

If you would like to know more about any items in this newsletter please contact the officer shown (✉ address is the name shown with a stop between followed by @westsussex.gov.uk) or access the links via the [County Council's website](#). Significant decisions to be taken in the next four months are included in a [Forward Plan](#) of key decisions. If you would like to receive free [e-mail alerts](#) for the Forward Plan, please register via the [County Council's website](#).

Decisions Published in the Past Week

The following proposed decisions have been published during the past week and will come into effect at the end of the call-in period unless the call-in procedure is activated

Call-in Deadline	Decision-Maker	No.	Proposal	Officer Contact
06/03/17	Cabinet Member for Highways and Transport	HT30(16/17)	Highway Maintenance Term Contract 2018	Matthew Evans 033022 22538
07/03/17	Joint Downland Area Committee	DA6(16/17)	Community Initiative Funding	Monique Smart 033022 22540
08/03/17	Cabinet Member for Highways and Transport	HT31(16/17)	Night Flights Consultation Response	Matthew Evans 033022 22538
09/03/07	Cabinet Member for Adult Social Care and Health	ASCH10(16/17)	Recommissioning of Social Support Framework	Suzanne T Thompson 033022 22551
09/03/17	Cabinet Member for Children – Start of Life	CH13(16/17)	Introduction of the West Sussex Early Years Funding Formula based on the National Funding Formula	Laura Johnston 033022 22536

Decisions Confirmed

The following decisions have been confirmed in the last week

Decision-Maker	No.	Decision	Officer Contact
Cabinet Member for Children – Start of Life	CH12(16/17)	Annual Review of Foster Care Rates and Adoption, Residence and Special Guardianship Allowances	Laura Johnston 033022 22536

Decision-Maker	No.	Decision	Officer Contact
Cabinet Member for Highways and Transport	HT29(16/17)	Operation Watershed Active Communities Fund Applications – December 2016	Matthew Evans 033022 22538
Leader	LDR20(16/17)	Westhampnett Solar Farm Proposal	Katherine De La Mora 033022 22535
Cabinet Member for Residents' Services	RS14(16/17)	Refuse Derived Fuel Procurement Strategy	Matthew Evans 033022 22538

Answers to Written Questions

Officer replies to questions submitted under Standing Order 15(3) as part of the preparation for the County Council meeting on 17 February 2017

1. Written question from **Mr Smytherman** for reply by the **Director of Finance, Performance and Procurement**

Question

There is universal scientific consensus that climate change is posing significant dangers to our global environment, causing increasing extreme weather episodes, such as droughts and floods, in turn leading to more famine and exacerbating the refugee crisis. West Sussex residents are faced with the increased likelihood of river flooding and rising sea levels. It also poses great financial risks which are likely to affect the thousands of beneficiaries of Local Authority Pension Funds, which provide retirement benefits for County Council employees, and all borough and district councils, universities, colleges and public authorities.

The Governor of the Bank of England Mark Carney, has warned that investors in fossil fuel firms face huge losses from 'stranded assets' where only 20% of present reserves of oil, coal and gas can be used if we are to keep within the 2 Degree temperature rise agreed in Paris in 2015, noting that "The challenges currently posed by climate change pale in significance compared with what might come Once climate change becomes a defining issue for financial stability, it may already be too late!". Likewise, HSBC has warned that 40-60% of the market capitalisation of oil and gas companies is at risk from a so-called 'carbon bubble'.

The fact that the use of fossil fuels has to be rapidly phased out and replaced by renewable and more sustainable sources of energy is now widely recognised across the political spectrum. Even those who do not believe climate change to be man-made acknowledge that international regulatory and other action is rapidly changing many countries' energy policies and the energy industry dynamics as a result.

Given the above, can assurance be given that the County Council will develop and implement a Responsible Investment Policy through which it would divest from direct ownership, and from any comingled funds, that include fossil fuel extraction firms, public equities and corporate bonds; and call on the West Sussex Pension Fund to do the same to divest from fossil fuels by developing and adopting Responsible Investment policies with the same scope.

Answer**County Council - Treasury Management Strategy: Investment Policies**

The County Council takes into consideration a number of key factors when it draws up its investment policy. Local authorities are subject to varying legislation and guidance as part of this process. Under these the key factors for consideration are security, liquidity and yield, in that order. While not exclusive considerations they are the key driver of policy for local authorities across the UK. With regards to security, the County Council uses the major global rating agencies as a key part of outlining its minimum requirements for the creation for suitable counterparties. The assessments undertaken by these agencies will encompass a wide range of financial and other factors of individual entities, in addition to the market environment that they operate within.

Under the legislation and guidance the County Council is not required to report a specific 'Responsible Investment Policy', but the Director of Finance, Performance and Procurement has delegated powers to suspend any single entity should any material credit concerns arise, even if such entities meet the Council's minimum credit quality criteria as set out in its investment policies as approved by County Council.

With respect to fossil fuel extraction companies, it is more than likely that the negative factors raised in the question will also have been considered by agencies who may rate such companies. As such any negative impact on the credit worthiness of such companies will be reflected in their ratings, meaning that such companies may fall short of the County Council's own minimum rating requirements. Additionally, not all entities are necessarily rated; the Council's investment policies require that an entity is rated before it can be considered as suitable for investment purposes. As such smaller or relatively new companies who have not sought to be rated would also be excluded from consideration for Council investment.

Investments approved as suitable for Council investment:

- Banks deposits placed on a secured/unsecured basis – The list of banks approved as suitable for Council investment selected on the credit quality criteria as set out in the investment policy approved by the County Council. No indirect relationship between a bank and any other third party (which may or may not include fossil fuel extraction companies) is taken into account in the selection process unless material credit concerns relating to the bank itself materialise as a result of such relationships.
- Corporate bonds issued by non-financial companies – The list of companies approved as suitable for Council investment again selected on the credit worthy criteria as set out in investment policies approved by the County Council. From 2016/17 this included UK utility companies holding an investment grade rating, with Council investments being made to such companies on a short-term basis only.
- Equities issued by both financial and non-financial companies – The Council's investment policies give no approval for direct equity investment with any organisation; with the exception of a shareholding in a company set up by the Local Government Association having the sole aim of facilitating the issuance of local authority bonds as an alternative source of funding, or those companies associated by the County Council's Income Generating Initiatives (IGIs) when supported by approved business cases and included in the Council's capital programme (no such IGI equity is currently held).
- Externally-Managed Pooled Funds - With regards comingled funds used by the Council, they are subject to minimum counterparty credit quality considerations, such that weak or unrated entities would not meet their own exacting requirements.

- Government-backed investments, including other UK local authorities.

The above are considered as the relevant financial considerations when determining which parties should be considered to hold County Council funds. To change the approach outlined above, to avoid fossil fuel firms, would be a further ethical dimension that would require a change of policy. Therefore, this would be a matter for the Cabinet Member for Finance, the Treasury Management Panel and, ultimately, the County Council to decide on, should it so wish.

West Sussex Pension Fund - Social, environmental and corporate governance policy

Our primary responsibility as a Local Authority Pension Fund is to deliver the returns needed to pay our members the benefits they have earned. Our managers are not passive and do not simply follow an index but manage their portfolios actively, meaning we could not use the indices tracking the FTSE or S&P500 eliminating the 'fossil fuel' element.

The Pensions Panel is mindful of its legal duty to obtain the best possible return on the investments of the Pension Fund it administers, consistent with an appropriate risk profile. However, good practice in terms of social, environmental and corporate governance issues is likely to impact positively on companies' financial performance.

The Pensions Panel has directed the fund managers, in acting in the best financial interests of the Fund, to consider, amongst other factors, the effects of social, environmental and governance issues on the performance of a company when considering the acquisition, retention or realisation of investments for the Fund. In this regard, the Pensions Panel has adopted the fund managers' standard socially responsible investment policies. These policies are discussed with the fund managers from time to time and fund managers report quarterly to the Pensions Panel on corporate governance activity.

The investment managers have adopted the Institutional Shareholder Committee's Statement of Principles on the responsibilities of institutional shareholders and agents which aims to secure value for beneficiaries over the longer term through engagement. Shareholders should set out:

- their policy on how they will discharge their responsibilities;
- clarifying the priorities attached to particular issues and when they will take action;
- monitor the performance of, and establish, where necessary, a regular dialogue with investee companies; and
- intervene where necessary and evaluate the impact of their engagement and report back to the Fund.

In addition, the Fund's investment managers have signed up to the United Nations Principles of Responsible Investment (UNPRI) which has been set up by the United Nations Environment Programme Finance Initiative (UNEP FI) to encourage asset owners and asset managers to incorporate environmental, social and governance (ESG) issues into investment analysis and decision making, be active owners, seek disclosure of ESG issues and promote the principles within the industry.

Though the County Council administers the West Sussex Pension Fund, it does so on behalf of numerous employers to which it owes a fiduciary duty and cannot impose a view. The legal position was set out in 2014 following national clarification sought by the Local Government Association. The advice given stated that investment powers must be exercised for investment purposes, and to what is best for the financial position of the Fund. The adoption of principles of ethical, social or environmental considerations should only be done where it does not prejudice that approach. This advice was considered by the Pensions Panel in 2014 and the policy above is consistent with their

view. If members wish the Fund to change its approach and consider divesting from fossil fuel extraction firms, this would need to be considered by the Pensions Panel, taking account of its legal responsibilities for administering the Pension Fund on behalf of participant employers.

2. Written question from **Mr McAra** for reply by the **Director of Highways and Transport**

Question

The County Council has, for a few years, raised the possibility of actively promoting the delegation of Highways functions that could be delegated to parish councils. These include grass cutting, maintenance, sign cleaning, advertising and community signs, verge work and so on.

Despite this, no firm proposals exist to offer such work to parishes, which would, of course, be subject to health and safety and insurance provision.

Would the Cabinet Member for Highways and Transport consider setting up a Task and Finish Group to look at the subject, touching on: measuring demand; a menu of devolved functions; how the parishes would receive compensation and the benefits to the County Council by reducing many of the smaller, but resource heavy, Highway demands?

Answer

The role played by district, borough, town and parish councils in delivering services is regularly considered and their contribution to the upkeep of highways and transport infrastructure can be invaluable. The County Council currently has a 'green offer' that it has spoken to several parish councils about and is actively pursuing with a small number. This was also subject of a presentation at the most recent parish conference.

The details of the offer will vary according to the resources of the parish and their specific requirements but could include training for various activities, guidance on how to carry out tasks safely and in some circumstances access to County equipment and resources. Due to the varied nature of the offer we are currently not in a position to formalise a standard offer to all parishes and I do not believe that this would be the best way forward at this moment in time.

Members are no doubt aware that we are currently in the process of procuring a new term highways contract and the levels of service within the contract and roles and responsibilities are still being finalised. Until this process is concluded the Cabinet Member is not keen to convene a TFG on this matter but would be happy to reconsider it once we have awarded a new contract and have greater clarity on the future of highway service delivery.

Committee News - Committee Meetings

Electoral Division	Item	Subject	Committee Officer
<u>Pension Advisory Board</u>	(2 March)		✉ Adam Chisnall (033022 28314)
All	5	Valuation and Funding Level Update	

The Panel will be asked to note the conclusions of the valuation work and the implementation of the de-risking

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strategy.

All 6 **Funding Strategy Statement**

The Panel will be asked to approve the updated Funding Strategy Statement and the amendment to the current approach to converting academies.

All 7 **Investment Strategy Statement**

The Panel will be asked to approve the Investment Strategy Statement.

All 8 **Treasury Management Strategy**

The Panel will be asked to approve the treasury management strategy for 2017/18.

All 9 **Markets in Financial Instruments Directive (MIFID) II**

The Panel will be asked to note the Pension Fund's response to the consultation.

All 4 **Date of the Next Meeting**

The next meeting of the Panel will be 10.30 a.m. on 13 April 2017 at County Hall, Chichester.

Governance Committee (6 March)



Clare Jones
(033022 22526)

All 4 **Pension Fund Pooling – Governance Arrangements**

The Committee will be asked to consider proposals for an inter-authority agreement and governance arrangements for Pension Fund pooling for recommendation to the County Council.

All 5 **DBS checks for elected members**

The Committee will be asked to consider whether the position in relation to criminal record checks for members under the Disclosure and Barring Service (DBS) should be reviewed and, if so, whether the County Council should undertake basic checks for all members or whether, in relation to particular roles of members, there are grounds for making enhanced checks before a member is eligible to discharge those roles.

All 6 **Discipline and Grievance Appeals – Removal of the Staff Appeals Panel**

The Committee will be asked to consider a proposal that the County Council should be invited to delete the constitutional arrangements for a Staff Appeal Panel and their replacement by an officer panel. **[Note: item to be withdrawn]**

All 7 **National Review of Local Government Scrutiny Arrangements**

The Committee will be asked to consider a report on an inquiry launched by the Communities and Local Government Committee into overview and scrutiny in local government. The inquiry is currently accepting written submissions,

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with a deadline of 10 March 2017. The Committee will be asked to approve a draft submission which is based on the scrutiny process at the Council, information drawn from the annual Scrutiny Newsletter, the recent review of Democratic Services as part of its savings programme and comments from Business Planning Group members.

All 8 **Risk Management Arrangements**

At its next meeting the Regulation, Audit and Accounts Committee (RAAC) will receive a revised Corporate Risk Management Strategy. The new strategy will suggest changes to the lines of accountability for risk management and set out a more detailed description of the approach the Council will take to risk management. It is not proposed to change the responsibility of RAAC in monitoring the operation of risk management. The effect of the new strategy will however be to replace the text of Part 4 Section 4 of the Council's Constitution and the Governance Committee will be asked to agree that RAAC should consider these changes and make appropriate recommendations to the next meeting of the County Council.

All 9 **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 p.m. on Monday, 5 June 2017.

[Health and Adult Social Care Select Committee](#) (8 March)



Rob Castle
(033022 22546)

All 4 **Responses to Recommendations**

Following the Committee's request on 18 January 2017, the Chairman wrote to the Leader reflecting the concerns expressed by the Committee over the need for health and adult social care integration, the challenge of recruiting staff in the social care sector and investment in the development of the health and social care workforce. The Chairman requested that these concerns be included in any future correspondence between the Leader and the Secretary of State for Communities and Local Government.

All 5 **Forward Plan of Key Decisions – March to June 2017**

An updated summary will be tabled at the meeting and made available on the Internet if a subsequent edition of the Forward Plan affecting the Adult Social Care and Health/Community Wellbeing portfolios is published between the date of despatch of the agenda and the date of the meeting. The Committee will be asked to identify any decisions to be previewed by it considering new entries from the latest extract of the Forward Plan of Key Decisions published since the its last meeting.

All 6 **Patient Transport Service**

The Committee will be asked to consider an update on the latest position regarding the Patient Transport Service and whether any further scrutiny regarding the Patient Transport Service during and beyond the transitional period is required.

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All 7 **Facilitation of Hospital Discharge - Intermediate Care**

The Committee will be asked to consider an overview of the provision in place and focuses on the work of the County Council. The Committee will be asked to:

- (i) Consider whether adequate measures are in place to facilitate the move from hospital to home;
- (ii) Identify any additional issues for further scrutiny by the Committee, which should be added to the work programme for 2017/18.

All 8 **Procurement of Community Reablement Services – Outcome of Market Testing**

The Committee will be asked to consider the outcomes of the Community Reablement Services market testing and to:

- (i) Support the continuation of the current re-procurement plan based on the positive outcome from the market testing event; and
- (ii) Identify any issues for further scrutiny, if required.

All 9 **Business Planning Group Report**

The Committee will be asked to consider the Business Planning Group meeting held on 31 January 2017, setting out the key issues discussed. The Committee will be asked to endorse the contents of the report, and particularly the Committee's Work Programme revised to reflect the Business Planning Group's discussions.

All 10 **Brighton & Sussex University Hospitals NHS Trust Care Quality Commission Report Monitoring**

The Committee will receive a verbal update from representatives of the Working Group. The Committee will be asked to highlight any issues it wishes its representatives to raise at the next meeting of the Working Group.

All 11 **Requests for Call-in**

There have been no requests for call-in to the Select Committee within its constitutional remit since the date of the last meeting. The Director of Law and Assurance will report any requests since the publication of the agenda papers.

All 12 **Possible items for future scrutiny**

Members to mention any items which they believe to be of relevance to the business of the Committee, and suitable for scrutiny, e.g. raised with them by constituents, arising from central government initiatives etc.

All 13 **Date of Next Meeting**

The next meeting of the Committee is scheduled to take place on 7 July at 10.30 a.m. at County Hall, Chichester. Any member wishing to place an item on the agenda for this must notify the Director of Law and Assurance by 21 June 2017.

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**[Children and Young People's Services](#)
Select Committee (9 March)**

✉
Wendy Saunders
(033022 22553)

All 4 **Cabinet Member Responses**

The Committee will be asked to note the following responses from the Cabinet Member for Children – Start of Life:

- (a) To the recommendations made at the meeting of the Select Committee on 8 December 2016 in relation to the Future Arrangements for Integrated Prevention and Earliest Help Service.
- (b) To the recommendation made at the meeting of the Select Committee on 12 January 2017 in relation to Update on child sexual exploitation & missing and children subject to child protection plans.

All 5 **Arrangements for the provision of the Child and Adolescent Mental Health Service Assessment Treatment Services for children and young people who pose a risk of sexual harm to others (the Assessment Treatment Service)**

The current contract for the provision of therapeutic and consultation services for children who have harmful sexual behaviour will end in June 2017. The Committee will be asked to consider the proposed approach for service provision from July 2017 onwards whilst a new delivery model is being developed. The Committee will be asked to endorse the recommendations contained within the report.

All 6 **Review of Education and Skills Annual Report Summary 2015/16 – Report from the Task and Finish Group**

Each year the Education and Skills Service publishes an Annual Report which highlights strengths and indicates areas for improvement. Scrutiny of the summary of this report provides members of the Children and Young People's Services Select Committee insight into the performance of the Service. Scrutiny of the 2015/16 summary report has been by a focused piece of work undertaken by a Task and Finish Group of Committee members. The Committee will be asked to endorse the recommendations contained in the report.

All 7 **Special Educational Needs and Disabilities – Report from the Task and Finish Group**

The Special Educational Needs and Disability Strategy was adopted during autumn 2016 and aims to ensure high quality local education provision for children and young people with special educational needs and disabilities in West Sussex. The Special Educational Needs and Disability Task and Finish Group has assessed the progress made in implementing the strategy and the findings and recommendations are set out in the report. The Committee will be asked to endorse the recommendations contained within the report.

All 8 **Requests for Call-In**

On 9 January 2017 the Business Planning Group (BPG) decided to reject a call-in request in relation to the decision by the Cabinet Member for Children – Start of Life for the procurement of a service to support Children and Young People at high risk of or experience of Child Sexual Exploitation (Decision reference: CH09(16/17)). BPG Members expressed serious concerns that any delay in awarding the contract could have a detrimental effect on the users of this service.

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So, in accordance with the Constitution - paragraph 39(e) of Part 4 Section 3 Protocol on Select Committees the BPG rejected the request for this decision to be called in. The decision to reject the call-in request was the result of a majority view rather than a unanimous decision of the BPG members. The Director of Law and Assurance will report any further call-in requests since the publication of the agenda papers.

All 9 **Forward Plan of Key Decisions – March to June 2017**

Any Forward Plan published between the date of despatch of the agenda and the date of the meeting will be tabled at the meeting. The Committee will be asked to consider whether it wishes to enquire into any of the forthcoming decisions within its portfolio.

All 10 **Possible Items for Future Scrutiny**

Members to mention any items which they believe to be of relevance to the business of the Select Committee, and suitable for scrutiny, e.g. raised with them by constituents arising from central government initiatives etc. If any member puts forward such an item, the Committee's role at this meeting is just to assess, briefly, whether to refer the matter to its Business Planning Group to consider in detail.

All 11 **Date of the Next Meeting**

The next scheduled meeting date for the Committee is 29 June 2017 and will commence at 10.30 a.m. at County Hall, Chichester. Any member wishing to place an item on the agenda for this must notify the Director of Law and Assurance by 15 June 2017.

Weekly News

Electoral Division	No.	Subject	Officer Contact
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All	1	<u>Forward Plan – March to June 2017</u>	✉ Helena Cox (033022 22533)
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The Forward Plan contains details of all key decisions to be taken by the County Council, the Cabinet, Cabinet Members, County Local Committees and officers in the following four months. Key decisions are those which involve expenditure or savings of £500,000 or more or which will have a significant effect on communities in two or more electoral divisions. An amended version of the Forward Plan of Key Decisions, for March to June 2017, has been published in order to accommodate the following decisions:

- A new decision for Procurement of Technology Enabled Lives Services has been included in the Adult Social Care and Health portfolio
- The following decisions have moved to March:
 - Growth Programme (Strategic Economic Plan – Delivery Programme in the Leader's portfolio)

Electoral Division	No.	Subject	Officer Contact
		<ul style="list-style-type: none"> Review of Fees and Charges (Commissioned Services) in the Adult Social Care and Health portfolio Mechanical and Electrical Services Contract and new Facilities Management Help Desk Function in the Corporate Relations portfolio 	
		<ul style="list-style-type: none"> The following decision has moved to June: <ul style="list-style-type: none"> Agreement of Section 75 arrangements (NHS Bodies and Local Authorities Partnership Arrangements) for Joint Commissioning of Health and Social Care Services, through the Better Care Fund, between West Sussex County Council and all three Clinical Commissioning Groups (CCGs) in West Sussex in the Adult Social Care and Health portfolio. 	

Communications

County Council Press Releases up to 24 February

17/02/17 - [Budget agreed by County Council](#)

The budget for 2017/18 has been agreed at a meeting of the County Council

17/02/17 - [Brownies complete emergency Duke of Cornwall award](#)

1st Pagham and Aldwick learn how to prepare for community emergencies through national scheme

17/02/17 - [Operation Watershed proves ADEPT at winning national award](#)

Flooding initiative funded for a further year after £500,000 commitment in 2017/18 budget

17/02/17 - [Valentine's community event helps reach those in need](#)

Firefighters spent Valentine's Day in Horsham offering home safety advice and support for those in their later years or living alone

20/02/17 - [Councils come together to get a better deal for Burgess Hill](#)

The county's second growth deal has been agreed between West Sussex County Council and Mid Sussex District Council

20/02/17 - [County councillor to champion armed forces](#)

Debbie Kennard is the County Council's new Military Champion, taking over from Nigel Peters

20/02/17 - [More than £24,000 available for community group projects in South Chichester](#)

Community groups in South Chichester are being encouraged to apply for a piece of £24,000 which is available via the County Local Committee

23/02/17 - [Open mic, live music and poetry for Chichester residents](#)

Residents are being invited to enjoy an evening of live music with the opportunity to take part in open mic poetry

23/02/17 - [Shoreham air crash pre-inquest review in March is postponed](#)

A new date for the pre-inquest review will be set in due course

24/02/17 - [Safety improvements for A24 near Surrey border](#)

Series of road safety measures will make the shape of the road clearer to motorists

23/02/17 - [Firefighters prepare to give your motor the full emergency treatment](#)

Firefighters across West Sussex are set to show off their sponge-squeezing skills at upcoming charity car wash events

24/02/17 - [Grass cutting season starts on Monday](#)

West Sussex Highways will fire up the lawnmowers on Monday and cut the grass for the first time this year

For further information on or copies of the press releases listed please contact the Communications and Engagement Team on (033022 28090) or ✉ pressoffice@westsussex.gov.uk

Planning Applications registered in the week ending 24/02/17

There were no applications registered.

Strategic Planning Business Unit - Planning Applications

The attached [report](#) (pdf file) contains all the planning applications received by the County Highways Team from the seven borough and district councils over the past week where comments on highways, ecology, landscaping and archaeology have been requested. An Excel spreadsheet of this report is also available on request via the following email address: SU.Local.Development@westsussex.gov.uk. If you have any further questions or would like to enquire about an application that does not appear on the list or one on which you would like to be updated, please contact Dominic Smith on 033022 25711.

Proposals for Traffic Regulation Orders and Traffic Management Matters

TRAFFIC MANAGEMENT MATTERS

Location	Proposal	County Local Committee	Provisional Decision Method	Local Member(s)
Mill Straight, Southwater	A signalised pedestrian crossing (in the form of a Toucan crossing) is required to link a new residential development at Mulberry Fields with the existing footway on the east side of Mill Straight. The proposed Toucan crossing will be located on Mill Straight, in South Water, 60m north of proposed roundabout at the Mill Straight/Roman Lane junction. The crossing will provide a safe crossing point where existing footpaths on the Public Rights of Way network cross Mill Straight.	North Horsham	Delegated	Mrs Jupp Mr Watson

For further information about the Members' Information Service please contact Clare Jones on 033022 22526 or ✉ clare.jones