

Current Issues – March-April 2014

Changes to planning guidance important to West Sussex



On 6 March, Planning Minister Nick Boles, launched the revised Planning Practice Guidance, which supports the National Planning Policy Framework. Work has been going on since the Government instigated the Taylor review in 2012 to consolidate and streamline the 7,000 pages of planning guidance inherited from the previous administration.

The draft guidance was released for consultation in August 2013 and now replaces previous planning practice guidance documents, which have been cancelled.

A number of provisions in the new guidance will have direct relevance to planning issues in West Sussex. Arundel and South Downs MP, Nick Herbert, who has long pressed Ministers to address problems with the operation of the new planning regime, has welcomed the new guidance as helping to ensure a better balance between new housing and protecting the environment.

Included in the new, more accessible, guidance is:

- more robust guidance on when development can be allowed in flood risk areas,
- reaffirmation of Green Belt Protection,
- removal of the requirement for local plans to identify development land in years 11-15,
- measures to ensure infrastructure is provided to support new development, and so infrastructure constraints should be considered when assessing suitability of sites,
- confirmation of the importance of bringing brownfield land back into use and that that local authorities do not have to allocate sites on the basis of providing the maximum possible return for landowners and developers,
- that authorities should be able to consider the track record of developers and landowners on unimplemented permissions when considering applications ,
- impact of environmental energy schemes, such as visual impact of solar generation, being incorporated in planning consideration, and clarification that the duty for local authorities to cooperate does not mean duty to agree.

Mr Boles' statement and links to the new guidance can be found at: <https://www.gov.uk/government/speeches/local-planning>

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Implications of Budget for WSCC



In delivering his 5th budget on 19 March, the Chancellor George Osborne, was able to focus on the significantly improving national economic outlook, with the Office for Budget Responsibility (OBR) now forecasting growth this year of 2.7%, up from 2.4% in the autumn statement.

Mr Osborne also, however, reinforced the continuing imperative to manage down public spending and government borrowing.

In line with this, it was confirmed that the overall departmental total support for local government revenue spending will fall by some 12.3% for

next year, while at the same time the Government will continue to prioritise capital investment in the medium to long term.

A very welcome announcement was that as part of the Government's £200 million Challenge Fund, an additional £3,475,968 has been awarded to West Sussex County Council to help repair damage to the local road network caused by recent severe weather. This is to be paid on 28th March so will go into WSCC's 2013/14 budget.

The budget also included changes to the tax threshold aimed at reducing the burden on lower income working people. Also, Business rate discounts and enhanced capital allowances will be extended in enterprise zones for another three years, carbon taxes will be capped and the September fuel duty rise will be scrapped.

Greater flexibility was introduced for pensions and ISAs, a stimulation package for house building was announced, as were grants for 100,000 more apprenticeships, and proposals (to be published shortly) on a new fuel poverty reduction target and strategy.

We will continue to work to understand and plan for the implications of the budget for WSCC and our customers.

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A27 Campaign



On Friday 21 March West Sussex MPs joined WSCC's Leader and cabinet, district and borough colleagues and representatives of leading local businesses to discuss the need for a campaign to persuade the Government of the need to invest in the improvement of the A27 in West Sussex.

Following the 2013 Spending Review, the Government announced its plans for the biggest ever upgrade of the national strategic road network by tripling annual investment on Highways Agency major roads enhancements from today's levels to over £3bn by 2020/21.

As part of that investment programme, the Government announced that, through DfT-led feasibility studies, it will look at problems and identify potential solutions to tackle some of the most notorious and long-standing road hot spots in the country including the A27 Corridor.

There are no guarantees that the Government will agree to fund the solutions identified and, in essence, the A27 is competing for investment against the other, national, hot spots. On Friday Cabinet Members, District and Borough Leaders and key business representatives considered how best to support the case for the A27 through the Highway's Agency feasibility study. It is expected that a high profile campaign will be needed to ensure our voice is heard above those of the competing schemes and work on planning for this is now underway.

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Special Educational Needs

The Children and Families Act received Royal Assent on 13 March and is due to be implemented from 1 September. Part 3 of the new act is concerned with children with special educational needs and disabilities (SEND).



It represents the most significant transformational change in the way children and young people with Special Educational Needs and Disabilities are identified, assessed and supported for 30 years. It also places a duty on Local Authorities to ensure that young people and their families are fully involved in the process. As one of the SE7 Pathfinder Local Authorities West Sussex has been influential in shaping the new legislation.

Local Authorities will have to publish and maintain a Local Offer outlining what they expect to be available to meet children and young people's special educational needs whether they have an education health and care plan or have lower level, less complex, high incidence needs. In West Sussex the Local Offer is one of two pilot projects under the Digital by Default programme.

The Act replaces the current statement of special educational needs with a more integrated education, health and care needs assessment which may result in an education health and care plan this also extends the age range to 25 years and therefore impacts upon the county council priorities for start of life and the economy through supporting transition to adulthood for some of our most vulnerable and complex children and young people.

Key features of the new legislation are the education health and care assessment (with new legal responsibilities for CCGs), an increased emphasis upon parental involvement and personalisation, including the option of a personal budget and the publication of the Local Offer. Whilst the bill has now gained royal assent, the Code of Practice outlining further details has yet to be published.

The government has announced a single payment £70m SEN Reform Grant to support the implementation of the new legislation and the transitional arrangements, including the conversion of current statements to education health and care plans over a three year period. In West Sussex the SEN reform grant will amount to a little over £800k.

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Local Assistance Network Funding

The Government has announced that it will not be providing funding beyond the end of March 2015 for local welfare assistance schemes in a bid to save £374m per year. The current system was established in April 2013 following abolition of the national discretionary Social Fund scheme and the scrapping of the DWP administered Community Care Grants and Crisis Loans.

In West Sussex our Local Assistance Network (LAN) was established with very little administrative burden and engaged existing community organisations that were already working with the target client group. As a result the maximum possible benefit from the £1.24m per year funding we received has been transferred direct to those most in need. Most assistance is provided in terms of goods or services, which has massively reduced the potential for exploitation of the system.

By removing this dedicated funding, the Government is sending innovative local authorities like West Sussex a very damaging message. Where we take up challenges like local welfare assistance and deliver efficient, targeted solutions of which we can be rightly proud (where central government departments have previously

failed), we will be rewarded by losing what little support we had.

Our views on this issue will be clearly communicated to the Government and we will be working with our partners to call for the reversal of this decision. In the meantime, we will also be working with our LAN partners to minimize the potential impact on those in most need of our support.

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Forward Plan Decisions – Listed for April

Leader	Total Performance Monitor,
Adult Social Care and Health	West Sussex Joint Commissioning Framework for Mental Health West Sussex Joint Commissioning Framework for Learning Disability Development of Plans for the Better Care Fund
Children – Start of Life	Children’s Community Health and Wellbeing Services Strategy
Corporate Relations	Redesign of Facilities Management Services