratorium on shale gas production and potential changes to planning for hydrocarbons, this Council:

- (1) Requests that any changes to national policy are kept under review to ensure that West Sussex County Council maintains the tightest possible controls on oil and gas exploration and production within West Sussex;
- (2) Asks the Leader to write to our MPs and relevant ministers to remind them of this Council’s position, agreed in 2018, that all planning applications for oil and gas exploration and production should remain with local authorities; and
- (3) Affirms that, while all planning applications will continue to be treated on their individual merits, it believes the future for West Sussex is in renewable energy production not oil and gas.’

133.2 An amendment was moved by Cllr Urquhart and seconded by Cllr Kenyon as set out below and accepted by Cllr Lord and her seconder:

‘Following the Government’s announcement that they will lift the moratorium on shale gas production, **supporting it where there is local community support for it**, and potential changes to planning for hydrocarbons, this Council:

(1) Notes that The British Geological Survey has confirmed that the geology of the Weald Basin, which includes West Sussex, means that there is no significant shale gas potential;

~~(21)~~ Requests that any changes to national policy **will continue to be** are kept under review to ensure that West Sussex County Council maintains the tightest possible **planning** controls on **development** oil and gas exploration and production within West Sussex;

~~(32)~~ Asks the Leader to write to our MPs and relevant ministers to remind them of this Council's position, agreed in 2018, that all planning applications for oil and gas exploration and production should remain with local authorities; and

~~(43)~~ Affirms that, while all planning applications will continue to be treated on their individual merits, it believes the future for West Sussex is in renewable energy production not oil and gas **as evidenced by the Rampion wind farm, numerous solar farms and the exciting hydrogen projects underway.'**

133.3 The motion, as amended, was put to a recorded vote under Standing Order 3.35.

(a) For motion – 57

Cllr Ali, Cllr Atkins, Cllr Baxter, Cllr Boram, Cllr Bradbury, Cllr Burgess, Cllr Burrett, Cllr Cherry, Cllr Condie, Cllr Cornell, Cllr Crow, Cllr J Dennis, Cllr N Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Evans, Cllr Forbes, Cllr Gibson, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr Johnson, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Kerry-Bedell, Cllr Lanzer, Cllr Linehan, Cllr Lord, Cllr Marshall, Cllr McDonald, Cllr Mercer, Cllr Milne, Cllr Mitchell, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr O'Kelly, Cllr Oppler, Cllr Patel, Cllr Payne, Cllr Pendleton, Cllr Pudaloff, Cllr Quinn, Cllr Richardson, Cllr Russell, Cllr Sharp, Cllr Smith, Cllr Sparkes, Cllr Turley, Cllr Urquhart, Cllr Waight, Cllr Wall, Cllr Wickremaratchi and Cllr Wild.

(b) Against the motion – 0

(c) Abstentions – 0

133.4 The amended motion as set out below was carried.

'Following the Government's announcement that they will lift the moratorium on shale gas production, supporting it where there is local community support for it, and potential changes to planning for hydrocarbons, this Council:

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- (1) Notes that The British Geological Survey has confirmed that the geology of the Weald Basin, which includes West Sussex, means that there is no significant shale gas potential;
 - (2) Requests that any changes to national policy will continue to be kept under review to ensure that West Sussex County Council maintains the tightest possible planning controls on development within West Sussex;
 - (3) Asks the Leader to write to our MPs and relevant ministers to remind them of this Council's position, agreed in 2018, that all planning applications for oil and gas exploration and production should remain with local authorities; and
 - (4) Affirms that, while all planning applications will continue to be treated on their individual merits, it believes the future for West Sussex is in renewable energy production not oil and gas as evidenced by the Rampion wind farm, numerous solar farms and the exciting hydrogen projects underway.'

134 Motion on Adult Social Care Funding

134.1 The following motion was moved by Cllr Duncton and seconded by Cllr Patel.

'The financial implications of the Government's social care reforms which are due to be implemented next year will be significant for West Sussex County Council. With the recent changes in government, this Council requests that the Leader and Cabinet Member for Adults Services lobby the Government for confirmation of the timetable for these reforms and for adequate funding to enable the Council to implement the changes equitably and with minimum impact on the Council's budget.'

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

(a) For motion – 50

Cllr Ali, Cllr Atkins, Cllr Baxter, Cllr Boram, Cllr Bradbury, Cllr Burrett, Cllr Cherry, Cllr Condie, Cllr Cornell, Cllr Crow, Cllr J Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Evans, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr Johnson, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Kerry-Bedell, Cllr Lanzer, Cllr Linehan, Cllr Lord, Cllr Marshall, Cllr McDonald, Cllr Mercer, Cllr Milne, Cllr Montyn, Cllr Oakley, Cllr O'Kelly, Cllr Patel, Cllr Payne, Cllr Pendleton, Cllr Pudaloff, Cllr Quinn, Cllr Richardson, Cllr Russell, Cllr Sharp, Cllr Smith, Cllr Sparkes, Cllr Turley, Cllr Urquhart, Cllr Waight, Cllr Wall, Cllr Wickremaratchi and Cllr Wild.

(b) Against the motion – 0

(c) Abstentions – 0

134.3 The motion was carried.

Chairman

The Council rose at 4.30 pm