

## REPORT OF THE CABINET

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The Cabinet met on 12 October 2010. Attendances:-

Councillor Jones (Chairman)  
Councillors Bentley, Elkin, Glazier, Lock, Maynard, Reid, Mrs Stroude  
and B. Tidy

### **1. Reconciling Policy and Resources**

#### Policy Steers

1.1 The Cabinet has reviewed the Council's promise and policy steers in the light of changing national and local circumstances. The Promise has also been reviewed to ensure that it reflects the Council's emerging priorities, both in terms of what it delivers and how it intends to work in the future. As part of developing the Promise and policy steers, the views of all members have been sought. The Cabinet has considered the views of the Scrutiny Committees and the views and observations made by members at the Forum on 27 September. The policy steers have been amended as a result of members' comments and their views on more detailed issues will be considered when Portfolio and Council Plan targets are developed later in the year.

1.2 The revised Promise and policy steers are attached as Appendix 1 to this report.

1.3 The Cabinet recommends the County Council to –

- ☆ approve the revised Promise and policy steers as set out in Appendix 1 of this report.

### **2. South East Seven Partnership**

2.1 The South East Seven (SE7) is a partnership of seven Councils (Brighton & Hove City Council, East Sussex County Council, Hampshire County Council, Kent County Council, Medway Council, Surrey County Council and West Sussex County Council) that have committed to working together to improve the quality of services and to achieve savings. SE7 operates as a 'coalition of the willing' with each Council deciding the extent to which it engages with each activity based on its own priorities.

2.2 In March 2010, the SE7 Councils signed a Memorandum of Understanding setting out their intention to increase joint working to benefit their combined population of 5.3 million people and to secure increased value for money against their collective budgets of £3.4 billion. The current and future challenges facing the public sector demand innovation and creativity. SE7 represents one of the new vehicles through which the Councils are responding proactively to the new working context.

2.3 Building on their physical proximity and the existing relationships between the member Councils, SE7 benefits from a programme of activity that is clearly defined and initially focuses on 4 specific workstreams:

- a) Information Technology (led by Brighton & Hove City Council);
- b) Special Education Needs (led by East Sussex County Council);
- c) Waste (led by Kent County Council); and
- d) Highways (led by Surrey County Council).

2.4 Cabinet Members and Chief Officers represent the Council at SE7 meetings and are working hard to deliver maximum benefits for the County Council. Where appropriate, staff receive updates on SE7 work through departmental routes. The work of SE7 is aligned to the principle of supporting and maintaining healthy local markets for small businesses. Where appropriate, and as part of the individual workstreams, the activities and benefits of SE7 will be discussed with District and Borough Councils.

2.5 Initial focus has been on examining the feasibility and scope of the workstreams. Updates were reported to the meeting of SE7 Leaders, Deputy Leaders and Chief Executives on 30 September 2010 and they set out how each workstream could deliver the maximum service improvement and efficiency saving. The Cabinet considered details of the updates which has previously been circulated to all members as Appendix 2 of the report to the Cabinet. The work will now move into implementation and benefit realisation.

2.6 In addition to the formal workstreams, the SE7 experience is also delivering indirect benefits with Councils harnessing the trust and momentum of the partnership to explore further areas for collaboration, including: effective service reviews, commodities procurement, flood management, parking, areas of back office functions and the implementation of a public sector property management.

2.7 The SE7 Councils will move forward with the four initial workstreams and progress will be reported back at a Leaders' meeting in December 2010. The feasibility of further areas for collaboration will be explored over the coming months.

2.8 Where decisions need to be made which impact on service delivery across the Council, formal endorsement will be sought through Reconciling Policy and Resources and other relevant governance mechanisms. The work of SE7 is vital to ensure that East Sussex County Council can continue to commission the best possible services to the people of East Sussex within the available funding. The service improvements and savings that can be delivered through SE7 will benefit East Sussex and the South East as a whole.

### **3. Health Services White Paper – Equity and Excellence: Liberating the NHS**

3.1 The Cabinet has considered (Appendix 1 of the report to the Cabinet previously circulated to all members) an overview of the content of the White Paper and the associated guidance, which includes:

- a) Commissioning for Patients
- b) Local Democratic Legitimacy in Health
- c) Arm's Length Body Review
- d) The NHS Outcomes Framework
- e) Equity and Excellence for Children

3.2 The overall thrust of these proposals is increased local control, with a reduced reliance on regulation and central performance management, devolution of commissioning and budgets to GPs and greater community control of public health. Local Authorities will have responsibility for public health, a coordinating function through the Health and Wellbeing Boards, an associated scrutiny function, and a responsibility to ensure effective joint working across health, social care and the broader County Council.

3.3 There is significant work already underway in East Sussex to achieve greater integration, with the Governance structures, Integrated Plan and related work streams already having been agreed by Cabinet, for health and social care services. The Cabinet has agreed that this work is accelerated and is used as a basis for delivering the model of a broader level of integration signalled in the White Paper. Appendix 2 of the report to the Cabinet outlined:

- a) the approach jointly proposed with the Primary Care Trusts (PCTs) to make the most of the opportunities to improve local services and influence the shape of the national approach offered by becoming an “early adopter”
- b) a proposed set of transition arrangements to support the delivery of the White Paper. This includes an offer to integrate from health and the Council, wherever possible, all appropriate support services to GP-led commissioning. This would provide a resilient model during transition and more ambitious and cost-effective support services. Engaging and gaining GP support for this approach will be crucial for success.

3.4 The agreed approach builds towards a transitional year 2011/12 and will be subject to a further Cabinet report. The Cabinet has agreed to delegate authority to the Chief Executive, in consultation with all relevant Members, to make any appropriate changes in management arrangements prior to that full report being considered by the Cabinet. The action likely to be needed is secondments of PCT staff working on public health and commissioning.

3.5 The Cabinet has endorsed the response to the Government that was jointly agreed with the PCTs. The responses identify the key issues involved in taking forward the proposals in the White Paper and give detailed feedback about how a number of challenges can be best met.

3.6 The work to develop detailed proposals for transition arrangements will be significant and will be initially managed by reprioritising existing resources. There are likely to be significant implications for a range of management functions depending on the transition arrangements agreed by the County Council and PCTs in East Sussex. These, together with the key risks, will be addressed in a further report to Cabinet when more detailed work has been completed. A key element of the work will be establishing clarity about the impact of the in year financial changes currently being made by the PCTs on both budgets and expectations about performance and delivery.

3.7 The Cabinet has agreed that a Members' Seminar be arranged to enable Members to explore the implications and planned approaches in more detail. The Adult Social Care Scrutiny Committee and Health Overview and Scrutiny Committee have had initial discussions about the White Paper. It is proposed to invite PCT Board Members to participate in the discussion. The ideas currently being developed will include strong joint working with other local partners and it is also proposed to invite colleagues from the Boroughs and Districts and Speak Up (Voluntary and Community Services' umbrella body) to participate in the Seminar in addition to other direct engagement.

3.8 The scale of change that the Health White Paper potentially demands in East Sussex across both health and social care is significant if the potential improvements for local residents are to be realised. It is important therefore that the Council actively engages in shaping the future of services and builds on existing plans to make the most of the opportunities to improve the quality and value for money of Council and Health services

#### **4. Winter Highway Maintenance**

4.1 The Cabinet has considered a report of the Transport and Environment Scrutiny Committee on its review of winter service in East Sussex. The report is included elsewhere on the agenda (see agenda item 8). The scrutiny report has previously been circulated to all members.

4.2 The Review Board focussed on:

- a) the legal obligations of the County Council and whether it complies with the guidelines produced by central government in fulfilling those obligations
- b) the expectations of residents and the prospect of meeting those expectations
- c) what could the County Council do in partnership with residents, (particularly those with disabilities), schools, hospitals, businesses and other organisations within the County, over and above its policy of keeping the County's major routes clear? In particular, how can the County Council assist the boroughs, district, towns and parishes of East Sussex in regard to the pavements and low-priority roads?
- d) since the County Council is in a favourable position to buy grit bins and salt at beneficial rates, how are these to be provided to residents, businesses, nursing homes, hospitals, surgeries, boroughs, districts, towns and parishes on advantageous terms?

- e) what is the role of individual volunteers, volunteer organisations, businesses, farmers and others in regard to local winter clearance operations, particularly roads not having priority in the County Council's policy? In particular, what is the role of individual residents, shop owners and others in regard to pavement and road clearance?

4.3 The Cabinet has welcomed the Scrutiny Committee's report. The report provides valuable insights into the current arrangements in relation to winter highway maintenance. Implementation of the recommendations provides an opportunity to improve safety, accessibility and independence for residents in East Sussex.

4.4 In welcoming the findings of the Scrutiny Committee, the Cabinet has considered a report by the Director of Transport and Environment (set out in Appendix 2, to this report) on the specific recommendations and endorsed it as its response to the recommendations.

4.5 The Cabinet, in welcoming the report, recommends the County Council to –

- ☆ approve the response of the Director of Transport and Environment on the implementation of the recommendations in the Scrutiny Committee's report.

## **5. South Downs National Park – Arrangements for handling Planning Applications**

5.1 From 1 April 2011 the South Downs National Park Authority will become the Planning Authority for the National Park area. Under the proposed scheme of delegation, the National Park Authority (NPA) will consider only those applications that are of significance to the National Park, possibly around 150 annually, and delegate consideration of the remainder back to the current 15 constituent local planning authorities. In broad policy terms delegation of planning applications is desirable in that it gives the County Council an influence on planning within the National Park. Delegation of applications is also the preferred position of the other 14 constituent authorities.

5.2 In July 2010, the County Council agreed to progress negotiations without signing a binding agreement. Negotiations with the NPA have resulted in a workable scheme of delegation under which the payments to the County Council for processing planning applications will cover our costs. A service level agreement (S101 Agreement) is being negotiated with the NPA and this will cover minimum standards to be achieved in the Scheme of Delegation. The service level agreement would be for an initial three years with either side able to give one year's notice of withdrawal.

5.3 The Cabinet **recommends** the County Council to -

- ☆ agree to the County Council entering an agreement with the National Park Authority to process planning applications delegated back by the National Park Authority.

PETER JONES  
Chairman

12 October 2010

**ROPOSED PROMISE AND POLICY STEERS 2011/12**

**The Promise**

We will, in partnership, make the best use of resources to:

- help make East Sussex prosperous and safe
- support the most vulnerable people
- improve and develop roads and infrastructure
- encourage personal and community responsibility
- deliver the lowest possible council tax
- be a voice for East Sussex, listening and answering to local people.

**Policy Steers**

**Strategic Management and Economic Development Portfolio**

1. Raise the prosperity of East Sussex through a sharp focus on employment, skills and infrastructure.
2. Reduce carbon emissions and adapt to climate change.
3. Create sustainable communities by providing strategic leadership, empowering people, recognising the different needs of communities across the county and helping to ensure that public services in East Sussex are commissioned and delivered effectively.
4. Lead the delivery of the Council's policy steers and improvement of services through effective policy development and performance management.
5. Support Members to fulfil their role as community leaders, in scrutiny and as the democratic voice of local people.
6. Ensure that we have the right staff, with the right skills, supported by fit for purpose personnel policies and procedures.
7. Continue to improve equity and equality of opportunity for all through our service delivery and as an employer.
8. Ensure that residents, staff and key stakeholders are engaged in and informed about the key changes impacting on them.

**Corporate Resources Portfolio**

1. Ensure the Council matches available resources to its key priorities and delivers the lowest level of council tax consistent with those priorities.
2. Ensure efficient and effective strategic and operational financial management across the Council.
3. Maintain and improve high standards of governance, internal control and risk management.
4. Deliver top class procurement practice to support top class commissioning across the Council.
5. Ensure the Council has the right property resources to support effective service delivery.
6. Make best use of available capital resources and ensure effective delivery of capital projects.

**Community Services Portfolio**

1. Improve access to services for residents and maximise how it can help the whole Council operate more efficiently for the benefit of our council tax payers.
2. Provide front line staff with the best tools possible so they can be as effective as possible in meeting the needs of service users.
3. Continuously ensure maximum security and resilience of data and networks.
4. Provide the strategic leadership required across the county to ensure that continued improvements in the full range of the community safety agenda are maintained through the spending reductions and organisational changes over the next 3 years.
5. Work with the voluntary and community sector to build capacity.
6. Work with partners to strike a balance between the needs of the settled and Gypsy and Traveller communities with the reduced level of funding available.
7. Embed the Library Service in its communities to: reflect the expressed needs of the customer; encourage people to get the skills they need for employment; promote learning/literacy and improve access to services.
8. Ensure that the promotion of culture within East Sussex is embedded in the work of the County Council to maximise the attraction of investment and visitors to the area.
9. To seek out and preserve the original documents which record the history of East Sussex, its people, communities and organisations; and to make them available to present and future generations for inspiration, research and lifelong learning.
10. Promote informed, successful businesses in a fair and safe trading environment; encourage informed, confident consumers, protect vulnerable consumers.
11. To modernise delivery of the Registration Service.

**Adult Social Care Portfolio**

1. Make a strategic shift in Adult Social Care resources towards Older Peoples Services over the next five years, to reflect our demography and to ensure our resources are fairly and equitably distributed.
2. Improve information and advice to enable people to make the right choices about the support they need, at the right time, irrespective of their ability to pay.
3. Improve people's choice and control about how their needs are met by making best use of family and community support networks, and by developing the range of support and services available.
4. Ensure Adult Social Care support is accessible, proportionate, and that in partnership, we will protect vulnerable adults from harm.
5. Continue to invest in prevention and early intervention to keep people healthy and to maximise opportunities for rehabilitation and recovery.



**Children's Services Portfolio**

1. Promote good health for children and young people and reduce health inequalities.
2. Protect children and young people from harm and neglect.
3. Develop resilience in families to help reduce dependency on public services by enhancing their capacity to resolve their own problems.
4. Improve outcomes for Looked After Children and Care Leavers, as well as improving support to children and young people on the edge of care.
5. Support and challenge schools to raise educational achievement and aspirations at all key stages and target interventions at those most vulnerable to under achievement.
6. Work with partners to minimise the number of young people who are not in employment, education or training.
7. Promote the benefits of young people making a positive contribution to their community and decisions affecting their own lives.
8. Ensure children, young people and families have opportunities to shape the development of a sustainable future for the county.

**Transport and Environment Portfolio**

1. Improve transport access to services.
2. Make our roads safer.
3. Improve the condition of our road and rights of way network.
4. Minimise the amount of the county's waste sent to landfill or landraise.
5. Reduce the risk and impact of local flooding in East Sussex.
6. Achieve a fair balance between economic growth and the protection of our urban, rural and coastal environment.
7. Plan and prioritise the infrastructure needed to support the county's prosperity.



TRANSPORT AND ENVIRONMENT - SCRUTINY REVIEW OF WINTER SERVICE IN EAST SUSSEX – ACTION PLAN			
RECOMMENDATION		DIRECTOR'S RESPONSE AND ACTION PLAN	TIMESCALE
1	<p>The East Sussex County Council winter service policy needs to be expressed in a clear and easily understandable way. Central to this policy is the description of how different categories of routes will be treated under different weather conditions (and clarity about the set of routes which won't be treated within the County Council's policy). To assist this process, more intuitive definitions could usefully be adopted to make the picture clearer; for example, 'top priority routes' instead of 'standard routes' and 'secondary routes' instead of 'snow routes' for example.</p>	<p>The winter maintenance service plan is written to ensure the County meets it's legal responsibilities, and the terminology used in the document is directly referenced within the Highway Works Contract and this ensures there is a consistency with documentation should these be needed to be presented to the courts. It is recommended that the winter service plan is retained in its current format to ensure this consistency is maintained.</p> <p>It is therefore proposed as an alternative that a winter service policy summary is produced, which will use more intuitive definitions as proposed by Scrutiny.</p>	<p>Winter service policy summary document to be produced by the end of Oct 2010</p>
2	<p>a) Adjustments to current operations are needed to extend winter treatments to areas which are crucial for the operation of essential public services such as emergency services accesses and access routes to the County's hospitals and bus stations/garages.</p> <p>b) Transport and Environment officers should contact the bus companies serving East Sussex to elicit the impact of the winter maintenance policy during 2009/10, and to ensure that all current bus routes are classified appropriately within the policy.</p> <p>c) The outcomes of the Equalities Impact Assessment on the winter maintenance policy should be reported to Transport and Environment Scrutiny Committee in due course so that the Committee can consider whether further amendment to the policy is required to comply with appropriate equalities legislation.</p>	<p>a) Roads adjacent to the main hospitals and majority of emergency service facilities are currently included within the pre-salting arrangements. The County, as highway authority, has no legal responsibility to salt private/service roads leading to these establishments. Discussions are currently being held with the Primary Care Trust on the feasibility of including these establishments within the pre-salting operations.</p> <p>b) Bus companies have been contacted and details of routes obtained. The operational and financial impact of ensuring all current bus routes are classified appropriately within the policy is currently being assessed.</p> <p>c) An Equality Impact Assessment will be undertaken and Assessment on the winter maintenance policy will be reported to Transport and Environment Scrutiny Committee.</p>	<p>a) Review of routes completed by the end of Oct 2010</p> <p>b) Review of routes completed and cost assessed by the end of Oct 2010</p> <p>c) Report to be presented to Scrutiny in March 2010</p>

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TRANSPORT AND ENVIRONMENT - SCRUTINY REVIEW OF WINTER SERVICE IN EAST SUSSEX – ACTION PLAN			
RECOMMENDATION		DIRECTOR'S RESPONSE AND ACTION PLAN	TIMESCALE
3	The County Council should engage with partner local authorities and other key agencies to improve future coordination and proactively encourage them to develop their own severe weather contingency plans; and offer to store and provide salt to them cost effectively.	The Transport and Environment Dept. has written to partner local authorities and other key agencies to proactively encourage them to develop their own severe weather contingency plans; and has offered to store and provide salt to them.	Completion of negotiations by November 2010
4	The expectation that householders and businesses in East Sussex will clear snow and ice from public areas near their properties during periods of severe winter weather should be actively promoted during the autumn in preparation for next winter; the promotion should include appropriate guidance on how to carry out snow clearance responsibly and encouragement to assist neighbours who are unable to clear snow themselves.	A communication strategy has been agreed which will encourage the public and businesses to undertake self-help during periods of severe winter. This will include press releases, use of county magazines and additional web based information.	End of October 2010
5	<p>The Transport and Environment Department:</p> <p>a) Should proactively approach all parish, town, district and borough councils to offer the sale of salt and grit bins cost effectively under the current policy and extend the offer on similar terms to include residents associations or groups of residents and businesses.</p> <p>b) When issuing publicity around grit bins and hippo bags, should ensure that it emphasises that the salt provided is provided for public areas and not for private use, and provide suitable 'how to use' guidance.</p> <p>c) Determine the location points for hippo bags.</p>	<p>a) The District and Borough councils have been contacted about the storage and provision of salt. Parish and town councils have been approached to offer the sale of grit bins. This offer for the sale of grit bins is extended to any local resident association or business. (It should be noted that the refilling of grit bins is on the strict basis of pre-payment only)</p> <p>b) All publicity emphasises that the salt is provided for use on the public highway and not for private use, and does provide suitable 'how to use' guidance.</p> <p>c) The Transport and Environment Department has written to partner authorities to determine suitable location of hippo bags and to seek agreement on the procedure for their deployment. (It should be noted these will only be deployed in extreme weather conditions.)</p>	<p>a) To be undertaken in conjunction with recommendation 3</p> <p>b) Completed</p> <p>c) To be undertaken in conjunction with recommendation 3</p>

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TRANSPORT AND ENVIRONMENT - SCRUTINY REVIEW OF WINTER SERVICE IN EAST SUSSEX – ACTION PLAN			
RECOMMENDATION		DIRECTOR'S RESPONSE AND ACTION PLAN	TIMESCALE
6	<p>Transport and Environment should engage with East Sussex farmers either by advertising widely for new participants in the 'farmers' snow plough scheme' across the whole of East Sussex, or by targeting farmers in particular geographical areas where there would be demonstrably the most benefit; the purpose would be to explain what the County Council could offer farmers and vice versa.</p>	<p>The Transport &amp; Environment department has a limited number of snow ploughs that can be issued to farmers, to increase the numbers of farmers available to the scheme would require additional resources to be made available. The cost of providing a snow plough and ensuring it fits to a farmer's tractor, is in the region of £750 each. The County would also have to commit to an increased annual service charge for each additional farmer.</p> <p>In order not to commit to additional expenditure, all current farmers equipped with County owned snow ploughs have been contacted to identify where snowploughs were not utilised and to arrange to redeploy these to farmers who have expressed an interest in the scheme.</p>	Completed by November 2010
7	<p>a) The information and advice that the Council can offer any farmer, individual or business with machinery capable of clearing roads of snow, but without a contracting arrangement with the Council, needs to be that the Council cannot endorse such action and a) they should assess whether they are capable of undertaking the task competently; b) that they are fully insured with a minimum of £10m public liability insurance cover and c) that they are made aware that they may be liable for injuries or for the repair of any damage they cause.</p> <p>b) That steps be taken to ensure that the publicity promoting community self help for winter preparedness under recommendation 4 or for promoting other forms of volunteering work on the highway (apart from winter emergencies) is not undermined by this stance.</p>	<p>a) This will be included in the action taken in response to recommendation 4.</p> <p>b) This will be included in the action taken in response to recommendation 4.</p>	a) and b) To be undertaken in conjunction with recommendation 4

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TRANSPORT AND ENVIRONMENT - SCRUTINY REVIEW OF WINTER SERVICE IN EAST SUSSEX – ACTION PLAN		
RECOMMENDATION	DIRECTOR'S RESPONSE AND ACTION PLAN	TIMESCALE
<p>8</p> <p>The communication of advance or planning information by the County Council should be improved by:</p> <p>a) Ensuring the Council's winter service policy is described in a much more user-friendly way, paying careful attention to the use of terms that may be misleading such as 'standard route' and 'snow route'.</p> <p>b) Publishing some key 'facts and figures' about winter service such as: the cost; the amount of salt spread, the number of miles of road covered, the number of gritting lorries; the location and usage of grit bins and hippo bags.</p> <p>c) Providing greater clarity, with clearer online maps, about exactly which roads are treated under the policy; importantly including a description of which types of road are excluded or receive a lesser priority treatment.</p> <p>d) A campaign on winter weather preparedness targeted at those without computer or Internet access.</p> <p>e) Using the County Council's Your County magazine and local media to provide positive encouragement and appropriate advice about community self help options and other cold weather precautionary advice as highlighted in the recommendations of the Residents' Panel survey report.</p>	<p>a) This will be included in the action taken in response to recommendation 1</p> <p>b) key facts are available on the website and have been published and additional information will be made available as part of recommendation 4.</p> <p>c) This will be included in the action taken in response to recommendation 4</p> <p>d) This will be included in the action taken in response to recommendation 4</p> <p>e) This will be included in the action taken in response to recommendation 4</p>	<p>a) To be undertaken in conjunction with recommendation 1</p> <p>b),c),d), &amp; e) To be undertaken in conjunction with recommendation 4</p>
<p>9</p> <p>a) The needs of County Council Members should be explicitly recognised when communications systems for winter services are being revised in the light of the lessons from the 2009/10 severe winter weather.</p> <p>b) The roles of Members (including the specific role of the Lead Member for Transport and Environment) should be communicated to contact centre staff so that they are better enabled to provide the public with a more helpful and realistic picture of what is involved in changing council policy.</p>	<p>a) This will be included in the action taken in response to recommendation 4</p> <p>b) Contact centre staff have been briefed on the roles of Members, including the specific role of the Lead Member for Transport and Environment)</p>	<p>a) To be undertaken in conjunction with recommendation 4</p> <p>b) completed</p>