

West Sussex County Council – Written Questions

17 February 2023

1. Written question from **Cllr Baxter** for reply by **the Leader**

Question

The Leader recently gave notice that he intends to end six of the seven Advisers to Cabinet Member appointments at the end of March 2023, leaving one Adviser in post, that of the Armed Forces Champion. It is understood the Adviser role remains within the Constitution, budgeted for through the Members' Allowances Scheme and the Leader can appoint new Advisers at any time.

The Leader will recall opposition groups called for Adviser roles to cease through budget amendments in February 2022, but this was not supported.

I am aware the role of each adviser has been stipulated in specific terms of reference, but could the Leader please confirm:

- (a) The total cost of the special responsibility allowances for these posts individually and collectively for 2022/23; and
- (b) For each of the seven Advisers, the core activities undertaken independent of the relevant Cabinet Member, and outcomes achieved over the past 12 months.

Answer

- (a) The special responsibility allowances for Advisers to Cabinet Member in 2022/23 are as follows:

Table 1 - Responsibility allowances for Advisers to Cabinet Members

Post Period	Number	Cost per Adviser	Total
Advisor in post for full year	6	£4,628	£27,768
Advisor in post since 25 April 2022	1	£4,319.50	£4,319.50
		Total	£32,087.50

- (b) The core activities and outcomes for each of the advisers over the last 12 months are set out below:

Table 2 - Core activities and outcomes for Advisers to Cabinet Member over 12 months

Adviser	Core Activities and Outcomes
Leader: Armed Forces Champion	<ul style="list-style-type: none"> • Chairman of Civilian Military Partnership Board • Liaison meetings with stakeholders, including Armed Forces and Armed Forces Charities • Updating local MPs on activity and issues in the county in relation to the Armed Forces community • Raise profile of Armed Forces Community and the importance of the Armed Forces Covenant
Adults Services	<ul style="list-style-type: none"> • Act as substitute for the Cabinet Member in the review into Directly Provided Services (DPS) in Adults Services and advising on all aspects of DPS activity. Most work on DPS yet to start. • Deputising for Cabinet Member at Adult Services Conferences
Community Support, Fire and Rescue: Community Support	<ul style="list-style-type: none"> • Substitute for Cabinet Member in partner liaison for Community Support, including with agencies on enhancing services and community reach Also supporting integration activity at Worthing Library • Using Social media platforms to promote and raise profile of community support activity
Environment and Climate Change: Natural Capital in West Sussex	<ul style="list-style-type: none"> • Advising the Cabinet Member on the development and review of County Council plans, strategies and policies including Tree Plan and Natural Capital Policy • Liaison with officers on the Tree Forum and member of the Climate Change Advisory Group • Keeping Cabinet Member updated on developments and implementation of government policy and legislation
Highways and Transport: Active Travel	<ul style="list-style-type: none"> • Chairman of Walking and Cycling Executive Task and Finish Group (TFG) on County Council's response to Active Travel England and the review of the Active Travel Strategy • Regular meetings with lead officers on future TFG meetings and developing draft policy • Monthly 1:1s with the Cabinet Member to review progress and consider future developments, including active travel schemes
Highways and Transport: Road Safety	<ul style="list-style-type: none"> • Chairman of Traffic Management and Road Safety Executive Task and Finish Group (TFG) for development of the Speed Limit Policy and traffic management policy • Regular meetings with lead officers on TFG work and developing draft policy and advising Cabinet Member • Monthly 1:1s with Cabinet Member to review progress and future developments

Adviser	Core Activities and Outcomes
Support Services and Economic Development: Gatwick Airport	<ul style="list-style-type: none"> • Substitute for Cabinet Member on Gatwick Airport Consultative Committee (GATCOM) • County Council representative on Gatwick Noise Management Board Community Forum • Update Cabinet Member on night flight proposals, Air Space Modernisation programme proposals and the National Aviation Strategy

2. Written question from Cllr Gibson for reply by Cabinet Member for Finance and Property

Question

Further to your written answer to Council on 15 July 2022.

- (a) Have Lambert Smith Hampton concluded their valuation of land at Imberhorne School? If so, what is the valuation?
- (b) Has the Secretary of State for Education approved the sale of the land?
- (c) Noting that the developer will transfer a larger area of land to the Council fit for educational playing field use and construct fencing, pavilion and other facilities; what additional sum of money, if any, will be paid to the Council by the developer?
- (d) When is the delayed key decision report likely to be forthcoming?
- (e) Will aspects of the 2019 viability study be provided as an appendix to the decision report?
- (f) Has the Capital Assets Board commissioned a full feasibility study into bringing Imberhorne School onto one site at Imberhorne Lane?
- (g) Does the Council intend to take forward the land swap before the feasibility study has reported?

Answer

- (a) Yes. The valuation is commercially confidential information and is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- (b) Yes, on the 24 November 2022, subject to certain conditions.
- (c) None.
- (d) The key decision for the land swap will be published when the Heads of Terms with the developer are finalised and agreed.
- (e) Aspects of the 2019 viability report have been used to inform the land swap arrangements. They may be appended to the key decision report if required for clarity.

- (f) No. A full feasibility study has not yet been commissioned and this would need to be agreed by the County Council's Capital and Assets Board. It is anticipated that a full feasibility study including detailed surveys would be commissioned once the capital required to relocate the school onto one site has been agreed. In the meantime, the land swap can be taken forward independently.
- (g) Yes, subject to contract and subject to approval of the key decision by the Cabinet Member for Finance and Property in consultation with the Cabinet Member for Learning and Skills.

3. Written question from Cllr Cherry for reply by Cabinet Member for Highways and Transport

Question

This question concerns the implementation of the Place and Connectivity, Western Gateway programme, around Burgess Hill and Wivelsfield railway stations.

The first stage of this, around Burgess Hill Station, has caused a great deal of disruption and aroused strong emotions from residents and businesses.

As a member of the programme's steering group, from the start, and as cabinet member responsible for the programme's oversight, what lessons does she feel have been learnt, so far? And how will this knowledge be applied to the work around Wivelsfield Station?

Answer

The government-funded scheme to improve safety and support cycling and walking in Burgess Hill is continuing into the final stage of construction. These are important works, being undertaken in partnership with Mid Sussex District Council, align with the County Council's transport plans and support a sustainable and prosperous economy. They also form part of the Growth Deals with district and borough partners.

The scheme itself will increase the use of more sustainable transport, improve safety on the highway and provide upgraded high street areas. This project builds on the wider £21m Place and Connectivity Programme investment into the area through the growth deal partnership that has already delivered 14km of new and improved cycle infrastructure throughout Burgess Hill.

The current works are being delivered within a constrained environment and the delivery team actively co-ordinate with Street Works to minimise impacts on residents and business.

Just before Christmas, a safety concern was reported by the County Council's traffic signal team with the implementation of one part of the scheme, resulting in a temporary measure changing the phasing of new traffic signals at the Station Road/ Church Road junction that regrettably resulted in additional congestion.

Officers worked over the Christmas period to address the situation, including improved signage and road markings at the junction. These were quickly implemented, improving the traffic flow and the junction will be continually monitored.

The County Council fully recognises the importance of enhanced communications and the delivery challenges in a constrained and busy highway network.

Community engagement has increased with officers and contractors continuing to meet on site with stakeholders and, where practicable and safe, making adjustments to minimise impact to residents and businesses, including the County Council's commitment to re-phase the programme.

The project now has an active page on the [Engagement Hub](#), a wider communication presence, enhanced social media, additional on-site information and has responded to a high level of correspondence. This level of stakeholder communication will continue through the ongoing delivery of the scheme.

As with all Growth Deal projects, a robust governance structure is in place including senior and executive officers at the Growth Board and members of county, district and town councils at the Member Steering Group. All decisions progress through the relevant local authority decision making processes, endorsing the milestones, risks and delivery of the scheme.

Prior to commencement, all local councillors were engaged and provided with full details of the scheme including a dedicated web page, frequently asked questions and weekly updates relating to both the town centre and Wivelsfield Station works.

The County Council and District Council will continue to work with local stakeholders in progressing this scheme to a successful delivery.

4. Written question from **Cllr Lord** for reply by **Cabinet Member for Highways and Transport**

Question

For all potholes assessed as requiring a 28-day repair, please provide the number of potholes, the average number of days until repair and the percentage of repairs taking longer than 28 days. Please provide this by distance from the depot (within 5km, within 10km, within 20km, over 20km) if available, and also by electoral division. Please provide data by quarter for 2022 and also the month of January 2023.

Answer

Table 1 - January 2022 to March 2022

Distance from Depot	Number of Potholes	Average Days to Repair	% of >28 Days Repair
Drayton/Clapham 0-5km	620	21	12.1%
Drayton/Clapham 5-10km	625	27	18.6%
Drayton/Clapham 10-20km	1110	18	13.2%

Distance from Deport	Number of Potholes	Average Days to Repair	% of >28 Days Repair
Drayton/Clapham >20km	1953	24	21.0%
Average	4309	23	17.3%

Table 2 - April 2022 to June 2022

Distance from Deport	Number of Potholes	Average Days to Repair	% of >28 Days Repair
Drayton/Clapham 0-5km	640	22	7.6%
Drayton/Clapham 5-10km	1431	21	6.1%
Drayton/Clapham 10-20km	1295	22	6.9%
Drayton/Clapham >20km	2067	21	7.2%
Average	5433	21	7.0%

Table 3 - July 2022 to September 2022

Distance from Deport	Number of Potholes	Average Days to Repair	% of >28 Days Repair
Drayton/Clapham 0-5km	789	9	1.1%
Drayton/Clapham 5-10km	851	9	1.5%
Drayton/Clapham 10-20km	679	8	1.7%
Drayton/Clapham >20km	1122	9	1.3%
Average	3441	9	1.5%

Table 4 - October 2022 to December 2022

Distance from Depot	Number of Potholes	Average Days to Repair	% of >28 Days Repair
Drayton/Clapham 0-5km	322	18	4.9%
Drayton/Clapham 5-10km	941	14	6.8%
Drayton/Clapham 10-20km	716	11	2.7%
Drayton/Clapham >20km	956	13	4.8%
Average	2935	13	5.0%

Table 5 - January 2023 to end of January 2023

Distance from Depot	Number of Potholes	Average Days to Repair	% of >28 Days Repair
Drayton/Clapham 0-5km	388	13	1.8%
Drayton/Clapham 5-10km	616	12	5.5%
Drayton/Clapham 10-20km	764	13	2.6%
Drayton/Clapham >20km	1221	15	4.3%
Average	2989	13	3.7%

As demonstrated above, contractor performance has significantly improved over the past 12 months.

Distance from depot to pothole makes little difference.

There will be reasons, outside the contractor's control, where the target repair time cannot be met. For example, parked cars, adverse weather (e.g. potholes underwater), road works preventing access. These are reviewed with the contractor on a monthly basis against set criteria and decision reached as to whether an 'exceptional circumstance' is relevant and the response time is extended accordingly.

Statistical information is not collated by electoral division and would require a significant amount of additional officer time to research and interrogate the system.

5. Written question from Cllr Quinn for reply by Cabinet Member for Highways and Transport

Question

The Cabinet Member will be aware of my concerns about the number of potholes around the County following my question in December, can you please confirm the following:

- (a) How many potholes the contractor is expected to repair annually;
- (b) Outline the quality control arrangements that exist to ensure that the Council is not paying for the same pothole to be repaired multiple times; and
- (c) Assure me she is satisfied with the quality of pothole repairs and that she has confidence in our current contractors for highways maintenance.

Answer

- (a) The contractor is expected to repair 36,571 safety defects as part of the lump sum, which runs from 1 April to 31 March each year.
- (b) Officers follow an audit regime for completed works and repairs where the 12-month maintenance period is due to expire. Approximately 30,000 audits have been undertaken since the start of the contract in 2020 and, to-date, there have been 160 contractual defects issued against BBLP. In this instance, the contractor is expected to return to site and undertake a new repair at their own expense.

In some cases, the fabric of the highway may have passed its useful life expectancy and therefore the repairs undertaken, to keep the highway safe, are undertaken multiple times until a larger resurfacing scheme can be delivered. It would be unreasonable, for roads that have lost structural integrity, to expect the contractor to guarantee works up to 12 months.

- (c) As Cllr Quinn will be aware from the Scrutiny Committee that he attended recently, a significant amount of work has gone into improving the performance of the contract and the Year 3 KPIs targets being met or exceeded are evidence of this.

The County Council is confident that measures are in place to challenge contractor works that fall below the quality expected, and that the contractor will deal with poor performance of individuals correctly and firmly.

6. Written question from Cllr Turley for reply by Cabinet Member for Highways and Transport

Question

Trials of the School Streets Scheme are underway or due to start at five schools across West Sussex. I understand the trials are due to end by April 2024 when a decision will be made on the future of the Scheme. A number of schools across the County are experiencing acute problems with traffic at school-run times. This is compromising the safety of all but in particular that of pupils. Could the Cabinet

Member please consider bringing forward the end date of the trials so that if successful this Scheme can be expanded as soon as possible?

Answer

Most schools in West Sussex experience congestion at drop off and pick up times.

The 'School Streets Trial' seeks to create traffic-free areas immediately outside schools to encourage more active travel and reduced car use. This approach supports improved health, air quality, and contributes to climate change goals.

It is intended to use an Experimental Traffic Regulation Order (ETRO) to legally enable the running of each School Streets project. The ETRO must be in place for a minimum of six months from September 2023. This period is effectively the formal consultation period required, after which time, if successful, a permanent Order can be applied without further engagement and consultation. The time requirements for the ETRO cannot be altered due to the legal process.

Each site requires feasibility work in advance of the scheme going live and partnership development with the leadership of each school. This period is also needed to undertake essential monitoring, evaluation, and reporting. Vivacity movement sensors are also being procured for each site and will need to be installed.

From initial engagement to the launch of a school street, it is estimated to take nine months, including the six-month ETRO period. This project is being undertaken using existing staff resource in the context of an already full programme of work. The trial has been designed to reflect current resource and funding capacity.

7. Written question from Cllr Cherry for reply by Cabinet Member for Learning and Skills

Question

The covid pandemic, cost of living crisis and national labour shortages have put financial strain on nursery and other pre-school settings, nationally. What is the current condition of early years provision in West Sussex? Specifically:

- (a) Have the number of nursery and other pre-school settings and places fallen over the last three years, if so by how many?
- (b) How many settings are maintained and how many are private?
- (c) How many private providers have ceased trading in the past three years?

Answer

- (a) The number of nursery and other pre-school settings over the last three years has reduced although the number of places has increased.

Table 1 - Nursery and other pre-school setting

Year	Total No. of Providers	Total No. of places
Autumn 2020	432	c. 17,000
Autumn 2021	428	c. 16,850
Autumn 2022	412	c. 18,250
	-20 (5%)	+2,250 (13%)

Please note: These figures are for the pre-school and day nursery settings. The increase in places offered is due to providers increasing places in response to demand.

Childminders in West Sussex also offer Free Entitlement places and there have been the largest decreases in this provider type over the three-year period.

Table 2 - Childminders offering free entitlement places

Year	Total No. of Providers	Total No. of places
Autumn 2020	567	c. 3,900
Autumn 2021	537	c. 3,400
Autumn 2022	489	c. 3,050
	-78	-850

- (b) In West Sussex there are 412 group-based settings. Of these nine are maintained (2.2%).
- Maintained Nursery Schools: 4
 - Maintained Nursery Classes: 5
 - Private, Voluntary or Independent Early Years Providers: 403
 - Childminders offering Funded Places: 311
 - Childminders not offering Funded Places: 178
- (c) Over the last three years, West Sussex has seen the following number of private early years settings cease trading:
- 2020/21 – 17 closures
 - 2021/22 – 23 closures
 - 2022/23 - 11 closures

Total closures – 51. This was offset by 31 new providers opening, resulting in a net loss of 20 providers across the three years (as reflected in answer (a)).

8. Written question from Cllr Smith for reply by Cabinet Member for Learning and Skills

Question

The draft Education and Skills Strategy refers to there being “too many children leaving education and learning through exclusion, or through parents removing children as provision is not meeting their needs”. Could the Cabinet Member please advise the following:

- (a) How many children are considered to be missing in education (CME) from West Sussex schools (not home education/educated other than at school)?
- (b) How many parents have removed their children due to the school(s) not meeting their needs?
- (c) Is there any data on the reasons given as to what needs are cited as not being met? For example, unmet special education needs, bullying or mental health issues?
- (d) Could you please lobby the Department for Education in the strongest way possible to enhance school resources so that the number of children in settings where their needs are not currently being met starts to decrease?

Answer

- (a) Children Missing Education (CME) are children of statutory school age, not on the roll of a school, nor in receipt of a suitable alternative form of education such as Elective Home Education. The CME team within the Education and Skills service are tasked with identifying children who are CME and tracking them into effective education provision. On 1 February 2023 the team had 182 open cases.
- (b) There are strict legal criteria under which a child can be removed from a school roll, including changing school, moving out of the county or choosing to Electively Home Educate. When a child is removed from roll the school must submit a Removal from Roll form (RfR) to the local authority to ensure it meets the legal requirements. From 1 September 2022 to 1 February 2023, 2,697 RfRs were submitted to the local authority. Parents are not legally required to disclose the reasons for changing school, moving out of the county or choosing to Electively Home Educate. Therefore, it is not always possible to ascertain whether parents have removed their children due to them considering that the school does not meet their needs (see further detail in answer (c)).
- (c) If the parent has stated they are going to Electively Home Educate their child, the RfR is passed to the Elective Home Education (EHE) team. As part of the EHE process the team ask parents for the reasons they chose to home educate. Parents reasons for electively home educating are individual and complex and they are under no legal obligation to disclose them to the team. As of 1 February, there are 1,526 children of statutory school age identified as

electively home educated. Of those where a reason has been shared by the parent:

- 74 - 'Dissatisfaction with the school related to bullying'.
- 20 - 'Dissatisfaction with the school related to meeting SEND'.
- 79 - 'General Dissatisfaction with the school'
- 80 - 'Mental Health concerns'.

(d) The County Council regularly engages with the Government and highlights the wide ranging reasons for the need for increased resources for schools.