

## West Sussex County Council – Ordinary Meeting

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**24 July 2015**

At the Ordinary Meeting of the County Council held at 10.30 a.m. on Friday, 24 July 2015, at the County Hall, Chichester, the members present being:

Mrs P A C Arculus (Chairman)

Mr W E Acraman	Mr P K Lamb
Mr D H Barling	Mr R A Lanzer
Mr L H Barnard	Mr G V McAra
Mr A J Barrett-Miles	Mr P G Metcalfe
Mrs E A Bennett	Mrs M E Millson
Mr P J J Bradbury	Mrs J S Mockridge
Mr M J Brown	Mr J A P Montyn
Mrs H A Brunsdon	Mrs S R Mullins
Mr R D Burrett	Mr R J Oakley
Mr P C Catchpole	Mr S J Oakley
Mr P J Circus	Mr J J O'Brien
Mr M R Clark	Mr F R J Oppler
Mr M A Cloake	Mr C G Oxlade
Mr D G Crow	Mr A Patel
Dr N P S Dennis	Mr A P Petch
Mrs J E Duncton	Mrs J E Phillips
Mrs E M Evans	Mr B J Quinn
Mr P C Evans	Mr J L Rogers
Mrs C M Field	Mr R Rogers
Mr M J Glennon	Mr D P Sheldon
Ms M L Goldsmith	Mr B A Smith
Mr P A D Griffiths	Mr R J Smytherman
Mr P D High	Mr B W Turner
Mr S R Hillier	Mr G M Tyler
Mr J C Hunt	Mr S G Waight
Ms S James	Dr J M M Walsh, KStJ, RD
Mrs A F Jones, MBE	Mr B R A D Watson, OBE
Mr M G Jones	Mr D R Whittington
Mrs A J Jupp	Mr L S Wickremaratchi
Mrs L Kitchen	

### Queen's Birthday Honours

**61** Members joined the Chairman in offering congratulations to the 28 residents of West Sussex who had received awards in the Queen's Birthday Honours list, particularly Mr Jim Smith, former member of the County Council, who had received an MBE for services to the community in Crawley.

### Awards

**62** The Chairman reported that the Young Carers Service had been awarded

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the 'Investing in Volunteers' kite mark by the United Kingdom Volunteering Forum for good practice in volunteer management and that the Federation of Small Businesses had recently presented a trophy to the Leader to go with the recognition certificate previously given to the County Council as part of the 'Overall Best Small Business Friendly Award'. Members offered their congratulations.

### Apologies and attendance

**63** Apologies were received from Mr Buckland, Mrs Hall, Mr G L Jones, Ms Kennard, Mr Parsons, Mr Peters, Mr Rae, Mrs Rapnik, Mrs Smith, Mr Sutcliffe and Mrs Urquhart. Mrs Bennett gave her apologies for the afternoon session. Mr Oxlade, Mr Hillier and Mr J L Rogers gave their apologies and left at 12 noon, 3.15 p.m. and 3.35 p.m. respectively.

### Interests

**64** Members declared interests as set out at Appendix 1.

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**65** It was agreed that the minutes of the Ordinary Meeting of the County Council held on 22 May 2015 (pages 135 to 144) be approved as a correct record.

### Appointments

**66** Item withdrawn.

### Notice of Motion by Mrs Millson

**67** At the County Council meeting on 27 March 2015 the following motion had been moved by Mrs Millson, seconded by Ms Kennard, and referred to the Cabinet Member for Corporate Relations for consideration. A report by the Cabinet Member was included with the agenda (pages 145 and 146).

'This Council aims to be recognised by the residents and business community of West Sussex as a Council that actively supports and promotes the concept of Fairtrade, ensuring that producers from developing countries get a fair price for their goods and labour.

Noting that there are already a number of Fairtrade councils within West Sussex, West Sussex County Council resolves to ask the Cabinet Member for Corporate Relations to:

- (1) Promote awareness of Fairtrade issues by making publicity and educational information available to local people, regarding the worldwide impact of unfair trade, and the opportunities that Fairtrade provides to promote sustainable development;

- (2) Investigate the Council's purchasing policies regarding items that Fairtrade produces and encourage the purchase of Fairtrade items whenever possible, in particular to make Fairtrade tea and coffee available wherever refreshments are provided; and
- (3) Work with the West Sussex Fairtrade Steering Committee to promote Fairtrade issues and practices amongst local businesses and commercial and other organisations.'

**68** An amendment was moved by the Mr Circus and seconded by Mrs Kitchen as set out below:

'This Council aims to be recognised by the residents and businesses community of West Sussex as a Council that actively supports and promotes the concept of **a high level of corporate social responsibility in all businesses ensuring that trade is free and fair to the benefit of consumers, workers and producers alike** Fairtrade, ensuring that producers from developing countries get a fair price for their goods and labour.

**Acknowledging the importance of consumer choice in relation to this issue**, Noting that there are already a number of Fairtrade councils within West Sussex, West Sussex County Council resolves to ask the Cabinet Member for Corporate Relations to:

- (1) Promote awareness of **the importance of a high level of corporate social responsibility in the interests of fair trade** Fairtrade issues by making publicity and educational information available to local people, **including information concerning the Fairtrade foundation and similar organisations, in order to make people aware of** regarding the worldwide **negative** impact of unfair trade **that is not fair and free**, and the opportunities that Fairtrade provides to promote sustainable development; **and**
- (2) Investigate the Council's purchasing policies **with regard to improving choice and encouraging high levels of corporate social responsibility** regarding items that Fairtrade produces and encourage the purchase of Fairtrade items whenever possible, in particular to make Fairtrade tea and coffee available wherever refreshments are provided; and
- (3) Work with the West Sussex Fairtrade Steering Committee to promote Fairtrade issues and practices amongst local businesses and commercial and other organisations.'

**69** The motion, as amended and set out below, was agreed.

'This Council aims to be recognised by the residents and businesses of West Sussex as a Council that actively supports and promotes the concept of a high level of corporate social responsibility in all businesses ensuring that

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trade is free and fair to the benefit of consumers, workers and producers alike.

Acknowledging the importance of consumer choice in relation to this issue, West Sussex County Council resolves to ask the Cabinet Member for Corporate Relations to:

- (1) Promote awareness of the importance of a high level of corporate social responsibility in the interests of fair trade by making publicity and educational information available to local people, including information concerning the Fairtrade foundation and similar organisations, in order to make people aware of the worldwide negative impact of trade; and
- (2) Investigate the Council's purchasing policies with regard to improving choice and encouraging high levels of corporate social responsibility.'

### Notice of Motion by Mrs Jupp

**70** The following motion was moved by Mrs Jupp and seconded by Mr J L Rogers.

'This County Council celebrates and values our older population, which currently comprises 183,965 people over retirement age, of whom more than 13,000 are living with dementia, and it acknowledges that this figure is likely to increase to 237,000 by 2034.

However, the Council rightly expresses concern about the implications of the growth of this section of our community and their needs in later life. In 2013 a West Sussex Older People Loneliness Survey was carried out which revealed that 24% of respondents indicated that they were moderately or severely lonely. Those living in more deprived areas were 30% more likely to be lonely than those living in other parts of the county. Sadly these statistics are likely to rise.

The Council is therefore cognisant of the need to support and provide information to our older residents in a meaningful and coherent manner and to raise awareness of the issue of social isolation amongst older people. In response to this important issue, the Council resolves to ask the Cabinet Member for Adult Social Care and Health to initiate a Campaign for better connections with Older People.'

**71** The motion was carried.

### Council Annual Report 2014/15

**72** The Leader moved the Council Annual Report (page 147).

**73** Resolved -

That the End of Year Performance Report 2014/15 be approved.

## Written Questions

- 74** Questions and answers pursuant to Standing Order 15(2), as set out at Appendix 2, were circulated. Members asked questions on the answers as set out at Appendix 2.

## Cabinet Member Question Time

- 75** Members asked questions to Cabinet Members on anything relevant to their portfolios, including on the Cabinet Members' reports (pages 148 to 162) and a supplementary report on page 162A, as set out at Appendix 3.

## Leader's Question Time

- 76** Members questioned the Leader on matters currently relevant to the County Council, including on the Leader's report (page 163), as set out at Appendix 3.

## Electoral Review Panel: Boundary Review

- 77** As part of the current review by the Local Government Boundary Commission for England, the Council noted progress on detailed proposals for electoral division boundaries prior to final approval by the Governance Committee on 24 August 2015 (pages 164 to 166) together with an appendix pack covering Adur, Arun, Chichester, Mid Sussex and Worthing. A further appendix pack for divisions in Crawley and Horsham which also included revised proposals for Arun and a revised summary of proposals and electoral variations, had been circulated. In relation to the revised summary on page 2 of the second Appendix, members noted that the division name 'Southgate & Pound Hill South' under the Crawley borough proposals should read 'Southgate & Gossops Green'.

- 78** Resolved -

- (1) That the Electoral Review Panel's draft recommendations in the appendix pack, subject to the correction to the second appendix packs in relation to the Crawley division name as set out in minute 77 above, be noted; and
- (2) That the Governance Committee should make the final recommendation to the LGBCE on the County Council's electoral divisions following further work by the Electoral Review Panel in light of any comments from members at this stage.

## Governance Committee: Deputies to Cabinet Members and Champions

- 79** The Council considered proposals including changes to the role and name of Deputies to Cabinet Members and to the role of Champions, in the light of a report from the Governance Committee (pages 167 to 176).

**80** Resolved -

- (1) That the revised role description for Deputies to Cabinet Members, as set out at the Appendix to the report, and the change of title to Adviser or Senior Adviser, be approved, together with the consequential changes to the Constitution; and
- (2) That the title 'Champion' be deleted from those set out in paragraph 7 and the definition of the term that will apply to those that are to be retained or created in the future be adopted, as set out at paragraph 9 of the report, for inclusion in Part 8, Section 13 of the Constitution and that the further consequential changes to the Constitution, as set out at the Appendix to the report, be approved.

**Governance Committee: Changes to the Constitution - Member Development Group: Future Focus and Purpose and County Local Committees: Changes to Governor Appointment Process**

**81** The Council considered changes to the current structure and function of the Member Development Group and to the role of County Local Committees in the appointment of authority governors to maintained school, in the light of a report from the Governance Committee (pages 177 to 185).

**82** Resolved -

- (1) That the revised terms of reference for MDG, together with the other minor changes to the Constitution, as set out at Appendix 1 to the report, be approved;
- (2) That the County Vice-Chairman and the Cabinet Member with responsibility for member development become members of MDG ex officio;
- (3) That there be a standing item on the Governance Committee's agenda to allow the MDG Chairman to make a regular report;
- (4) That the title of Member Development Champion be deleted;
- (5) That MDG members be appointed by the Governance Committee (through consultation with Group Leaders) and that MDG be politically proportionate (current size 10 members);
- (6) That there should be an annual (or biannual) member survey, to be owned by MDG; and
- (7) That the terms of reference of County Local Committees, as set out at Part 3, Appendix 3 of the Constitution, be amended to remove the remaining power to appoint governors, with effect from 1 September 2015, in accordance with the School Governance

(Constitution) (England) Regulations 2012, as set out at Appendix 2 to the report.

### **Standards Committee: Review of the Confidential Reporting Policy ('whistleblowing')**

**83** The Council considered changes to the Confidential Reporting Policy in the light of a report by the Standards Committee (pages 186 to 196).

**84** Resolved -

That the revised Confidential Reporting Policy, as set out at the Appendix to the report, be approved for inclusion in the Constitution.

### **Performance and Finance Select Committee: The Select Committee Work Programme July to December 2015**

**85** The Council considered the Select Committee work programme for July to December 2015 in the light of a report by the Performance and Finance Select Committee 4 (pages 197 to 207).

**86** Resolved -

That the Select Committee work programme for July to December 2015, as attached at the Appendix to the report, be approved.

### **Treasury Management Annual Report 2014/15**

**87** The Cabinet Member for Finance moved the Treasury Management Annual Report 2014/15 (pages 208 to 231).

**88** Resolved -

That the Treasury Management Annual Report for 2014/15, as set out in the Appendix to the report, be noted.

### **Other Annual Reports**

#### **Report of the Adult Safeguarding Panel**

**89** The Council noted the Annual Report of the Adult Safeguarding Panel (page 232) together with a newsletter.

**90** Resolved -

That the report and enclosed newsletter be noted.

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### Report of the Corporate Parenting Panel

**91** The Council noted the Annual Report of the Corporate Parenting Panel (pages 233 to 242).

**92** Resolved -

That the report be noted.

### Report of the Champions

**93** The Council noted the Annual Report of the Champions (pages 243 to 251).

**94** Resolved -

That the report be noted.

### Standards Committee Annual Report

**95** The Council considered the Standards Committee Annual Report including the compliments, comments and complaints overview (pages 252 to 261).

**96** Resolved -

That the report be noted.

### Report of Urgent Action

**97** The report of urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (pages 262 and 263) was noted.

### Chairman

The Council rose at 4.25 p.m.

**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.

<b>Item</b>	<b>Member</b>	<b>Nature of Interest</b>
5(b) Notice of Motion on social isolation amongst older people	Mrs Jupp	Employee of Independent Age
7(a) Written Question 6 (Chichester Festival Theatre)	Mr Griffiths	Trustee of Sussex Arts Academy
	Mr S J Oakley	Member of Chichester District Council
7(b) CMQT paragraph 9 (Policy Agreement for Education in West Sussex)	Mr Tyler	Daughter is a teacher at an academy in West Sussex
7(b) CMQT paragraph 13 (The Big Bank Fair - bringing Science and engineering to life for young people)	Mr Bradbury	Chairman of the Mid Sussex Science Week
7(b) CMQT paragraph 14 (Beautiful Outdoors Campaign)	Mr Turner	Executive Member for Regeneration, Worthing Borough Council
7(b) CMQT all items	Mr S J Oakley	Member of Chichester District Council

**24 July 2015**

1. Written question for **Mrs Millson** for reply by the **Cabinet Member for Adult Social Care and Health**

### **Question**

The Independent Living Fund (ILF), which provided money for Disabled People to live an independent life in the community, rather than in residential care, has closed. The Government web site states that 'Your local council is responsible for ILF payments'. However, I can find no reference to ILF on the County Council's web site.

Can the Cabinet Member therefore please clarify what support is available in West Sussex to people who qualified for funding under the government scheme, or would have qualified in future, were it still in existence?

### **Answer**

Since the closure of the Independent Living Fund (ILF) on 30 June 2015 the County Council has taken on the support for the former ILF recipients to enable them to continue to live in their own homes. The County Council has continued the funding at the same level as was received from the ILF.

When the ILF closed in June there was a transfer of funding from the Government to local authorities to enable them to ensure continuity of care. For 2015/16 this has resulted in an allocation of £3.7m for the County Council which has enabled it to continue to provide the same level of service as previously received. The Government has not yet made any commitment for 2016/17 but has indicated that a decision will be made as part of the next Spending Review in the autumn.

As the ILF was closed to new recipients in 2010 and finally closed down in June 2015 and all previous recipients are now funded entirely by the County Council, those directly affected by closure of the fund would have been made aware of these arrangements. However, in view of the fact that the Government website makes reference to the ILF, I have asked that the Council webpage is altered to make it clear that former recipients should contact Adults' Services if they have queries about their support.

### **Supplementary Question**

Can the Cabinet Member give an assurance that, if there is a shortfall when the Government provides the notification of funding allocation in the autumn, the County Council will lobby to make sure the payments remain at the current level.

### **Supplementary Answer**

I will keep a careful eye on the grant situation.

2. Written question from **Mrs Mullins** for reply by the **Cabinet Member for Adult Social Care and Health**

### Question

In October 2014 Adults' Services produced a report which recognised the pressures on the care market, particularly in the north of the county, at a time when the older population is predicted to increase year on year. That report went on to advise that the ability to retain staff in the care sector across West Sussex is particularly intense due to 'competition' from the retail sector and Gatwick, who offer a number of financial and other incentives not available in the care sector, such as the living wage.

In the light of the current Government's announcement that from April 2016 workers aged 25 and above will receive a national living wage (NLW) to take their pay to £7.20 per hour, increasing to over £9 per hour by 2020, can the Cabinet Member please:

- (a) Advise me whether he welcomes the introduction of the new living wage by the current Government which will benefit the many low paid workers across West Sussex, including those in the residential and domiciliary care industry, particularly when, in response to a motion proposed by the Labour Group, the reasons cited by the Executive for rejecting it included: the large percentage of staffing costs for the County Council; the reductions in cost bases required over recent and future years; it being considered inappropriate to impose a living wage on contractors, and the unknown financial situation over the next four years?
- (b) Tell me what action he will be taking between now and next to support the care industry across West Sussex, which is already in a parlous state, to ensure they are able to honour the new living wage for their low paid workers whilst continuing to provide safe, good quality care for their residents?
- (c) Provide an update on progress regarding efforts to stimulate the care market and to combat the recruitment and retention issues this industry faces, particularly in the north of the county, in the face of 'competition' from other sectors.

### Answer

- (a) Personally I do welcome the introduction of a new living wage announced by national government. It will support many low paid workers in West Sussex, including those employed in the domiciliary and care market. The County Council has already moved to a position whereby it commissions contractors to pay the national minimum wage. In my response at Council, March 2014, I outlined why the County Council could not then agree to sign up to some elements of the Ethical Care Charter. This included the large percentage of staffing costs to the Council; the reductions in its costs required over the next few years, it being inappropriate to impose a living wage on contractors and the unknown financial position over the course of the County Council's medium term financial strategy. None of these factors

has changed except the Government's decision to legislate for a living wage.

The new wage levels will reflect the fact that care workers undertake a challenging and often difficult job and I hope that this goes some way to recognising the skill and compassion with which they care for vulnerable people. There will be cost implications; these will be significant and a corporate issue as the changes will impact on employees who work in a wide variety of sectors within West Sussex. For my part I have asked officers to start to provide a financial model of the implications of the change – and that they do so in consultation and engagement with the care sector. I will also be working through the Local Government Association (LGA) and the Association of Directors of Adult Social Care to lobby central government to recognise this New Burden upon us; nationally the LGA has estimated a total figure of £1bn by 2020, much of which will arise in the care sector. In view of the County Council's limited resources it is essential for the Government to give an early indication about whether the impact will be funded in line with its New Burdens doctrine.

- (b) As explained above I welcome the introduction of the new living wage as a way of recognising the skills in the care sector and to help with recruitment and retention issues. The County Council will be working with the care sector to understand the financial impact and to ensure that it plays its part in making the living wage a reality for care workers.
- (c) The County Council has recently held a well-attended market symposium, which highlighted market conditions across the county including the problems in the north of the county. This has led to a number of discussions with providers who want to enter the care market in West Sussex. The County Council is looking to develop a number of solutions which might include, for example, working in partnership with private providers and not for profit organisations, assessing its asset base to offer up land or capital or developing existing buildings which the County Council owns. Overall the County Council aims to have a sufficient supply of different types of residential and nursing facilities that can cope with a variety of different needs and at a range of price points – helping to ensure that choice is available.

In addition, the newly introduced Care and Business Support Team has been designed specifically to offer commercial advice in addition to clinical and care support.

The County Council is working with a wider group of health and social care commissioners and with the support of other key stakeholders such as Skills, for Care, Health Education England, Chichester University and local Further and Higher Education providers. This is a priority identified in the Health and Wellbeing Strategy. Jointly, we are working together to develop a wider recruitment, training and retention offer with our key partners and exploring recruitment and retention incentives including 'key worker housing'. Within the last few weeks we have agreed to co-fund a post to take this work forward and will be asking other partners within the Health and Wellbeing Board to do the same.

In October 2015, we will launch Care October, with the aim of promoting the health and social care sector as a whole. This is a national campaign, with a range of activities planned including a targeted media campaign to encourage entry into the care sector and to raise awareness of the industry as a whole.

### Supplementary Question

Has any consideration been given to the possibility of building or purchasing, funding and running a care home somewhere in the county which could serve as a beacon for excellence and the high standard of care provided by the Council would become a benchmark for other providers to match and an opportunity to provide on-site training and excellent practice to care home workers, as well as domiciliary care workers from other providers, as it is important that a provider which does not have a pecuniary interest leads the field?

### Supplementary Answer

The County Council needs to examine all the potential ways in which the services, both residential and home care, can be supplied. Although I am not personally of the view that the Council should run the service itself, the option should not be dismissed and the Council needs to look at the totality of the ideas from the recent excellent symposium of potential investors in West Sussex, together with how the Council's land and property could be used as a contribution.

### 3. Written question from **Mr Smytherman** for reply by the **Cabinet Member for Adult Social Care and Health**

#### Question

- (a) Can the Cabinet Member tell me how much money has been spent on the current Telecare contract with a contractor from East Sussex? Does he view this to be in the best interest of West Sussex Telecare users and offer value for money?
- (b) I understand the current contract offers a FREE 13-week period once the Telecare equipment has been installed, which is to be welcomed. Is the 13-week cost covered by the private contractor, subsidised by the County Council, or NHS Commissioners?
- (c) What other arrangements for providing this service within West Sussex were considered? Why were these not taken up?

#### Answer

I am pleased to be able to provide further clarification to you as a follow on to the recent detailed letter that was sent to you by Martin Parker, Head of Integrated Adults Care Commissioning, regarding Tele Care services.

- (a) The current Telecare service is jointly commissioned by the County Council and the three Clinical Commissioning Groups (CCGs) in West Sussex, with

the Council acting as the Lead Commissioner. In 2009, due to the size and circumstances of the Telecare service, the Council and CCGs wished to provide, the County Council was required to follow European Union procurement rules and conduct a competitive tender for the provision of its Telecare service. All tenders that were received were evaluated against the County Council's set of criteria, with the contract awarded to WELbeing for up to a five-year period.

Over the last five years, from 2010 to 2015, total Telecare spend has been approximately £2.557m, which has enabled around 12,900 residents, who may not otherwise have considered Telecare, to have the opportunity to trial Telecare for up to 13 weeks for free.

- (b) The County Council, Coastal West Sussex CCG, Horsham and Mid Sussex CCG and Crawley CCG jointly fund the 13-week free period so that it is free for the customer. The County Council contributes 70% of this funding as part of its Better Care Fund allocation.

This service is considered to provide good value in terms of the benefits of service provision at a point of greatest need and providing residents with experience of the service without a need for a financial outlay, enabling an informed decision about continuing to take the service.

Over the period of the contract we are confident that we have received value for money. We know that Telecare can facilitate early discharge from hospital, reduce the need for other types of care particularly domiciliary care, delay admissions to hospital as part of a package of care and provide carers with support in their caring role. These all provide direct cost savings or cost avoidance savings to the County Council.

In terms of quality, customer feedback received by the service over the last 12 months:

- 99% of 122 people who used the service were satisfied with how their call was handled
- 97% of 120 people asked felt the person handling their call was polite and helpful
- 94% of 1,690 people would recommend the service

- (c) In 2014, with the Telecare contract terminating in January 2015, a further European Union tender was undertaken to procure the Telecare service. Before the contract could be awarded. However, the Commissioners decided to terminate the tender process for technical reasons. In order to ensure a continued 13-week free trial period service provision to residents, and to enable it to consider its future Telecare service provision options, following advice from the County Council legal team, it was decided to continue to work with the existing provider for a further year until March 2016 and to start the commissioning process again.

During the extension period for the existing contract different service models are being looked at in preparation for the re-commissioning of the service. One future Telecare service option that is being actively explored

and worked on by senior officers from the County Council together with district and boroughs and CCGs is to develop a joint model for the delivery of a number of housing related services that would include Telecare, Disabled Facilities Grant and minor adaptations to people in their home. Plans on the future model will be finalised over the next few months.

### Supplementary Question

Why is it that the West Sussex telecare providers, who have formed an excellent holistic service, can provide the 13-week trial at their expense without requiring any money from the County Council and the Care Commissioning Groups?

### Supplementary Answer

The County Council has to follow its normal governance procedures when putting large contracts out to competitive tender. The district and borough councils have an important role to play in telecare and there are on-going discussions about how the service might develop in the future, subject to the normal tendering procedures. The points raised have been passed to the commissioners.

#### 4. Written question from **Mr M G Jones** for reply by the **Cabinet Member for Finance**

##### Question

Research has estimated that UK taxpayers are handing businesses £93billion a year in the form of corporate welfare, a figure that will no doubt increase in view of the proposed reduction in corporation tax announced by the Chancellor in the summer budget. I would be grateful if the Cabinet Member could please provide me with separate figures in respect of 2014/15, for the following County Council expenditure:

- (a) Grants made to businesses and social enterprises in the private sector (please provide a total for each type of grant/scheme);
- (b) Subsidies provided to the private sector for services (please provide a total for each type of subsidy);
- (c) Procurement contracts for services above the value of £1m per annum (to include PFIs);
- (d) Private sector partnerships; and
- (e) Consultancy fees.

##### Answer

The 2014/15 County Council expenditure in respect of the categories requested was as noted below. Expenditure relating to schools has been excluded from these figures as the majority is not directly controllable by the County Council and does not relate to Corporate Welfare.

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- (a) The investment provided by the County Council via the 'Be the Business' programme in 2014/15 (£637,798) has funded 33 business proposals which will contribute to the creation of 118 jobs. In addition, this investment is contributing to the leverage of £1,084,876 private investment. The Social Enterprise Fund invested £295,798 in 2014/15 in 23 social enterprises, which so far have created 34 jobs. On an anecdotal basis, businesses are increasingly making the County Council aware that the programmes are also having a very positive effect in increasing their overall confidence. This is excellent news as confident businesses tend to take on more employees and tend to invest more. The higher apprenticeship programme invested £7,500 in three businesses which created a total of three higher level apprenticeships (Level 4 and above).

The County Council was presented with a recognition certificate by the Surrey & Sussex Federation of Small Businesses (FSB) in February 2015 as the 'Overall Best Small Business Friendly Council' due to the increased focus on small businesses through the County Council's 'Be the Business' scheme and other initiatives. This was followed by the formal presentation to the Leader in late June 2015 of an engraved trophy in further recognition of the County Council's continuing commitment to support and engage with the county's small and micro businesses and championing of the West Sussex economy.

- (b) The County Council, through its transport bureau, provided a subsidy of £1.66m in 2014/15 for various bus operators to ensure rural/non-viable service routes in the county continued to be provided. Most bus companies operate their routes on a commercial basis. However, some routes are given a subsidy from the County Council to help them run.
- (c) The County Council has 31 procured service contracts which fall into this category) on which the County Council spent a total of c.£345.6m in 2014/15.  
The total unitary charge for Crawley PFI in 2014/15 was £8,065,263. This is the full unitary charge; the three schools make a contribution towards this cost on an annual basis. In 2014/15 the schools contribution amounted to £2,828,518, which makes a net charge of £5,236,745.
- (d) The County Council has eight strategic Public Sector Partnerships with a total annual spend in 2014/15 of c.£178m.
- (e) Consultancy fees paid by the County Council in 2014/15 financial year amounted to £1,089,242.48 across 15 consultants/firms.

### Supplementary Question

In relation to answer (e), what is the Cabinet Member doing to drive costs down?

### Supplementary Answer

The types of consultant employed by the County Council include those with skills such as consulting engineers and architects, who are not directly employed by the Council, plus the Director of Economic Growth who is not a permanent member of

staff. I can assure Mr Jones that I will continue to drive down costs where possible.

### **Additional Questions**

An additional question was asked by Mr Burrett.

#### **5. Written question from Mrs Millson for reply by the Cabinet Member for Finance**

##### **Question**

I recognise that the Council has made significant progress in regard to the accessibility of its buildings and that there are limits to what can be achieved in older buildings, such as County Hall. However, a recent issue with repairs to the door to the west wing of County Hall necessitated a journey from County Hall reception up one flight of stairs and down another to reach the Cabinet Office and adjacent staff accommodation, which could have caused significant problems to anyone with health problems or mobility impairment.

Can the Cabinet Member please clarify what assessments were made regarding the needs of all users of the building and what alternatives were considered regarding the timing of the work (e.g. weekend working)? Continuing with the theme, can he please highlight any forthcoming projects intended to improve access to County buildings in general for people with disabilities?

##### **Answer**

A broadcast email was sent to inform all councillors and staff of the closure and explain that the works were unavoidable. The communication also gave a contact name which any member of staff or their manager could contact in advance, if there were foreseen issues with the closure, access or egress. Notices were also displayed on all floors of the affected area in County Hall to warn staff of the works. One member of staff did make contact and alternative working arrangements were made for the short period of closure.

Access and egress was discussed in advance with Democratic Services to anticipate queries or questions. Safe egress in case of emergency was maintained at the south end of Democratic Services area (Room 21).

The area in question was not blocked off for the whole of the time. Once a certain amount of work was completed, the doors were made safe and barriers removed. Saturday working was authorised to complete the work, but unfortunately it was not possible for the works to be completed within a two-day weekend period.

Enhancing access is reviewed against each year's maintenance capital programme, for instance some works are being carried out at Horsham library to make access easier this financial year, and where necessary bids to improve access for customers with disability are reviewed and agreed as improvement works.

### Supplementary Question

Are all the service units aware of the need to bid for such improvements in accessibility?

### Supplementary Answer

I am sure they are as the need to provide access for those with disabilities is not new and those who manage buildings are aware. The Council is always mindful of such requirements when commissioning new buildings and does what it can to adapt older buildings.

### 6. Written question from **Mr S J Oakley** for reply by the **Cabinet Member for Finance**

#### Question

In the papers for Chichester District Council's 2 July Overview and Scrutiny Committee (Item 12) was an annual report from Chichester Festival Theatre (CFT). In Section 8 (Public Funding) para 8.3.1.b of that report it states, under the heading of revenue funding, "Discussions have been opened with WSCC about ways in which its revenue support for CFT can be continued through direct commissioning criteria".

The County Council's financial year 2015/16 Budget shows that it has ceased direct revenue funding of this Theatre.

- (a) What level of revenue funding is the County Council envisaging providing CFT for commissioned activities?
- (b) Is this funding in addition to, and/or being diverted from, that spent on existing services?
- (c) What is the potential source of any funds that maybe allocated to CFT?
- (d) Will any activities proposed to be commissioned from CFT be subject to open tendering processes so that alternative providers can bid to ensure the County Council obtains best value for money or is it intended that this funding prioritises revenue support of CFT by other means?

Previously, public subsidy of CFT has been justified on the level of its contribution to the local economy. However the most recent study into this (by Reading University in 2014) relied very heavily on self-reporting survey returns by audience members. Results from self-reporting surveys are often viewed as unreliable, partly due to respondents knowing the purpose for which the survey is being conducted, in this case to support the case for public subsidy of their tickets. The Reading Report, and the previous Portsmouth University report, relied on a number of other assumptions in compiling its figures.

Another justification put forward for public subsidy are the activities of CFT's Learning, Education and Participation Department. In the CFT report to

Chichester District Council's Overview and Scrutiny Committee (Section 6) it states 60,730 people have either reached or participated in its activities in 2014/15. However this number apparently includes visits to websites, tours of the Theatre, paying audience attendance and a number of activities whose participants may not be viewed as in need of essential support or whose main purpose is to provide PR for CFT.

Finally it may be useful to note that the pay packages for CFT's two senior Executive Directors rose about 50% from 2010/11 to just under £200k in 2013/14 (source: CFT Accounts published by the Charities Commission. Payments to senior performers are not published in these accounts).

### **Answer**

The County Council removed the revenue budget for on-going financial support to CFT as part of the 2015/16 savings programme.

- (a) The County Council has no plans to allocate any revenue funding to CFT for commissioned activity. Two meetings were held with CFT just before the ending of the contributions from the County Council in April 2014. This was to ensure that relationships with a key stakeholder were maintained, in particular, in terms of the CFT offer to the community and County Council outcomes and priorities. No firm arrangements were made; it was merely the establishment of an understanding that if CFT activities in the future were able to deliver County Council priority outcomes, for example activity for young people or vulnerable groups, a short-term, outcome-based project could be scoped. As in all cases where external organisations wish to bid for funding, this would be subject to a full business case and would require member approval.
- (b) No funding is envisaged.
- (c) Any potential funds would come from identified budgets and CFT would be part of a competitive bidding process to identify the most appropriate provider.
- (d) Any activities commissioned by the County Council are subject to procurement laws and appropriate financial arrangements and would therefore be part of an open tendering process should the value be high enough for this to be required.

### **Supplementary Question**

Does the Cabinet Member agree that, given the need for the public sector to concentrate its resources on essential services and welfare support, large arts institutions which are discretionary spend activities need to stand on their own feet?

### **Supplementary Answer**

Yes, I do agree in general. However, unfortunately there are very few large-scale arts enterprises which would pass a commercial financial test and many therefore

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rely heavily on central government funding. The County Council has in the past supported arts projects but, as far as I know, no longer does so and all financial support to the Festival Theatre has ended. In times of austerity, the Council's priority for its scarce resources should be helping the vulnerable and those in real distress, and funding is not available to help arts projects, much as most members would like to should financial circumstances permit.

### Additional Question

An additional question was asked by Mr Griffiths.

#### 7. Written question from **Dr Walsh** for reply by the **Cabinet Member for Finance**

##### Question

In view of the decision by the Pensions Ombudsman that the Government had miscalculated the pensions payable to up to 34,000 former firefighters and police officers, at a potential cost of £550million, can the Cabinet Member reassure the Council that there will be no direct effect on the Council?

Will he also seek to ensure that the Department for Communities and Local Government does not attempt to claw back from councils any proportion of the £94million it will have to pay?

##### Answer

The figures quoted have yet to be confirmed by the Department for Communities and Local Government (DCLG) and should at this stage be treated with caution. However, the bulk of cases are police officers rather than firefighters. The police element of the claim will have no impact on the County Council. It is estimated that the firefighter proportion amounts to £90m and 5,000 former staff nationally. The figures for West Sussex County Council are:

- 54 members who retired between 1 December 2001 and 1 December 2004; and
- 49 members who retired between 1 December 2004 and 21 August 2006.

These figures were requested by the DCLG at the end of May 2015 to allow discussion with HM Treasury to establish how the costs of making these payments will be met. West Sussex, along with all other Fire Authorities, is still awaiting this update. In particular the County Council is awaiting guidance on how the pensions should be recalculated and how it is proposed that the additional costs should be met.

The Pensions Ombudsman noted that ownership of the liability was a secondary consideration, and should not hold up the payments to members which are now long overdue. Therefore reassurance that costs will not fall to West Sussex County Council cannot be given at this time, although the Cabinet Member for Finance will argue strenuously that the liability should not sit with the County Council.

### Supplementary Question

Does the Cabinet Member agree that, since it was a government miscalculation in relation to the pensions payable, it should not fall upon the County Council to put right the shortcomings?

### Supplementary Answer

Yes, I do agree. The County Council has made representations to that effect but we will have to wait to see if those wishes carry weight.

### 8. Written question from **Ms James** for reply by the **Cabinet Member for Highways and Transport**

#### Question

It is encouraging that the potential economic benefit to the County from cycling is being acknowledged, most recently by the 'West Sussex Weekends' website, which highlights a wide range of cycling opportunities in the county. As the majority of cycling takes place on the road network, to fully capitalise on these opportunities, it will be essential to ensure that our cycle network is properly maintained and user-friendly. Can the Cabinet Member therefore confirm:

- (a) The total mileage of designated cycle lanes across the County's road network, and what this is as a percentage of the main A and B class roads?
- (b) Total overall expenditure on cycling in the county since 2010, as a percentage of the Highways budget and also expenditure on cycling within the Bourne division, also since 2010;
- (c) The current total of dedicated Council expenditure for cycling over the next five-10 years - either directly or from other identified sources. Please provide details of individual schemes and projects;
- (d) That the Council understands the importance of maintaining the road surface within 2m of the kerbside, and expedites the repair of smaller pot holes, drainage covers and other potential cycling hazards which would otherwise not be considered a priority; and
- (e) The ways in which the recently established cycling Task and Finish Group will enhance the Council's understanding of effective scheme design, in order to prevent future projects suffering from similar user issues as Chichester's costly Northgate gyratory scheme. In particular, how far will the TFG directly engage with local cycling forums and groups?

#### Answer

The Cabinet Member for Highways and Transport recognises the important role cycling plays in sustainable travel, economic development and health and wellbeing. Whilst much of cycling activity takes place on the road network, the Cabinet Member also recognises that a significant proportion of utility and in

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particular leisure activity occurs on off road provision. The latter offers a significant opportunity to support economic development via the Beautiful Outdoors programme.

- (a) Highway cycle facility is recorded under three categories within the Council's inventory – as part of the carriageway, as part of the footway alongside a carriageway or remote from the carriageway.

The total recorded length of cycleway is 60.4km, where:

- Total length on or shared alongside A roads = 30.6km (6%)
- Total length on or shared alongside B roads = 1.8km (0.5%)
- Total length on or shared alongside C or unclassified roads = 12.3km
- Total length on remote link cycle paths = 15.7km

This does not include cycleway constructed as part of the Local Sustainable Transport Fund (LSTF) Programme which is yet to be added to the highways inventory.

- (b) Overall County Council expenditure on cycling for financial years 2010/11 to 2014/15 inclusive totals £4.995m, including capital and revenue spending.

This represents approximately 1.1% of the combined Highways and Transport portfolio capital and revenue budget. It has not been possible to undertake comprehensive research to identify expenditure committed to cycling in the Bourne division since 2010 in the time available for the production of a response to this written question. However, county-wide funding for interventions such as cycle training or road safety education and promotion will have supported cycling within the Bourne division.

- (c) The County Council is currently reviewing all future capital investment and recommendations will be made to full County Council in October. This will include any potential investment in cycling infrastructure.

However, the following schemes have been approved and began in 2015/16:

- NCN2: Shared use cycle way linking Littlehampton and Bognor Regis - £900,000 (Local Enterprise Partnership (LEP) funding)
- Beautiful Outdoors: Surfacing, signage and crossing improvements on the Public Rights of Way network - £345,000 (County Council and LEP funding) of the programme will directly benefit cyclists
- Barnham Walberton Link – section of the cycle route being created from Barnham to Bignor - £419,000 (County Council and Department for Transport funding)
- Rowan Way – Cycle route approx. 0.6 mile long between North Bersted Street and the A29 £402,000 (County Council funding)
- Angmering A259 – Shared use cycle route and installation of a Toucan Crossing - £220,000 (County Council funding)

- (d) Where there are defined cycle lanes the County Council inspects them independently of the adjacent road or footway on a bicycle and from a

cyclist's perspective. Whilst it is accepted that the majority of cyclists will cycle within 2m of the kerbside this is not always the case hence, at present, it is not considered necessary to have different tolerances across the width of the road which is in line with the national Code of Practice - Well Maintained Highways.

(e) The Environmental and Community Services Select Committee has set up a Task and Finish Group (TFG) to consider the Council's approach to cycling and walking. The terms of reference for the TFG are to:

- Act as a critical friend to the development of a Cycling and Walking Strategy.
- Advise the Cabinet Member and Cycling and Walking Champion on the up-to-date relevance of current cycling documents
- Consider how future engagement with all stakeholders should best be undertaken, particularly in the design of future schemes.
- Consider how performance against the West Sussex Transport Plan 2011-26 is measured and monitored

The work of the TFG began on 22 July 2015 and will continue in up to three further meetings during the autumn making recommendations on completion. The Cabinet Member understands that the next meeting of the TFG will focus on engagement with local stakeholder groups including West Sussex cycling groups.

### **Supplementary Question**

Can the Cabinet Member give me an assurance that the Cycling and Walking Champion will actively engage with and attend the Chichester Cycling Forum meetings so that the input to the newly-formed Task and Finish Group is championed for Chichester and elsewhere across the county?

### **Supplementary Answer**

I too am concerned about safe cycling, particularly in relation to school children, and that this will be looked at by the TFG. I will be meeting the Cycling and Walking Champion shortly and will discuss the matter with him.

### **Additional Questions**

Additional questions were asked by Mr S J Oakley, Mr Sheldon, Mr Tyler and Dr Walsh.

In response to a question from Dr Walsh as to whether the Cabinet Member would support an approach, through the Local Government Association, to the Highways Agency to ensure that the Highway Code was rewritten to ensure that where cycle ways were provided, cyclists should use them, with the exception of organised time trials etc., the Cabinet Member said he would be happy to have a meeting with Dr Walsh to discuss the issue.

The Cabinet Member also agreed that the wording in the last paragraph on page 11 prior to the two bullet points should read 'would begin in 2015/16'.

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### **Agenda Item No. 7(b) - Cabinet Member Question Time**

Members asked questions of the Cabinet Members and Leader (in respect of the Economy portfolio) as set out below. In instances where a Cabinet Member or Leader undertook to take follow-up action, this is also noted below.

#### **Start of Life**

##### **Cabinet Member for Children – Start of Life**

The Cabinet Member answered questions on the following matters.

Preventing and tackling Child Sexual Exploitation and Female Genital Mutilation, from Ms Goldsmith, Mr Patel and Dr Walsh.

Children and Family Centre funding, from Mrs Mullins.

Think Family funding, from Mr R J Oakley.

Ofsted visit, from Mr Cloake.

##### **Cabinet Member for Education and Skills**

The Cabinet Member answered questions on the following matters.

Policy Agreement for Education in West Sussex, from Mr Glennon, Mrs Mullins and Dr Walsh.

In response to a question from Mr Glennon about what protection the policy agreement provided for teaching staff at risk of bullying and harassment by senior management and how it would contribute to nurturing supportive professional development for teachers, the Cabinet Member said he would consult officers and respond to him.

In response to a question from Mrs Mullins as to what progress had been made on the other recommendations in Phil Norrey's report, such as reviewing, as a matter of urgency, how the arrangements for delivering the SEND reforms worked with schools and the extent to which those were being reviewed by schools, the Cabinet Member said he would give her a full reply in due course.

Future organisation of education across the 'STARS' area schools, from Mr Circus.

In response to a request from Mr Circus, the Cabinet Member agreed to pass on members' thanks to those officers who had attended the recent meeting of the Chanctonbury County Local Committee where the issue had been raised, for the way in which they had handled the issue at the meeting.

Starting school application process, from Ms James and Mrs Mockridge.

The Big Band Fair – Bringing science and engineering to life for young people, from Mr Bradbury.

Fairer funding of schools, from Mr Quinn.

Asbestos in schools, from Ms James.

### **Economy**

#### **Leader**

The Leader answered questions on the following matters.

Beautiful Outdoors Campaign, from Mr Turner.

Rights of way maintenance budget, from Mr S J Oakley.

Devolution, from Mr Glennon and Dr Walsh.

Health and Life Sciences – 5 Bold Ideas, from Mr Barrett-Miles, Mrs Jones and Mrs Millson.

In response to a request from Mrs Millson, the Leader agreed to make contact with a group which had held a recent breakfast meeting at Tanbridge House School as part of partnership looking at IT/technology opportunities in Horsham.

### **Stronger Communities**

#### **Cabinet Member for Highways and Transport**

The Cabinet Member answered questions on the following matters.

A24 road improvement scheme opening at Broadbridge Heath, from Dr Dennis and Mr Sheldon.

West Sussex permit scheme for road workers, from Mr Clark and Mr Crow.

Woodfield Road and Broadfield Road, Crawley road safety improvements, from Mr Lamb.

In relation to a request from Mr Lamb for reassurance that the scheme for Woodfield and Barnfield Roads safety improvements, agreed by the East Crawley County Local Committee two years ago, would receive the funding it required, the Cabinet Member agreed to meet Mr Lamb to discuss the matter.

Damage to Adur Ferry Bridge, from Mrs Millson.

In relation to recent damage to the glass panels on the Adur Ferry Bridge, in response to a question from Mrs Millson as to whether an alternative strategy was being considered, the Cabinet Member said the damage was being assessed to determine the best way forward and he would update members as soon as he had more information.

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### **Cabinet Member for Community Wellbeing**

The Cabinet Member answered questions on the gypsy and traveller transit site, from Mr S J Oakley.

### **Cabinet Member for Residents' Services**

The Cabinet Member answered questions on the following matters.

Broadband – Business Voucher Scheme, from Mr Griffiths.

Registration Services – Tell Us Once Campaign, from Mrs Evans.

Communities – Sussex Association of Local Councils event, from Mr Smith.

Trading Standards Service, from Mrs Phillips.

### **Effective Council**

#### **Cabinet Member for Corporate Relations**

The Cabinet Member answered questions on the following matters.

Early Payment Discount Programme, from Mr High.

In response to a question from Mr High as to what savings there might be for the County Council, the Cabinet Member said that he would report back in due course.

Members' IT, from Mr Wickremaratchi.

In response to a question from Mr Wickremaratchi as to the capability of the MobileIron app overseas and when access to SharePoint would be available via the app, the Cabinet Member agreed to provide him with a response.

#### **Cabinet Member for Finance**

The Cabinet Member answered questions on Heritable Bank, from Mr Burrett.

### **Agenda Item No. 7(c) - Leader's Question Time**

The Leader answered questions from members on the following matters.

Audit resources, from Mr Glennon.

In response to a question from Mr Glennon as to the cost of the 188 days' of agency staff resource in the internal audit team, the Leader said she would arrange for a response to be sent to him.

Details of interests and gifts in relation to contracts, from Dr Walsh.

In response to a request from Dr Walsh for the members of the Regulation, Audit and Accounts Committee to be supplied, in confidence in exempt business, with details of the officer and member interests, gifts and hospitality received in relation to contract issues recently raised and the frequency and volume, the Leader agreed that the information would be supplied.

Move of Horsham District Council into County Hall North, from Mr Circus.

Functional leadership of commissioning, from Ms James.

Outstanding Ofsted inspection for Chichester High School for Girls, from Mr Griffiths.

Orchid View, from Mrs Evans and Mrs Jones.