

West Sussex County Council – Ordinary Meeting

16 December 2016

At the Ordinary Meeting of the County Council held at 10.30 a.m. on Friday, 16 December 2016, at the County Hall, Chichester, the members present being:

Mrs P A C Arculus (Chairman)

Mr W E Acraman	Mr R A Lanzer
Mr D H Barling	Mr G V McAra
Mr L H Barnard	Mr P G Metcalfe
Mr A J Barrett-Miles	Mrs M E Millson
Mr M J Brown	Mrs J S Mockridge
Mrs H A Brunson	Mr J A P Montyn
Mr I R J Buckland	Mrs S R Mullins
Mr R D Burrett	Mr R J Oakley
Mr P C Catchpole	Mr S J Oakley
Mr M R Clark	Mr F R J Oppler
Mr M A Cloake	Mr C G Oxlade
Mr D G Crow	Mr L W Parsons
Dr N P S Dennis	Mr A Patel
Mrs J E Dunton	Mr A P Petch
Mrs E M Evans	Mr N F Peters
Mr P C Evans	Mr B J Quinn
Mrs C M Field	Mr J G Rae
Mr M J Glennon	Mrs A M Rapnik
Ms M L Goldsmith	Mr J L Rogers
Mr P A D Griffiths	Mr R Rogers
Mr P D High	Mr B A Smith
Mr S R Hillier	Mrs B A Smith
Mr J C Hunt	Mr R J Smytherman
Ms S James	Mr A C Sutcliffe
Mrs A F Jones, MBE	Mr B W Turner
Mr G L Jones	Mrs D L Urquhart
Mr M G Jones	Mr S G Waight
Mrs A J Jupp	Dr J M M Walsh, KStJ, RD
Ms D M K Kennard	Mr B R A D Watson, OBE
Mrs L Kitchen	Mr L S Wickremaratchi
Mr P K Lamb	

Deaths of Mrs Margaret Johnson, DL and Mr Jim Smith, MBE

115 The Chairman reported the deaths of two former members of the Council – Mrs Margaret Johnson, DL, who had represented the Lindfield & High Weald electoral division for 28 years from 1981 to 2009, and Mr Jim Smith, MBE, who had represented the Langley Green electoral division from 1997 to 2009.

116 The Council stood for a minute's silence.

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Apologies and attendance

117 Apologies were received from Mr Bradbury, Mr Circus, Mrs Hall, Mrs Phillips, Mr Sheldon, Mr Tyler and Mr Whittington. Mrs Bennett, Mrs Kitchen and Mr Rae gave their apologies for the afternoon session. Mr Petch gave his apologies and arrived at 12.25 p.m. Mrs Brunsdon and Mr McAra left at 3.30 p.m., Mrs Jupp at 3.45 p.m., Mr Cloake and Mr Crow at 4.00 p.m. and Mr Oppler at 4.10 p.m. and Mr Griffiths and Mr J L Rogers at 4.15 p.m. Mrs Rapnik was absent for the afternoon session.

Interests

118 Members declared interests as set out at Appendix 1.

Minutes

119 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 21 October 2016 (pages 277 to 300) be approved as a correct record.

Review of Proportionality

120 The County Council was reminded of its statutory duty to review the proportionality on its committees following the change in group affiliation of Mr G L Jones. A paper on the application of the proportionality rules and how they were applied together with a table showing the number of seats on committees was set out at pages 301 and 302.

121 Resolved –

That the review of proportionality on committees be agreed.

Committee Appointments

122 The Council approved appointments as set out below.

Committee	Change
Environmental and Community Services Select Committee	Mr G L Jones to remain a member

Proposed Submission Draft of the West Sussex Joint Minerals Local Plan (Regulation 19 stage)

123 The Cabinet Member for Highways and Transport moved the report on the Proposed Submission Draft of the West Sussex Joint Minerals Local Plan (Regulation 19 stage) (pages 303 to 320).

124 Resolved –

- (1) That the Proposed Submission Draft West Sussex Joint Minerals Local Plan (Appendix 2 to the report) replaces the approved West Sussex Minerals Local Plan (2003) as the most up-to-date statement of the County Council's land-use planning policy for minerals and that it be approved for development management purposes;
- (2) That the Proposed Submission Draft West Sussex Joint Minerals Local Plan (Appendix 2 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) That the Strategic Planning Manager, in consultation with the Cabinet Member for Highways and Transport, be authorised to agree with the South Downs National Park Authority, any non-substantive changes that are necessary to make the Plan sound and suitable for adoption.

Notice of Motion by the Cabinet Member for Adult Social Care and Health

125 The following motion under Standing Order 16(2) was moved by Mr Catchpole and seconded by Dr Walsh:

'This Council notes the renewed national public interest in the fragility of adult social care services across the country and the need for a sustainable solution. This week the Government is proposing a further limited proposal in the settlement announcement of 15 December 2016.

West Sussex County Council reaffirms its commitment to the strategic priority of independence in later life and helping people to help themselves. The Council will continue to explore all options to secure for the long term the funds needed for older people's services, recognising that there needs to be a national debate about how best to help people prepare for later life and remain living in the community with support when needed.

To achieve a sustainable solution to this challenge this Council calls upon the Leader to invite the Secretary of State and the Chancellor of the Exchequer to establish a task force of 'all the talents', drawing on members of both Houses and all parties, supported by expert advice from local government, the third sector and business and for carers and older people to speak for themselves – with an urgent focus on developing and delivering a long term national preventative strategy that:

- Drives a solution for sustainable funding for social care
- helps people to plan for later life;
- develops innovative ways of enabling people to remain independent for longer;

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- develops a national plan for recruiting and retaining care workers; and
- celebrates the value to our society of people living well for longer.

This Council also calls upon the Leader to establish a local leadership group, building on the work of the Health and Wellbeing Board, working in partnership with NHS organisations, district and borough councils, voluntary and community sector and care providers, to work upon preventative system-wide solutions within West Sussex within a sound funding plan for the commissioning and delivery of our services.'

- 126** An amendment was moved by Ms James and seconded by Mr Glennon as set out below:

'This Council notes the renewed national public interest in the fragility of adult social care services across the country and the need for a sustainable solution. This week the Government is proposing a further limited proposal in the settlement announcement of 15 December 2016.

West Sussex County Council reaffirms its commitment to the strategic priority of independence in later life and helping people to help themselves. The Council will continue to explore all options to secure for the long term the funds needed for older people's services, recognising that there needs to be a national debate about how best to help people prepare for later life and remain living in the community with support when needed.

To achieve a sustainable solution to this challenge this Council calls upon the Leader to invite the Secretary of State and the Chancellor of the Exchequer to establish a task force of 'all the talents', drawing on members of both Houses and all parties, supported by expert advice from local government, the third sector and business and for carers and older people to speak for themselves – with an urgent focus on developing and delivering a long term national preventative strategy that:

- Drives a solution for sustainable funding for social care, ***including a review of the overall cost and management arrangements for the international aid budget;***
- helps people to plan for later life;
- develops innovative ways of enabling people to remain independent for longer;
- develops a national plan for recruiting and retaining care workers; and
- celebrates the value to our society of people living well for longer.

This Council also calls upon the Leader to establish a local leadership group, building on the work of the Health and Wellbeing Board, working in partnership with NHS organisations, district and borough councils, voluntary and community sector and care providers, to work upon preventative system-wide solutions within West Sussex within a sound funding plan for the commissioning and delivery of our services.'

- 127** The amendment was lost.

128 The motion was carried.

Notice of Motion by Mr Glennon

129 The following motion was moved by Mr Glennon and seconded by Mr G L Jones:

'This Council recognises that systems of proportional representation produce fairer election results that reflect more closely the will of the electorate.

This Council asks the Governance Committee to lobby the Government to review the underlying electoral system for national and local elections to bring them into line with the modern electoral systems operated within the devolved assemblies.

The Governance Committee is also asked to consider and propose a change the Constitution to allow future task and finish groups to be constituted in line with the proportion of votes cast for each party in the last County Council election.'

130 An amendment was moved by Mrs Millson and seconded by Dr Walsh as set out below:

'This Council recognises that systems of proportional representation produce fairer election results that reflect more closely the will of the electorate.

This Council asks the Governance Committee to lobby the Government to review the underlying electoral system for national and local elections to bring them into line with the modern electoral systems operated within the devolved assemblies.

~~The Governance Committee is also asked to consider and propose a change the Constitution to allow future task and finish groups to be constituted in line with the proportion of votes cast for each party in the last County Council election.'~~

131 The amendment was lost.

132 The motion was lost.

Notice of Motion by Dr Walsh

133 The following motion was moved by Dr Walsh and seconded by Mrs Millson:

'Smoking reduction over the last 50 years has significantly contributed to greater longevity and quality of life. It is important that we continue to assist young people not to commence this habit, and to actively help those of all ages to give up smoking.

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To that end, this Council asks the Cabinet Member for Community Wellbeing to pledge to continue to fund Smoking Cessation services in West Sussex.'

- 134** An amendment was moved by Ms James and seconded by Mr Parsons as set out below:

'Smoking reduction over the last 50 years has significantly contributed to greater longevity and quality of life. It is important that we continue to assist young people not to commence this habit **or take up vaping**, and to actively help those of all ages to give up smoking.

To that end, this Council asks the Cabinet Member for Community Wellbeing to pledge to continue to fund Smoking **and promote Vaping** Cessation services in West Sussex.'

- 135** The amendment was lost.

- 136** The motion was carried.

Notice of Motion by Mr Evans

- 137** The following motion was moved by Mr Evans and seconded by Dr Walsh:

'This Council in July endorsed the value for our residents of a Fire and Rescue Service that is integrated with other County Council services supported by our democratic arrangements.

Given the work by the Sussex Police and Crime Commissioner (PCC) to develop proposals to end these ties and take over the service this Council resolves to ask the Cabinet to ensure:

- (1) That there is total transparency of any proposals put forward by the PCC to change the organisation and governance of the Fire and Rescue service for West Sussex;
- (2) That there is a full, timely and meaningful consultation with the residents of West Sussex; and
- (3) That the integrity of the County Council's elections in May 2017 is not compromised.'

- 138** The motion was referred to the Leader for consideration.

Update on Medium Term Financial Strategy, the Capital Programme and Capital Financing Policy

- 139** The Cabinet Member for Finance moved the report on the Update on Medium Term Financial Strategy, the Capital Programme and Capital Financing Policy (pages 321 to 348).

140 The Cabinet Member for Finance expressed thanks on behalf of all members to Peter Lewis, the Executive Director Corporate Resources and Services, who was leaving the County Council at the end of December and wished him well for the future.

141 Resolved -

(1) That the updated County Council's Medium Term Financial Strategy (2017/18 to 2020/21), including the proposed savings for 2017/18 and 2018/19 and the refreshed capital programme for 2017/18 to 2021/22, be supported;

142 Recommendation (2) was put to a recorded vote under Standing Order 36(1)(a).

(a) For the recommendation - 45

Mr Acraman, Mrs Arculus, Mr Barling, Mr Barnard, Mr Barrett-Miles, Mr Buckland, Mr Burrett, Mr Catchpole, Mr Clark, Mr Cloake, Mr Crow, Mrs Duncton, Mrs Evans, Mr Evans, Mrs Field, Ms Goldsmith, Mr Griffiths, Mr High, Mr Hillier, Mr Hunt, Ms James, Mrs Jones, Mr G L Jones, Mrs Jupp, Ms Kennard, Mr Lanzer, Mr McAra, Mr Metcalfe, Mrs Millson, Mr Montyn, Mr R J Oakley, Mr S J Oakley, Mr Oppler, Mr Parsons, Mr Patel, Mr Peters, Mr J L Rogers, Mr R Rogers, Mr Smith, Mr Smytherman, Mr Sutcliffe, Mr Turner, Mrs Urquhart, Dr Walsh, Mr Watson and Mr Wickremaratchi.

(b) Against the recommendation - 6

Mr M G Jones, Mr Lamb, Mrs Mullins, Mr Oxlade, Mr Quinn and Mrs Smith.

(c) Abstentions - 7

Mr Brown, Mrs Brunsdon, Dr Dennis, Mr Glennon, Mrs Mockridge, Mr Petch and Mr Waight.

143 Resolved -

(2) That the proposal for further Basic Need funding of £23.9m to meet 2017 academic need, be approved; and

(3) That the proposed revisions to the Council's capital financing policy set out in the relevant sections of the revised 2016/17 Treasury Management Strategy, be approved.

Governance Committee: Report of the Independent Remuneration Panel on the Scheme of Members' Allowances

144 The County Council considered recommendations from the Independent Remuneration Panel on the Scheme of Members' Allowances in the light of a report from the Governance Committee (pages 349 to 376).

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- 145** The following amendment was proposed by Mr Barnard and seconded by Dr Walsh:

It is proposed that the following additional changes or variations to the changes proposed by the IRP be adopted as marked in bold text below.

Special Responsibility Allowances

Appointment	Allowance per member	
		£ per annum
Chairman of the County Council	20,265 18,840	28,297
Leader of the Council	31,664	31,362
Vice-Chairman of the County Council	8,060 7,826	8,935
Cabinet Member for Community Wellbeing (& Dep Leader)	22,798	22,718
Cabinet Member for Adult Social Care and Health	20,265	19,506
Cabinet Member for Children – Start of Life	20,265	19,506
Cabinet Member for Corporate Relations	20,265	19,506
Cabinet Member for Education and Skills	20,265	19,506
Cabinet Member for Finance	20,265	19,506
Cabinet Member for Highways and Transport	20,265	19,506
Cabinet Member for Residents' Services	20,265	19,506
Leaders of Large Minority Parties <i>with at least 15 members</i>	12,490	14,361
Leaders of Medium Minority Parties (five to 14 members)	10,226	
Leaders of Small Minority Parties (three to four members)	4,072	

That minority leader allowances be supplemented as per the table below.

Chairman of the Performance & Finance Select Committee	8,935
Chairman of the Children & Young People's Services Select Committee	8,935
Chairman of the Environmental & Community Services Select Cttee	8,935
Chairman of the Health & Adult Social Care Select Committee	8,935
Chairman of the Planning Committee	8,935
Chairman of the Regulation, Audit and Accounts Committee	8,935
Chairman of the Rights of Way Committee	8,935
Senior Adviser to a Cabinet Member	5,294 4,847
Adviser to a Cabinet Member	£3,406
Member of the Adoption Panel	3,406 3,192
Member of the Fostering Panel	3,406

That the allowances for minority group leaders be in accordance with the following arrangements detailed in the table.

1. An allowance for the leader of a group of three or more members.
2. A basic allowance based upon the size of the group as set out above and in the table below.
3. An additional allowance of £200 per member (excluding the group leader).
4. A cap of £14,300 for any minority group leader.

Group size	Basic SRA	Additional allowance per member
3 to 4 members	4,072	£200
5 to 14 members	10,226	£200
15 members or over	12,490	£200 but capped at £14,300

By way of illustration this would produce the following allowances for the minority group leaders based on current group sizes (current allowance £14,361 in each case)

Group of 3	£4,472
Group of 6	£11,226
Group of 7	£11,426
Group of 10	£12,026'

146 The amendment was carried.

147 Resolved -

That the Independent Remuneration Panel's report and recommendations be approved, subject to the earlier implementation of recommendations (d) and (f) as set out in paragraphs 14 and 15 of the report and the amendment set out in minute 145 above.

Written Questions

148 Questions and answers pursuant to Standing Order 15(2), as set out at Appendix 2, were circulated. The Council agreed to waive Standing Order 15(2)(b) to remove the right of the questioner to put one relevant supplementary question and for other members to put one question arising from the original reply.

Cabinet Member and Leaders' Question Times

149 The Council agreed to waive Standing Order 14(2) to merge the time allowed for Cabinet Member Question Time and Leader's Question Time and reduce it to 45 minutes. Members asked questions of Cabinet Members on matters relevant to their portfolios, including those in the Cabinet Members' reports (pages 377 to 387) and on a supplementary report (page 387A), as set out at Appendix 3. Members questioned the Leader on matters currently relevant to the County Council, as set out at Appendix 3.

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Corporate Parenting Panel

150 The Chairman of the Corporate Parenting Panel moved the report of the recent work of the Panel (pages 388 to 390).

151 Resolved -

That the report be noted.

Governance Committee: Council Question Times, Delegation of Functions to Officers and proposal to dissolve the Care Commissioning Planning Group

152 The County Council considered changes to the Constitution relating to Council Question Times, delegation of functions to Officers and a proposal to dissolve the Care Commissioning Planning Group (pages 391 to 400).

153 Resolved -

- (1) That Written Questions, Cabinet Member Question Time and Leader's Question Time be amalgamated into a single, integrated Question Time item at the County Council, with an overall time limit of two hours, and with a limit of two written questions per member, including the required changes to Standing Orders set out at Appendix 1 to the report; and
- (2) That the time limit for questions from members under the facility for Cabinet Members to make an urgent address to Council should be increased from ten to 15 minutes;
- (3) That the amendment to the terms of reference of the Governance Committee in relation to officer delegations be approved as set out at paragraph 12 of the report;
- (4) That the clarified wording for the governance of the capital programme, as set out at Appendix 2 to the report, be approved; and
- (5) That the Care Commissioning Planning Group be dissolved and the Scheme of Delegation in the Constitution amended accordingly.

Regulation, Audit and Accounts Committee: Changes to the arrangements for appointment of External Auditors

154 The County Council considered the acceptance of the invitation from the Public Sector Audit Appointments Limited to become an opt-in authority for the purposes of the appointment of the External Auditor for both the County Council and the West Sussex Pension Fund, under the provision of the Local Audit and Accountability Act 2014 and the requirements of the Local Audit (Appointing Person) Regulations 2015, in the light of a report from the Regulation, Audit and Accounts Committee (pages 401 to 403).

155 Resolved -

That the invitation from Public Sector Audit Appointments Limited (PSAA) to become an opt-in authority for the purposes of the appointment of the External Auditor for both the County Council and the West Sussex Pension Fund, under the provision of the Local Audit and Accountability Act 2014 and the requirements of the Local Audit (Appointing Person) Regulations 2015, be accepted.

Chairman

The Council rose at 4.20 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 6 – Proposed Submission Draft of the West Sussex Joint Minerals Local Plan (Regulation 19 Stage)	Mr Barling	Solicitor to Shoreham Port Authority
	Mrs Brunsdon	Chairman of the Planning Committee and a member of the Task and Finish Group
	Mr Lamb	Member of Crawley Borough Council
	Mrs Mockridge	Member of Liaison Group for Shoreham Harbour and Littlehampton Harbour Board
	Mr Montyn	Member of Shoreham Harbour Regeneration Board
Item 7(a) – Notice of Motion on Sustainable Social Care Services	Mr S J Oakley	Member of Chichester District Council
	Mr Rae	Accountant and Company Secretary of a domiciliary care company in Lancing
Item 7 (c) – Notices of Motion on Proportional Representation and Smoking Cessation	Mr Lamb	Member of Crawley Borough Council
Item 7(d) – Notice of Motion on Fire and Rescue Service and PCC	Mr Lamb	Substitute Member of Sussex Police and Crime Panel
	Mr Parsons	Son-in-law works for West Sussex Fire and Rescue Service
Item 8 – Update on Medium Term Financial Strategy, the Capital Programme and Capital Financing Policy	Mr Lamb	Member of Crawley Borough Council
	Mr Smytherman	Member of Worthing Borough Council
Item 10(a) – Written Question 3 (suicide prevention strategy)	Mr Smytherman	Trustee of Coastal West Sussex MIND

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Item	Member	Nature of Interest
Item 10(b) - CMQT paragraph 8 (Carers Rights Day)	Mr Catchpole	Spouse employed by West Sussex Carers Support
	Mr Griffiths	Registered Care
Item 10(b) - CMQT paragraph 12 (Southern Rail Services)	Dr Dennis	Annual rail season ticket holder between Horsham and London
Item 10(b) - CMQT paragraph 17 (school improvement)	Mr Griffiths	Governor of Further Education College
	Mr R Rogers	Governor of Durrington High School
Item 10(b) - CMQT paragraph 19 (Recycling in West Sussex)	Mr Oppler	Member of Arun District Council
Item 10(b) - CMQT paragraph 24 (school place planning)	Mr R Rogers	Governor of Durrington High School

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1. Written question from **Mr Glennon** for reply by the **Leader**

Question

The 'Green Deal' was promoted, to encourage householders to reduce CO₂ emissions. Since the loan rate was to be 7% per annum, some asked why householders would take out Green Deal loans, when they could borrow money at a lower rate from their mortgage company? But that fell on deaf ears as seen from press reports (see the attached [article](#)) and the government spent nearly £400m of Taxpayers' money while just 1% of households took out 'green deal' loans. Auditors then concluded that the green deal did not achieve value for money and delivered 'negligible' carbon savings. Since West Sussex County Council urged district councils to proceed with the scheme, despite the 7% loan rate, can we now have figures for West Sussex, including:

- (a) The amount of money spent on the Green Deal;
- (b) The number of households which took out Green Deal loans, and
- (c) How effective were the West Sussex schemes in reducing CO₂ emissions?

Answer

The Green Deal was a government initiative aimed at encouraging residents to make energy improvements to their homes. It provided homeowners with access to loan finance and a national network of accredited installers to improve energy efficiency, reduce energy bills and cut carbon emissions. The model relied on the repayment of Green Deal loans from the savings made on household energy bills. The Government closed the Green Deal to new applicants in July 2015 and, in April 2016, an Audit Commission report outlined a number of reasons why this national scheme failed to both stimulate demand with homeowners and achieve its carbon reduction targets.

- (a) When establishing the County Council's 'Your Energy Sussex' Programme, officers investigated the feasibility of offering a council-backed domestic energy scheme for residents based on the Green Deal. However, it became clear early on that Green Deal was failing nationally. Therefore, it was decided that this proposed element of the YES Programme should be dropped and that the focus should be on other areas such as solar PV development. Accordingly, other than the cost of officer time spent establishing the viability of such a scheme as part of the wider programme, the County Council has spent no money on Green Deal.
- (b) It was for individual home-owners to take up a Green Deal offer. According to data from the Department for Business, Energy and Industrial Strategy (BEIS):
 - 56 West Sussex households have live or completed Green Deal plans (loans); and
 - 134 West Sussex households had energy measures installed under the

Green Deal Home Improvement Fund (additional grant funding made available by central government).

- (c) As a national initiative, the effectiveness of the Green Deal in meeting its CO₂ reduction and other objectives is a matter for the Government. Given the low uptake of the Green Deal in West Sussex, in line with the national trend, it can be assumed that the impact of those energy measures on CO₂ emissions, has been relatively small.

2. Written question from **Ms James** for reply by the **Leader**

Question

As the main opposition group at West Sussex County Council, UKIP, is active in scrutinising issues at County Hall for the benefit of residents of West Sussex. Concerns were raised by UKIP at the Regulation, Audit and Accounts Committee on 28 November 2016, regarding the subject of aged duplicate payments made by this Council; these payments have been evidenced as likely to have occurred over a lengthy period. Duplicate payments should receive robust scrutiny moving forward. Whilst the Committee has outlined the wish to review this in March 2017 there is a need for further assurance given the time dependency for such duplicate payment recoveries.

Can the Leader provide the following assurance:

- (a) That the maximum amount of recoveries will be sought by this council from the identification of aged duplicate payments and this process of recovery will be open and transparent utilising data that is available to this council.
- (b) That duplicate payments will be the subject of ongoing scrutiny, working alongside Capita to identify and report any concerns and for this work to extend back to the full statute period of 6 years and indeed before this where practical.

Answer

- (a) I am confident that the County Council has in place an effective process to identify and recover duplicate payments should they be made. However, it is good practice to periodically undertake backward looking reviews to ensure that nothing has slipped unseen through the processes and safety nets. Such a review is currently underway, being conducted by an experienced private sector organisation. They will receive data extracted from the Council's systems.

I am committed to ensuring that all duplicate payments are pursued and recovery secured wherever practicable. The Regulation, Audit and Accounts Committee (RAAC) will oversee the outcome of this review and will receive facts and figures where they do not compromise the success of the recovery.

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- (b) As indicated above, the systems and processes in place at the County Council are robust and seek to secure prompt reimbursement of any duplicate payments inadvertently made. I am sure that RAAC will continue to receive reports on the identification and recovery of duplicate payments.

In regard of the current exercise, the first intent is to review the period back to April 2011. Once this period has been dealt with, earlier years will be tackled, including beyond the six-year, statute-barred period where practical.

3. Written question from **Mr Smytherman** for reply by the **Cabinet Member for Community Wellbeing**

Question

Can the Cabinet Member for Community Wellbeing please:

- (a) Provide a progress update on the implementation of the West Sussex Suicide Prevention Strategy and Action Plan.
- (b) Confirm what resources have been allocated to support this work in the county?
- (c) Confirm if the County Council be hosting a 'Time to Change' hub to support our mental health strategy?

Answer

- (a) The implementation of the West Sussex Suicide Prevention Strategy is being co-ordinated by the Suicide Prevention Steering Group. The work of the Group has been endorsed by the local NHS-led Mental Health Transformation Boards and by the Safer West Sussex Board. The Public Health Lead attends and provides updates on the suicide prevention work to these boards. The governance of the steering group and action plan will be provided by the West Sussex Health and Wellbeing Board – this is in progress.

The Public Health Research Team has completed the suicide audit covering Coroners' reports from 2013-15 inclusive. The results from this audit will help to identify high risk groups and target prevention activities accordingly. The audit will be written up into a high level report for dissemination to stakeholders and partners.

The public health lead is working with the coroner to implement a real-time suicide surveillance system which will give early warning of potential clusters. Public Health England has produced new guidance for local authorities on suicide prevention planning. Recommendations will be taken forward by the Suicide Prevention Steering Group and incorporated into an updated local strategy which will be informed by the audit results and completed by April 2017. A sub-group (of the Suicide Prevention Steering Group) has been set up to explore how the County Council can better

prevent suicide and serious self-harm amongst young people aged 18 to 25 years. The group is being led jointly by Sussex Downlands YMCA with the County Council's Head of Children, Families and Working Age Adults Commissioning. The first meeting took place on 10 November 2016.

A knowledge lab event on suicide prevention is planned for 2017. This will be a partnership event with the Safer West Sussex Board and an opportunity to engage with a wide group of community stakeholders.

- (b) The Suicide Prevention Steering Group is chaired by the Public Health Lead for Later Life and Mental Health and supported by a Programme Support Officer. The Public Health Research Unit has undertaken the suicide audit, supported by the Coroner and the Coroner's Officers and will be writing the audit report. Other County Council officers are involved in the work of the Steering Group and the sub-groups; these include the Head of Children, Families and Working Age Adults, the Commissioning Service Manager for Young People's Services, Senior Press Officer and the Principal Manager for Domestic and Sexual Violence.

The commissioning of suicide support services is the responsibility of the local Clinical Commissioning Groups (CCGs). The Public Health Lead attends the CCG mental health transformational boards in the north and south of the county to provide evidenced based advice and guidance to support this commissioning process

- (c) In December 2016 the West Sussex Health and Wellbeing Board submitted a bid to '[Time to Change](#)' for West Sussex to host a pilot hub. The bid is in conjunction with Coastal West Sussex Mind and in partnership with the Pathfinder West Sussex Alliance. The outcome of the bid will be known in early 2017.

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

Question

I understand that land adjoining Cheals Roundabout, Horsham Road, Crawley was recently marketed as a prominent commercial/residential development opportunity with direct road frontage onto the Horsham Road and Crawley Avenue. The marketing material stated all offers of interest would be considered, including joint venture, pre-let options and subject to planning offers on the freehold interest.

Given that this is a relatively small plot of land near the main highway which will almost certainly make access difficult, as well as cause significant disruption for existing nearby residents, could the Cabinet Member:

- (a) provide an update on progress with the disposal of this land and advise what sort of development he envisages being built; and

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- (b) will he withdraw the land from being listed for sale by the county council, given the strong opposition against this land being used, both for reasons of overdevelopment in that area, and also taking into account the concerns on the disruption a development in this location will have on Highways grounds.

Answer

- (a) In order to make an informed decision regarding the future use or possible disposal of this site, some exploratory marketing was undertaken earlier this year. A number of expressions of interest were received and the party expressing the strongest interest is currently considering whether to develop proposals further, including exploring the planning context.
- (b) Whilst the County Council is looking at all options, nothing has yet been agreed. Any firm proposals would be the subject of further consultation, and this would of course include taking note of any suggestions put forward by the local members. Any conclusion on the future of this piece of land will be the subject of a decision by the Cabinet Member for Finance, and this decision will be subject to scrutiny in the usual way.

On behalf of all the residents of West Sussex, the County Council has a responsibility to maximise the potential return from all of its assets. However, the County Council will always try to ensure that any decisions taken will, as far as possible, have the minimum impact on the surrounding area, particularly for any local residents.

5. Written question from **Mr R Rogers** for reply by the **Cabinet Member for Finance**

Question

In Worthing's Broadwater Manor Sports Ground, permission has been granted to erect a fence to create a formal sports area for pupils of the Bohunt Academy to use. The papers from Worthing Borough Council state 'West Sussex County Council has agreed to meet the construction/installation costs of £27,593 and has offered a contribution of £10,000 (inc. VAT) to cover legal costs of a challenge to the fence by the Manor Action Group'.

Bearing in mind that the County Council has the fourth lowest funded education grant, the parlous state of the County Council's finances and the fact that the Bohunt School is an Academy, can the Cabinet Member explain why the County Council has offered to pay over £37,000 for the erection of this fence?

Answer

Following a successful bid in 2013/14 to the Department for Education for Targeted Basic Need funding, the County Council embarked on providing a new secondary school for Worthing, to meet the requirements for additional places following the decision to change the age at which children transfer to secondary schools in the borough. The new school was to be an Academy and few sites were

available in the borough of a suitable size. Surplus land adjacent to Northbrook College was acquired but early feasibility work identified that, whilst all other facilities could be provided on site, including a multi-use games area and sports hall, the site could not accommodate a playing field. The location of the site offered the opportunity for use of the Manor Sports Ground which is a well-established public sports ground and could be accessed quickly and safely following the installation of a new signalled pedestrian crossing, delivered as part of the scheme. This offered the most appropriate solution to the challenge of providing the full range of facilities for the school. The school's sponsor, Bohunt Education Trust, requested that the sports area be zoned with appropriate fencing to ensure that an area was defined for sports and to ensure the safeguarding of pupils in its care.

As landowner for the Manor Sports Ground, Worthing Borough Council undertook extensive consultation with local residents and other stakeholders (including leaseholder Worthing Cricket Club) on the shared use of the facility. An additional capped contribution to Worthing Borough Council's legal fees was also agreed should any subsequent legal action be taken on the decision to erect fencing. The fencing and legal costs were therefore considered as an integral part of the capital costs relating to the provision of the new school.

6. Written question from Ms James for reply by the Cabinet Member for Highways and Transport

Question

- (a) Highways England (HE) are undertaking a series of wintering bird surveys as part of the A27 by pass scheme with the necessity to finance these surveys. How does this survey expenditure correspond with the response made by this Council indicating that the five A27 proposals were considered as falling short by this Council to provide an improvement to the Chichester A27 by pass scheme? How broad in area are these wintering bird surveys?
- (b) What is the overall timeframe that HE is working to with a decision made on the improvement to the Chichester A27 by pass?
- (c) Is the Cabinet Member and Council Leader working actively with HE to reopen other options, mindful of our response to the HE consultation on the five proposals?
- (d) Who is taking the lead here? How often is this County Council/Chichester District Council now meeting with HE?
- (e) Can this Council be formally advised as to what process HE followed in order to drop the Chichester northern routes prior to the A27 consultation? Any decision to drop previously advertised proposals should be made in an open and transparent way to fully inform Chichester residents.

Answer

- (a) The County Council's response to the A27 Chichester consultation requested

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more detailed analysis of environmental impacts and design of environmental mitigation measures. The response also requested that Highways England demonstrate how it will discharge its duty to protect the Chichester Harbour Area of Outstanding Natural Beauty. Therefore, the wintering bird surveys being undertaken by Highways England respond to requests made by the County Council. They are part of the ongoing assessment of the environmental impacts of all five options for the A27 Chichester Bypass scheme.

The field surveys are to be carried out by a team of ecologists between November 2016 and February 2017, and will involve ornithologists observing birds and recording their number and location. The surveys are required due to the proximity of Chichester Harbour to the existing bypass. They will be carried out, in various locations to the south and west of the existing Bypass (near the Fishbourne and Bognor junctions and the Stockbridge area), which is known to be grazing land for Brent Geese from Chichester Harbour. Other birds from Chichester Harbour may also use the area, and as such it is equally important to the designated conservation sites in the Harbour. At this stage, no preferred option has been selected and the surveys are relevant to all five options for the scheme.

- (b) Highways England have stated that they expect to publish a Consultation Report as part of a Preferred Route Announcement in winter 2016/17.
- (c) The County Council's response to the A27 Chichester consultation expressed disappointment with the pre-consultation engagement process and the way in which the options were selected. The response also highlighted the contentious nature of other options and requested that Highways England satisfy themselves that they have not discounted other options which would perform better than the options presented for consultation. In November, the Leader and Cabinet Member for Highways and Transport met Highways England to discuss progress and reiterate these concerns.
- (d) Officers from the County Council meet representatives of Highways England regularly to discuss the A27 improvements. There are scheduled as well as ad hoc meetings, as and when required.
- (e) The Leader has written to Highways England requesting a clear explanation of the reasons for excluding the other route options from the public consultation, despite these options having been included in the pre-consultation engagement with local stakeholders. Once a response is received from Highways England, this will be made public.

7. Written question from **Mr M G Jones** for reply by the **Cabinet Member for Highways and Transport**

Question

In September 2015 the Environmental and Community Services Select Committee were asked to consider a report regarding developer proposals for two new

railway stations between Littlehaven and Ifield Stations on the Arun Valley line. Although ultimately the decision regarding a new station rests with the Secretary of State, the report was prepared so that the County Council could form a position in order to respond to any consultations either by the planning authority or the Secretary of State. The report concluded that:

- both station proposals would bring potential benefits to the area;
- there was a need for clarity from the rail industry about (i) the impact of each proposal on the timing and frequency of services from other stations on the Arun Valley Line and (ii) whether two new stations could be accommodated on the Arun Valley Line and the potential impacts of doing so; and
- if only one new station could be accommodated, the County Council's preference would be for a new station adjacent to the North Horsham Business Park due to the potentially greater economic growth benefits of the proposed North Horsham Business Park.

However, at its meeting, the Committee requested the statement relating to a particular preference be removed.

Could the Cabinet Member:

- (a) provide an update on progress regarding the provision of the two new railway stations; and
- (b) confirm that in the event the County Council is required to support only one station, that he would support a station adjacent to Kilnwood Vale, in line with the view he expressed as part of the former Cabinet Members' engagement exercise about this topic in July 2015?

Answer

- (a) Developers of strategic development sites at North Horsham and Kilnwood Vale (west of Crawley) have independently proposed two new stations on the Arun Valley Line between Littlehaven and Ifield stations. Although it is possible for the developers to develop plans for new stations, including technical work on business cases, the decision to permit either new station would rest with the Secretary of State.

Following the recommendation by the Environmental and Community Services Select Committee in September 2015, the Cabinet Member wrote to Network Rail seeking clarification about the impact on services and other stations of providing two new stations (at North Horsham and Kilnwood Vale). Following discussion with the Department for Transport and Govia Thameslink Railway, Network Rail subsequently confirmed that there can only be one new station at either location and that this would need to be accompanied by the closure of Faygate Station; this is because stopping at an additional station would increase journey times by between three to five minutes. Furthermore, due to the way the signalling system operates and the mix of fast and stopping services that are operating on the line, an additional station would not be supported by the rail industry.

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The response from Network Rail was sent to local members and members of the Environmental and Community Services Select Committee and the developers on 1 July 2016. It is now up to the developers to develop their plans for the new stations. The planning permission for Kilnwood Vale safeguards land for a new station and a planning application for the North Horsham development has been submitted which safeguards land for a new station in that location.

- (b) In responding to the consultation on options, the now Cabinet Member expressed, as a local member, a personal preference for a new station at Kilnwood Vale. However, the Cabinet Member respects the view expressed by the Environmental and Community Services Select Committee in September 2015 that no preference should be given and that any proposal for a new station, whether at North Horsham or Kilnwood Vale, should be considered on its merits (if and when it comes forward). The Cabinet Member also notes that, in formally responding to the developers' proposals, no preference for either option was expressed by the County Council.

8. Written question from **Ms James** for reply by the **Cabinet Member for Residents' Services**

Question

In response to my question in October 2016 concerning the regretful closure of the Household Waste Recycling Site (HWRS) at Hambrook and the work on the feasibility study for creating a reuse facility at Hambrook, the Cabinet Member committed to involve both the parish councils affected and the member for Bourne in the preparation of this feasibility study.

The Cabinet Member reiterated his commitment to involve the member for Bourne and affected parish councils during a Chairman's meeting on 28 October 2016. The feasibility study was stated in the answer to the October written question to have been completed by the end of November 2016.

- (a) Why has the Cabinet Member not engaged with the parish councils affected by this HWRS closure in the preparation of this feasibility study nor engaged with the member for Bourne?
- (b) Why has the Cabinet Member, David Barling (despite several reminder e-mails from the member for Bourne dated 14, 18 and 20 November) failed to provide details regarding the active participation of the parish councils and member for Bourne in the formulation of this feasibility and to meet the end of November 2016 timeframe.
- (c) The Cabinet Member has also previously failed to respond to a Stoughton Parish Council e-mail dated 21 July 2016 on the matter of the now closed Hambrook HWRS.

This demonstrates to Bourne residents that the Cabinet Member is stating commitments which he then does not keep and appears to have an unwillingness

to involve the parish councils and member for Bourne in this matter, thereby dismissing the concerns of residents in Bourne who are concerned at the closure of their HWRS.

Answer

- (a) I can confirm that a meeting took place between managers from the Waste Management Team and the Chairman of the Parish Council on 5 December, following contact made in November. The meeting was to further inform the options available to the County Council and the Parish for a reuse facility at the Hambrook location. That meeting and its outcomes form part of the wider feasibility study currently being undertaken by the Council in this regard. Work is well progressed on the feasibility study and shall be completed by the end of December 2016 in accordance with the timeframe set out in the decision report. Evidence and experiences from other reuse centres operated by local authorities has been used, planning and permitting issues highlighted, likely cost implications identified and the overall sustainability of such operations described within the study to date. It is with the benefit of this information that it is now appropriate to meet Ms James to allow for a fully informed conversation on this issue prior to the study being finalised and the way forward being determined.
- (b) The feasibility study, which considers information for the introduction of a reuse facility and other opportunities available at this location, is still underway. As described above, Ms James will be consulted now that a more full understanding of the opportunities and pressures associated with this site has been achieved.
- (c) I regret that it would appear that a specific response has not been provided to Stoughton Parish Council in reply to its concerns over the risk of increased fly-tipping following the changes to our services. I have, prior to this County Council meeting, addressed this oversight by letter. However, the Select Committee reports and the decision report (both dated July 2016), setting out the changes, made clear the response to the concerns about potentially increased fly-tipping, including additional investment in staffing and collaborative work with district and borough councils.

9. Written question from **Mr G L Jones** for reply by the **Cabinet Member for Residents' Services**

Question

Your report to the last Council meeting held on the 21 October 2016 referred to the fine work being carried out by Trading Standards in dealing with rogue car parking traders and the possible consumer protection offences related to their activities. I think that it is fair to say this work is to be applauded by all Councillors.

In recent months I have noted an increase in television advertising related to the sale of over 50s/funeral plans. These adverts seem to have moved on from the cosy chats from a well-known television presenter with the offer of a free pen for

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taking the trouble to enquire to a much more aggressive marketing campaign from some companies who are targeting the elderly population. In some of the ads there is talk of funerals now costing £7000! I am sure we all want to prepare for our own demise when the time comes and not leave our families struggling with funeral costs but the marketing tactics employed by some companies are starting to resemble project fear in shaming older people into signing up for these schemes.

My fear is that we may be seeing the next mis-selling scandal about to surface. I know that this is a national issue but with an increasing elderly population in West Sussex I would like to think that these people are being protected against possible consumer offences that may arise from these aggressive marketing campaigns. I would like to ask the Cabinet Member if he is taking steps to see that Trading Standards are keeping a keen eye on these schemes and taking action if appropriate?

Answer

The national Citizens Advice Consumer Service manages the first contact with all consumers and provides all the civil advice that each consumer needs to try to resolve their dispute. The details of all such contacts are reported to Trading Standards, along with any possible identified breaches of criminal consumer protection legislation.

West Sussex Trading Standards puts a lot of effort into ensuring integrity of data locally, understanding the trends behind the information and looking for emerging issues or the traders causing the most consumer detriment. These identified issues will then receive a proportionate operational response. The Service is intelligence and evidence led, with interventions being kept focused on areas that contribute most to Future West Sussex.

To put this into context West Sussex Trading Standards Service received 28,000 complaints and enquiries since January 2015. Of these, only four have been identified as relating to issues around pre-paid funerals. Consequently, this trade sector is not currently identified as causing significant detriment to West Sussex consumers based on complaints received, and has not featured as an emerging issue in any previous complaint analysis.

However, the Trading Standards Service does, as part of the complaint routing process, look at every complaint received to see whether there is an element of exploitation of the vulnerable. In such identified cases an intervention will always take place. One of the four identified 'pre-paid funeral' complaints was identified for such an intervention. A vulnerable individual had been cold called by a Glasgow based trader and sold a pre-paid funeral plan. A family member informed Trading Standards who intervened and had the contract cancelled and money returned to the vulnerable consumer. In this way, the Trading Standards Service is confident that sufficient and proportionate operational resources are currently being directed at this issue within West Sussex.

At a national level, the [National Trading Standards Board](#) looks across all the nationally available data and identifies priority areas and emerging issues of consumer harm to be addressed. The pre-paid funeral plan trade sector is not

identified as a current national threat or emerging issue. Also nationally, the issue of misleading advertising on TV/media advertisements is dealt with in the first instance by the Advertising Standards Authority (ASA). A search of the ASA rulings database shows that only two relevant rulings have been made, against the same London-based business, in relation to the claimed cost within a TV advertisement of an average funeral. One was upheld, one was not.

In summary, whilst there is not a large volume of consumer complaints around this particular trade sector, initial research does indicate that there are different types of pre-paid plans that are available, offering differing levels of cover and differing levels of payment protection. There is a professional body for providers called the [Funeral Planning Authority](#), which has a code of conduct that all of its members must comply with and whilst the Financial Conduct Authority does not directly regulate funeral plans, it does have rules to safeguard consumers' money if it is placed in a trust or invested in an insurance policy as part of a plan.

Given that it is reasonable to assume the target market for pre-paid funeral plans will be elder consumers the West Sussex Trading Standards Service will be asked to develop practical advice on pre-paid funeral plans which it can incorporate into its pro-active work with vulnerable households across West Sussex, as an on-going preventative measure. The West Sussex Fire and Rescue Service and Communities teams will also be in a position to be able to distribute the same preventative material as necessary.

10. Written question from Mr Smith for reply by the Cabinet Member for Residents' Services

Question

In the October County Council meeting the Cabinet Member for Residents' Services gave a response to a question on the response time for the 1st fire engine attending the Selsey school fire as follows: Mr Barling stated that the fire engine response time which missed the target response time for 1st fire engine attendance had made no difference whatsoever to the damage caused to Selsey school.

- (a) On what basis is this statement corroborated by technical evidence?
- (b) When was this written evidence given to the Cabinet Member?
- (c) Can this same technical evidence substantiating his statement be made available to the members as part of the response to this written question?

Answer

- (a) The statement is based upon the conclusions arising from a joint Health & Safety Executive (HSE) and West Sussex Fire & Rescue Service investigation and the professional judgement of the Fire Officers involved. The HSE considered that the risk mitigation put in place was suitable and sufficient but had been overcome by the weather conditions on the day.

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- (b) The Cabinet Member has received regular updates on the incident and the subsequent investigation. The Cabinet Member was given a verbal briefing concerning attendance times following the investigation referred to above.
- (c) It is not in keeping with the conventions of Written Questions to provide extensive technical responses. The Cabinet Member would be pleased to arrange a meeting with Mr Smith to present the outcomes of the investigation and review the technical detail on which the conclusions rely.

Agenda Item No. 10(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.

The Economy

Leader

The Leader answered questions on the following matters.

Paragraph 6, West Sussex Weekends, from Mrs Mockridge.

Paragraph 25, Crawley Growth Deal, from Mr Cloake.

Woodlands Meed Community School, from Mrs Jones.

Paragraph 12, Southern Rail Services, from Mr Cloake, Mr Griffiths, Mrs Millson and Dr Walsh.

On paragraph 12, in response to a request from Mrs Millson, the Leader agreed to write to the Secretary of State for Transport to suggest that part-time season tickets should be introduced for part-time workers.

In response to a request from Mr Cloake, the Leader also agreed to consider writing to the Secretary of State for Transport to suggest that legislation should be introduced to prevent long-term disruption by industrial action on roads and railways in future.

Cost of providing information to the Police and Crime Commissioner re the Fire & Rescue Service takeover bid, from Mr Petch.

Duplicate payments, from Mr Clark, Mr Parsons and Mr Smith.

Stronger Communities

Cabinet Member for Highways and Transport

The Cabinet Member answered questions on the following matters.

3in1 Card, from Mr Quinn.

In response to a request from Mr Quinn for details of discount schemes being offered by bus operators to mitigate the impact of the withdrawal of the 3in1 card scheme, the Cabinet Member said that Mr Quinn would be supplied with the details.

Bus season tickets, from Mr Smith.

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Cabinet Member for Residents' Services

The Cabinet Member answered questions on reduced hours of amenity sites, from Mr Buckland, Mr Griffiths, Ms James and Mr Watson.

Effective Council

Cabinet Member for Finance

The Cabinet Member answered questions on Woodlands Meed Community School, from Mrs Mullins and Mr Parsons.