

West Sussex County Council – Ordinary Meeting

20 October 2017

At an Ordinary Meeting of the County Council held at 10.30 a.m. on Friday, 20 October 2017, at County Hall, Chichester, the members present being:

Mr L H Barnard (Chairman)

Mr W E Acraman	Ms D M K Kennard
Mrs P A C Arculus	Mrs L Kitchen
Lt Cdr N A Atkins, RD	Mr R A Lanzer
Mr A N Baldwin	Mr A C Lea
Mr D H Barling	Ms K Lord
Mr A J Barrett-Miles	Mr G T Markwell
Lt Col G R Barton, TD	Mr P A Marshall
Mr K Boram	Mr S A McDonald
Mr P J J Bradbury	Mrs M E Millson
Mr D Bradford	Mr C R Mitchell
Mrs A Bridges	Mr J A P Montyn
Mrs H A Brunsdon	Mrs S R Mullins
Mr I R J Buckland	Mr R J Oakley
Mr R D Burrett	Mr S J Oakley
Mr P C Catchpole	Dr K F B O'Kelly
Mr M A Cloake	Mr F R J Oppler
Mr D Crow	Mr C G Oxlade
Mrs J A Dennis	Mr V K Parikh
Dr N P S Dennis	Mr A Patel
Mrs J E Duncton	Mrs J A Pendleton
Mr D Edwards	Mr D M Purchase
Mr R C Elkins	Mrs L C Purnell
Mr J D Fitzjohn	Mr B J Quinn
Ms H A Flynn	Mrs J E Russell
Ms M L Goldsmith	Mr R J Smytherman
Mrs A D Hall	Mrs C E Sparkes
Mr P D High	Mr B W Turner
Mr S R Hillier	Mrs D L Urquhart
Mr J C Hunt	Mr S G Waight
Mr M G Jones	Dr J M M Walsh, KStJ, RD
Mrs A J Jupp	Mr D R Whittington
Mr N P S Jupp	Mr L S Wickremaratchi

Deaths of Mr Blake, Mr Brown, Mr C A O'Neill and His Grace the Duke of Richmond and Gordon

- 51** The Chairman reported the deaths of three former members of the Council – Mr Keith Blake, who represented the Gossops Green & Ifield East division from 2009 to 2013, Mr Fred Brown, who represented the Arundel & Angmering division from 1989 to 1997 and Mr Colin O'Neill who represented the Cissbury division from 1997 to 2009.

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- 52 The Council stood for a minute's silence in memory of Mr Blake, Mr Brown and Mr O'Neill and also of His Grace the Duke of Richmond and Gordon who had died recently

Apologies and attendance

- 53 Apologies were received from Mrs Bennett, Mrs Jones, Mr Petts, Mr Simmons and Mrs Smith. Mr Oppler gave his apologies and arrived at 12.35 p.m. for the morning session. For the afternoon session Mr Acraman arrived at 2.15 p.m. Mrs Brunsdon, Mr Lea, Ms Lord and Mr Markwell gave their apologies for the afternoon session.

Interests

- 54 Members declared interests as set out at Appendix 1.

Minutes

- 55 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 21 July 2017 (pages 125 to 155) be approved as a correct record.

Committee Appointments

- 56 The Council approved appointments as set out below.

Committee	Change
Adoption Panel	Mrs Flynn in place of Mrs Jupp
Appeals Panel	Mr Catchpole to fill vacancy
Corporate Parenting Panel	Mrs Millson as Chairman
Environmental and Community Services Select Committee	Mr Oppler in place of Mrs Millson
Member Development Group	Mr Edwards in place of Mrs Jupp
Performance and Finance Select Committee	Dr Walsh in place of Mr Oppler
Rights of Way Committee substitutes	Mrs Arculus and Mr S J Oakley to fill vacancies
South West Foster Panel	Mrs Pendleton to fill vacancy

- 57 The Council waived Standing Orders to approve two further appointments as set out below.

Committee	Change
Corporate Parenting Panel	Mr Baldwin in place Mrs Jupp

Committee	Change
Environmental and Community Services Select Committee	Mrs Bridges to fill vacancy

Appointment of an Independent Member to the Independent Remuneration Panel

58 The Council approved an appointment to fill a vacancy for an Independent Member to the Independent Remuneration Panel in the light of a report by the Chairman of the Standards Committee (page 156).

59 Resolved -

That Mr Scutt be appointed as independent member of the Independent Remuneration Panel for an initial period of four years.

Notice of Motion by Mr Jones

60 The following motion was moved by Mr Jones and seconded by Mr Oxlade.

'West Sussex County Council runs an excellent library service through its network of 36 libraries. There were over three million library visits and over four million loans during 2016, demonstrating the public's usage of the wide range of services provided by libraries, including books, e-books and other resources, public computers and free Wi-Fi.

Mindful of the recent consultation by East Sussex County Council to close a quarter of its libraries, this Council calls on the Cabinet Member for Safer, Stronger Communities to guarantee that there are no plans for West Sussex County Council to either close libraries, reduce the current library opening times or reduce the number of paid staff delivering the service.'

61 An amendment was moved by Mrs Russell and seconded by Mr Acraman.

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Mindful of the recent consultation by East Sussex County Council to close a quarter of its libraries, this Council calls on the Cabinet Member for Safer, Stronger Communities **while working on the forthcoming '21st Century Libraries' programme** to guarantee that there are no plans for West Sussex County Council to either close libraries, reduce the current **access to** library opening times or reduce the number of paid staff delivering the services **for the residents of West Sussex, continuing to be delivered from 36 hubs.**'

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62 The amendment was carried.

63 The motion, as amended and set out below, was carried.

'West Sussex County Council runs an excellent library service through its network of 36 libraries. There were over three million library visits and over four million loans during 2016, demonstrating the public's usage of the wide range of services provided by libraries, including books, e-books and other resources, public computers and free Wi-Fi.

Mindful of the recent consultation by East Sussex County Council to close a quarter of its libraries, this Council calls on the Cabinet Member for Safer, Stronger Communities while working on the forthcoming '21st Century Libraries' programme to guarantee that there are no plans for West Sussex County Council to reduce access to library services for the residents of West Sussex, continuing to be delivered from 36 hubs.'

The West Sussex Plan 2017-22

64 The Leader moved the report on the West Sussex Plan 2017-22 (page 157).

65 Resolved –

That the proposed West Sussex Plan 2017-22 be approved.

Proposed Submission Shoreham Harbour Joint Area Action Plan

66 The Cabinet Member for Highways and Infrastructure moved the report on the Proposed Submission Shoreham Harbour Joint Area Action Plan, which was being prepared jointly by the County Council, Adur District Council and Brighton & Hove City Council (pages 158 to 161).

67 Resolved –

- (1) The Proposed Submission JAAP (enclosed as Appendix A to the report) be approved for development management purposes;
- (2) The Proposed Submission JAAP (enclosed as Appendix A to the report) be approved for publication, consultation on legal compliance and soundness and, provided that no substantive changes are required, submission to the Secretary of State in accordance with Regulations 19, 20 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and
- (3) The Head of Planning Services, in consultation with the Cabinet Member for Highways and Infrastructure, be authorised to agree with Adur District Council and Brighton and Hove City Council, any non-substantive changes that are necessary to make the JAAP sound and suitable for adoption.

Question Time

- 68** Members asked questions of members of the Cabinet on matters relevant to their portfolios, questioned the Leader on matters currently relevant to the County Council and asked questions of chairmen, as set out at Appendix 3. This included questions on those matters contained within the Cabinet report (pages 162 to 175 and a supplementary report (pages 175A and B)) and written questions and answers pursuant to Standing Order 15(2) (set out at Appendix 2).

Governance Committee: Review of Call-in Protocol and earliest date of submission of Written Questions to Council

- 69** The Council considered a number of changes to the Constitution including a review of the call-in protocol and the addition of an earliest date for the submission of written questions to Council in the light of a report from the Governance Committee (pages 176 to 179).
- 70** Resolved –
- (1) That the revision to the Call-in Protocol set out at the Appendix to the report be approved; and
 - (2) That the earliest date for submission of written questions to Council be set as no earlier than four weeks before the meeting and the Standing Order 15(9) be amended as set out in paragraph 7 of the report together with a clarification of the wording around the limit of two questions per member.

Report of Urgent Action

- 71** The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 180 to 182) was noted.

Chairman

The Council rose at 3.40 p.m.

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Agenda Item No. 1 – Interests

Members declared interests as set out below. All the interests listed below were personal but not pecuniary or prejudicial unless indicated.

Item	Member	Nature of Interest
Item 5 – Notice of Motion on Future of Library Service	Mr Barrett-Miles	Member of Burgess Hill Town Council
Item 7 – Proposed Submission Shoreham Harbour Joint Area Action Plan	Mr Barling	Pecuniary interest as firm acts as Solicitors to Shoreham Harbour Authority
	Mr Boram	Member of Adur District Council
Item 8 – QT paragraphs	Mr Bradbury	Member of Mid Sussex District Council and Trustee of Sussex Learning Trust
	Mr High	Member of Worthing Borough Council
	Mr Smytherman	Chairman of Local Governing Committee, St Mary’s Catholic School Worthing (part of the Bosco Academy Trust), trustee of Coastal West Sussex Mind and Member of Worthing Borough Council
Item 8 – QT paragraph 3 (Family Assist)	Mr Purchase	Partner is a midwife employed by Western Sussex NHS Trust
Item 8 – QT paragraph 7 (Crawley Growth Programme)	Mr Crow	Member of Crawley Borough Council
Item 8 – QT paragraphs 27 (Armed Forces Covenant)	Mr Bradbury	Member of Mid Sussex District Council
Item 8 – QT paragraph 16 (West Sussex Care Month)	Mrs Millson	Carer
Item 8 – QT paragraph 25 (A27 Consultations)	Mrs Sparkes	Member of Worthing Borough Council

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Item	Member	Nature of Interest
Item 8 – QT paragraph 25 (A27 Consultations) (cont)	Dr Walsh	Member of Arun District Council and Littlehampton Town Council
Item 8 – QT paragraph 30 (Fairtrade County Status)	Mrs Millson	Council's representative on Fairtrade West Sussex
Item 8 – QT paragraph 31 (Pension Fund Pooling)	Mr Burrett	Deferred member of the Local Government Pension Scheme
	Mr Lanzer	Deferred member of the Local Government Pension Scheme
Item 8 – QT: support for bus services	Mr Purchase	Member of Littlehampton Town Council

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20 October 2017

1. Written question from **Dr Walsh** for reply by the **Leader**

Question

At a time of severe financial stringency, and given that for the last three to four years the recently retired Chief Fire Officer also ran the Directorate of Communities and Public Protection, why it is now necessary to advertise for an Executive Director for Communities and Public Protection at around £200,000 per annum?

Why does the new Chief Fire Officer need a further Director to supervise him, when around 90% of the directorate's budget is for the Fire & Rescue Service?

And, why has a business case not been presented to members on this significant and costly change?

Answer

The rationale for the planned recruitment to this role was provided to all group leaders some months ago. It was also the subject of a member day in 2016 when the post was first created. Dr Walsh was subsequently a member of the Appointing Committee which confirmed the appointment of Mr Ruth. The information already supplied showed how reductions in the overall number of senior officers had brought savings of £208,000. One additional senior officer within the Fire and Rescue service was needed to offset the shift of responsibilities within the Executive Director role.

Whilst Mr Ruth has since decided not to take up the post there has been no change to the role nor to the rationale behind it. The services overseen by the Department include, in addition to Fire and Rescue, public protection, emergency resilience, trading standards, libraries, the coroner, registration, third sector partnership as well as the programmes for customer services and community engagement. Fire and Rescue takes up just under 45% of the departmental budget.

The post has been advertised at a salary of 'around £150,000'. This comes from the County Council's standard market testing for similar roles within the sector so as to ensure it is able to secure the best candidates.

The appointment of a new Executive Director will be by the all-party member Appointing Committee and will include a full account of the role and the skills and knowledge the council will require.

2. Written question from **Mr Jones** for reply by the **Cabinet Member for Adults and Health**

Question

I understand that nine care homes run by Sussex Health Care are currently under

investigation due to serious allegations. I appreciate that due to the on-going investigation there may be a limit to what information can be provided but can the Cabinet Member confirm:

- (a) What triggered the concerns that are now the subject of an investigation and when concerns were first raised;
- (b) How many families of residents at those nine homes have requested a move to alternative accommodation;
- (c) There is sufficient capacity within the care market in the north of the county to accommodate all the residents currently residing in the nine care homes currently under investigation should they request or need to be moved quickly; and
- (d) The extent of the current in-house provision of care beds and what plans exist to increase these. If so, by how many and when?

Answer

- (a) West Sussex County Council's Adult Services is responsible for receiving and responding to all safeguarding concerns in line with the Care Act 2014; in 2016/17 we received over 5,000 such concerns. The receipt of these is not unusual, particularly where services are supporting customers with highly complex needs. A number of concerns were received relating to a significant number of concerns in some establishments run by Sussex Health Care (SHC). County Council officers recognised that a pattern of concerns was emerging across a number of SHC care homes. We, therefore, discussed this with the Police, and a multi-agency complex safeguarding enquiry then began with all partner agencies.
- (b) There are currently nine services run by SHC that are the subject of this serious safeguarding investigation. Residents in these homes are funded by a 69 other local authorities and health commissioners and there are also a number of self-funders in some of the services. The County Council only funds approximately 15% of residents across all SHC services. The Council does not know the total number of families or residents who may have requested a move; any conversations would take place directly with the funding organisation. West Sussex County Council is in contact with concerned residents funded by ourselves and their families. It is not possible to comment on these discussions at this present time.
- (c) The residents in a number of the homes have highly complex needs and, as highlighted above, the majority of the individuals living within SHC services are funded by other local authorities and Clinical Commissioning Groups outside of West Sussex. They are aware of the current situation, are monitoring this closely and it is more likely that placements closer to the funding authority would be sought.

The situation is being monitored continually through contingency planning and, in line with usual practice, the Council is aware of available vacancies both within West Sussex and in other counties, for West Sussex County

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Council and privately-funded individuals. As some of the services are very specialist, there may be a situation where, in discussion with residents and their families, the County Council would seek such services outside of the north of the county.

- (d) In House Provider Services have seven establishments which provide residential placements and they offer 93 permanent beds across the county. There are currently six vacancies. There are no plans to increase that number at the moment.

3. Written question from **Mrs Smith** for reply by the **Cabinet Member for Adults and Health**

Question

In October 2014 an in-depth report focusing on the capacity, capability and quality of the county's residential care market was produced. It predicted the market needed to expand by 280 care beds per year to keep up with demand. Members have been told about various symposiums and initiatives to kick-start a response from providers but we have seen little in the way of outcomes. Can the Cabinet Member please confirm:

- (a) How many additional residential care beds have been provided per district and borough each year since 2014?
- (b) How many residential care beds have been lost through closure or exit from the market per district and borough each year since 2014, or are not currently available due to ongoing investigations or concerns?
- (c) What plans exist to increase the residential care market provision over the next three years and how many additional care beds does she anticipate being provided year-on-year?

Answer

The Capacity, Capability, Quality Report produced in October 2014 focused on the Care Market provision for older people in West Sussex. The report detailed the number of beds available at that time and how many more would be required if the status quo remained i.e. if we did not do anything differently.

Since the production of that report, under Health and Social Care transformation, the County Council has been trialling new ways of working, through the 3 conversations model. The approach is asset-based and has a focus on prevention, to support good demand management. Other initiatives including discharge to assess with reablement have been introduced to support people to regain confidence and skills to live as independently as is possible, reducing the need for long-term residential care. In recent months there has been a downward trend in the number of referrals to long-term care in care homes, which may be linked to some of these initiatives (it is too early to say for certain); if this trend continues the projection for the number of additional beds will need to be revisited. I can confirm that there are currently bed vacancies in West Sussex, there were almost

400 at the beginning of October. The Council has been approached by parties interested in investing and or operating services - there is a 34-bed care home awaiting registration in rural Chichester and planning applications for extensions to existing sites.

(a) Since 2014, 267 additional registered care home beds have been created, broken down into the district and borough localities as follows:

- Adur and Worthing - 17
- Arun - 47
- Chichester - 85
- Crawley - 10
- Horsham - 80
- Mid Sussex - 28

(b) Since 2014, 481 registered care home beds have been lost, broken down into the district and borough localities as follows:

- Adur and Worthing - 187 registered beds
- Arun - 100 registered beds
- Chichester - 86 registered beds
- Crawley - 51 registered beds
- Horsham - 0 registered beds
- Mid Sussex - 57 registered beds

Currently, 206 registered beds are the subject of contract suspensions, which may be due to safeguarding, at the request of the service or other reasons. However, only the 'empty' beds are those that are affected by the suspension. As we do not know the occupancy level of all of the services we cannot calculate how many beds are empty, although I would estimate the empty beds to be less than 10% overall i.e. less than 20. The number of beds currently suspended across the county is as follows:

- Adur and Worthing - 40 registered beds
- Arun - 0 registered beds
- Chichester - 46 registered beds
- Crawley - 0 registered beds
- Horsham - 120 registered beds
- Mid Sussex - 0 registered beds

(c) The County Council will shortly be moving to phase two of the Adult Social Care Transformation project and it continues to be anticipated that this will have an impact on the need to make long-term placements in residential settings. We will continue to review the impact of this approach using the work in the Innovation Sites to determine whether the downward trend has continued and the likelihood of this being sustained, together with the impact of the aforesaid initiatives including Discharge to Assess with reablement. Once scrutiny of these initiatives has taken place we will be able to come back to members with further information.

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4. Written question from **Dr Walsh** for reply by the **Cabinet Member for Adults and Health**

Question

Can I please see the total number of applications for Blue Badges, and the numbers issued, in each of the last five calendar years?

Answer

Blue Badge applications to the County Council are as follows:

Year	Issued	Total Applications
2012	11,956	12,425
2013	12,436	13,402
2014	13,368	14,483
2015	14,126	15,218
2016	13,435	14,378

Source: National Blue Badge Database

5. Written question from **Mr Oxlade** for reply by the **Cabinet Member for Children and Young People**

Question

In September the Chief Executive, in consultation with the Cabinet Member for Finance and Resources, used his delegated powers to approve the in-sourcing from Capita of the administrative function for the Multi-Agency Safeguarding Hub (MASH). That decision was taken as an urgent action because vulnerable children were at an unacceptable level of risk of harm due to insufficient numbers of assessments being undertaken within 24 hours.

Can the Cabinet Member therefore please:

- (a) Provide figures for the number and % of assessments which have not been carried out within 24 hours during each of the past 12 months;
- (b) Confirm the length of time the MASH team has not been able to meet the 24-hour assessment target;
- (c) Confirm when he expects the MASH function to be back in-house given that there needs to be staff consultation before this can happen;
- (d) Assure me that he is confident adequate measures are in place to ensure no child will come to harm due to a delay in urgent assessment;
- (e) Outline what impact this situation would have on an Ofsted inspection of children's services if it were to take place tomorrow; and

- (f) Confirm how many Key Performance Indicators exist relating to this area of the business within the CAPITA contract, to what extent they have been failing and for how long?

Answer

- (a) The measure used is for percentage of referrals completed within 24 hours not assessments carried out. The target the County Council has set for itself is 85 per cent. Since the inception of the MASH in April 2016 this target has not been met. The average performance over the past 12 months, August 2016 to July 2017, is 57 per cent. In July the performance was 52.2 per cent and in August 44.8 per cent which shows a declining performance. To address this level of performance a system was introduced in January 2017 to have a senior social worker looking at all enquiries when they first come in. This system has meant that 90 per cent of enquiries have been triaged appropriately within 24 hours.
- (b) As detailed in answer to (a) above.
- (c) The administrative MASH function was transferred back to the Council on 1 October 2017. The transfer of the function had already been planned but was then accelerated due to the deteriorating position. Staff consultation had been completed prior to the decision being taken.
- (d) The Cabinet Member is confident that adequate measures are in place to ensure as far as possible that no child will come to harm due to a delay in 'contact to referral' decisions.
- (e) The MASH has been externally reviewed on two occasions within the last 12 months and decision making was assessed as being good overall but with some aspects requiring improvement. Action was taken to address the issues identified.
- (f) There is one KPI which relates to the administrative element of the 'contact to referral' requirement, which is entering incoming contacts onto an electronic database. It specifies that '95% of contacts received before 3.00 p.m. Monday to Friday are to be processed on the same day. Those incoming contacts screened by social workers as high risk are to be entered onto the electronic database first. 100% received after 3.00 p.m. to be processed by the end of the next working day and subject to the same screening process'. Since the introduction of this revised performance measure, in May 2017, there have been no reported failures. Prior to this change the previous KPI stated that 'contacts were to be entered onto the electronic database within one working day. Contacts received after 4.00 p.m. will be counted as next working day'. In January 2016 Capita were not meeting the same working day performance level. A recovery plan was put in place and the performance recovered by May 2016.

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6. Written question from **Mrs Mullins** for reply by the **Cabinet Member for Education and Skills**

Question

I have noted with dismay the new Forward Plan entry which proposes a consultation to amend the Special Support Centre (SSC) provision at Maidenbower Junior School to provide for children with autistic spectrum condition and to close the Special Support Centre at Hazelwick School (I seem to recall that previously Hazelwick was over-subscribed). I would be grateful if the Cabinet Member could:

- (a) Provide figures for the number of children, resident in Crawley, that required support over the past five years who have:
 - (i) been diagnosed with dyslexia; and
 - (ii) had a hearing impairment.
- (b) Comment on the trajectory of the figures provided in paragraph (a);
- (c) Advise whether the County Council accepts diagnosis of dyslexia from external agencies such as 'Dyslexia Action' or insists on diagnosis by its own Educational Psychologists;
- (d) Confirm whether all pupils recognised as dyslexic get an Education Plan;
- (e) Advise how many teachers employed by the County Council are qualified to teach pupils with dyslexia and what support, advice on identification, provision and alternative teaching methods for dyslexic pupils is provided to schools; and
- (f) Advise what % of spend on SEND is spent in the county on provision for:
 - (i) pupils with dyslexia; and
 - (ii) hearing impairment.

Answer

- (a) (i) The table below shows the total number of children in Crawley with specific learning difficulties (including dyslexia and dyscalculia) at SEN Support or with a Statement/Education, Health and Care Plan (EHCP).

	SEN Support	EHCP or Statement of SEN
2013	174	41
2014	115	40
2015	280	44
2016	348	53
2017	334	52

- (ii) The table below shows the total number of children in Crawley with a hearing impairment at SEN Support or with a Statement/EHCP.

	SEN Support	EHCP or Statement of SEN
2013	27	14
2014	12	15
2015	22	15
2016	21	16
2017	17	19

- (b) The figures demonstrate that more children with these types of needs are getting support at a level appropriate to their needs.
- (c) Individual schools have the responsibility of ensuring that children receive appropriate support in order to make progress with reading, writing and spelling. Where a diagnosis of dyslexia has been made then a school should consider any recommendations made in order to support the individual child. The professional carrying out the assessment does not need to be an Educational Psychologist.
- (d) Not all children diagnosed with dyslexia would need an Education, Health and Care Plan. They would however have an appropriate school-based support plan.
- (e) Information about the number of teachers with additional qualifications in dyslexia that are employed within schools is not collected centrally. The Local Authority has a team of Advisory Teachers who undertake consultation regarding children and also provide training events for schools, which includes training relating to dyslexia. In addition, this team facilitates the Dyslexia Aware Schools Award which all schools in West Sussex are able to attend.
- (f) The relevant percentage spend is as follows:
- (i) Children with dyslexia - 1.7%;
 - (ii) Children with hearing impairment - 1.3%.

7. Written question from Mr Jones for reply by the Cabinet Member for Environment

Question

Between October 2016 and April 2017 those residents wishing to dispose of DIY or 'non-household' waste were charged to do so. In light of the Cabinet Member's recently published decision confirming that the County Council will no longer charge for the disposal of this type of waste, could she please:

- (a) Confirm the amount of income generated from the disposal of DIY/non-household waste only between 1 October 2016 to 11 April 2017 and the extent to which this differed from the figure that was expected to be generated during the same period;
- (b) Confirm the costs to install and implement the arrangements to charge for waste;

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- (c) Provide justification for the decision not to reimburse those residents who paid the charges during this period, given that all payments were made by debit card and therefore should be easily identifiable;
- (d) Confirm whether she has taken the opportunity to thank the employees at the waste sites who had to deal with angry, irate and sometimes aggressive service users who were being charged for DIY waste;
- (e) Confirm whether she regrets the decision to charge for such waste taken by her predecessor, given the need to encourage residents to re-cycle as much as possible;
- (f) Given that as part of the introduction of the package of charges and reduction in days opening members were reassured that two enforcement officers would be appointed to address and minimise any additional issues relating to fly tipping, can she please explain why these seats were never actually filled, and still remain vacant?
- (g) Can she further justify to the council, given the large increases in fly tipping revealed to have taken place in some of the West Sussex Districts and Boroughs in the past year, why the two enforcement officer posts are not going to be filled, despite having been advertised and having received applications, and why the interviews were cancelled and the recruitment put on hold. Surely these posts were offered as part of the overall changes, not just charging, and the two day closure of many of the major towns' tips remain in place?

Answer

- (a) Income was £92,768. Expected income was around £309,901.
- (b) It is not possible to give a definitive cost for the arrangements to charge for waste as this was implemented alongside changes to opening days and hours. The total cost for all of the changes was £75,347. The majority of this was staff time, signage and publicity. The majority of this work and signage would have been required anyway.
- (c) The County Council's position remains that the charges were legally applied and accepted by residents during the time it was the Council's policy to charge. There is no requirement or justification for reimbursing those residents.
- (d) The site staff do an exceptional job which can be demanding for a variety of reasons. This was evident – as was public appreciation - during the recent Customer Services Week when members of the waste team spent time at each site seeking feedback from customers which was extremely positive. My appreciation was most recently fed back at a Strategic Partnership Meeting with Viridor Management.
- (e) The decision to charge was in line with many other councils who face similar budget pressures to the County Council. The service has to play its part in balancing the demands on the Council to provide quality services

and the resources available particularly given pressures elsewhere in the budget.

The decision to suspend charges was taken in the wake of the Government signalling its intention to review the legislation in this area. This was not known or expected at the time of the original decision. The decision to charge had no impact on recycling rates or the continuing message to 'think before you throw'.

- (f) The recruitment process started in the New Year and was put on hold after the decision to suspend charges was taken. With no significant change in the overall incidence of fly tipping across the county, the case for additional staff further diminished at that point.
- (g) There has not been a 'large increase' in fly tipping in this county. Some districts and boroughs saw a decrease after the charges were introduced. The total tonnage of material delivered to the County Council by the district and borough councils for disposal and coded as fly tipped fell by 121 Tonnes in 2016/17 versus the previous year.

Statutory responsibility for fly tipping enforcement falls to the district and borough councils and the Environment Agency. A large percentage of fly tipping is undertaken by rogue traders and would not, in any event, have been legally deposited at the Household Waste Recycling Sites.

8. Written question from Mrs Millson for reply by the Cabinet Member for Environment

Question

The recycling video released to mark Customer Service Week raised a matter that should concern all members. To quote from the video – 'West Sussex has a nappy problem. A dirty big one. Soiled nappies are having to be fished out of our recycling plant - and not just one or two - hundreds every day.' The video continues by suggesting that this could amount to 164,000 soiled nappies going through our recycling plant every year. This is horrible for staff and could well pose health risks as well.

Some years ago, in an effort to reduce the number of waste nappies going to landfill, West Sussex operated an incentive scheme to encourage parents to use reusable nappies. A few local authorities still do this, specifically South Gloucestershire, Bedford, Leicestershire, Surrey, Cheshire East, West Berkshire and Essex. Surrey's scheme offers the loan of a trial kit with a range of different types of nappy, which can be borrowed for at least two weeks, enabling parents to choose the best option for their needs.

Will the Cabinet Member please undertake to:

- (a) Investigate the costs and benefits of providing a nappy recycling incentive scheme as reported by other councils who are currently providing such a service; and

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- (b) Work with the district and borough councils in West Sussex to identify and address the causes of this unfortunate trend.

Answer

- (a) Historically, the County Council ran a waste prevention initiative to encourage the use of reusable nappies. The initiative ended in 2011 as it was felt to be costing more to administer than the benefits being realised with a very low percentage of parents using reusables. The waste team are aware that similar nappy initiatives in other areas have experienced the same outcome, and many have been wound down.

However, as part of the wider waste strategy to improve performance by reducing, reusing and recycling waste material, the waste team is currently revisiting a variety of approaches for managing nappies. The waste team are considering promoting reusable nappy schemes, nappy collection services and the separate treatment of collected nappies (and other absorbent hygiene products) in order to move these further up the waste hierarchy.

- (b) The waste team are in the process of trying to identify where this problem is occurring i.e. is it a countywide problem or is it happening in one particular district or borough. Once this has been established, the waste team will work with the appropriate district and borough partners to try and identify the cause of the problem.

9. Written question from **Mr Quinn** for reply by the **Cabinet Member for Highways and Infrastructure**

Question

This time last year I expressed my concern about road signs across the county which were dirty, broken, falling down and obscured by overgrown vegetation. I asked the then Cabinet Member for Highways and Transport for his assurances that these would be dealt with, particularly in the light of the decision to withdraw community support teams in August 2016.

Can the Cabinet Member please advise:

- (a) Whether there will be a winter clearance and clearing programme on high speed roads to include checking on road signs to ensure they are easily visible, so our residents and visitors can travel safely through our lovely county; and
- (b) What arrangements are in place in each district and borough to ensure road signs on other roads across the county are regularly monitored and maintained in such a way that they are easily visible for residents and visitors.

Answer

- (a) There is not a programme of winter clearance on high-speed roads. Clearance of vegetation is done on an ongoing basis where the County Council has an issue with safety. Additionally, the County Council ensures that it looks at the need to undertake clearance and sign cleaning when it is working in the area on schemes.

The County Council has a limited cleaning programme. With reduced budgets it prioritises safety signs first for both cleansing and replacement. This is across all roads in the entire network.

In terms of local roads, if the Highway Stewards spot signs that need cleaning or vegetation that needs cutting back they will do this, if safe for them to do so. This is normally confined to local roads.

The County Council is also piloting the 'Green Offer' which will support voluntary community groups who wish to undertake local sign cleaning and vegetation cut-backs to improve the local area.

- (b) All of the County Council-maintained roads are inspected regularly by the highway operations team. Inspections are either carried out by one person on foot or by two people from a vehicle – depending on the classification of the road. Inspectors follow the guidance in the 'Safety Plus Handbook' relating to how quickly a defect – such as an obscured or damaged sign – should be corrected. Issues raised by network users through Love West Sussex or the customer service centre supplement the programmed inspections and are followed up accordingly.

The safety plus regime sets out a hierarchy for prioritising work to correct defects that have an impact on road safety. If examples of the guidance not being followed exist then these should be brought to the attention of the highways team and they will be investigated.

10. Written question from **Mrs Mullins** for reply by the **Cabinet Member for Safer, Stronger Communities**

Question

I note the Cabinet Member is intending to take a decision regarding the future arrangements for the management of West Sussex Gypsy, Roma and Traveller sites. Can she please advise:

- (a) When the following are due to expire and explain why a change in the current arrangements at this time is necessary:
- (i) the current leases; and
 - (ii) the site management contracts.
- (b) The extent to which the current contract arrangements have been monitored since they were put in place.

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- (c) What consultation regarding the proposed changes has taken place or is planned with:
- (i) current residents of the sites;
 - (ii) staff who might be affected by the proposed change to arrangements; and
 - (iii) District and Borough Councils who have responsibility for providing suitable accommodation.
- (d) How much the current leaseholder has invested in the sites to maintain the standards that existed when they took over responsibility for them?
- (e) Whether the current arrangements have had a positive impact on the well-being of the residents and the extent to which they have helped to reduce the inequalities within the community identified during the review of the service in 2010/11?

Answer

- (a) The current arrangements are based on long leases (for 125 years) that were granted in 2014. The proposal to change the current arrangements reflects growing concern about the long term sustainability of the arrangement and has been discussed and agreed with the representatives of the provider.
- (b) Officers have been in regular on-going dialogue with the service provider and have undertaken periodic site inspections since the start of the contract in 2014.
- (c) (i) The terms of the current arrangement required that any changes to the contract were to be treated confidentially and as such officers had not been in a position to consult residents, staff or other third party organisations until agreement to do so had been reached with the current provider. Despite this, officers were aware of the views of residents and representative organisations.

Following discussions with the provider, it was agreed that from 11 October, officers would be able to talk to stakeholders about the contract and, starting on that date, sent out a series of communications about the course of action now being proposed and providing advice to the residents on the actions they needed to take.

- (ii) There are likely to be two staff members affected by the changes. The Council is in discussion with the provider, as their employer, in connection with ensuring the relevant information is provided and plans are made.
 - (iii) District and Borough councils have also been updated. It is not envisaged that there will be any requirement to identify alternative accommodation for any of the residents.
- (d) The current provider maintained two site managers who have been able to

continue with on-going low-level maintenance tasks around the sites. The Council has recently commissioned a survey of the sites in order to understand whether any work on the site infrastructure or mechanical elements is required.

- (e) The current set of arrangements were designed to transfer responsibility for the estate management and rent collection for the nine sites from the County Council to a Community Interest Company with specialist experience in the Gypsy, Roma and Traveller community. The provision of affordable and accessible sites provides a level of security and certainty for this community but it was never intended or expected that this would, alone, address any inequalities which this community may face.

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Agenda Item No. 8 - Question Time

Members asked questions of members the Cabinet and chairmen as set out below. In instances where a Cabinet Member, the Leader or a chairman undertook to take follow-up action, this is also noted below.

Start of Life

Children and Young People

The Cabinet Member answered questions on the following matters.

Paragraph 1, Better Change and 'Pause' Partnership, from Mrs Arculus, Mrs Mullins and Mr Wickremaratchi.

In response to a question from Mrs Arculus about Family Drugs and Alcohol Courts which operated in some areas, the Cabinet Member said he would arrange for Mrs Arculus to be briefed outside the meeting.

In relation to a question from Mrs Mullins about how much additional funding had been allocated by the County Council for the project, the Cabinet Member said he would let her know.

Paragraph 3, Family Assist, from Mrs Sparkes.

Self-harm, from Mrs Mullins.

In response to a question from Mrs Mullins about what percentage of young people referred for specialist support in September for self-harm had been seen within 28 days and whether there had been an increase in West Sussex of self-harm among young girls the Cabinet Member said he would respond to Mrs Mullins outside the meeting.

Education and Skills

The Cabinet Member answered questions on the following matters.

Paragraph 5, School Funding Announcement, from Mr Jones, Mr S J Oakley and Dr Walsh.

Paragraph 6, Post-16 Transport Policy Review, from Mr Bradbury and Mr Buckland.

Security and Safeguarding at Steyning Grammar School, from Mr Barling.

In response to a question from Mr Barling about proposals to address the issues at the School the Cabinet Member said that consideration was being given to a capital programme bid and he would let Mr Barling know the outcome when it had been through the prioritisation process.

The Economy

Leader

The Leader answered questions on the following matters.

Paragraph 8, Bognor Regis Regeneration, from Mr Jones, Mr Oppler and Mrs Pendleton.

In response to a question from Mr Jones about how many of the businesses and organisations who had attended the recent conference had indicated that they would be willing to move into the hub, the Leader said that she would let him know in due course.

Paragraph 9, Experience West Sussex, from Mr Buckland and Mr Quinn.

Sussex Healthcare, from Mr Bradbury, Mr Crow and Dr Walsh.

In response to a request from Mr Crow in relation to Sussex Healthcare, the Leader agreed to issue a further briefing to members when appropriate.

City Deal and progress in Worthing, from Mr Cloake.

Later Life

Cabinet Member for Adults and Health

The Cabinet Member answered questions on the following matters.

Paragraph 13, Stoptober, from Mr Crow and Dr O’Kelly.

Dr O’Kelly referred to the overall reduction in public health spending in West Sussex and requested that the Cabinet Member lobby to address the imbalance. The Cabinet Member said she would look into the issue.

Paragraph 15, Suicide Prevention Strategy, from Mrs Arculus, Mr Oxlade, Mr Smytherman and Dr Walsh.

In response to requests from Mr Oxlade the Cabinet Member gave an assurance that homeless people would be included in the list of those groups covered by the strategy and agreed to make the action plan available to all members.

In response to a request from Dr Walsh, the Cabinet Member said she would circulate the strategy to the Health and Adult Social Care Select Committee Business Planning Group and keep all members up-to-date.

Stronger Communities

Cabinet Member for Environment

The Cabinet Member answered questions written question 7 from Mr Jones.

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Cabinet Member for Highways and Infrastructure

The Cabinet Member answered questions on the following matters.

Paragraph 22, West Sussex Gigabit project, from Mr High and Dr Walsh.

In response to a request from Dr Walsh the Cabinet Member agreed to ensure a press release was issued about the recent inclusion of Littlehampton in the towns covered by the project.

Paragraph 23, Proud to serve, from Mr Elkins.

Paragraph 25, A27 Consultations, from Lt Col Barton.

The Cabinet Member agreed to consult the Adur and Worthing County Local Committees before responding to any consultation on the awaited new proposals for the A27 at Worthing and Lancing.

Changes to regulation of Community Transport Operators, from Mr Bradbury, Dr Dennis and Mr S J Oakley.

In response to a question from Dr Dennis about the threat to Community Transport Operators from changes to the regulatory regime proposed by the Department of Transport in July which would mean that they were treated like bus companies, the Cabinet Member said he was aware of the proposed changes in outline but would re-examine the issue and respond to Dr Dennis.

The Cabinet Member also agreed to a request from Mr Oakley for members to be provided with information about the primary legislative source of the proposed changes.

Support for bus services, from Mr Purchase.

In response to a question about why the County Council had not consulted on the withdrawal of the previous number 12 bus service in Arun, the Cabinet Member said he would look into the apparent lack of consultation and respond to Mr Purchase.

Soft sand and the Minerals Local Plan, from Mr Barling and Mr S J Oakley.

Data breaches, from Mr Oxlade and Mr Purchase.

Cabinet Member for Safer, Stronger Communities

The Cabinet Member answered questions on the following matters.

Paragraph 27, Armed Forces Covenant, from Mrs Duncton and Mrs Mullins.

In response to a question from Mrs Mullins as to how many members of the armed forces had been interviewed under the Guaranteed Interview Scheme and how many had secured employment, the Cabinet Member said she would let Mrs Mullins know.

Congratulations to Martin Hayes on his book, Military Voices Past and Present, and 30 years' service to the Library Service, from Mr Cloake.

Effective Council

Cabinet Member for Finance and Resources

The Cabinet Member answered questions on paragraph 30, Fairtrade County Status, from Mrs Millson and Mr S J Oakley.