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## West Sussex County Council – Ordinary Meeting

**13 October 2023**

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 13 October 2023, at County Hall, Chichester PO19 1RQ, the members present being:

Cllr Bradbury (Chairman)

Cllr Wickremaratchi (Vice-Chairman)	Cllr Lanzer
Cllr Albury	Cllr Linehan
Cllr Ali	Cllr Lord
Cllr Atkins, RD	Cllr Markwell
Cllr Baldwin	Cllr Marshall
Cllr Baxter	Cllr McDonald
Cllr Bence	Cllr McGregor
Cllr Boram	Cllr McKnight
Cllr Britton	Cllr Mercer
Cllr Burrett	Cllr Milne
Cllr Cherry	Cllr Mitchell
Cllr Chowdhury	Cllr Montyn
Cllr Condie	Cllr Nagel
Cllr Cooper	Cllr Oakley
Cllr Cornell	Cllr Oppler
Cllr Dabell	Cllr Oxlade
Cllr J Dennis	Cllr Patel
Cllr N Dennis	Cllr Pendleton
Cllr Duncton	Cllr Pudaloff
Cllr Dunn	Cllr Quinn
Cllr Elkins	Cllr Richardson
Cllr Evans	Cllr Russell
Cllr Forbes	Cllr Smith
Cllr Gibson	Cllr Sparkes
Cllr Greenway	Cllr Turley
Cllr Hillier	Cllr Urquhart
Cllr Hunt	Cllr Waight
Cllr Joy	Cllr Wall
Cllr A Jupp	Cllr Walsh, KStJ, RD
Cllr N Jupp	Cllr Wild
Cllr Kerry-Bedell	

### **30 Apologies for Absence**

- 30.1 Apologies were received from Cllr Burgess, Cllr Crow, Cllr Hall, Cllr Johnson, Cllr Kenyon, Cllr O’Kelly, Cllr Payne and Cllr Sharp.
- 30.2 Apologies for the morning session were received from Cllr Chowdhury who arrived 2.30pm. Apologies for the afternoon session were received from Cllr Ali, Cllr Evans, Cllr Gibson, Cllr Joy, Cllr Mercer and Cllr Richardson.

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30.3 Cllr Markwell left at 3.27 p.m.

### **31 Members' Interests**

31.1 Members declared interests as set out at Appendix 1.

### **32 Minutes**

32.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 17 July 2023 (pages 7 to 26) be approved as a correct record.

### **33 Appointments**

33.1 The Council approved appointments as set out below.

<b>Committee</b>	<b>Change</b>
Planning and Rights of Way Committee	Cllr Mercer to fill vacancy
Member Development Group	Cllr Oppler to fill vacancy

### **34 Governance Committee: Changes to the Constitution**

34.1 The Council considered a number of minor changes to the Constitution including changing Standing Orders to limit other business at the annual budget meeting and changes to the terms of reference of the Corporate Parenting Panel and the Regulation, Audit and Accounts Committee, in the light of a report by the Governance Committee (pages 27 to 40).

34.2 Resolved –

- (1) That Standing Orders be amended to limit non-urgent business at the annual budget meeting, as set out in Appendix 1 to the report;
- (2) That the current arrangements where the Chairman manages the meeting using his discretion to direct speakers to avoid overly lengthy, repetitive speeches and ensure content is relevant to the debate, be maintained;
- (3) That the revised terms of reference for the Corporate Parenting Panel, as set out in the Constitution, as set out at Appendix 2 to the report, be approved; and
- (4) That the proposed changes to the terms of reference of the Regulation, Audit and Accounts Committee, as set out at Appendix 3 to the report, be approved.

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**35 Corporate Parenting Report for the Children We Care For and Care Leavers: September 2023**

35.1 The Chairman of the Corporate Parenting Panel introduced the report of the recent work of the Panel (pages 41 to 84).

35.2 Angel Confiac, the County Council's Voice and Participation Support Worker who was also a care leaver, addressed members.

35.3 Resolved -

That the Corporate Parenting Report for the Children We Care For and Care Leavers: September 2023, as set out at Appendix 1 to the report, be noted.

**36 West Sussex County Council's Armed Forces Covenant 2022/23**

36.1 The Council considered the Armed Forces Covenant Annual Report 2022/23 (pages 85 to 88).

36.2 Resolved -

That the report be noted.

**37 Report of Urgent Action**

37.1 The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 89 and 90) was noted.

**38 Question Time**

38.1 Members asked questions of members of the Cabinet on matters relevant to their portfolios, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 91 to 96) and a supplementary report (supplement page 7) and written questions and answers pursuant to Standing Order 2.38 (set out at Appendix 2).

**39 Motion on impact of the London Ultra-Low Emission Zone on West Sussex**

39.1 The following motion was moved by Cllr Burrett and seconded by Cllr Duncton.

'This Council values economic growth, and supporting our communities and small businesses in all their endeavours to grow.

This Council values the aspirations of the vulnerable in our communities to thrive, and places great store in its commitment to support them wherever it can.

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This Council therefore deplores the action taken recently by the Mayor of London to extend the London Ultra-Low Emission Zone without regard to its adverse impact on the communities and small businesses of this county.

In particular it notes that:

- The London Ultra-Low Emission Zone (ULEZ) was extended by the Mayor of London on 29 August 2023 to cover all London Boroughs.
- Many small businesses and traders rely on travel, especially from communities in the north of the county, into parts of London now covered by ULEZ.
- Many West Sussex residents have a need to travel by car to outer London Boroughs for a variety of reasons, including work and specialist hospital appointments.
- Residents on lower incomes are more likely to own older vehicles and to be unable to afford to replace them.

This Council is concerned that:

- (1) No assessment has been produced by Transport for London of the volume of people living outside Greater London who are likely to be impacted by the ULEZ expansion.
- (2) People directly affected but living in West Sussex will not benefit from the mitigation package, and have no access to the diesel scrappage scheme for those on low incomes.
- (3) There will be a clear disproportionate impact on West Sussex small businesses, traders, and residents on low incomes who need to travel into Greater London, particularly at a time when cost-of-living pressures are already having an effect on them.
- (4) The ULEZ expansion could push congestion out of Greater London, making air quality worse in surrounding areas, including West Sussex.

In view of the above concerns, this Council resolves to ask the Cabinet to support the position taken by Surrey County Council and other affected local authorities in maintaining opposition to the ULEZ expansion, and asks the Leader to write to the Mayor of London, in the strongest terms, to ask him to reconsider his decision to expand the ULEZ zone in the light of the serious detrimental effects the expansion is now having on residents and businesses across the South East, including those in West Sussex, and especially those on low incomes.'

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39.2 An amendment was moved by Cllr Oxlade and seconded by Cllr Quinn.

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This Council values the aspirations of the vulnerable in our communities to thrive, and places great store in its commitment to support them wherever it can.

This Council therefore ~~deplores~~ **notes** the action taken recently by the Mayor of London to extend the London Ultra-Low Emission Zone without regard to its adverse impact on the communities and small businesses of this county.

In particular it notes that:

- The London Ultra-Low Emission Zone (ULEZ) was extended by the Mayor of London on 29 August 2023 to cover all London Boroughs **and the aims of the ULEZ are to improve air quality, reduce pollution and improve health.**
- Many small businesses and traders rely on travel, especially from communities in the north of the county, into parts of London now covered by ULEZ.
- Many West Sussex residents (**including an estimated 6% of Crawley residents**) have a need to travel by car to outer London Boroughs for a variety of reasons, including work and specialist hospital appointments.
- Residents on lower incomes are more likely to own older vehicles and to be unable to afford to replace them.

This Council is concerned that:

- (1) No assessment has been produced by Transport for London of the volume of people living outside Greater London who are likely to be impacted by the ULEZ expansion.
- (2) People directly affected but living in West Sussex will not benefit from the mitigation package, and have no access to the diesel scrappage scheme for those on low incomes.
- (3) There will be a clear disproportionate impact on West Sussex small businesses, traders, and residents on low incomes who need to travel into Greater London, particularly at a time when cost-of-living pressures are already having an effect on them.
- (4) The ULEZ expansion could push congestion out of Greater London, making air quality worse in surrounding areas, including West Sussex.

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In view of the above concerns, this Council resolves to ~~ask the Cabinet to support the position taken by Surrey County Council and other affected local authorities in maintaining opposition to the ULEZ expansion,~~ and asks the Leader to write to the Mayor of London, ~~in the strongest terms,~~ to ask him to reconsider his decision to expand the ULEZ zone in the light of the **potential** serious detrimental effects the expansion is now having on residents and businesses across the South East, including those in West Sussex, and especially those on low incomes, **until modelling has been produced by TFL to evidence the anticipated scheme impacts on traffic flows, emissions and pollution levels outside Greater London.'**

39.3 The amendment was lost.

39.4 The motion was carried.

#### **40 Motion on Support for Care Leavers**

40.1 The following revised motion was moved by Cllr Linehan and seconded by Cllr Dabell.

'The Independent Review of Children's Social Care headed by Josh **MacAlister** published in May 2022 had a final report and recommendations that included:

"Government should make care experience a protected characteristic" and "New legislation should be passed which broadens corporate parenting responsibilities across a wider set of public bodies and organisations."

The Care Leavers service in West Sussex supports our young people to grow and develop into young adults successfully as they move towards independence and operates under a clear legislative framework provided by the Children (Leaving Care) Act 2000 and the Children and Social Work Act 2017.

As corporate parents to the children and young people in our care, and care leavers, we in West Sussex take those responsibilities extremely seriously, as any good parents should.

But as West Sussex county councillors, we should go further and support the aspirations of Care Leavers, making sure that no Care Leaver is discriminated against, and that they have every opportunity to live fulfilling and successful lives without barriers.

This Council therefore recognises:

- That care leavers and those children who have been cared for are a group who are likely to face discrimination.

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- That councils have a duty to put the needs of disadvantaged people at the heart of decision-making through co-production and collaboration with them and all our local partnerships.
  - That any future decision with respect to services and policies by the County Council assessed through Equality Impact Assessments should also consider the likely impact on people with care experience.
  - To formally call upon all other bodies and partners, locally and pan-Sussex to treat care experience in the same way as they do a protected characteristic until such time as it may be introduced by legislation.
  - For the Council to continue to proactively seek out and listen to the voices of Care Leavers when developing new policies based on their views.

This Council therefore calls upon the Leader and Cabinet to ensure the Council treats care experience as if it were a protected characteristic, to provide greater authority to employers, businesses, public services, and policy makers to put in place policies and programmes which promote better outcomes for care experienced young people. ***The Council also calls on the Leader and Cabinet to inform West Sussex MPs and the Department of Education of the action taken.***

40.2 An amendment put forward by Cllr Oxlade and set out below was accepted by Cllr Linehan and became the substantive motion.

'The Independent Review of Children's Social Care headed by Josh MacAlister published in May 2022 had a final report and recommendations that included:

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- To formally call upon all other bodies and partners, locally and pan-Sussex to treat care experience in the same way as they do a protected characteristic until such time as it may be introduced by legislation.
- For the Council to continue to proactively seek out and listen to the voices of Care Leavers when developing new policies based on their views.

This Council therefore calls upon the Leader and Cabinet to:

- (1) **Ensure the Council treats care experience as if it were a protected characteristic, to provide greater authority to employers, businesses, public services, and policy makers to put in place policies and programmes which promote better outcomes for care experienced young people. The Council also calls on the Leader and Cabinet to inform West Sussex MPs and the Department of Education of the action taken;**  
**and**
- (2) ***Lobby the Government to bring about the change in legislation recommended by the MacAlister report.***

40.3 The motion, as set out below, was carried.

'The Independent Review of Children's Social Care headed by Josh MacAlister published in May 2022 had a final report and recommendations that included:

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- To formally call upon all other bodies and partners, locally and pan-Sussex to treat care experience in the same way as they do a protected characteristic until such time as it may be introduced by legislation.
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- (1) Ensure the Council treats care experience as if it were a protected characteristic, to provide greater authority to employers, businesses, public services, and policy makers to put in place policies and programmes which promote better outcomes for care experienced young people. The Council also calls on the Leader and Cabinet to inform West Sussex MPs and the Department of Education of the action taken; and
- (2) Lobby the Government to bring about the change in legislation recommended by the MacAlister report.'

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Chairman

The Council rose at 3.50 pm