

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at COUNTY HALL, LEWES on TUESDAY, 22 OCTOBER 2013 at 10.00 am.

Present Councillors Barnes, Belsey, Bennett, Bentley, Birch, Blanch, Buchanan, Butler, Carstairs, Charlton, Daniel, Davies, Chris Dowling, Claire Dowling, Elkin, Ensor, Forward, Galley, Glazier, Hodges, Howson, Keeley, Lambert, Maynard, O'Keeffe, Phillips, Pragnell, Pursglove, Rodohan, Scott, Sheppard, S Shing, Shuttleworth, Simmons, Standley, St Pierre, Taylor, Tidy, Tutt, Ungar, Wallis, Webb, Whetstone and Wincott.

34 Minutes of last meeting

34.1 RESOLVED – to confirm the minutes of the meetings of the County Council held on 10 July and 16 July 2013 as correct records

35. Apologies for absence

35.1 Apologies for absence were received from Councillors Clark, Earl, Field, D Shing and Stogdon.

36. Chairman's Business

CHILDREN IN CARE

36.1 On 15 October the 6 group leaders came together on behalf of all elected members of the Council to underline the commitment of the County Council to act as a good Corporate Parent to the 591 children that we currently have in our care by signing the Children in Care pledge. The pledge, which all councillors will receive a copy, was drawn up by our Children in Care Council and the display outside the Chamber is a testament to the work that goes on every day to care for this group of children. The group leaders have signed up to a set of guidelines outlining what children in our care, and young people moving from care into adult life, are entitled to expect. Going into care can be a difficult experience and it is vital children have the support they need to help them be happy and content, and to develop into confident adults. On behalf of the Council I wish to thank the Children in Care Council for their work on the pledge and I reaffirm our commitment as a Council to ensuring that we all act as champions for the children and young people in our care.

SIMON HUGHES

36.2 This is the last Council meeting Simon Hughes will attend as his contract ends at the end of the month. On behalf of the Council the Chairman thanked Simon for his guidance and support during his time at East Sussex and wished him all the very best for the future.

ROYAL VISIT

36.3 The Chairman announced that the Queen and the Duke of Edinburgh were due to visit East Sussex on 31 October. They would be visiting the Fish Market at Newhaven, the YHA hostel at Southease, Harveys Brewery, Lewes and The Keep Records Centre, Falmer

CHAIRMAN'S ACTIVITIES

36.4 The Chairman announced that he had attended a number of engagements since the last County Council meeting including: the East Sussex Youth Orchestra Concert at the De La Warr Pavilion, the Fostering Service event at Barnsgate Maner, the Rye Speaker's Day and the presentation by the Lord Lieutenant of the Queen's Awards for Voluntary Service to 1066 Specials at Bexhill, visited Dieppe for the 71st anniversary of the Dieppe Raid and visited the Pestalozzi International Village Trust at Sedlescombe, presented awards at the Trading Standards Buy and Support with Confidence ceremony. The Vice Chairman and I have undertaken 42 engagements in total since the last meeting of the Council in July

PRAYERS

36.5 The Chairman thanked Mr Graham Marsh of the King's Church, Eastbourne for leading the prayers before the Council meeting.

PETITIONS

36.6 The Chairman informed the Council that immediately before the meeting the following petitions had been received from members:

- | | |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Councillor Butler | - calling upon the Council to transfer the areas known as Riverside Park and Lewes Recreation Ground in Newhaven to Newhaven Town Council |
| Councillors Galley | - calling on the County Council to introduce a school road safety zone between the recreation ground and the corner of Mill Lane outside Fletching School. |
| Councillor Hodges | - calling on the County Council to reduce the speed limit from 60 mph to 20 mph within 100 metres of St Michael's CE Primary School, Houghton Green Lane, Rye |
| Councillor Pragnell | - calling upon the County Council not to implement a no right turn from the Ridge into Hillside Road, Hastings |
| Councillor Scott | - calling upon the County Council to reconsider its proposal to cease |

funding, from 1 April 2014, the School Crossing Patrol officer in Blackman Avenue, Hastings

37 Questions from Members of the Public

37.1 There were no questions from members of the public

38. Declarations of Interest

38.1 There were no declarations of interest

39. Reports

CALLOVER

39.1 The Chairman, having called over the reports set out in the agenda, reserved the following paragraphs for discussion:

Cabinet (23 July 2013)	- paragraph 2
Cabinet (15 October 2013)	- paragraphs 2, 3 and 4

NON-RESERVED PARAGRAPHS

39.2 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.

40 Cabinet report (15 October 2013) – Future levels of investment in highways management

40.1 The following motion, to adopt paragraph 3 of the Cabinet report, was moved by Councillor Glazier:

not to allocate a further sum for the County's road infrastructure until there is a greater understanding of: the return on the investment and the opportunity cost of any additional investment; both of which can be established by using the Asset Management Plan as part of the Reconciling Policy Performance and Resources and budget setting processes for 2014/15 and beyond.

40.2 A recorded vote on the motion was requested and taken. The motion was CARRIED, the votes being cast as follows:

FOR THE MOTION

Councillors Barnes, Belsey, Bennett, Bentley, Birch, Buchanan, Carstairs, Charlton, Daniel, Davies, Chris Dowling, Claire Dowling, Elkin, Ensor, Forward, Galley, Glazier, Hodges, Howson, Keeley, Maynard, O'Keeffe, Phillips, Pragnell, Pursglove, Scott, Sheppard, Simmons, Standley, Taylor, Tidy, Webb, Whetstone and Wincott

AGAINST THE MOTION

Councillors Blanch, Butler, Lambert, Rodohan, S Shing, Shuttleworth, St. Pierre, Tutt, Ungar and Wallis

ABSTENTIONS

None

41 Cabinet Reports (23 July 2013 and 15 October 2013) – other reserved paragraphs

41.1 Councillor Glazier moved the reserved paragraphs of the Cabinet's reports.

41.2 The motions were carried after debate

42. Questions from County Councillors

ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Blanch	Councillor Maynard	Consultation on proposals to cease school crossing patrol funding
Councillor Lambert	Councillor Maynard	Reasons for delays to resurfacing of Blatchington Road, Seaford
Councillor St Pierre	Councillor Maynard	Further support for rural buses and for student bus tickets
Councillor Forward	Councillor Bennett	Reconciliation of duty to safeguard and promote the wellbeing of children with consultation in relation to funding of school crossing patrols
Councillor Wincott	Councillor Elkin	Freezing of energy prices
Councillor Butler	Councillor Simmons	Support by the County Council for apprenticeships via its procurement and strategic commissioning
Councillor Shing	Councillor Maynard	Recoding the number of potholes in East Sussex
Councillor Hodges	Councillor Maynard	Consultation on the funding of school crossing patrols

Questioner	Respondent	Subject
Councillor Birch	Councillor Chris Dowling	Banning access to pay day loan websites on public computers
Councillor Charlton	Councillor Maynard	Interpretation of Policy PS 5/1 and Policy Criteria 2 to differentiate between individual school sites for funding for school crossing patrols
Councillor Forward	Councillor Bentley	Impact of the consultation regarding the future of Mount Denys, Pinehill and Isabel Blackman Centre on vulnerable people in Hastings
Councillor St Pierre	Councillor Bentley	Update regarding the proposed development of site at Harvard Road, Ringmer
Councillor Davies	Councillor Glazier	Child death rates in East Sussex

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

42.2 Two written questions were received from Councillors Tutt and Ungar for the Lead Member for Learning and School Effectiveness and the Lead Member for Adult Social Care. The questions and answers are attached to these minutes.

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

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.25 pm

The reports referred to are included in the minute book

WRITTEN QUESTION PURSUANT TO STANDING ORDER 44

1. Question by Councillor Tutt to the Lead Member for Learning and School Effectiveness

Please will you give an assurance that no school in East Sussex is discriminating against left handed pupils by insisting that they use the computer mouse with a right handed setting?

Answer by the Lead Member for Learning School Effectiveness

Children's Services advises schools on ensuring they meet the needs of pupils - it does not have an enforcement role. In particular, we have produced a model Equality Policy to provide schools with a framework and examples of school projects which positively address equality issues

2. Question by Councillor Ungar to the Lead Member for Adult Social Care

a) How many "Self Funders" are currently in receipt of services provided by the Day Centres that are under review?

What has the income been from these service users over the last 5 years?

b) In respect of funds managed by East Sussex County Council on behalf of residents of East Sussex who are unable to carry out this function for themselves, what percentage rate of interest has the County Council achieved and paid to these clients for their monies managed and/or held in trust for each of the last 10 years?

c) How many Adult Social Care service users in receipt of funding for care packages have had those care packages reviewed so far in this financial year and how many of those care packages have had the funding reduced by 30% or more?

d) How much has East Sussex County Council paid in Reimbursement fines? Please explain exactly what are these fines for.

Please update the following information:

Reimbursement fines paid

The table below shows the level of Reimbursement fines paid by East Sussex, each year from 2003/04 to 2012/13 (as at 13 November 2012) supplied on 29 November 2012

The table below shows the financial year in which the invoice was issued.

Year	Reimbursement fines paid
2003/04	£ 152,200.00
2004/05	£ 748,850.00
2005/06	£ 615,550.00
2006/07	£ 1,046,983.75
2007/08	£ 270,400.00
2008/09	£ 67,500.00
2009/10	£ 85,300.00
2010/11	£ 84,900.00
2011/12	£ 108,400.00
2012/13	£ 6,700.00
TOTAL	£ 3,186,783.75

Answer by the Lead Member for Adult Social Care

a) There are currently 74 self-funding clients who attend the day centres under review. The potential maximum contribution from these clients is £4,500 per week, which is based on a charge of £30 per day. Charging would be abated for changes in attendance.

The Fairer Contribution basis for charging was introduced in 2011/12, at which point there were 68 clients making a maximum weekly contribution of £2,740 per week. The Fairer Contribution income for 2012/13 was £3,090 per week, based on 50 clients. Prior to this charges were based on a different system so is not comparable, particularly as the maximum charge for attending a day centre was £13.20 per session.

b) The current rate of interest applied to individual clients' managed bank accounts is 0.1%. The total amount of interest that accrued to clients in 2012/13 was £1,494.15.

The current system does not allow for automated reporting; therefore, in order to go back 10 years, we would need to draw this information from manual records. This is a significant task and the scale of the work would have an impact on the deliverability of the authority's agreed current plans.

c) For the period April 2013 to September 2013, a total of 5,985 client reviews have been completed. 6.8% of clients reviewed have had their support plans reduced by 30% or more, which is 407 people.

It is important to note that client reviews reassess needs against existing support plans and therefore care packages may reduce as a consequence of decreased need as well as the 30% indicative Personal Budget reduction. Some individuals may even have their support plans increased as a result of a change in needs, irrespective of the indicative 30% reduction in Personal Budgets.

d) The table below shows the level of Reimbursement fines paid by East Sussex, each year from 2003/04 to 2013/14 (as at 15 October 2013).

The table below shows the financial year in which the invoice was issued.

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2003/04	£ 152,200.00
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2010/11	£ 84,900.00
2011/12	£ 108,400.00
2012/13	£ 7,900.00
2013/14	£ 4,700.00
TOTAL	£ 3,192,683.75

The Community Care (Delayed Discharges) Act 2003 places duties upon the NHS and councils with social services responsibility in England relating to communication between health and social care systems around the discharge of patients and communication with patients and carers. The NHS is required to notify councils of any patients likely need for community care services, and of their proposed discharge date.

The Act also introduced a system of "reimbursement" for delayed hospital discharges. This applies to adult patients receiving acute medical care. If a patient remains in hospital because the council has not put in place the services the patient or their carer need for discharge to be safe, the council will pay the NHS body a charge of £100 per day of delay. The new duty for councils to pay the NHS for delays came into force on 5 January 2004.

Reimbursement process

The charging of Reimbursement is based on:

- 1) The patient being ready for transfer. A patient is ready for transfer when:
 - a. a clinical decision has been made that patient is ready for transfer AND
 - b. a multi-disciplinary team decision has been made that patient is ready for transfer AND
 - c. the patient is safe to discharge/ transfer.
- 2) The patient being delayed solely due to Social Services reasons
- 3) Full and correct Reimbursement paperwork has been issued