



## To all Members of the County Council

You are hereby summoned to attend the ordinary meeting of the County Council, to be held at **10.30 a.m. on Friday, 19 July 2013 at County Hall, Chichester.**

## Agenda

### 1. Members' Interests

Members are asked to disclose any pecuniary or personal interests in matters appearing on the agenda.

### 2. Minutes

The Council is asked to confirm the minutes of the annual meeting of the County Council held on 14 May 2013 (pages 15 to 22).

### 3. (a) Appointments

To consider proposed changes by Groups to appointments. Proposals will be circulated. Changes will take effect from the end of the meeting.

#### (b) **Appointment of Co-opted Member to the Children and Young People's Services Select Committee**

The Council is asked to approve the appointment of Mrs Marie Ryan, Deputy Director for the Catholic Schools Service (Roman Catholic Diocese of Arundel and Brighton), as a voting co-opted member of the Children and Young People's Services Select Committee in place of Mrs Mary Reynolds.

### 10.45 a.m.\* 4. **Address by a Cabinet Member**

At the discretion of the Chairman, to receive any address by a Cabinet Member on a matter of urgency and/or significant interest to the County Council and which relates to the powers and responsibilities of the County Council or which affects the Council.

5. **Cabinet and Written Questions**

(a) **Written Questions**

A member who has submitted a written question is entitled to put one supplementary question arising from the circulated answer.

(b) **Cabinet Member Question Time**

Questions to Cabinet Members on the attached report on matters which have arisen in respect of their portfolios since the meeting of the Council on 14 May 2013 (pages 23 to 30) and any supplementary report.

*(1 hour 30 minutes is allocated for Cabinet Member questions)*

(c) **Leader's Question Time**

Questions to the Leader on anything that is currently relevant to the County Council.

*(15 minutes is allocated for questions to the Leader)*

6. **Annual Report 2012/13**

The County Council is asked to consider the Annual Report 2012/13 which includes the End of Year Performance Report, financial results, compliments, comments and complaints overview and the Annual Governance Statement, in the light of the report by the Leader (pages 31 and 32). The Council is asked to approve the End of Year Performance Report. A copy of the [Annual Report 2012/13](#) is enclosed.

1 p.m. **Lunch (In the event that the morning business is finished before lunch the afternoon business will be brought forward as appropriate.)**

2.15 p.m. 7. **West Sussex: Our Vision for the County**

The County Council is asked to consider 'West Sussex: Our Vision for the County' which sets out the County Council's strategic direction and guiding principles for the next four years, in the light of the report by the Leader (pages 33 to 38).

8. **Treasury Management Annual Report 2012/13**

The County Council is asked to consider and note the Treasury Management Annual Report 2012/13 in the light of the report by the Cabinet Member for Finance (pages 39 to 55).

9. **Annual Report of the Corporate Parenting Panel**

The County Council is asked to consider and note the Annual Report of the Corporate Parenting Panel (pages 56 and 57).

10. **Select Committee Debate: Phase One Report of the Scrutiny Task and Finish Group on Support for Carers**

The County Council is invited to debate the recommendations of the Task and Finish Group on Support for Carers in the light of a report by the Task and Finish Group (pages 58 and 59). The full report of the Task and Finish Group and responses from the Executive and the NHS are enclosed.

*[Note: The debate will be introduced by the Chairman of the Task and Finish following which there will be an opportunity for the Executive to comment. The report will then be open for debate by all members of the County Council. There need not be a vote at the conclusion of the item although the Executive may wish to respond to any further points arising during the debate.]*

11. **Governance Committee: Minor Changes to the Constitution**

The Council is asked to consider and approve minor changes to the Constitution in relation to the Adult Safeguarding Panel, the Health and Wellbeing Board and the Think Family Partnership, in the light of a report by the Governance Committee (pages 60 to 66).

12. **Annual Report of the Standards Committee**

The Council is asked to note a report from the Standards Committee (pages 67 and 68) on its activities over the last 12 months.

13. **Notice of Motion**

- (a) To consider the following motion, submitted by Mr Glennon, notice of which was given on 28 June 2013. A [briefing note](#) is now available:

'This Council:

Acknowledges the current public antipathy toward the institutions of the European Union and the impositions of European legislation on British law and recognises the closer affiliation of this Council to the United Kingdom, rather than the federation of the European Union.

Accepts the need to continue to apply for EU sources of funding (or more accurately retrieving a fraction of what we pay in to their system) but acknowledges the diminishing relevance of the EU to the County Council, as demonstrated by this Council's withdrawal from the Assembly of European Regions; the abolition of a dedicated Europe Office; and the absence of a Cabinet portfolio containing specific responsibility for Europe.

This Council resolves to ask the County Chairman to approve the removal of the European Flag from the Council Chamber.'

- (b) To consider the following motion, submitted by Mr Lamb, notice of which was given on 1 July 2013. A [briefing note](#) is now available.

'Blacklisting is an illegal practice, involving the covert gathering, retention and use of information in breach of the Data Protection Act (1998). When the Information Commissioner's Office raided The Consulting Association (TCA) they found that 43 construction companies had paid for information or subscribed to a construction industry blacklist. Local workers are among the thousands of names that were listed by TCA.

Victims of blacklisting find their careers cut short and are left unable to provide for their families. Tragically, at least two workers on TCA lists have committed suicide. Construction is a hazardous industry and those employed in the trade have a legitimate right to raise safety concerns without the threat of blacklisting hanging over their heads.

Councils collectively control billions of pounds of public money and carry out projects involving large sums of capital expenditure. Local authorities have a responsibility to ensure that counter-parties do not break the law in undertaking work for the authority.

Recent comments by Rt. Hon. Francis Maude MP and the Treasury's decision to actively avoid purchasing from firms currently engaged in tax avoidance has highlighted the role that government procurement has to play in discouraging wrong doing and the public sector's responsibility not to reward companies which seek to bend or break the law to gain an commercial advantage over law abiding competitors.

The list below originates from the website of the Information Commissioner's Office and details companies which subscribed to TCA:

Amec Building Ltd  
Amec Construction Ltd  
Amec Facilities Ltd  
AmecIndDiv  
Amec Process & Energy Ltd  
Amey Construction – Ex Member  
B Sunley& Sons – Ex Member  
Balfour Beatty  
Balfour Kilpatrick  
Ballast (Wiltshire) PLC – Ex Member  
Bam Construction (HBC Construction)  
Bam Nuttall (Edmund Nuttall Ltd)  
C B & I  
Cleveland Bridge UK Ltd  
Costain UK Ltd  
Crown House Technologies (Carillion/Tarmac Const)  
Diamond M & E Services  
Dudley Bower & Co Ltd – Ex Member  
Emcor (Drake & Scull) – 'Ex Ref'  
Emcor Rail

G Wimpey Ltd – Ex Member  
Haden Young  
Kier Ltd  
John Mowlem Ltd – Ex Member  
Laing O'Rourk (Laing Ltd)  
Lovell Construction (UK) Ltd – Ex Member  
Miller Construction Limited – Ex Member  
Morgan Ashurst  
Morgan Est  
Morrison Construction Group – Ex Member  
N G Bailey  
Shepherd Engineering Services  
Sias Building Services  
Sir Robert McAlpine Ltd  
Skanska (Kaverna/Trafalgar House Plc)  
SPIE (Matthew Hall) – Ex Member  
Taylor Woodrow Construction Ltd – Ex Member  
Turriff Construction Ltd –Ex Member  
Tysons Contractors – Ex Member  
Walter Llewellyn & Sons Ltd – Ex Member  
Whessoe Oil & Gas  
Willmott Dixon – Ex Member  
Vinci PLC (Norwest Holst Group)

The Council resolves to ask the Cabinet:

- (1) not to award contracts or invite tenders from companies who have been involved in blacklisting without first taking steps to ensure that such activities have now ceased and that the companies have put measures in place to put matters right in this regard;
- (2) to write to companies listed as having had a relationship with TCA to ask them what measures they have taken to rectify matters in this regard and to warn that failure to comply with the law may affect their chances of being awarded further contracts;
- (3) to write to companies appearing on the list with whom we have a current contractor have a tender under active consideration to invite them to meet to discuss concerns regarding blacklisting.'

4.15 p.m.

**County Council concludes.** Items not commenced by 4.15 p.m. will be deferred to the following meeting.

Head of Law and Governance  
10 July 2013

\* The times stated indicate the latest end times for previous business and should not be relied on as start times for subsequent items