

West Sussex County Council – Agenda Item No. 7 (a) – Questions

21 October 2016

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

Question

The Cabinet Member will be aware I first raised the issue of the Tele Care contract being extended to a private provider outside of West Sussex back in July 2015 in a written question and again earlier this year in a question to both the Leader and Cabinet Member. On 1 May 2015 the district and borough councils were informed that the County Council would work with them to deliver telecare from April 2016.

- (a) In an e-mail to me on 6 June 2016 I was informed that the work to commence this new model of service delivery was 'on track.' As four months have now passed please can the Cabinet Member update the Council on when this new model of service delivery will commence?
- (b) In an e-mail to me back in February 2016, I was informed the existing arrangements for the delivery of telecare in the county were likely to be extended for a 'short period'. As eight months have passed since then, please can we be updated on when this extension of the existing arrangements will end?

Answer

- (a) The County Council has continued to work together with district and borough councils to pursue a new workable model of service and as Mr Smytherman indicates, this has taken longer than originally planned. This is related to a number of ongoing technical, contractual and legal implications for supplying this service that need to be resolved. As the member will be aware, from a confidential update sent to him on 3 October 2016, a range of options are actively being considered. As I am sure the member will understand, the current discussions remain confidential. However, as soon as they are concluded I will let him know.
- (b) The contract with the County Council's current provider, WELbeing, has been continued whilst the legal discussions have been on-going. WELbeing has continued to provide an excellent level of service to customers across West Sussex, supporting them through the technology they install to remain independent and to maintain their health and wellbeing. As explained in (a), it is not possible to give a precise date for implementing any new arrangements for this service and therefore it is important to maintain the current flexibility whereby the extended contract with WELbeing continues and can be terminated by either party through the provision of three months' notice.

- 2. Written question from **Mr Glennon** for reply by the **Cabinet Member for Community Wellbeing****

Question

As a commissioner of public health services and on behalf of our residents, is the Cabinet Member for Community Wellbeing lobbying the Clinical Commissioning Groups to get a grip on ambulance services, given the poor performance of Coperforma on patient transport services and a worrying 'inadequate' rating for the South East Coast Ambulance Service NHS Trust?

Answer

Whilst the Cabinet Member is responsible for the commissioning of public health services, the patient transport service and the operation of the South East Coast Ambulance Service NHS Foundation Trust (SECAmb) is the responsibility of the Kent, Sussex and Surrey Clinical Commissioning Groups (CCGs).

The CCG contract, quality and commissioning leads are jointly monitoring the SECAmb Unified Recovery Plan based on recommendations from the Care Quality Commission (CQC) report. CCGs commission patient transport services locally. In West Sussex, Coastal West Sussex CCG, Crawley CCG and Horsham & Mid Sussex CCG commission the Sussex Patient Transport Service.

The Health and Adult Social Care Select Committee (HASC) continues to receive evidence from and scrutinise the Sussex Patient Transport Service and considered a report at its 29 September meeting. HASC, in its health scrutiny role, will be holding the commissioners and contractors of this service to account at its 10 November meeting and will be joining with elected members from neighbouring authorities to carry out ongoing scrutiny of SECAmb as it takes forward the necessary actions, as a result of the CQC inspection.

- 3. Written question from **Ms James** for reply by the **Cabinet Member for Community Wellbeing****

Question

The Sussex Police and Crime Commissioner's reduction in Police Community Support Officer posts is concerning, with 65 posts being removed in the coming financial year, against a backdrop of significant reductions and change in their operation. A reduction in PCSOs could lead to low level crime increasing in the county, impacting on community safety programmes and leaving councils to deal with resulting problems, such as dealing with flytipping and graffiti.

Does the Cabinet Member share my concern about the Police and Crime Commissioner's reduction in Police Community Support Officer posts in West Sussex and the potential impact on our community safety programmes?

Answer

The Cabinet Member is aware that the new Local Policing Model for Sussex

includes changes to both the role specification and establishment number of Police Community Support Officer (PCSO) posts across West Sussex.

The Cabinet Member recognises that the Chief Constable is responsible for the operational delivery of policing which includes oversight of their organisational transformation programme and implementation of the new Local Policing Model. Further information can be found here: <http://www.sussex.police.uk/about-us/priorities-and-direction/local-policing-model/>.

The Sussex Police and Crime Commissioner holds the Chief Constable to account and her actions are scrutinised by the Sussex Police and Crime Panel. The Cabinet Member is confident that County Council members on the Police and Crime Panel (including Ms James) will be actively engaging in the discussions and so the County Council makes no further comment about the Police and Crime Commissioner's actions in this regard. Further information and minutes of the Police and Crime Panel can be found here: <https://www.westsussex.gov.uk/about-the-council/how-the-council-works/committees-and-decision-making/other-meetings/sussex-police-and-crime-panel/>.

Members of the public are encouraged to continue to contact their local district or borough council directly to report fly-tipping and graffiti or via the County Council using the online reporting tool available on the website. District and borough councils are responsible for the removal of waste on public land and commission graffiti removal services in partnership with the County Council.

The Cabinet Member anticipates that problem-solving activity across West Sussex will not be negatively affected by the changes to PCSO numbers or role. Localised partnership forums will continue to respond to emerging issues through establishment of a Local Action Team or consideration by the Joint Action Group, accountable to a district or borough Community Safety Partnership. County Council officers will continue to participate in these multi-agency meetings which provide targeted responses to hotspot activity (such as fly-tipping or graffiti), to develop longer-term community safety programmes or crime prevention activity.

The Cabinet Member understands from specific briefing material provided by Sussex Police that:

- The new policing model for Sussex is focused on protecting vulnerable people, catching criminals and being there when people need us.
- The new role of the PCSO has been specifically developed in line with changing demands in policing and reshaping our service to make it as effective as possible to meet the needs of the local community.
- Equipped with additional new skills and powers, they are being deployed more flexibly across the whole of Sussex to where they are needed most, tackling the issues that affect the most vulnerable.
- PCSOs are supported by constables who have enforcement capabilities, and are one of a number of layers of policing working to prevent and respond to and investigate crime.
- They are an integral part of larger teams solving local problems and working alongside partners to respond to community needs. They will work closely with partner agencies where appropriate to deal with these local problems.
- The number of PCSO posts in West Sussex in the new model is 84, however

currently there are 61 people working across West Sussex, filling the equivalent of 58 posts.

- From the recent recruitment campaign 25 new joiners will be deployed on West Sussex once they have completed their training; some are currently in training and will be on divisions by late October, and the others start their training in November and will be on divisions by January 2017.

4. Written question from Mr Lamb for reply by the Cabinet Member for Corporate Relations

Question

Under the new apprenticeship levy to be introduced from 6 April 2017 every employer with a payroll greater than £3m has to pay 0.5% to the Government in order to access funding for training and assessing apprentices.

I understand it is currently estimated this will cost the County Council in the region of £1.7m. Can the Cabinet Member assure me that the necessary arrangements for recouping the maximum return from the levy will be in place in time?

Answer

County Council officers are currently working to understand the implications and consequences of the apprenticeship levy. The detailed arrangements of the levy are still being developed by the Government and information released in stages, so final conclusions in the County Council cannot be made at this stage. However, the County Council is working in conjunction with other authorities and training providers to ensure a full understanding of the requirements, so that it is ready for the new arrangements when they are introduced in April 2017.

As greater clarity has been provided on the interpretation of the levy calculations, County Council officers have estimated cost to be in the region of £1.7m. However, this is a provisional figure, which will be updated when the final 'Apprenticeship Funding' report has been published. This is expected to be later this month. Some, or all, of the levy cost will be paid back by the Government to the County Council in monthly payments, to pay for apprenticeship training costs. The levy will not fund salary or management costs, so there is a delicate balance to establishing best value of the levy, without increasing costs more generally.

With this in mind, work is ongoing to ensure a smooth process for identifying apprenticeship needs that also benefit and support business delivery, recruitment of apprentices, procuring the right apprenticeship standard delivery provider and supporting a successful completion of the apprenticeship. A business readiness review will be undertaken, as more information becomes available.

I am confident that the County Council will be in a position to obtain the maximum benefit of the new apprenticeship arrangements for both the County Council and apprentices.

5. Written question from **Mr Bradbury** for reply by the **Cabinet Member for Education and Skills** (to be answered by the **Cabinet Member for Community Wellbeing**)

Question

The Department for Education has released figures for the conversion rate to academies. The numbers given were a total of 5719, with 19% of primary and 66% of secondary having converted. How do West Sussex conversion rates compare with these national figures?

Answer

Currently:

- 20% of schools in West Sussex are Academies
- 17% of primary schools are Academies
- 44% of secondary schools are Academies.
- 31% of pupils in West Sussex are educated in an Academy or Free School
- 25% of primary pupils are educated in an Academy or Free School
- 42% of secondary pupils are educated in an Academy or Free School.

There are 56 Academies in the Authority including two new schools established over the last two years. There are a further three Free Schools.

6. Written question from **Mr Parsons** for reply by the **Cabinet Member for Education and Skills** (to be answered by the **Leader**)

Question

The County Council's school funding campaign and press reports are highlighting the severe financial challenges facing schools in West Sussex. Suggestions have been made of some schools reducing opening hours (e.g. to four days a week) if the situation is not addressed.

- (a) Can the Leader outline the extent of the problem faced by schools in West Sussex?
- (b) What action is being taken to lobby the Government to achieve a fairer funding formula for West Sussex schools?
- (c) Is there a risk that the County Council will be expected to bail out schools (maintained or academies), leaving a stark choice of either supporting schools or other essential County Council services?

Answer

- (a) The low funding of schools in West Sussex, together with increased inflation, pay and pension pressures, and the potential unfunded cost burdens, create risk to the provision of education in maintained schools and academies to the detriment to children and young people. In recent

years, in view of the low funding and new additional costs of pensions and national insurance, schools have achieved considerable efficiency savings through staffing reviews, improved purchasing and collaboration with other schools. West Sussex schools cannot absorb more pressure on their budgets through further efficiency measures. The savings measures that school leaders are now considering for 2017/18 may reduce the curriculum offer and impact on the school day which could affect skills and future economic development.

The County Council is the accountable body for the proper control of budgets delegated to maintained schools. In consequence, there may be specific financial risk to the Council because its maintained schools may need to set deficit budgets with recovery plans to reduce expenditure, including potential staff reductions. Maintained schools with deficit budgets that become sponsored academies potentially leave any legacy deficit to the County Council on conversion but consultation will take place shortly to convert deficits to repayable loans which would transfer on conversion. The County Council is also the compensatory body for redundancy costs arising from staff reductions in maintained schools. Academies are responsible for meeting their own redundancy costs.

- (b) The Leader wrote to the Secretary of State for Education on 27 July to express deep disappointment about the delay in introducing the national funding formula and its impact on schools in West Sussex. The Minister for School Standards responded on 30 August and gave assurances about the need for the stability of school funding and urged school leaders to consider efficiency measures such as smarter procurement and collaboration. The Leader wrote to the Secretary of State again on 14 September to seek government action as follows:

- allocate transitional funding to West Sussex County Council to support school cost pressures until the implementation of the NFF;
- reconsider the removal of the general services Education Support Grant (ESG); and
- recognise High Needs pressures by allocating additional funding.

The Leader also challenged the cut to the ESG because the County Council will still have statutory responsibilities for its maintained schools and passing the cost of ESG to them is to the detriment of the provision of education. The Secretary of State has not yet responded to this second letter.

West Sussex MPs have been briefed about the funding pressures. School leaders have relaunched the WorthLess? campaign and a petition has been delivered to Downing Street by school representatives. There has been considerable media interest in the campaign.

- (c) The County Council also faces considerable cost pressures in 2017/18 as a result of anticipated cuts to government grant, inflation on pay and pensions, new burdens such as the Apprenticeship Levy, and cuts to the ESG. The County Council needs to maintain front line services and

unfortunately, like many other local authorities, it cannot absorb these costs for schools.

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

Question

Re: SDNP/16/04679/CM UKOP planning application for drilling and producing oil at Markwells Wood. I accept that this planning application will be dealt with in due course by the South Downs National Park Authority with a cut off for replies given as the 28 October 2016.

- (a) Would the Cabinet Member, however, please confirm what input will be made by the County Council concerning the proposed drilling operations at this site and involving 'acidisation', and which in turn may affect the County Council's Highways and Fire and Rescue Services.
- (b) I am also concerned that the statutory duty of safety given to West Sussex residents by the County Council means that in this instance the County Council is instrumental in conversing with Water utilities on the need to ensure there is no risk of contamination to the water supply to Chichester and its surrounding area especially given the close proximity of water aquifers under this site. Would the Cabinet Member elaborate on how West Sussex residents are being kept informed on any implications for their wellbeing from such operations and whether the County Council is taking any stance in making this happen?

Answer

- (a) The South Downs National Park Authority (SDNPA) is the mineral planning authority (MPA) that is responsible for determining the planning application. The County Council, as both a neighbouring MPA and the highway authority (HA), has been formally consulted by the SDNPA about the planning application. There are no cross-boundary issues arising from the Markwells Wood proposal and, therefore, no comments have been made by the County Council as the MPA. The County Council, as the HA, is currently considering the potential impacts of the proposal on highway capacity and road safety and it has not yet responded to the consultation.
- (b) With regard to the potential impact of the proposal on the water environment, including the protection of water resources, the County Council has no statutory duty in this matter. This issue is regulated through both the planning system and environmental permitting regime. Therefore, it is a matter for the SDNPA, as the relevant MPA, and the Environment Agency, which operates environmental permitting regime. Accordingly, it is for those authorities to keep local residents informed about (a) the potential impacts of the proposal and (b) how any adverse impacts are controlled through the relevant regulatory regimes.

8. Written question from Mr Lamb for reply by the Cabinet Member for Highways and Transport

Question

In 2006, the UK incorporated the EU's Environmental Noise Directive (END) (2002/49/EC) into English law with the publication of The Environmental Noise (England) Regulations. Under these regulations the Department for Environment, Food and Rural Affairs (DEFRA) are required to produce noise maps for large urban areas and Noise Action Plans to tackling noise pollution. These noise maps highlighted a considerable number of 'Important Areas' with regard to road noise, including First Priority locations, in the parts of the Crawley and Brighton Urban Areas located within West Sussex.

West Sussex County Council, as the highway authority, is responsible for investigating appropriate solutions to manage noise generated by road traffic in local 'Important Areas', forming a view as to what measures will be undertaken to reduce the impact of road traffic noise its impact and implementing those solutions.

Could the Cabinet Member for Highways and Transport detail:

- (a) The work which the Council has undertaken in complying with the Noise Action Plan for Roads, particularly with regard to the Crawley and Brighton Urban Areas?
- (b) The budget which has been allocated for tackling road traffic noise in 'Important Areas'?

Answer

- (a) To comply with the Environmental Noise (England) Regulations 2006, DEFRA published strategic noise maps from 2007 using computer modelling for agglomerations for urban areas based population density. Within West Sussex, the Brighton/Worthing/Littlehampton urban area was identified as an agglomeration in 2007 followed by the Crawley urban area in 2012.

In 2012, the mapping work was expanded to include the 'A' road network across the country which resulted in the identification of 'Noise Important Areas' (NIAs). Within West Sussex, there are 196 NIAs for the parts of the 'A' road network that are the responsibility of the County Council. In addition, NIAs are also identified on parts of the Strategic Road Network and the railway network that are managed by Highways England and Network Rail respectively.

It should be noted that the strategic noise maps have been produced, and NIAs identified, using computer modelling rather than any analysis of known noise management issues. Therefore, the mapping work undertaken by DEFRA only suggests that there are likely to be issues that need to be addressed rather than being evidence of noise pollution in the identified areas.

As the local highway authority, the County Council has a statutory duty to work with the district and borough councils (which are responsible for environmental health issues), to investigate the cause and extent of any noise issues in NIAs and, where necessary, prepare a Noise Action Plan (NAP) to manage noise issues. Management could be through a range of possible transport interventions, including but not limited to, noise reduction measures.

Given that there are so many NIAs within the county (and no additional funding has been provided by the Government to support the development and delivery of NAPs), there has been a need to prioritise this area of work. Therefore, NAPs have been developed for the NIAs in the Brighton/Worthing/Littlehampton area where there has been the opportunity for this work to take place alongside other transport planning work. NAPs for other areas will be progressed where other opportunities arise and where resources permit.

The County Council is currently preparing a Highway Asset Management Plan (HAMP) to help improve the planning and delivery of highway maintenance activities. The HAMP will set out how the NAPs will be used to inform highway maintenance decisions, including use of low-noise road surfacing where appropriate. In reaching these decisions, there will be a need to consider the extent of the noise problem, the benefits and dis-benefits (e.g. reduced longevity), and whole-life costs of low-noise road surfacing.

- (b) The County Council has received no additional funding from the Government and there is no specific budget allocation to support this work. Therefore, there is a need to prioritise and consider noise management alongside other issues when making investment decisions about highway improvements and maintenance.

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

Question

On my travels around the County I am noticing more and more road signs which are dirty, broken, falling down, often obscured by overgrown vegetation, and after hedges have been cut speed signs left obscured. Given the recent Cabinet Member decision regarding Community Support Teams, what assurance can he provide me with that the road signs will be dealt with to ensure our roads are safe for our residents and visitors?

Answer

The decision to withdraw the Community Support Teams was taken in August. The County Council is continually actively seeking partnerships with parish and town councils and other voluntary and community groups to enable them to provide some of the services which were undertaken by the Community Support Teams. In some areas this has been successful and the County Council has been

able to supply equipment and training to local groups in order that some tasks can be safely and efficiently undertaken.

As a county council West Sussex is responsible for maintaining over 55,000 road signs throughout the county's road network. However priority is given to maintaining essential safety critical signs such as Stop signs/Give Way signs, Terminal Speed Limit signs and similar. The County Council's highway stewards do undertake some localised clearance and cleaning works and will contact adjacent landowners to ensure that they understand their responsibilities for maintaining their land.

The County Council would like to reduce sign clutter throughout the county. To this end, before any sign is repaired or replaced, consideration is given to whether it is actually needed. The County Council is hoping to undertake a winter clearance and clearing programme on some sections of high speed roads. Members are encouraged to send through their specific concerns 'via Love West Sussex' or via the members' highway email address.

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

Question

For some time I have been promised the commencement of a Feasibility Study on the operations of a Household Waste Recycling Site (HWRS) at Hambrook to counter the regretful closure of this mobile site on 1 October 2016 – this closure went ahead despite widespread appeals from parish councils within Bourne and the local member objecting to its closure. It is equally regretful that the planning for this Feasibility Study was not commenced prior to the closure of the mobile site.

Could the Cabinet Member please address:

- (a) At what stage is the Feasibility Study for appraising the reopening of the Hambrook HWRS and why was it not possible to conduct this prior to the closure of the HWRS in Hambrook on 1 October?
- (b) What involvement is planned from the local parish councils and the local member for Bourne as part of this Feasibility Study?
- (c) Is the Cabinet Member willing to consider suggestions from stakeholders as to the future running of such a facility on this site including potential private enterprise?
- (d) Can the Cabinet Member please provide a full annualised financial breakdown on how the Mobile site was previously operated (past 5 years), please include the status of the ownership of the site?

Answer

- (a) Now that the operational changes are in place at the HWRSs, the team

have more capacity and can commence working on the feasibility study with effect from the end of October. It is expected to be completed by the end of November in readiness for reporting back to the Cabinet Member by the end of the year, as stated in the decision report. For clarity, the feasibility study will focus on the opportunity to create a waste reuse facility at the Hambrook site (County Council-owned) and not for the reopening of the mobile HWRS service.

- (b) The feasibility study will be carried out utilising (among many other aspects), tonnage data which includes the type and quantity of reusable items currently in the residual waste stream from a local, district and county-wide perspective. The County Council's recent waste composition analysis clearly defines this waste stream and shall also form part of the study. The County Council intends to engage with all West Sussex borough and district councils (with particular focus on Chichester District Council) as part of this study to determine the scope and scale of their current collection operations and how this affects the feasibility. As part of this views will be sought from the parishes and local elected members.
- (c) It is known that there are many reuse facilities operated by other local authorities around the UK that are managed by authorised and qualified private enterprises, charities, community and voluntary organisations. Depending on the outcome of the feasibility study, the County Council will be open to discuss how any facility should or could be managed and operated. Reference will also be taken from the findings and recommendations of the Chartered Institution of Wastes Management 'Reuse in the UK and Ireland – a 'State of the Nations' report' (October 2016).
- (d) It can be confirmed that the land previously used for the mobile HWRS service at Hambrook is under the ownership of the County Council and forms part of its current asset register. Over the past five years the Hambrook Mobile Service has operated for around 324 hours per year and it has therefore cost on average £26,800 per year to run. This figure relates solely to the management and transport fees as it is assumed that this waste would have represented a cost at a static HWRS had the Hambrook site not been in operation.