

---

## EAST SUSSEX COUNTY COUNCIL

---

**MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at COUNTY HALL, LEWES on TUESDAY, 20 JULY 2010 at 10.00 am.**

**Present** Councillors Barnes, Belsey, Bennett, Bentley, Birch, Daniel, Dowling, Elkin, Ensor, Fawthrop, Field, Freebody, Freeman, Gadd, Glazier, Harris, Healy, Heaps, Howson, Hughes, Jones, Kenward, Lambert, Livings, Lock, Maynard, O'Keeffe, Ost, Pragnell, Reid, Rodohan, Rogers OBE, Scott, S Shing, Simmons, Sparks, Stogdon, St Pierre, Stroude, Taylor, Thomas, Thompson, Tidy, Mrs Tidy, Tutt, Waite, Webb and Whetstone.

### **20. Minutes of Last Meeting**

20.1 RESOLVED - to confirm the minutes of the meeting of the County Council held on 18 May 2010 as a correct record.

### **21. Apology for absence**

21.1 An apology for absence was received from Councillor D Shing

### **22. Chairman's Business**

#### *CHARTER FOR MEMBER DEVELOPMENT*

22.1 The Chairman welcomed Councillor Love (Chairman of the South East Employers) to the meeting. Councillor Love referred to the fact that the Council had been awarded the Charter for a further three years and presented the Member Charter for Member Development Certificate to the Chairman and Councillor Elkin (Chairman of the Member Training and Development Group)

#### MAURICE SKILTON

22.2 The Chairman announced that Maurice Skilton was currently unwell and on behalf of the Council sent him the Council's very best wishes.

#### SEAN NOLAN

22.3 The Chairman congratulated Sean Nolan who had taken on the role of Lead Financial Advisor to the Local Government Association on behalf of the local government community. Sean had also been asked to become the President of the Association of Local Authority Treasurers Societies.

#### ANDY ROBERTSON

22.4 The Chairman congratulated Andy Robertson who had been appointed to the DEFRA Task Force to review and reduce the bureaucratic burdens that English farmers and food produces face.

## MINUTES

---

### EQUALITY INSPECTION

22.5 The Chairman announced that following the Local Government and Development inspection on 13 and 14 July the Council had been recognised as achieving the equality standard for local government.

### BUILD EAST SUSSEX

22.6 The Chairman announced that the third Build East Sussex workshop to help local businesses win construction work had been held in Hastings on 13 July.

### EAST SUSSEX COMPACT

22.7 The Chairman congratulated all involved with the East Sussex Compact which had been awarded a 'Green Flag' in recognition of the real benefits the COMPACT had delivered in transforming the lives of people and groups in the county.

### CHAIRMAN'S ACTIVITIES

22.8 The Chairman highlighted some of the visits he had attended and hosted since the last meeting including: attending the Hastings Borough Council's Annual meeting and Mayor making, hosting the Annual Tea Party for Ashdown Forest staff and volunteers, visiting St. Wilfird's Hospice, attending the opening of the Heathfield Children's Centre, Citizenship Ceremonies at Hastings and Eastbourne Town Halls, Plumpton College's Annual Awards Ceremony, a community partnership event at Beacon Community College, visiting Age Concern's day centre at Newhaven and their offices in Lewes, visiting Hillcrest School in Hastings, the Exchange Project in Seaford, the Emergency Services' 999 Day' display at Eastbourne, attending Opera South East performance at White Rock Theatre, Hastings, the Glyndebourne Education project 'Songroads to Seahaven' Concert at Newhaven Fort, the Wealden 'Safety in Action' event for schools, at Hertsmonceux Castle, hosting a Civic Reception at Powdermills Hotel, Battle to welcome new Mayors and Chairman from across the County, attending Eastbourne Armed Forces Weekend Family events at Redoubt Fortress, the opening of the University of Brighton's Checkland Building, the Army Benevolent Fund's Concert by the Band of the Gurkhas and Beating Retreat ceremony, at Herstmonceux Castle, attending the NHS Hospitals Trust Awards at Eastbourne District General Hospital, presenting the Council's Long Service Awards at Shelleys, Lewes. The Vice Chairman attended the Registration Service publicity launch, the opening of the Crowborough Children's Centre, the Rother Parish Conference at Brede Village Hall, the South Downs Youth Orchestra Concert at Lewes Town Hall, Wealden's Launch of Credit Union with Crowborough Partners and the Embassy of the United Arab Emirates' Technical Training Project Graduation Day at Bexhill and also attended a number of events with the Chairman.

### PRAYERS

22.9 The Chairman thanked the Revd Sheila Jones for leading the prayers before the Council meeting.

## MINUTES

---

### PETITIONS

22.10 The Chairman informed the Council that immediately before the meeting he had received petitions from members as follows:

- |                      |   |
|----------------------|---|
| Councillor Dowling   | - Calling upon the County Council to provide a pedestrian crossing or island on the B2203 through Theobalds Green, Heathfield           |
| Councillor Field     | - calling for the County Council to introduce parking restrictions along North Trade Road, Battle (from Saxonwood Road to Asten Fields) |
| Councillor Freeman   | - calling for the County Council to stop the proposed plans to increase the current speed limit on the C39 Alfriston Road, Seaford      |
| Councillor St Pierre | - calling upon the County Council to stop the proposal to close the Care Home at 39 Harvard Road, Ringmer                               |

### 23. Questions from Members of the Public

23.1 Copies of questions asked by Silvia Ebert, Mary McPherson, Christine Tutt and Peter Gardiner of Ringmer and the answers by Councillor Bentley (Lead Cabinet Member for Adult Social Care) are attached to these minutes. Supplementary questions were asked by 2 of the questioners and were responded to.

### 24. Declarations of Interest

24.1 The following members declared personal interests in items on the agenda as follows:

<i>Member</i>	<i>Position giving rise to interest</i>	<i>Agenda item</i>	<i>Whether interest was prejudicial</i>
Councillor Bennett	Member of the South Downs National Park Authority	Cabinet report, paragraph 4	Yes
Councillor Daniel	Member of the Sussex Police Authority	Cabinet report, paragraph 1	No
Councillor Glazier	Non executive Director of the Hastings and Rother PCT	Item 7a	No

## MINUTES

---

### 25. Reports

#### CALLOVER

25.2 The Chairman of the County Council, having called over the reports set out in the agenda, reserved the following paragraphs for discussion:

Cabinet	- paragraphs 1 and 2
Sussex Police Authority	- paragraph 2

#### NON-RESERVED PARAGRAPHS

25.3 On the motion of the Chairman of the County Council, the Council ADOPTED those paragraphs in the reports of the Committees that had not been reserved for discussion.

### 26. Cabinet Report – Reserved paragraphs

26.1 Councillor Jones moved the reserved paragraphs of the Cabinet’s report.

26.2 The motions were CARRIED after debate.

### 27. Questions from County Councillors

#### ORAL QUESTIONS TO CABINET MEMBERS

27.1 The following members asked questions of the Lead Cabinet Members indicated and they responded:

<b>Questioner</b>	<b>Respondent</b>	<b>Subject</b>
Councillor Rogers	Councillor Glazier	Discussions with GPs regarding Health White Paper proposals
Councillor Tutt	Councillor Jones	County Council’s withdrawal from South East England Councils
Councillor Ost	Councillor Lock	Criteria for prioritising local traffic schemes
Councillor Daniel	Councillor Lock	Eastbourne Parking review
Councillor Webb	Councillor Bentley	GP consortia holding commissioning budgets from 2013
Councillor Birch	Councillor Elkin	Impact of establishment of Free Schools and outstanding schools becoming academies on the preference system

## MINUTES

---

<b>Questioner</b>	<b>Respondent</b>	<b>Subject</b>
Councillor Belsey	Councillor Elkin	Establishment of the governor clerking service in East Sussex.
Councillor St Pierre	Councillor Glazier	Proposal to close the older peoples service at 39 Harvard Road
Councillor O'Keeffe	Councillor Bentley	Proposal to close the older peoples service at 39 Harvard Road

### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

27.2 Written questions were received from Councillor Rogers for the Lead Member for Adult Social Care and the Lead Member for Strategic Management and Economic Development and from Councillor Lambert for the Lead Member for Strategic Management and Economic Development and the Lead Member for Adult Social Care. The answers are attached to these minutes.

27.3 The Lead Members responded to supplementary questions by the questioners for the purposes of clarification.

### **28. Report of the Sussex Police Authority**

28.1 Members commented on paragraph 2 of the Sussex Police Authority's report and Councillor Jones, the nominated spokesperson for the Sussex Police Authority, responded.

### **29. Notice of Motion**

29.1 The following motion moved by Councillor Rogers and seconded by Councillor Ost was CARRIED -

The Council noted:

the Lighter Later campaign which aims to provide an extra hour of daylight in the evenings when it is most useful;  
that by adjusting the clocks to achieve this will also importantly cut our carbon emissions and help individuals and the Council achieve goals in line with the objectives of the 10:10 campaign; and  
that Lighter Later is simple to achieve by shifting the clocks forward by one hour throughout the entire year;

The Council therefore resolved to:

1. support the aims and ambitions of the Lighter Later Campaign;
2. write to our MPs asking that, subject to the restrictions imposed by Ministerial office, they support the Lighter Later campaign in Parliament including the Private Member's Bill tabled by Rebecca Harris MP.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.39 pm

\_\_\_\_\_  
The reports referred to are included in the minute book  
\_\_\_\_\_

## **QUESTION FROM MEMBERS OF THE PUBLIC**

### **1. Question from Silvia Ebert, Ringmer, East Sussex**

I understand there is discussion about the future of the Care Home in Ringmer, known as 39 Harvard Road. In the event of private providers showing an interest in taking over the ownership and running of 39 Harvard Road will you require them to provide a number of respite beds, particularly for people living in or near Ringmer and who are likely to be patients of the local GP practice?

#### **Response by Councillor Bentley**

A decision will be made by Cabinet on 27 July about the future of the 39 Harvard Road service. If a decision is made to close the unit, consideration will be given to re-developing the site in partnership with a private provider. Proposals about how this may be taken forward will be reported to Cabinet in December 2010.

It has, however, already been agreed that any proposals would include the provision of a number of respite beds for use by people living in or near Ringmer. This is likely to include patients of the local GP practice.

### **2. Question from Mary McPherson, Ringmer, East Sussex**

Is it possible that the Council, in its search for Best Value, will sell 39 Harvard Road, Ringmer to the highest bidder who might be a commercial developer seeking to build housing, shops or light industry rather than to a Care Home provider?

#### **Response by Councillor Bentley**

Any use of the Council's property assets has to meet a best value test both for the service concerned but also in the interests of the wider council tax payer and this is especially true when considering what to do with potentially surplus assets.

Work is underway to identify how best the 39 Harvard Road site can be re-developed as a care home, in partnership with a private provider. Proposals about how this may be taken forward will be reported to Cabinet in December 2010. Cabinet will then make the decision on whether to proceed.

If Cabinet decides not to develop a care home at 39 Harvard Road then consideration will be given to how best to either use, or dispose of, the site. Any decision will be taken in the context of the County Council's priorities and the need to ensure that best value is achieved.

### **3. Question from Christine Tutt, Ringmer, East Sussex**

Could you give me the figures for the years 2008, 2009 and 2010, for people in the Ringmer and Lewes area who applied for:

- a) Full-time Care;
- b) Long-term Respite Care i.e. repeated periods of respite to relieve carer;
- c) Short-term Respite Care ie. after an illness, including Step-Down;

## MINUTES

---

Could you let me know:

- How many of those were **not** (or are **not**) accommodated in Ringmer or Lewes;
- How many were placed in 2 star-rated accommodation or above?
- If applicants were not placed in the Ringmer or Lewes area, what reasons were given by the Social Workers responsible for their placement?

### Response by Councillor Bentley

It is important to note that service users and carers do not apply for a specific care service. Their needs are assessed and, if eligible, a range of options are discussed and agreement is reached as to the most appropriate solution (or combination of solutions) to meet each individual's circumstance.

The following table contains the number of individuals living in each of the Lewes and Ringmer Parishes who received local authority funded support for long term residential care and short term or regular respite care, for 2008, 2009 and for January to June 2010. The table also shows whether the care received was located in the Ringmer and Lewes Parishes. The figures do not include those individuals who required nursing care or specialist residential care for people with dementia, as 39 Harvard Road is not registered to provide this level of support.

<b>Ringmer Long Term Placements</b>			
	<b>2008</b>	<b>2009</b>	<b>2010 (part)</b>
Total Ringmer Clients	3	1	2
Number placed in Ringmer	0	1	0
<b>Ringmer Short Term &amp; Respite Placements</b>			
	<b>2008</b>	<b>2009</b>	<b>2010 (part)</b>
Total Ringmer Clients	24	21	7
Number placed in Ringmer	12	14	5

<b>Lewes Long Term Placements</b>			
	<b>2008</b>	<b>2009</b>	<b>2010 (part)</b>
Total Lewes Clients	14	11	1
Number placed in Lewes	1	3	0
<b>Lewes Short Term &amp; Respite Placements</b>			
	<b>2008</b>	<b>2009</b>	<b>2010 (part)</b>
Total Lewes Clients	52	65	26
Number placed in Lewes	0	2	0

All service users were placed in 2 star-rated accommodation, or above

The decision on where an individual's temporary or permanent placement is made is a joint one which takes into account a number of factors. This includes an individual's wishes and preferences, such as including cultural and religious beliefs, as well as connections with the local or other community and proximity to family and friends. On occasion service users are placed out of the county to be near their adult children. The role of the social worker is to identify all of the options and assist the service user and

## MINUTES

---

their family, consider a range of factors, including suitability of placement, quality, availability and affordability, before jointly agreeing the option that offers the best solution.

#### 4. Question from Peter Gardiner, Ringmer, East Sussex

Given that Harvard Road has been consistently rated as 2 stars under the Care Quality Commission:

- a) How many people have Social Services placed in the private sector in 1 star Care Homes during the last two years?
- b) Is the Council aware that some rooms in 1 star Homes are basement rooms, with inadequate day-lighting and no disabled access?
- c) How many Councillors on the relevant Scrutiny Committee have visited 1 star Homes during the last two years, and
- d) Have any such Councillors indicated that they would be satisfied to place their relatives in them?

#### Response by Councillor Bentley

Adult Social Care has introduced a policy of only making placements in care homes rated two stars, or above, with the exception of emergencies or where service users or their families express a choice to enter lower rated provision. In relation to the specific questions:

- a) Adult Social Care placements into one star rated care homes:

##### **2009/10: total of 3205 placements, of which;**

- 45 service users chose to move to one star rated care homes
- 67 service users had one star rated care homes chosen for them by their families
- 10 service users were placed into one star rated care homes in an emergency situation
- 9 service users were placed into one star rated care homes by social workers

##### **2010/11 (to date): total of 517 placements, of which;**

- 8 service users chose to move to one star rated care homes
- 11 service users had one star rated care homes chosen for them by their families
- 3 service users were placed in one star rated care homes in an emergency situation



## MINUTES

---

- b) There are a wide range of care home services in East Sussex and Adult Social Care is aware that a number have issues with their building and environment. As stated, Adult Social Care has introduced a policy of only making placements in care homes rated two stars, or above.
- c) No Councillors on Adult Social Care Scrutiny Committee have visited one star care homes during the past two years.
- d) No Councillors on Adult Social Care Scrutiny Committee have expressed a view in relation to this matter.

## WRITTEN QUESTIONS FROM COUNCILLORS

### **1. Question by Councillor Rogers to Councillor Bentley, Lead Member for Adult Social Care**

What steps are being taken with other agencies in East Sussex to explore the concept of place-based budgets, and in particular to discuss with Primary Care Trust colleagues and GP representatives the potential opportunities for more integrated neighbourhood working which will arise with the intended moves towards greater GP commissioning?

#### **Answer by Councillor Bentley**

The East Sussex Strategic Partnership had initial discussions about broader place based budget issues at its last meeting in April and at that time agreed that the impending General Election made it difficult to progress the issue sensibly. This matter will be discussed again at the next meeting on 22 July, with a wider group of partners. The Review being undertaken by the East Sussex Safer Communities partnership is providing an interesting and useful pilot for place based budget approaches in the context of significantly reducing resources.

In relation to Primary Care Trust and GP commissioning, at its meeting on 27 April 2010, Cabinet approved the Integrated Plan for Health, Social Care and Well-Being. This identified fourteen priorities for the County Council and Primary Care Trusts for integrated working and the governance arrangements for taking this forward. In relation to commissioning it has been agreed that proposals will be drafted by September for consideration by the Integrated Plan Board, whose membership includes the Chairs of the Primary Care Trusts and Lead Member for Children and Adult Services and Lead Member for Adult Social Care.

The recently published White Paper, Equity and excellence; Liberating the NHS, sets out the framework for Health commissioning arrangements in the future and has significant implications for local authorities. The intention is to develop a fully integrated approach for commissioning within East Sussex, across the whole range of health and social care services, which takes full account of the White Paper, including new proposals for GP commissioning, alongside a strategic approach that makes best use of our collective resources and improves the health and well-being of local people. The County Council, Primary Care Trust's and GP representatives will therefore be working together to develop a coherent approach to commissioning health and social care services in East Sussex.

It is also important to note that work is also taking place with Borough and District colleagues on an integrated approach to supporting vulnerable people, in relation to their housing and housing-related support needs.

### **2. Question by Councillor Rogers to Councillor Jones, Lead Member for Strategic Management and Economic Development**

What plans are there for making an East Sussex County Council response to the letter from the Business Secretary and the Communities Secretary about Local Enterprise Partnerships; what factors is it considered will be relevant to be included in this

response; and in what way will district, borough, and neighbouring strategic authorities be involved?

**Answer by Councillor Jones**

East Sussex County Council has been in constant discussion with central government on this matter and in advance of the letter had started to develop a model of what a local Enterprise Partnership model might look like for East Sussex.

At this stage we are working on the basis, that given the specific nature of the East Sussex economy, we should seek to create a LEP across our county – but that it should be flexible enough to work with others across boundaries as needed to achieve a particular goal. The main areas of focus will be economic development, transport, housing and skills.

The Chief Executive has already had initial discussions with the Districts and Boroughs at officer level. Similar talks will be had at a political level once an initial model, for discussion has been drafted. Our approach to-date has been to welcome the freeing-up enabled by the abolition of the RDAs and other regional structures allowing us to work with our partners to develop models that are relevant to our specific needs. In addition, we want to recognise that much good work is in progress in a number of areas and we have some structures in place that work. Therefore our proposal will seek to build on these, rather than start from scratch. However, the limited initial guidance is clear that LEP's must be business led bodies as the main motivation for them is to assist in the delivery of private sector led economic growth.

We will also recognise that there are democratically elected decision making processes in place and that the LEP will need to work with these in terms of negotiating an overarching economic development strategy.

The deadline for presenting a formal proposal is 6 September 2010 and we intend to get our initial submission in before the end of July.

**3. Question by Councillor Lambert to Councillor Jones, Lead Member for Strategic Management and Economic Development**

What is the likely cost of setting up the South East Seven Group, including ongoing resources and governance arrangements? Will these costs be offset by anticipated savings?

**Answer by Councillor Jones**

There are no costs in setting up the SE7 group. The work is being carried out by officers and members across the authorities as part of their normal duties. SE7 is not about creating complex governance arrangements and a bureaucracy to support them, but about a way thinking about the services we provide and how we provide them, challenging each authority to consider how and where the service is provided. Draft business cases for the first areas under examination (waste, IT, SEN provision and highways) are being prepared which will identify potential savings. Since there are no costs involved in setting up the group, any savings will be available for use by the authorities taking part.

**4. Question by Councillor Lambert to Councillor Bentley, Lead Member for Adult Social Care**

The County Council has made a clear commitment to protect vulnerable people when considering necessary cuts.

Is the Lead Member aware that carers seeking respite care are advised by the Social Services referral team to contact private homes? Is he further aware that such homes will not accept bookings in advance for respite care as this might block the opportunity to fill a permanent vacancy, thus making it impossible for the carer to book a holiday?

Given the proposed closure of Harvard Road, which is able to offer excellent respite care, what does he propose as an alternative to protect this very vulnerable group of people?

**Answer by Councillor Bentley**

The Adult Social Care Department directly arranges respite care for service users and carers who are eligible for local authority funded support and does not ask them to contact care homes (unless it is their wish to make the arrangements directly themselves). Service users and their carers may choose to contact care homes directly to determine that the identified establishment is to their liking and meets their personal choices.

Where an individual is not eligible for local authority funded support, the Department offers information, advice and signposting to assist the individual in making their own arrangements for respite care. This would involve the individuals contacting the care homes directly and making their own financial agreements with the provider.

Private sector care homes regularly and consistently accept bookings for short term respite care both from the County Council and private individuals. Across the County, every day there are in excess of 100 empty beds available in private sector care homes with quality ratings of two stars, and above. Whilst it is for each private provider to make a business decision as to whether they fill those vacancies with short term placements, the Council's experience is that they are keen to utilise their spare capacity in this way.

If Members are aware of service users or carers having difficulty arranging a respite service they can raise their concerns with the Director of Adult Social Care, who will ensure any issues are looked into and resolved.