East Sussex County Council

COUNTY COUNCIL - TUESDAY, 12 OCTOBER 2021

Documents being circulated with the County Council agenda

Document	**Report in County Council agenda to which it is related**
Council Monitoring – Corporate Summary (Appendix 1 of the Cabinet report) (page 3)	Cabinet report, paragraph 1
Council Monitoring – Adult Social Care and Health(Appendix 2 of the Cabinet report) (page 10)	Cabinet report, paragraph 1
Council Monitoring – Business Services (Appendix 3 of the Cabinet report) (page 19)	Cabinet report, paragraph 1
Council Monitoring – Children's Services (Appendix 4 of the Cabinet report) (page 26)	Cabinet report, paragraph 1
Council Monitoring – Communities, Economy and Transport (Appendix 5 of the Cabinet report) (page 31)	Cabinet report, paragraph 1
Council Monitoring – Governance Services (Appendix 6 of the Cabinet report) (page 37)	Cabinet report, paragraph 1
Council Monitoring – Strategic Risk Register (Appendix 7 of the Cabinet report) (page 43)	Cabinet report, paragraph 1
Council Monitoring – Reserves and Balances Policy (Appendix 8 of the Cabinet report) (page 51)	Cabinet report, paragraph 1
Progress towards carbon neutrality – what ESCC has achieved to date (Appendix 9 of the Cabinet report) (page 53)	Cabinet report, paragraph 2
Progress towards carbon neutrality – progress against action plan and Scrutiny review recommendations (Appendix 10 of the Cabinet report) (page 56)	Cabinet report, paragraph 2
Waste and Minerals Local Plan Review – Revised Policies (Appendix 11 of the Cabinet report) (page 67)	Cabinet report, paragraph 3
Review of Members' Allowances – report of the Independent Remuneration Panel (appendix 1 of the Governance Committee report) (page 149)	Governance Committee report, paragraph 1
Councillor Parental Leave Policy (appendix 2 of the Governance Committee report) (page 157)	Governance Committee report, paragraph 2
Climate and Ecological Emergency Bill – additional information circulated by Councillor Georgia Taylor (appendix 1 of the Lead Member for Resources and Climate Change report) (page 159)	Lead Member for Resources and Climate Change report, paragraph 1
Climate and Ecological Emergency Bill (appendix 2 of the Lead Member for Resources and Climate Change report) (page 163)	Lead Member for Resources and Climate Change report, paragraph 1

PHILIP BAKER
Assistant Chief Executive

Council Monitoring Corporate Summary – Q1 2021/22

Council Plan performance targets

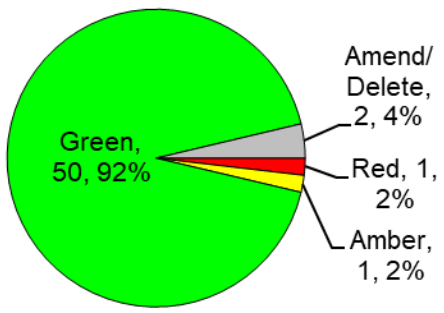
Priority	**Red**	**Amber**	**Green**	**Amend / Delete**
Driving sustainable economic growth	0	0	22	0
Keeping vulnerable people safe	1	0	8	1
Helping people help themselves	0	0	17	1
Making best use of resources in the short and long term	0	1	3	0
Total	**1**	**1**	**50**	**2**

Q1 2021/22

There are 54 individual targets in the Council Plan.

- Appendix 2 ASC&H – 2 Amend/Delete
- Appendix 3 BSD – 1 Amber,
- Appendix 4 CS – 1 Red

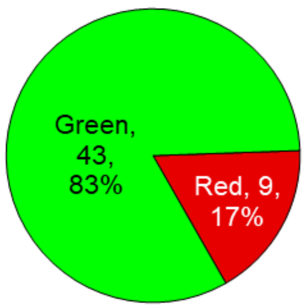
Q1 2021/22



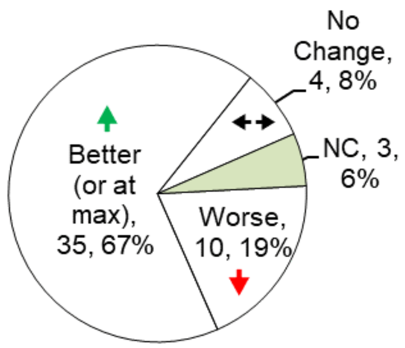
Final Council Plan outturn summary for year ending 2020/21

7 measures were reported as carry overs at the end of Q4 2020/21. Outturns for these measures are now available and the charts below summarise the final year end position for the 52 council plan targets applicable in 2020/21. Where available, performance improvement relative to 2019/20 is summarised under Direction of Travel.

2020/21 – Final



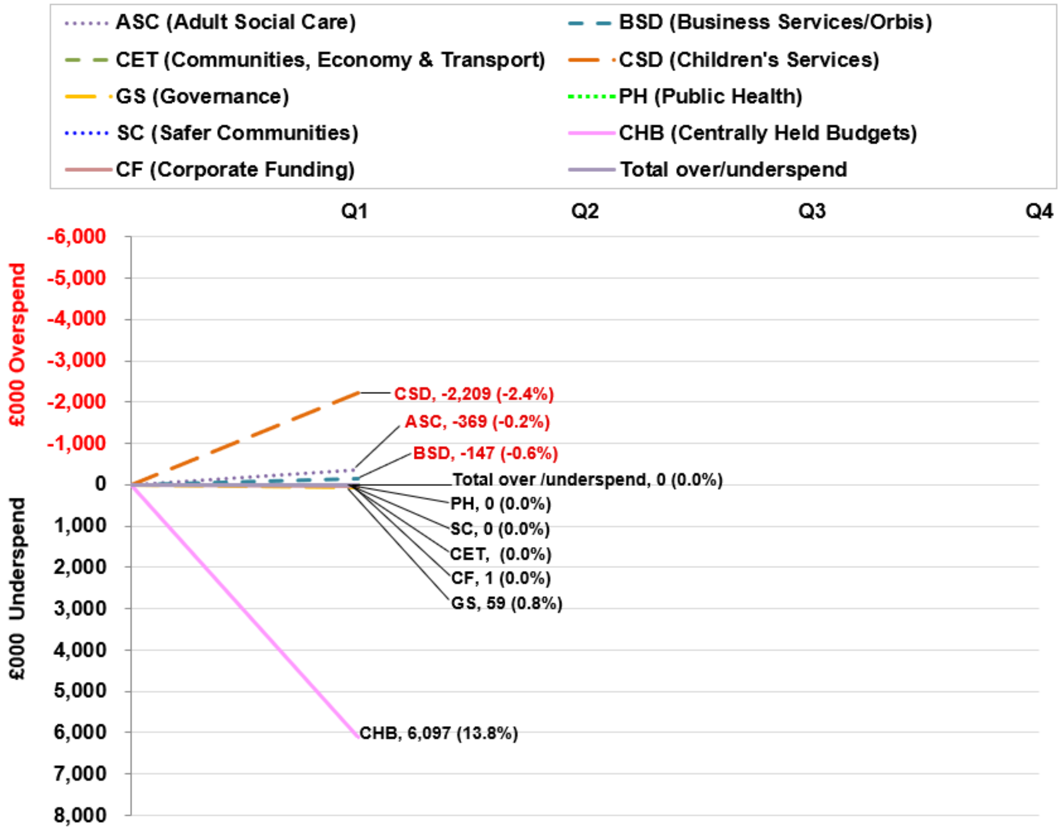
Direction of travel since 2019/20



Direction of Travel key

No change:	←→	Not Comparable	NC	Worse:	↓	Improved (or at maximum):	↑

Revenue budget outturn (net £000)



Revenue budget summary (£000)

Divisions	Q1 2021/22								
	Planned			Outturn			(Over) / under spend		
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net
Services									
Planned Budget									
Adult Social Care	287,762	(101,908)	185,854	285,251	(99,028)	186,223	2,511	(2,880)	(369)
Safer Communities	908	(450)	458	1,493	(1,035)	458	(585)	585	-
Public Health	30,960	(30,960)	-	30,218	(30,218)	-	742	(742)	-
Business Services / Orbis	54,041	(29,284)	24,757	54,571	(29,667)	24,904	(530)	383	(147)
Children's Services	364,283	(272,560)	91,723	369,591	(275,659)	93,932	(5,308)	3,099	(2,209)
Communities, Economy & Transport	124,247	(62,360)	61,887	127,276	(65,389)	61,887	(3,029)	3,029	-
Governance Services	8,595	(1,410)	7,185	8,535	(1,409)	7,126	60	(1)	59
Subtotal Planned Budget	**870,796**	**(498,932)**	**371,864**	**876,935**	**(502,405)**	**374,530**	**(6,139)**	**3,473**	**(2,666)**
Covid-19 related									
COVID-19 Related Costs	1,898	-	1,898	35,140	602	35,742	(33,242)	(602)	(33,844)
Covid-19 Specific Funding	-	(1,898)	(1,898)	-	(23,626)	(23,626)	-	21,728	21,728
Covid-19 General Funding	-	-	-	-	(12,116)	(12,116)	-	12,116	12,116
Subtotal Covid-19	**1,898**	**(1,898)**	**0**	**35,140**	**(35,140)**	**0**	**(33,242)**	**33,242**	**0**
Total Services	**872,694**	**(500,830)**	**371,864**	**912,075**	**(537,545)**	**374,530**	**(39,381)**	**36,715**	**(2,666)**

Revenue budget summary (£000)									
	Q1 2021/22								
Divisions	Planned			Outturn			(Over) / under spend		
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net
Centrally Held Budgets (CHB)									
Planned Budget									
Treasury Management	19,909	(1,200)	18,709	17,809	(1,200)	16,609	2,100	-	2,100
Capital Programme	-	-	-	-	-	-	-	-	-
Unfunded Pensions	8,423	-	8,423	8,488	-	8,488	(65)	-	(65)
General Contingency	3,980	-	3,980	-	-	-	3,980	-	3,980
Contrib. to Reserves	2,764	-	2,764	2,764	-	2,764	-	-	-
Removed from budgets for one-off use	8,855	-	8,855	8,855	-	8,855	-	-	-
Apprenticeship Levy	600	-	600	631	-	631	(31)	-	(31)
Levies, Grants and Other	965	(70)	895	923	(141)	782	42	71	113
Subtotal Planned Budget	**45,496**	**(1,270)**	**44,226**	**39,470**	**(1,341)**	**38,129**	**6,026**	**71**	**6,097**
COVID-19 related									
COVID-19 Related Costs	-	-	-	563	-	563	(563)	-	(563)
Covid-19 Specific Funding	-	-	-	-	(250)	(250)	-	250	250
Covid-19 General Funding	-	-	-	-	(313)	(313)	-	313	313
Subtotal Covid-19	**0**	**0**	**0**	**563**	**(563)**	**0**	**(563)**	**563**	**0**
Total Centrally Held Budgets	**45,496**	**(1,270)**	**44,226**	**40,033**	**(1,904)**	**38,129**	**5,463**	**634**	**6,097**
Corporate Funding									
Planned Budget									
Business Rates	-	(77,195)	(77,195)	-	(77,195)	(77,195)	-	-	-
Revenue Support Grant	-	(3,568)	(3,568)	-	(3,568)	(3,568)	-	-	-
Council Tax	-	(311,501)	(311,501)	-	(311,501)	(311,501)	-	-	-
Social Care Grant	-	(17,082)	(17,082)	-	(17,083)	(17,083)	-	1	1
New Homes Bonus	-	(505)	(505)	-	(505)	(505)	-	-	-
Subtotal Planned Budget	**0**	**(409,851)**	**(409,851)**	**0**	**(409,852)**	**(409,852)**	**0**	**1**	**1**
COVID-19 related									
COVID-19 Related Costs	-	-	-	-	(620)	(620)	-	620	620
Covid-19 Specific Funding	-	(6,239)	(6,239)	-	(5,421)	(5,421)	-	(818)	(818)
Covid-19 General Funding	-	-	-	-	(198)	(198)	-	198	198
Subtotal Covid-19	**0**	**(6,239)**	**(6,239)**	**0**	**(6,239)**	**(6,239)**	**0**	**0**	**0**
Total Corporate Funding	**0**	**(416,090)**	**(416,090)**	**0**	**(416,091)**	**(416,091)**	**0**	**1**	**1**
Total	**918,190**	**(918,190)**	**0**	**952,108**	**(955,540)**	**(3,432)**	**(33,918)**	**37,350**	**3,432**

APPENDIX 1

Revenue budget summary (£000)									
Divisions	Q1 2021/22								
	Planned			Outturn			(Over) / under spend		
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net
Contribution of TM underspend to capital programme borrowing	-	-	-	2,100	-	2,100	(2,100)	-	(2,100)
Remainder of general contingency to FM reserve	-	-	-	1,332	-	1,332	(1,332)	-	(1,332)
FINAL TOTAL	**918,190**	**(918,190)**	**0**	**955,540**	**(955,540)**	**0**	**(37,350)**	**37,350**	**0**

Revenue Savings Summary 2021/22					
Service description	**2021/22 (£'000) – Q1 Forecast**				
	Original Target for 2021/22	**Target including items c/f from previous year(s)**	**Achieved in-year**	**Will be achieved, but in future years**	**Cannot be achieved**
Savings					
ASC	-	-	-	-	-
BSD/Orbis	136	136	136	-	-
CS	134	134	134	-	-
CET	594	1,608	1,608	-	-
GS	-	-	-	-	-
Total Savings	**864**	**1,878**	**1,878**	**0**	**0**
ASC			-	-	-
BSD / Orbis			-	-	-
CS			-	-	-
CET			-	-	-
GS			-	-	-
Subtotal Permanent Changes [1]			**0**	**0**	**0**
Total Savings & Permanent Changes	**864**	**1,878**	**1,878**	**0**	**0**

Memo: treatment of savings not achieved in the year (£'000)	**Temporary Funding [2]**	**Part of reported variance [3]**	**Total**
ASC	-	-	**0**
BSD / Orbis	-	-	**0**
CS	-	-	**0**
CET	-	-	**0**
GS	-	-	**0**
Total	**0**	**0**	**0**

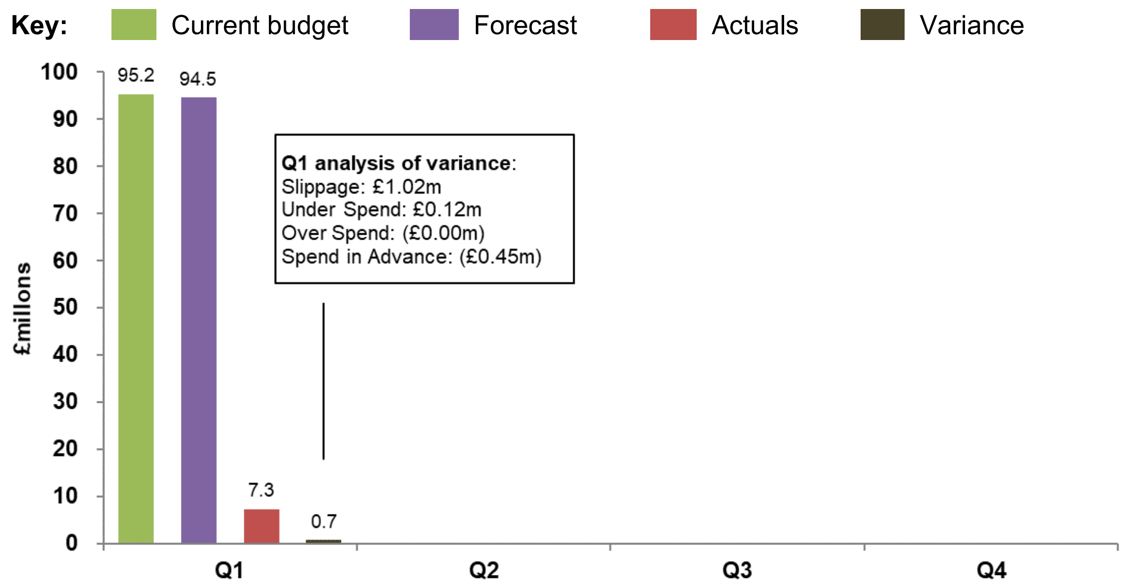
[1] Where agreed savings are reasonably unable to be achieved other permanent savings are required to be identified and approved via quarterly monitoring.

[2] Temporary funding will only replace a slipped or unachieved saving for one year; the saving will still need to be made in future years (or be replaced with something else).

[3] The slipped or unachieved saving will form part of the department's overall variance - it will either increase an overspend or decrease an underspend. The saving will still need to be made in future years (or be replaced with something else).

APPENDIX 1

Capital Programme (gross £ millions) – approved projects



Capital Programme Summary (£000)

	2021/22						
	In year monitoring Q1				Analysis of Variation		
	Budget	Actual to Date	Projected 2021/22	Variation (Over) / Under	(Over) / under spend	Slippage to future years	Spend in advance
Planned Programme							
Adult Social Care	204	10	204	0	-	-	-
Business Services	37,043	5,210	36,221	822	122	700	-
Children's Services	967	315	967	0	-	-	-
Communities, Economy & Transport	56,998	1,727	57,132	(134)	-	316	(450)
Gross Expenditure (Planned Programme)	**95,212**	**7,262**	**94,524**	**688**	**122**	**1,016**	**(450)**
Section 106 and CIL	5,806	-	5,806	-	-	-	-
Other Specific Funding	14,000	-	14,000	-	-	-	-
Capital Receipts	8,676	-	8,676	-	-	-	-
Formula Grants	27,832	-	27,795	37	-	37	-
Reserves and Revenue Set Aside	5,697	-	5,691	6	-	6	-
Borrowing	33,201	-	32,556	645	122	973	(450)
Total Funding (Planned Programme)	**95,212**	**0**	**94,524**	**688**	**122**	**1,016**	**(450)**
Covid-19 Related							
Covid-19 Related Costs	250	313	563	(313)	(313)	-	-
Covid-19 Specific Funding	(250)	0	(250)	-	-	-	-
Covid-19 General Funding	-	(313)	(313)	313	313	-	-
Total (Covid-19 Related)	**0**	**0**	**0**	**0**	**0**	**0**	**0**

Centrally held budgets (CHB) and Corporate Funding

The Treasury Management Strategy (TMS), which provides the framework for managing the Council's cash balances and borrowing requirement, continues to reflect a policy of ensuring minimum risk, whilst aiming to deliver secure realistic investment income on the Council's cash balances.

The average level of Council funds available for investment purposes during the Q1 was £305m, with the total amount received in short term interest for the quarter to 30 June 2021 was £0.310m at an average rate of 0.40%, compared to £0.320m at an average rate of 0.52% for Q4 2020/21. Whilst the Bank of England base rate remained at 0.10%, market investment returns have proved minimal in nature, such that where possible a number of Local Authority investments have been made to secure a higher fixed return for periods up to 2 years. In seeking investment opportunities, as defined by the TMS, an opportunity has been explored to invest within a Fixed Term Bank Deposit that aligns to the United Nations' Sustainable Development Goals (SDGs) - up to £30m for investment has been identified. In the future, inflationary pressures may impact on interest rates, but our advisers are currently projecting flat-line with forecasts projecting that interest rates will remain at 0.10% (or lower) for the next 24 months.

The majority of the Council's external debt, totalling £230.7m at Q1, is held as long term loans. No long term borrowing was undertaken in the quarter and no further cost effective opportunities have arisen during Q1 to restructure the existing PWLB or wider debt portfolio.

The Treasury Management budget is currently forecasting to underspend by £2.1m. This is based on the position on the capital programme removing the need to borrow externally in 2021/22, together with the financial information presented above.

Reserves and Balances 2021/22 (£000)

Reserve / Balance	Balance at 1 Apr 2021	Planned net use at Q1	Forecast net use at Q1	Movt	Estimated balance at 31 Mar 2022
Statutorily ringfenced or held on behalf of others:					
Balances held by schools	20,512	-	-	-	20,512
Public Health	5,734	(578)	(578)	-	5,156
Other	6,043	406	406	-	6,449
Subtotal	**32,289**	**(172)**	**(172)**	**0**	**32,117**
Service Reserves:					
Capital Programme	12,417	(1,243)	(1,243)[1]	-	11,174
Corporate Waste	16,113	-	-	-	16,113
Insurance	7,400	(500)	(500)	-	6,900
Subtotal	**35,930**	**(1,743)**	**(1,743)**	**0**	**34,187**
Strategic Reserves:					
Priority / Transformation	8,026	(804)	(804)	-	7,222
Financial Management	50,114	(6,505)	(6,505)[2]	-	43,609
Subtotal	**58,140**	**(7,309)**	**(7,309)**	**0**	**50,831**
Total Reserves	**126,359**	**(9,224)**	**(9,224)**	**0**	**117,135**
General Fund	10,000	-	-	-	10,000
Total Reserves and Balances	**136,359**	**(9,224)**	**(9,224)**	**0**	**127,135**

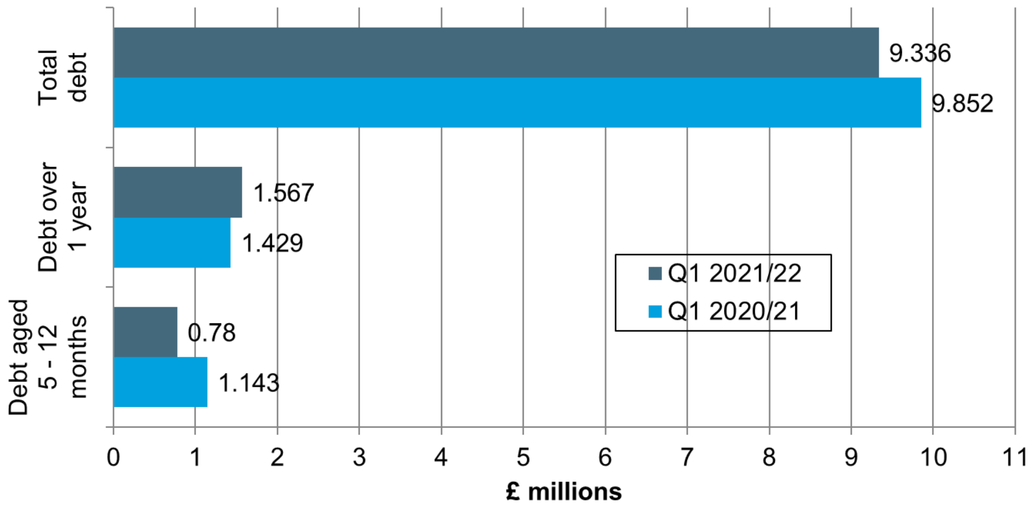
[1] currently excludes the Q1 Treasury Management underspend of £2.100m

[2] currently excludes the Q1 General Contingency transfer of £1.332m

Changes to Fees & Charges

A new fee has been approved for the East Sussex Registration Service. A new non-statutory Identity Photo service was created with effect from 1 July 2021 to coincide with the Council's Register Offices becoming 'Designated Register Offices', and the requirement for some customers to start providing photographs when they come to give Notice – it was considered likely that some customers will forget to do so or will not read the instructions properly and thus not arrive with the photos. Not offering this process for dealing with this issue would likely result in these appointments being abandoned and the time wasted, and a repeat appointment being needed when they return with their photos. The fee is £4.17 plus VAT (£5.00 inclusive).

Outstanding debt analysis (£ millions)



The value of debt over five months at Q1 has decreased by £0.330m to £2.347m compared to the 2020/21 outturn of £2.677m. The overall outstanding debt has also decreased from £15.549 to £9.336m. This is largely due to the settlement of some large Clinical Commissioning Group invoices, that remained outstanding at the end of 2020/21.

Adult Social Care and Health – Q1 2020/21

Summary of progress on Council Priorities, issues arising, and achievements

<u>Adult Social Care (ASC)</u>

Health and social care integration

The focus in Q1 has been putting in place plans to respond to the requirements in the Health and Care Bill, and ensure the proposed changes are implemented to positively impact and strengthen our relationship with the local NHS for the benefit of our population. This includes how we best manage our collective resources under the new arrangements to deliver our shared priorities and objectives for health and social care integration, improving population health and wellbeing and reducing health inequalities, as well as meeting the new duty to collaborate. The following specific agreements have been reached:

- The Council's relationship with, and role in, the Sussex-wide Integrated Care System (ICS) including membership of both the Sussex-wide NHS ICS body and the wider strategic engagement partnership.
- The role and responsibilities of our place-based partnership within the ICS where much of the interface between social care, public health and the NHS will be managed.

In addition, the following plans have been agreed and implemented in Q1 to enable progress to be made on our integration work and models in East Sussex:

- Further strengthening our East Sussex Health and Social Care Partnership through agreeing a set of underpinning principles that will support our collaboration and the way our teams work together on the ground, and the key actions in 2021/22 that will support this.
- A review and refresh of our shared transformation programme priorities across children and young people, mental health, integrated community health and social care, urgent care and planned care, to ensure they support the continued restoration and recovery of health and social care services in 2021/22. This has included a focus on addressing health inequalities and delivering personalised, integrated and preventative care models. This has contributed to the production of a place-based annual delivery plan to ensure alignment of our work across our organisations and partnership at place level within the Sussex ICS.
- Key workstreams for mental health integration have progressed and are strategically linked across primary care, specialist community services and supported housing and accommodation, and prevention. This has included:
  - Mapping needs and resources to Primary Care Networks and further development of an aligned model for emotional wellbeing services taking in shared resources across the system.
  - Progressing the overarching Personality Disorder service model and refreshing joint working arrangements between Sussex Partnership NHS Foundation Trust and Adult Social Care for rehabilitation services.
  - Reviewing the approach needed in East Sussex to the ICS-wide proposals for Complex Needs Housing.
  - Further implementation of the Mental Health Investment Standard to ensure recovery of dementia diagnosis rates, increasing provision of community support and enhanced support to care homes.
- Joint hospital discharge processes and the hospital discharge hub function has been further embedded, including for out of county acute pathways. Agreement has been reached to further support the models and pathways for Home First through developing a multi-disciplinary, integrated urgent response community health and social care team to support delivery of Home First Pathway 1 (hospital discharge to own home with a package of support).
- Capacity and demand modelling has been undertaken jointly to inform a sustainable model for Discharge to Assess (D2A) and Home First Pathways, that best meets the needs of local people within available collective system resources. To support this Home First Pathway 3 (discharge to temporary nursing or residential beds for assessment) has been reviewed across acute and community health and social care processes, to help shape a strategic approach to commissioning, procurement, and supplier management of beds.
- A joint programme to improve and streamline pathways for patients who are medically ready for discharge from hospital has also been successfully delivered.
- A strategic development framework has been agreed to coordinate and dovetail the discrete pieces of work that will deliver increased capability to improve and manage population health and wellbeing, and reduce health inequalities, across the full span of all our organisations' roles and services that contribute to this. The framework covers the physiological causes of health inequalities, increasing healthy behaviours and the psycho-social and wider economic determinants of health. As part of this an organisation has been appointed to engage with stakeholders fully to inform how we shape our shared vision and onward plans for:

  - Developing our long-term partnership approaches to community wellbeing building on the successful and rapid introduction of Community Hubs in East Sussex and enabling a joined-up offer across the wider services delivered in partnership with District and Borough Councils and the Voluntary Community and Social Enterprise (VCSE) sector.

- Developing a systems approach to tackling loneliness and social isolation; the first phase of which will be working with people and partners across East Sussex to launch a 'Connection Campaign' to bring people together to explore how communities across East Sussex can become more connected, and how partners can work better together to enable this.

Third Sector support – During Q1, activity has begun to focus on working with external partners to put in place support that will assist in adapting to the changes in Government COVID-19 guidance and identifying ways to ensure services and activities continue to address the identified local impacts of the pandemic.

The Sussex Crisis Fund **–** Support and Recovery Phase, managed by Sussex Community Foundation with a significant financial contribution from the Council, has made over 30 grant awards of up to £10k to organisations working to provide support to people and communities under the following themes:

- Mental health and well-being support.
- Advice and support services.
- Digital inclusion.
- Reconnecting people and communities.
- Costs associated with providing food and other vital support.

The Third Sector Support team worked with the East Sussex Voluntary Community and Social Enterprise Alliance, Adult Social Care, Public Health, and the Clinical Commissioning Group to submit an Expression of Interest (EOI) to the Institute for Voluntary Action Research (IVAR) to take part in their national programme **–** Connecting Health Communities. The East Sussex EOI was accepted by IVAR and we will be one of eight partnerships in England taking part in the 18-month long programme of support and peer learning funded by the National Lottery Community Fund, and supported by an advisory group with representation from NHS England.

Enabling people to live independently at home and delaying dependency:

- Frail adults across East Sussex can receive Technology Enabled Care Services (TECS), to help manage risks and maintain independence at home. TECS includes Telecare, which offers a range of sensors and detectors to meet different needs, such as wearable alert buttons, fall detectors or medication dispensers. At the end of May 2021, 8,437 people were receiving TECS. The decline seen at the end of 2020/21 has now stabilised as the restrictions in place during the pandemic are relaxed.

Adults are able to take control of the support they receive:

- At the end of Q1, 32.1% of adults and older clients were receiving Direct Payments, equating to 1,489 people. Whilst this figure represents only a small reduction in actual numbers of people receiving Direct Payments, the denominator has continued to increase as a result of the NHS Hospital Discharge CV19 Funding which has been in place since March 2020. This has resulted in a downward trajectory in the percentage indicator which is anticipated to continue until at least the beginning of Q3 when the Hospital Discharge Funding Scheme is due to end. This reduction has been experienced by other authorities in the region which means that our performance remains comparatively good and is projected to remain in the Upper Middle Quartile when compared nationally.
- Additionally, the number of people in receipt of Direct Payments is influenced by the availability of Personal Assistants (PA), which has become more challenging since the start of 2021. Despite a number of initiatives underway to attract new Personal Assistants into the market, it is anticipated that this shortage is likely to remain for some time. As such, it is proposed to amend the target back to the 2019/20 level of 31.5% **(ref i)**.

Adults are supported to find and keep safe and affordable accommodation:

- 1,483 people were supported through housing related floating support across East Sussex in Q1 to maintain their independence, provided with advice and support on topics such as debt, welfare, and healthy lifestyles or to find and keep safe and affordable accommodation and to improve their health and wellbeing.

The proportion of people who use services who say that those services have made them feel safe and secure:

The outturn for this measure in 2019/20 was 83.6% which placed us in the lower quartile (there was no survey undertaken in 2020/21 due to COVID-19 pressures). However, of the people who said services did not make them feel safe and secure in 2019/20 over 80% stated (in the question as to how safe they felt – ASCOF 4A) that they feel as safe as they want or adequately safe, and performance in relation to ASCOF 4A was in the upper middle quartile in 2019/20.

Historical analysis of previous year's surveys has also indicated that a large proportion of adults supported by Adult Social Care feel safe regardless of the services they receive so their service provision is less likely to have an impact as there is no expectation for services to make them feel safer. People's responses to this question can also be influenced by wider factors beyond the Council's control, which limit our ability to fully ensure services make people feel safe and secure.

Therefore, it is proposed to amend the target from 87.0% to >83.8%, which would aim to improve performance to the lower middle quartile based on 2019/20 thresholds **(ref ii)**. The next survey will be undertaken in February 2022 and the outturn will be reported in Q4.

Safer Communities (Safer East Sussex Team (SEST), Substance Misuse and Recovery Services and Domestic Violence and Abuse, Sexual Violence and Abuse Services)

Working to address and prevent serious violent crime – An East Sussex Violence Reduction Action Plan has been developed covering current, planned, linked and completed projects and ideas for partnership activity. A presentation on the new Serious Violence Duty 2021 was shared at the Violence Reduction Partnership (VRP) outlining information on partnership working, data sharing and monitoring. Partnership work is developing around high-harm hotspot areas to identify local issues and trends which can be eased or disrupted through multi-agency action. The VRP continues to bring together partners from Policing, local authorities, Clinical Commissioning Groups and the Voluntary, Community and Social Enterprise sector to work with offenders directly and map out changes to local environments.

Tackling serious and organised crime – A series of online resources have been created for electively home educated pupils to help young people understand the types of exploitation used by criminals to control young people, the effects of illegal drugs and drug law. Workshops have been delivered alongside Victim Support as part of contextual safeguarding work in Uckfield; In My Shoes portrays the impact of certain crimes and behaviours on individuals and explains how people can be affected by harmful behaviours. Young people have reported a greater awareness of crime's impacts on others, greater empathy and understanding of how to help vulnerable people.

The University of Sussex received European funding alongside the development company Always Possible to develop an Anti-Modern Slavery Project. 'The Possibility Club' enables the sharing of research, business innovation, grassroots community practice and individual lived experience. The Safer East Sussex Team (SEST) are raising awareness of modern slavery's warning signs and how Sussex Anti-Slavery Network's partners support victims and has supported the delivery of the first of two Safeguarding Adults Board Multi-Agency Training workshops for modern slavery Single Point of Contacts (SPOCs) and first responders.

Reducing Reoffending – East Sussex Trailblazers, including the SEST, Probation, the Rough Sleepers Initiative and local housing authorities, continue to develop resettlement opportunities for prison-leavers through a whole-systems approach. In Q1 Trailblazers agreed, with the East Sussex Housing Officers Group, a Prison Housing Options Officer role and funding to offer prison-leavers specialist housing advice and support pre-release; recruitment for the role will take place in Q2. Hastings Borough Council have submitted an application for funding to the Ministry of Housing, Communities & Local Government's Accommodation for ex-Offenders Scheme to further complement Trailblazers' work to improve ex-offenders' access to the private rented sector.

Substance Misuse Services – SEST is continuing to develop its recreational cocaine campaign and is working with Corporate Communications to explore advertising site options and with Sussex Police to target licensed premises. An advertising campaign to promote Project ADDER and engagement within the Hastings community began on Monday 28 June and runs for eight weeks. The team have used multiple channels to communicate to residents including posters, bus advertising, billboards, telephone boxes, social media and e-newsletters with supporting press coverage.

Dependence on anxiety-based medication has increased locally and nationally in the past 12 months; in East Sussex more accidental deaths are occurring due to overdoses of pain medications. In April the East Sussex Dependence Forming Medication (DFM) Lead came to the Drug and Alcohol Related Death Working Group to discuss the DFM project and asked them to consider whether lessons could be learnt that would enable the focussing of resources on areas of work that could reduce the frequency and underlying causes of drug related deaths in the county.

Domestic Violence and Abuse, Sexual Violence and Abuse Services – The Domestic Abuse Act came into force in April 2021; the Council's key obligations are under Sections 57 and 58. Alongside West Sussex County Council we are setting up a statutory Domestic Abuse Local Partnership Board, discussions with Brighton and Hove City Council as to their involvement are ongoing. A pan-Sussex Project Team located in the Office of the Sussex Police and Crime Commissioner is leading on a Strategic Needs Assessment for accommodation-based support with help from local councils, specialist providers and people with lived experience. Initial headlines will be ready in Q2. The local commitments made to date are: three IDVAs (Domestic Abuse Advocates) to be co-located in Housing Options teams; the resourcing of a Lived Experience Board to feed into the Local Partnership Board and market engagement event to the assess need and appetite for refuge for women with multiple complex need (MCNs).

A Domestic Homicide Review (DHR) protocol has been developed to be finalised with input from district and borough councils; five are currently ongoing in East Sussex. This protocol will be circulated around partner agencies to ensure a more consistent and clear approach to the DHR process in East Sussex based on Home Office guidance.

The Council is seeking re-accreditation from White Ribbon UK, with an action plan being finalised with input from partners and district and borough community safety partnerships to ensure consistency with the corporate wide action plan and second-tier action plans to ensure a co-ordinated and strategic approach.

Public Health

Starting in May 2021, ex-rough sleepers in Eastbourne have been supported to re-plant the Eastbourne Lawns, as part of skills and employability support for vulnerable people and those who are the furthest from the workplace. Funded by the Control Outbreak Management Fund (COMF) and led by Public Health, this is a partnership project with the Rough Sleeper Initiative, Skills East Sussex, Eastbourne Borough Council and Plumpton College. Ex-rough sleepers were supported and encouraged to firstly attend a 'taster session' to see if they would be interested in gaining horticultural skills as well as the therapeutic benefits that gardening brings. Many attended the taster sessions and a cohort of six are now taking part in regular supported training sessions that can lead to them acquiring a City and Guilds Level 1 qualification in horticulture. There is also the potential for one or more of the group to take on a paid apprentice role. Similar schemes are now being developed in other parks and green spaces across the whole county to support more people who have previously been rough sleepers and those who are homeless and living in temporary accommodation.

Following the launch of the Healthy Schools Programme in September 2020, Q1 has seen the first six schools achieve 'Healthy Schools' status. Delivered by the School Health Service, the Programme supports schools in adopting and embedding an evidence based, systematic approach to health and wellbeing, to include healthy eating; physical activity; Personal, Social, Health and Economic education; and emotional wellbeing. Achieving Healthy School status recognises achievements and an ongoing commitment to supporting the health and wellbeing of children, staff, and families. To date, 80 schools have signed up to participate in the programme.

Throughout Q1, the Wellbeing at Work team have been working with businesses in focus groups, and partners in workshops, to develop a workplace health accreditation scheme to recognise employers commitment to improving health and wellbeing; the final model has now been produced, with the scheme due to launch in the Autumn. In June, the Wellbeing at Work programme has launched its new website, to provide health and wellbeing resources, guidance, training opportunities and best practice examples to employers in East Sussex, as well as information regarding the upcoming accreditation.

Public Health, Brighton and Sussex Medical School and Sussex Public Health Intelligence colleagues have successfully received National Institute of Health Research (NIHR) funding to identify and overcome barriers faced by local authority intelligence teams in using linked health and care datasets. The funding provides two part time linked dataset fellows (seconded from Sussex Public Health teams) who will be supported by data science academics to advance their programming and analytical skills through exploring questions relating to multimorbidity, service use and clustering of risk factors posed by Public Health. The end report to NIHR will identify development and resource needs for Public Health teams to enable best use of linked data. Public Health will gain a better understanding of population need along with new skills to continue turning data into insight and improvements.

Revenue Budget Summary

Public Health

The Public Health (PH) Budget of £32.858m comprises of the PH grant allocation of £28.073m, Test, Track and Contain grant allocation £1,868m, Pan Sussex Community mass testing funding £0.030m, ADDER Grant allocation £1,567m and £1,320m drawn from reserves to support in year spending. At the end of Q1 expenditure is less than anticipated by £0.742m due to delivery of services being restricted by COVID-19.

ASC

The net Adult social Care budget of £185.854m includes growth and demography funding and an inflationary uplift to support the independent sector care market. The budget now reflects the reduction in commitment due to the impact of COVID-19 related excess deaths of clients in local authority care during 2020/21.

The budget is currently forecast to overspend by £0.369m. This comprises a small underspend of £0.210m in the Independent Sector and an overspend of £0.579m in Directly Provided Services, the latter mainly due to pressures in staffing budgets.

Capital Programme Summary

The ASC Capital programme is £0.209m for 2021/22.

Performance exceptions (See How to read this report for definition)								
Performance measure	**Outturn 20/21**	**Target 21/22**	**21/22 RAG Q1**	**Q2**	**Q3**	**Q4**	**Q1 2021/22 outturn**	**Note ref**
Priority – Helping people to help themselves								
Proportion of working age adults and older people receiving direct payments	33.9%	**Amendment requested from** ~~≥34.3%~~ **To** 31.5%	AD				32.1%	i
The proportion of people who use services who say that those services have made them feel safe and secure'	Could not be implemented due to Covid-19	**Amendment requested from** ~~≥87.0%~~ **To** ≥83.8%	AD				Next survey will be undertaken in February 2022. Outturn will be reported in Q4	ii

Measures marked carry over at year end 2020/21 Final outturn								
Performance measure	**Outturn 19/20**	**Target 20/21**	**20/21 RAG Q1**	**Q2**	**Q3**	**Q4**	**2020/21 final outturn**	**Note ref**
Priority – Helping people to help themselves								
Number of new service user interventions started through One You East Sussex as part of the Integrated Lifestyle Service	6,432	4,500	G	A	AD	G	4,673	
The number of health and social care staff and voluntary sector organisations trained to deliver brief interventions and advice to promote, encourage and help people make healthier choices as part of the Making Every Contact Count (MECC) initiative	689	150	G	A	AD	G	158	
Priority – Keeping vulnerable people safe								
Percentage of Health and Social Care Connect contacts that are appropriate and effective (i.e. lead to the provision of necessary additional services)	98%	95%	G	G	G	G	98%	

Savings exceptions						
Service description	**2021/22 (£'000) – Q1 Forecast: Original Target For 2021/22**	**Target including items c/f from previous year(s)**	**Achieved in-year**	**Will be achieved, but in future years**	**Cannot be achieved**	**Note ref**
Savings						
No savings target	-	-	-	-	-	
	-	-	-	-	-	
Total Savings	0	0	0	0	0	
			-	-	-	
			-	-	-	
Subtotal Permanent Changes [1]			0	0	0	
Total Savings and Permanent Changes	0	0	0	0	0	

Memo: treatment of savings not achieved in the year (£'000)	Temporary Funding [2]	Part of reported variance [3]	Total	Note Ref
	-	-	-	
	-	-	-	
	-	-	-	
Total	0	0	0	

[1] Where agreed savings are reasonably unable to be achieved other permanent savings are required to be identified and approved via quarterly monitoring.

[2] Temporary funding will only replace a slipped or unachieved saving for one year; the saving will still need to be made in future years (or be replaced with something else).

[3] The slipped or unachieved saving will form part of the department's overall variance - it will either increase an overspend or decrease an underspend. The saving will still need to be made in future years (or be replaced with something else).

Revenue Budget										
Divisions	**Planned (£000)**			**2021/22 (£000)**						**Note ref**
				Projected outturn			**(Over) / under spend**			
	Gross	**Income**	**Net**	**Gross**	**Income**	**Net**	**Gross**	**Income**	**Net**	
Adult Social Care										
Independent Sector										
Planned Budget										
IS - Physical Support, Sensory Support and Support for Memory & Cognition	121,251	(44,907)	76,344	113,212	(41,444)	71,768	8,039	(3,463)	4,576	
IS - Learning Disability Support	67,818	(4,878)	62,940	69,878	(6,036)	63,842	(2,060)	1,158	(902)	
IS - Mental Health Support	12,440	(5,890)	6,550	14,970	(4,956)	10,014	(2,530)	(934)	(3,464)	
Subtotal	**201,509**	**(55,675)**	**145,834**	**198,060**	**(52,436)**	**145,624**	**3,449**	**(3,239)**	**210**	
COVID-19 related										
Covid-19 Related Costs	-	-	-	13,049	-	13,049	(13,049)	-	(13,049)	
Covid-19 Specific Funding	-	-	-	-	(13,049)	(13,049)	-	13,049	13,049	
Covid-19 Tranche Funding	-	-	-	-	-	-	-	-	-	
Subtotal Covid	**0**	**0**	**0**	**13,049**	**(13,049)**	**0**	**(13,049)**	**13,049**	**0**	
Directly Provided Services and Assessment and Care Management										
Planned Budget										
Physical Support, Sensory Support and Support for Memory & Cognition	14,891	(4,669)	10,222	14,326	(4,494)	9,832	565	(175)	390	
Learning Disability Support	7,560	(595)	6,965	7,406	(714)	6,692	154	119	273	
Mental Health Support	3,008	(2,985)	23	3,008	(3,016)	(8)	-	31	31	
Substance Misuse Support	476	-	476	476	-	476	-	-	-	
Equipment & Assistive Technology	6,205	(3,707)	2,498	6,343	(3,542)	2,801	(138)	(165)	(303)	
Other	130	-	130	110	(4)	106	20	4	24	
Supporting People	6,434	(310)	6,124	6,434	(310)	6,124	-	-	-	
Assessment and Care Management	26,095	(2,323)	23,772	27,534	(2,727)	24,807	(1,439)	404	(1,035)	
Carers	3,296	(2,635)	661	3,105	(2,443)	662	191	(192)	(1)	
Management and Support	17,680	(28,811)	(11,131)	17,710	(28,883)	(11,173)	(30)	72	42	
Service Strategy	478	(198)	280	739	(459)	280	(261)	261	-	
Subtotal	**86,253**	**(46,233)**	**40,020**	**87,191**	**(46,592)**	**40,599**	**(938)**	**359**	**(579)**	
COVID-19 related										
Covid-19 Related Costs	-	-	-	4,504	49	4,553	(4,504)	(49)	(4,553)	
Covid-19 Specific Funding	-	-	-	-	(4,311)	(4,311)	-	4,311	4,311	
Covid-19 Tranche Funding	-	-	-	-	(242)	(242)	-	242	242	
Subtotal Covid	**0**	**0**	**0**	**4,504**	**(4,504)**	**0**	**(4,504)**	**4,504**	**0**	

Revenue Budget										
Divisions	Planned (£000)			2021/22 (£000)						Note ref
				Projected outturn			(Over) / under spend			
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net	
Total Adult Social Care	**287,762**	**(101,908)**	**185,854**	**302,804**	**(116,581)**	**186,223**	**(15,042)**	**14,673**	**(369)**	
Safer Communities										
Planned Budget										
Safer Communities	908	(450)	458	1,493	(1,035)	458	(585)	585	0	
Subtotal	**908**	**(450)**	**458**	**1,493**	**(1,035)**	**458**	**(585)**	**585**	**0**	
COVID-19 related										
Covid-19 Related Costs	-	-	-	27	-	27	(27)	-	(27)	
Covid-19 Specific Funding	-	-	-	-	-	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	-	(27)	(27)	-	27	27	
Subtotal Covid	**0**	**0**	**0**	**27**	**(27)**	**0**	**(27)**	**27**	**0**	
Total Safer Communities	**908**	**(450)**	**458**	**1,520**	**(1,062)**	**458**	**(612)**	**612**	**0**	
Public Health										
Core Services										
Planned Budget										
Mental Health & Best Start	11,419	-	11,419	10,927	-	10,927	492	-	492	
Risky Behaviours and Threats to Health	12,117	-	12,117	12,247	-	12,247	(130)	-	(130)	
Health Systems	2,776	-	2,776	2,780	-	2,780	(4)	-	(4)	
Communities	743	-	743	758	-	758	(15)	-	(15)	
Central Support	3,905	-	3,905	3,506	-	3,506	399	-	399	
Public Health Grant income	-	(28,073)	(28,073)	-	(28,073)	(28,073)	-	-	-	
Public Health CCG and Reimbursement income	-	-	-	-	-	-	-	-	-	
Contribution from General Reserves	-	(1,320)	(1,320)	-	(578)	(578)	-	(742)	(742)	
ADDER Grant		(1,567)	(1,567)		(1,567)	(1,567)				
Subtotal	**30,960**	**(30,960)**	**0**	**30,218**	**(30,218)**	**0**	**742**	**(742)**	**0**	
COVID-19 related										
Covid-19 Related Costs	1,898	-	1,898	1,898	-	1,898	-	-	-	
Covid-19 Specific Funding	-	(1,898)	(1,898)	-	(1,898)	(1,898)	-	-	-	
Covid-19 Tranche Funding	-	-	-	-	-	-	-	-	-	
Subtotal Covid	**1,898**	**(1,898)**	**0**	**1,898**	**(1,898)**	**0**	**0**	**0**	**0**	
Total Public Health	**32,858**	**(32,858)**	**0**	**32,116**	**(32,116)**	**0**	**742**	**(742)**	**0**	

Capital programme										
Approved project	Total project – all years (£000)		2021/22 (£000)							Note ref
			In year monitor Q1 (£000)				Analysis of variation			
	Budget	Projected	Budget	Actual to date	Projected 2021/22	Variation (over) / under budget	(Over) / under spend	Slippage to future year	Spend in advance	
Planned Programme										
Greenacres	2,598	2,598	154	10	154	-	-	-	-	
House Adaptations for People with Disabilities	2,719	2,719	50	-	50	-	-	-	-	
LD Service Opportunities	5,092	5,092	-	-	-	-	-	-	-	
Total ASC Gross (Planned Programme)	**10,409**	**10,409**	**204**	**10**	**204**	**0**	**0**	**0**	**0**	
Covid-19 Related										
Covid-19 Related Costs	-	-	-	-	-	-	-	-	-	
Covid-19 Specific Funding	-	-	-	-	-	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	-	-	-	-	-	-	
Total ASC (Covid Related)	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	

Business Services – Q1 2021/22

Summary of progress on Council Priorities, issues arising, and achievements

Summary of successes and achievements – The key role of the Business Services Department (BSD) is to provide support to the wider Council, enabling the organisation to deliver its services to residents and businesses. Q1 was a busy period as the Council transitions from pandemic response and "business as usual" workloads increase. BSD have worked collaboratively to support priority organisational projects, such as IT equipment for newly elected members, and have been adaptive in responding to changing service needs, whilst also progressing core activities including the closing of the council's accounts.

Our Property team were awarded the 'Outstanding Customer Satisfaction' SECBE (South East Centre for the Built Environment) award for the new build of Ropemakers' Academy in Hailsham. Property's Major Projects team managed the delivery of the new build, which was a 2,210 sqm building costing £12.500m to create an 80-place social, emotional, and mental health facility for children. The team project-managed the new build and overcame significant challenges – budget, time and land constraints – working with the main contractor to put customer engagement at the heart of their delivery to ensure success, which has been recognised in winning this award.

KEY CROSS CUTTING PROGRAMMES

Carbon – Business Services are working closely with the Communities, Economy and Transport department on carbon reduction initiatives to ensure a holistic approach is taken across the Council. In Q1, this has meant joint working on delivering various procurements for the decarbonisation of our buildings based on the grants awarded to the Council earlier this year; including Solar PV installation, trial decarbonisation at Ninfield School and the overall Decarbonisation of Heat plan. The teams are working together to define a longer-term programme of projects to support further funding opportunities.

Energy demand has been affected by the temporary closure of some buildings, part utilisation of others and most having elevated energy demands at certain times due to increased heating to balance out the natural ventilation required to keep spaces COVID-19 secure during last year. For 2020/21, this meant a 14.6% reduction in carbon emissions from County Council operations, however this has had an adverse effect on the Q1 outturn for 2021/22 **(ref i)** as we compare with unusually low usage in Q1 last year due to the initial response to the pandemic. There is continued work being undertaken across different Council teams to improve energy efficiency and ensure we meet the 13% reduction target for 2021/22.

Modernising Systems – The Modernising Back Office Systems (MBOS) Programme was established to deliver the replacement of the Council's financial, resource management and property asset management systems. The replacement of these systems will be supporting further developments to increase hybrid working. Evaluation of the three suppliers' tender responses has been completed as planned and the preferred bidder has been selected and was approved by the Lead Member for Resources and Climate Change in Q1. During Q2, the team will be working with the preferred bidder to finalise and sign the contracts and plan the move into the discovery and design phases.

Workstyles – In response to the changes experienced over the last 16 months, Property, IT & Digital and Human Resources and Organisational Development (HROD) have worked collaboratively to undertake a review of our working practices to develop modern, flexible workspaces that enable hybrid ways of working, building on the success of existing flexible working options. Wide-scale engagement has taken place and the proposal for hybrid working arrangements was agreed during Q1. New working practices will be driven by business need and will support service delivery, drive efficiency and significantly reduce carbon emissions through a reduced requirement for staff travel.

HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT

During Q1, HROD have supported Children's Services on an assessment of the social worker pay market and the development of proposals to address the pay gap that has seen lower salaries for Council social workers versus surrounding counties. The work aims to improve recruitment and retention of key social worker staff. Work has also been ongoing on the development and implementation of new corporate policies, for example the recruitment and retention incentives policy to support workforce development, as well as a draft Workstyles policy to support hybrid ways of working as we return to the office.

Apprenticeships – A large number of new apprenticeships in schools are due to start in September 2021. Currently, for 2021/22, there are 85 new learners projected to be on programme by the end of Q2. This includes new cohorts of apprentices in areas as diverse as: Coaching and Mentoring, Social Work, Occupational Therapy, and Schools specific senior leader qualifications. The wide range of apprenticeships now on offer is contributing to the growth in new areas of the apprenticeship work.

The overall spend of the Council Apprenticeship Levy remains stable and the 25% element of funding per year that can be passed onto small local employers is almost at capacity. The Apprenticeship team are supporting teams within Adult Social Care and Health to access the government's apprenticeship incentive scheme. This is a response to COVID-19 pressures on apprenticeship take up and offers £3,000 to employers taking on new apprentices by the end of September 2021. Both Joint Community Rehab (JCR) and Learning Disability (LD) services currently have apprenticeship vacancies live and the team are working closely with Job Centre Plus to highlight these vacancies to their customers in order to increase engagement of these roles.

Work on the Kickstart programme, which provides funding for six-month job placements for young people on universal credit at risk of long-term unemployment, is continuing. Currently the Council has 19 live 'Kickstart' vacancies with Job Centre Plus and Council managers are promoting these vacancies by hosting online information sessions and holding interviews for young people in Eastbourne Job Centre.

Attendance Management and Wellbeing – The 2021/22 Q1 sickness absence figure for the whole authority (excluding schools) is 1.63 days lost per full-time equivalent (FTE) role, which represents a decrease of 8.3% since last year. The year end estimate for 2021/22 is 7.13 days lost per FTE, so the target of 9.24 days lost per FTE is predicted to be met.

It is positive to note that we have seen a reduction in all absence levels, including mental health related absence. Stress remains the primary reason for absences, with Coronavirus as the second highest reason.

In response to the COVID-19 situation we have continued to enhance our wellbeing offer by:

- Creating bespoke offers for front line teams most affected, including managers workshops, awareness sessions and compassionate leadership.
- Working with our external health providers to offer Long Covid support and signposting.
- Continuing to support employees with topical on-going health awareness campaigns including men's health and COVID-19 related anxiety.

More broadly we have:

- Enhanced support provided to managers on Return to Work (RTW) forms to enable effective signposting for conditions such as bereavement, mental health and cancer.
- Worked with Occupational Health provider TP Health to run a series of successful interactive workshops on pertinent health topics including Mental Fitness and Carers Awareness, with all respondents confirming these increased the likelihood for them to look after their own wellbeing.
- Launched a Menopause awareness campaign with guidance for employees and managers with supporting videos, which has been very well received.

PROCUREMENT

Savings achieved through procurement, contract and supplier management activities – The Council has spent £290.700m with 920 local suppliers over the past 12 months, which equates to 69.4% of our total spend. This figure includes our Tier 2 supplier data (i.e. the direct spend with the Council's suppliers that is then sub-contracted by them to a local supplier). The Procurement team continues to promote our contract opportunities to local suppliers, as well as building local supply chain opportunities into our tenders where possible. This focus on spending Council money within our local economy supports the East Sussex Economic Recovery Plan work.

At the end of Q1, £1.450m savings were signed off against our target of £2.000m. This breaks down into £0.766m cash-releasing savings (money saved that could be spent on other services) and £0.690m non-cash releasing savings (a financial saving, e.g. cost avoidance, that does not release cash).

Procurement are supporting large recommissioning projects for future Homecare provision across the county and for Extra Care Housing. In Children's Services, work has been taking place to contract for Post-Adoption Services, for which the Council contracts on behalf of the South East Regional Adoption Agency.

The team are supporting the significant Highways Services Re-procurement project. Work on the Detailed Business Case (DBC) has been completed and was presented to Cabinet in July. Extensive engagement with the supply chain provided valuable insight into the market and the market preferences, which has been reflected in the DBC.

The Commercial and Contract Advisory Team have identified a suite of bite sized e-learning packages and the first three are due to be published in Q2. These packages will focus on key aspects of contract management and will serve as an introduction to best practice for those outside of Procurement who have contract management responsibilities but may never have received any training on the discipline. These packages will also signpost customers to other resources such as the Contract Management Framework and its associated tools and templates.

Social Value (SV) – In Q1, a total of 13 contracts were awarded, of which seven were out of scope of the Social Value Measurement Charter, which quantifies the economic, social and environmental benefits of Council procurement, as we accessed existing pre-approved lists of suppliers (frameworks) with predefined contractual terms. The six in-scope contracts had a total contract value of £1.300m and secured £0.322m in Social Value commitments, which equates to an outturn of 25%.

Procurement have begun to draft a Social Value Policy to underpin the delivery of social value in the Council by ensuring it is a core consideration of good commissioning, good procurement and good contract management. The target is for the policy to be signed off and launched in Q2.

INTERNAL AUDIT – During Q1, the focus of internal audit activity was on completion of any outstanding work from 2020/21 and commencement of the new year's programme of audit and assurance activity, all of which continues to be delivered remotely. In addition to this, the Annual Internal Audit Report and Opinion for 2020/21 was prepared and presented to the Corporate Management Team, ready for presentation to Audit Committee at its July 2021 meeting. It is significant that, despite the impact of COVID-19, we were still able to deliver sufficient coverage in the year to enable us to continue to provide an overall opinion for the Council. It is also positive to report that reasonable assurance has once again been provided over the Council's governance, risk management and internal control arrangements.

PROPERTY

Property operations – Property have been developing a new data platform throughout 2020/21, which went live in Q1. A second phase of the system will be implemented in Q2. The new platform will provide robust property data on performance of the Council's assets.

Work to prepare for a phased return to the office environment in the Autumn continues, whilst continuing to support essential services to operate in a COVID-19 secure way in Council buildings.

Property Strategy – The Council's Asset Management Plan 2020-2025 outlines key activities and renewed focus on outcomes have re-commenced following the past year of responding to COVID-19 related requirements. Property continue to provide advice and support on an increasing number of service transformation needs to ensure efficient use of assets, balanced with strong service delivery. Work is being undertaken to ensure identified action plans in the Asset Management Plan have been completed.

Property Investment – Property have continued to work on reviewing our property assets, which has produced several projects. In Q1 we have been able to:

- Exchange contracts on disposal of the Grove school site. Legal completion is Autumn 2021.
- Exchange and complete the sale of land at Westfield Down, Westfield.
- Exchange contracts in respect of the disposal of the site of Moorhurst, Westfield.
- Complete the capital investment works at Priory School on time and under budget.
- Received a national award for customer engagement for Ropemaker Academy.
- Lead Member approval to renew leases on flexible rental terms for existing offices in Eastbourne and Hastings.
- Commence six projects with Salix* funding to deliver carbon reduction from property assets.
  ***an executive non-departmental public body, sponsored by the Department for Business, Energy & Industrial Strategy.**

Some site opportunities are still tied into outcomes of wider corporate and service transformation plan updates. The three-year Capital receipts programme otherwise remains on target and continues to make progress. All projects will be subject to a review and prioritisation assessment as part of the post COVID-19 activities.

Property Strategy (SPACES) – Strategic Property Asset Collaboration in East Sussex (SPACES) is a partnership of public bodies and third sector organisations which aims to improve sharing of the property estate between partners, to save property costs, and to release capital receipts. In May 2021, the SPACES Programme Board approved the first SPACES Strategy (2021 to 2024), which signals the partnership's ambition for future years. The Strategy sets out six themes under which the partnership will continue its work and develop new collaborative activities. The partnership aims to add value for partners and is flexible in how it can best achieve benefits under each theme, whether this is leading on an activity, or feeding into existing collaborative forums.

SPACES continues to deliver the One Public Estate (OPE) projects, having received £1.085m of Government funding across Phases 5, 6, 7 and 8. The projects are geographically spread across all East Sussex districts and boroughs, with activities including emergency services colocation, town centre regeneration, office accommodation utilisation across the public sector, provision of new training facilities and housing (including key worker accommodation).

Furthermore, SPACES submitted a bid to the Brownfield Land Release Fund in June (via OPE). The bid, which was developed in collaboration with relevant local authorities, requested funding for five projects set to deliver a combined total of over 100 homes.

Partners are working together to share information on their plans for new ways of working following the changes to work styles during the pandemic and proposed removal of all COVID-19 restrictions. This includes work to identify property collaboration opportunities where they will support future requirements.

IT & DIGITAL

During Q1, the refresh of monitors across Council buildings commenced and Members' devices were replaced following the local elections. As the laptop and desktop Device Refresh Project concludes, this period has seen IT & Digital focus on the social value aspect of the contract. Equipment leaving our organisation is always disposed of in a secure and sustainable way and all of it is recycled in some way. Additionally, the contract in place ensures that the resale of this equipment in part generates income back into the Council. A total of £0.092m has been recovered from this exercise. Also, importantly, a social value contribution is being made – 27 laptops have been received back into the Council as a result of this project and these devices will be made available to support the council's digital inclusion initiatives.

BUSINESS OPERATIONS

The service has continued to target Purchase to Pay (P2P) performance, which is the percentage of commercial invoices paid within 30 days, with P2P prompt payment levels continuously exceeding the target of 93% with the performance being maintained at an average of 96% throughout Q1. During Q1, the service has continued to work with suppliers to increase the take up of e-invoicing which stands at 46% at the end of Q1, an increase of 2% since the end of 2020/21.

FINANCE

The establishment of the East Sussex Pension Administration Team was completed in April 2021 when a separate instance of the Altair pension administration system went live. This concluded a significant project that saw the TUPE of staff from Surrey County Council, the commissioning of new systems and integration within the Pension Team. The project was formally closed at the end of June 2021.

Revenue Budget Summary – The 2021/22 Business Services net revenue budget is £24.757m, which includes a £11.705m contribution to the Orbis budget. In respect of COVID-19, BSD has incurred additional costs and lost revenue, creating pressures of £0.335m. **(ref iii)**. However, these pressures will be supported by the General COVID-19 grant and so the outturn reflects only the business as usual position. The full year estimated outturn is a net overspend of £0.147m **(ref ii)**.

Service areas within the joint Orbis budgets are categorised as either "Fully integrated", "Partially integrated" or "Centres of Expertise". This is reflected within the Orbis financial tables. Categorisation is determined by the nature of the service and the participation of sovereign authorities. ESCC contribute to and operate within all Orbis areas.

With effect from 1 July 2021 the Finance and HR partially integrated services were disaggregated from Orbis and will now form part of the sovereign Business Services Department.

The total Orbis operating budget is forecast to overspend by £1.476m **(ref viii)**. This consists of an overspend of £1.220m **(ref iv)** reported within Business Operations, arising from £0.750m unachieved savings carried forward from 2020/21 and a further £0.500m target for this year that is not expected to materialise. The overspend of £0.250m in IT&D **(ref v)** reflects the risk that the budgeted 4% vacancy factor may not be achieved, along with a forecast underachieved income on the traded services budget. The £0.261m underspend in Management is due to staff vacancies and a training budget that is not expected to be fully spent **(ref vi)**. The £0.277m overspend within the Insurance Centres of Expertise **(ref vii)** relates to the issues underlining the overspends last year (unachievable income budget in Fund and Policy and insufficient budget for Claims Handling), which have yet to be resolved.

Capital Programme Summary – The 2021/22 capital budget is £37.043m and includes the £16.686m Schools Basic Need Programme and the £8.163m Building Improvements programme. The £0.122m underspend on the Property Agile Works **(ref ix)** is being reviewed and may be utilised to support the Workstyles Programme. There is £0.700m slippage on the Special Educational Needs programme **(ref x)**. The original budget was based on a notional profile, and due to uncertainties around timing of works there is anticipated slippage on the programme. However, this continues to be an area of pressure for the Council and the slippage will therefore support future years requirements and be considered as part of the wider Reconciling Policy, Performance and Resources process.

Performance Exceptions
(See How to read this report for definition)

Performance measure	Outturn 20/21	Target 21/22	21/22 RAG				Q1 21/22 outturn	Note Ref
			Q1	Q2	Q3	Q4		
Priority – Making best use of resources in the short and long term								
Reduce the amount of CO2 arising from County Council operations	14.6% reduction	13% reduction on 2020/21	A				Increase in carbon emissions of 7.1% for Q1	i

Measures marked carry over at year end 2020/21
Final outturn

Performance measure	Outturn 19/20	Target 20/21	20/21 RAG				2020/21 final outturn	Note ref
			Q1	Q2	Q3	Q4		
Priority – Driving sustainable economic growth								
The percentage of Council procurement spend with local suppliers	54%	54%	G	G	G	G	68%	

Savings exceptions						
	2021/22 (£'000) – Q1 Forecast					
Service description	**Original Target For 2021/22**	**Target including items c/f from previous year(s)**	**Achieved in-year**	**Will be achieved, but in future years**	**Cannot be achieved**	**Note ref**
Savings						
Planned savings - BSD	-	-	-	-	-	
Planned savings - Orbis	136	136	136	-	-	
	-	-	-	-	-	
Total Savings	**136**	**136**	**136**	**0**	**0**	
			-	-	-	
			-	-	-	
			-	-	-	
Subtotal Permanent Changes [1]			**0**	**0**	**0**	
Total Savings and Permanent Changes	**136**	**136**	**136**	**0**	**0**	

Memo: treatment of savings not achieved in the year (£'000)	**Temporary Funding** [2]	**Part of reported variance** [3]	**Total**	**Note Ref**
Total	**0**	**0**	**0**	

[1] Permanent changes will replace a previously agreed saving that can no longer be achieved. It is done via approval of quarterly monitoring.

[2] Temporary funding will only replace a slipped or unachieved saving for one year; the saving will still need to be made in future years (or be replaced with something else).

[3] The slipped or unachieved saving will form part of the department's overall variance - it will either increase an overspend or decrease an underspend. The saving will still need to be made in future years (or be replaced with something else).

Revenue Budget										
Divisions	Planned (£000)			Q1 2021/22 (£000)						Note ref
				Projected outturn			(Over) / under spend			
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net	
Planned Budget										
Business Operations	58	-	58	58	-	58	-	-	-	
Finance	2,162	(1,251)	911	2,907	(1,953)	954	(745)	702	(43)	
HR & OD	368	(369)	(1)	330	(310)	20	38	(59)	(21)	
IT & Digital	6,290	(2,629)	3,661	6,290	(2,629)	3,661	-	-	-	
Procurement	1,015	(548)	467	1,015	(548)	467	-	-	-	
Property	28,227	(20,271)	7,956	28,184	(20,214)	7,970	43	(57)	(14)	
Contribution to Orbis Partnership	15,921	(4,216)	11,705	15,787	(4,013)	11,774	134	(203)	(69)	
Subtotal	**54,041**	**(29,284)**	**24,757**	**54,571**	**(29,667)**	**24,904**	**(530)**	**383**	**(147)**	**ii**
Covid-19 related										
Covid-19 Related Costs	-	-	-	225	110	335	(225)	(110)	(335)	**iii**
Covid-19 Specific Funding	-	-	-	-	-	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	-	(335)	(335)	-	335	335	
Subtotal Covid	**0**	**0**	**0**	**225**	**(225)**	**0**	**(225)**	**225**	**0**	
Total BSD	**54,041**	**(29,284)**	**24,757**	**54,796**	**(29,892)**	**24,904**	**(755)**	**608**	**(147)**	

Revenue Budget											
Divisions		Planned (£000)			Q1 2021/22 (£000)						Note ref
					Projected outturn			(Over) / under spend			
		Gross	Income	Net	Gross	Income	Net	Gross	Income	Net	
Planned Budget											
Fully Integrated	Business Operations	8,665	(3,598)	5,067	9,885	(3,598)	6,287	(1,220)	-	(1,220)	**iv**
	IT & Digital	22,903	(3,234)	19,669	22,914	(2,995)	19,919	(11)	(239)	(250)	**v**
	Orbis Internal Audit	1,854	(444)	1,410	1,842	(452)	1,390	12	8	20	
	Management	402	-	402	141	-	141	261	-	261	**vi**
	Procurement	4,632	(200)	4,432	4,632	(200)	4,432	-	-	-	
Partially Integrated	Finance	6,348	(2,877)	3,471	6,193	(2,734)	3,459	155	(143)	12	
	HR & OD	4,841	(1,509)	3,332	4,732	(1,360)	3,372	109	(149)	(40)	
	Management	103	-	103	90	-	90	13	-	13	
Centres of Expertise	Financial Accounting Systems	488	(128)	360	488	(128)	360	-	-	-	
	Insurance	483	(143)	340	767	(150)	617	(284)	7	(277)	**vii**
	Treasury & Tax	375	(49)	326	375	(49)	326	-	-	-	
	Orbis Finance Team	362	-	362	357	-	357	5	-	5	
	Total Orbis	**51,456**	**(12,182)**	**39,274**	**52,416**	**(11,666)**	**40,750**	**(960)**	**(516)**	**(1,476)**	**viii**
ESCC Contribution				**11,705**			**11,774**			**(69)**	

Capital programme										
Approved project	**Total project – all years (£000)**		**2021/22 (£000)**							**Note ref**
			In year monitor Q1 (£000)				**Analysis of variation**			
	Budget	**Projected**	**Budget**	**Actual to date**	**Projected 2021/22**	**Variation (over) / under budget**	**(Over) / under spend**	**Slippage to future year**	**Spend in advance**	
Planned Programme										
SALIX Contract	3,590	3,590	428	70	428	-	-	-	-	
Property Agile Works	9,713	9,713	122	-	-	122	122	-	-	**ix**
Lansdowne Secure Unit - Phase 2	8,988	8,988	314	30	314	-	-	-	-	
Special Educational Needs	3,200	3,200	800	-	100	700	-	700	-	**x**
Special Provision in Secondary Schools	3,540	3,540	730	700	730	-	-	-	-	
Disability Children's Homes	242	242	242	-	242	-	-	-	-	
Westfield Lane (delivered on behalf of CSD)	1,200	1,200	466	85	466	-	-	-	-	
Core Programme - Schools Basic Need	135,524	135,524	16,686	2,621	16,686	-	-	-	-	
Core Programme - Capital Building Improvements	82,902	82,902	8,163	1,214	8,163	-	-	-	-	
Core Programme - IT & Digital Strategy Implementation	87,586	87,586	9,068	490	9,068	-	-	-	-	
IT & Digital Strategy implementation (utilising automation)	132	132	24	-	24	-	-	-	-	
Total BSD Gross (Planned Programme)	**336,617**	**336,617**	**37,043**	**5,210**	**36,221**	**822**	**122**	**700**	**0**	
Covid-19 Related										
Covid-19 Related Costs	-	-	-	298	**298**	**(298)**	-	-	-	
Covid-19 Specific Funding	-	-	-	-	-	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	**(298)**	**(298)**	**298**	-	-	-	
Total BSD (Covid Related)	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	

Children's Services – Q1 2021/22

Summary of progress on Council Priorities, issues arising, and achievements

Summary of successes and achievements

Attainment 2020/21 Academic Year

The disruption caused by the COVID-19 pandemic means that we are not able to report on outcomes for the 2020/21 academic year. This includes Key Stage 2 Standard Assessment Tests (SATs) results and GCSE results. The Standards and Learning Effectiveness Service maintains a clear picture of progress across all phases (early years, foundation, primary and secondary), through the work of external advisers, the Primary and Secondary Boards and their locality groups.

Primary and Secondary Boards

The Primary and Secondary Boards are at the heart of the school led improvement system, serving all the schools in East Sussex. This includes local authority schools, stand-alone academies, or members of a multi-academy trust.

Both Boards have played an important role throughout the last year in supporting schools through the COVID-19 pandemic. The Boards are currently working closely together on supporting pupil's transition between year 6 and year 7.

Careers support for children and young people with Special Educational Needs and Disabilities (SEND)

The Careers Hub has continued to be very creative and proactive in adapting their delivery, including with the creation of a virtual work experience package. This package allows pupils, who are unable to go on physical placements, to visit virtual workplaces, undertake tasks for employers and get feedback.

Virtual careers events took place in June. These included:

- ICAN online careers event for young people with SEND; and
- an online Apprenticeship Roadshow, including promoting live apprenticeship vacancies.

Several resources have been created for SEND pupils including:

- vocational profiles and a digital infographic on Employment Pathways;
- additional one-to-one career guidance interviews for 411 young people in Year 11 through the Youth Employability Service (YES); and
- after this, students are moved on to the regular commissioned support from the YES for the remainder of the academic year.

The students identified for this support had high anxiety about returning to school. They were also at risk of being not in education, training, or employment.

The percentage of Education Health and Care Plan (EHCP) annual review meetings where the child gave their view and/or participated

95% (656 out of 692) of children and young people gave their views and/or participated in their EHCP annual review in Q1.

Education Health and Care Plans (EHCPs)

Of all new EHCPs issued in Q1, 85.4% (82 out of 96) were within the statutory timescales of 20 weeks, above the national outturn of 55.6%.

Universally Available Provision

The Council has developed guidance on universally available provision. The guidance sets out the provision that should be available to all children and young people so they can thrive in their mainstream setting (nursery, school, further education college) by making sustained academic progress and developing socially and emotionally. This is a practical and easy to use guide. The guidance will:

- Support staff in settings to deliver inclusive, high quality teaching and learning. This will enable all children and young people to make good progress and encourage their confidence and independence.
- Provide a range of strategies that all mainstream settings should be able to offer to children with SEND.
- Provide helpful links for schools to access additional support and guidance through the Inclusion Special Educational Needs and Disability (ISEND) services.

The aspiration is that this will help give confidence to schools and parents in the support that is available through local mainstream schools for children with SEND.

Holiday Activity and Food (HAF) programme

In November 2020, the government announced funding to provide holiday activities and food to young people eligible for free school meals (FSM). The provision covers the Easter, summer, and Christmas holidays in 2021. In East Sussex, the Council is coordinating this project and commissioning individual providers to deliver the programme:

- 34 HAF providers ran provision across the county during Easter.
- 1,378 young people eligible for FSM attended.
- This represents just over 11% of the total East Sussex FSM cohort. This is in line with the Easter provision provided by other local authorities.
- Make Good Trouble, a youth-led production company, produced a short film celebrating the Easter provision. A video is available.

The provision initially targeted the highest areas of need across the county, including Hastings, Bexhill, Hailsham, Eastbourne, Newhaven and Peacehaven. It has now been developed to provide a geographical spread across the whole of East Sussex.

In total, across the summer provision there are:

- 70 providers approved to deliver activities.
- Around 7,000 HAF-funded places for FSM-eligible young people.
- More than 27,000 individual sessions scheduled to take place over the six weeks.
- More than 85 different locations.

Children and Young People's Trust webinars

In July the Children and Young People's Trust held webinars in five 'virtual' locations. Participants were from schools and public, voluntary, and private sector partner organisations. The webinars highlighted the importance of whole family and whole system working to improve outcomes for children and young people. A video from the East Sussex Youth Cabinet was shared at the start of each event, highlighting the role of youth voice in services. It also advocates for equality data monitoring to better understand the experience of different groups of people and is available here.

Looked after Children (LAC) participating in education, training or employment with training

84% of LAC at academic age 16 (Year 12) are participating in education, training, or employment with training. With 75% of LAC at academic age 17 (year 13) participating.

Support provided includes:

- Ongoing support through the YES advisors.
- Drop in sessions for young people who are not in education, employment or training in Hastings and Eastbourne.
- Virtual schoolwork with Alternative Providers to offer interventions for any year 11 student who has become disengaged with school. The focus of this intervention is reengagement, securing a post 16 placement and functional skills in literacy and numeracy.
- Working with year 13 students and their educational providers to ensure appropriate pathways to adulthood, including into higher education.

Homefield Cottage Children's Residential Home rated outstanding

Homefield Cottage, an open residential children's home, has recently received an outstanding rating from Ofsted, joining Brodrick House (also rated outstanding), all other East Sussex Children's Homes are rated as good.

Number of households eligible under the government's Supporting Families programme receiving a family support intervention

This programme helps families facing multiple disadvantages, for example financial inclusion and employment and family health and wellbeing, to get the help they need from the Council and partners. 285 households received an intervention in Q1, putting us in line to achieve the target of 900 households supported by the programme during 2021/22.

The Foundations Project

100% of the women who have engaged with the Foundations Project (which supports people who have had children previously removed) have not gone on to have subsequent children removed in the last four years (based on the 2017/18 cohort).

Antenatal support

Working with a film production company, the Early Help team is creating 18 bitesize videos to support antenatal care. The videos cover the elements of the antenatal review for example feeding, crying babies, birth partner/fatherhood and safe sleep guidance. The videos will include parents and staff and will be launched for the end of August.

Children in Need

From a high point of 1,000 open cases of children in need at Q3 2020/21 careful audit work has resulted in the closure of a number of cases, bringing the number of open cases to a more manageable 822 at Q1. We have not seen a negative impact on our re-referral rate. This suggests this process was carried out safely and cases were closed appropriately.

Children subject to Child Protection (CP) plans and Looked after Children (LAC)

The rate of children subject to a CP plan at Q1 is 47.9 (510 children). This is below the 2020/21 outturn and our 2021/22 target of 49.4 (525 children). The reduction is a result of targeted work on the safe ending of plans now that more children are in school and so more visible. This will be kept under scrutiny.

The rate of LAC at Q1 is 58.5 (623 children). This is above the target of 57.6 (612 children) **(ref i)**. More children are staying as LAC for longer due to significant delays in the court system. Currently timescales are at 40 weeks rather than the previous 30 weeks. This means that there are delays in moving children from LAC status, for example, to a special guardianship order[1].

Revenue Budget Summary – The net budget of £91.723m is currently forecast to be overspent by £2.209m by the year end **(ref ix)**. We are forecasting £14.403m costs relating directly to COVID-19, which COVID-19 funding is forecast to offset **(ref viii)** and a non COVID-19 overspend of £2.209m **(ref vii)**.

LAC budgets continue to be directly impacted by COVID-19, with both ongoing placements and an increase in new residential agency placements, related to a local and national lack of foster placements. The numbers of placements have increased rather than the average placement costs, although within this there have been a small number of children placed at substantial individual costs. This includes some children whose needs could have been met through a placement with a foster family, but who have had to be placed in a children’s home. There have also been extra agency costs for staff employed at our own residential sites to support staff absences due to COVID-19 related sickness and isolation. In addition to these, Lansdowne Secure Unit has experienced build delays with a resultant and significant loss of income.

ISEND is also being impacted by COVID-19 on staff costs at Dorset Road and Sorrel Drive due to increased sickness cover and additional duties. The Schools and Learning Effectiveness Service has been affected by a reduction in income from services to schools, and additional capacity has also been required to support young people into Education, Employment and Training during this period of rising unemployment and economic downturn.

Of the **non COVID-19 related** forecast overspend, £2.637m relates to Early Help and Social Care **(ref iv)**. Within this, Locality (the ‘front door’ social work service which provides support to children and young people aged 0-18 years when there are concerns about welfare or safety) forecast overspends of £1.510m are due to: 1) a small number of very complicated and risky young people (£0.635m), principally from 11 children aged 16-17 in intensive supported accommodation where weekly costs per child are up to £6k. A recent audit, which included input from the Director of Children’s Services, reviewed all the children from the Locality teams that are currently living in supported housing. The audit concluded that although decision making was clear and purposeful, the need for this type of placement is unequivocally linked to decisions within the criminal justice system not to remand young people and to the pressures on the mental health system. 2) continued pressure on social work staffing budgets (£0.876m) to keep pace with required workloads and against a backdrop of increased sickness absence and staff turnover, the latter particularly connected to improved pay scales in West Sussex County Council. Newly qualified staff (and the first quarter of every year also sees major recruitment activity to replace staff who leave across the year and help the service to continue to avoid use of expensive agency staff) will have reduced caseloads (approximately 50% for the first 6 months), so there is a need to recruit more staff to manage the existing workloads. The Care Leavers service has been impacted by placement disruptions, a lack of providers willing to offer placements to very complex children and therefore a consequent need to ‘build’ bespoke packages of support and delayed moves, increasing forecast costs by £1.147m, but this has been mitigated somewhat by an increase in the leaving care rates for Unaccompanied Asylum Seekers.

Within Education and ISEND **(ref v)** there continues to be pressure particularly on staffing to deliver EHCPs with a forecast overspend in this area of £0.452m. This has been a growing and underlying pressure area against the backdrop of increasing demand that the department has been able to manage with short term solutions for a number of years, but for which there are limited strategies remaining. Within Communication, Planning and Performance **(ref vi)** we are forecasting an overspend on Home to School Transport (HTST) of £0.224m. This is due to the realisation above and beyond the pressure identified (and already part funded) as part of 2021/22 budget setting for statutory transport, due to proportionately more solo and twin occupancy than was forecast for Special Needs clients, as well as small increases in the number of Special Needs pupils requiring transport (13 (1.3%) extra on average per month). We are working with CET colleagues on identifying solutions to reduce costs – these include transport route reviews/

[1] An order appointing one or more individuals to be a child's 'special guardian'. It is a private law order made under the Children Act 1989 and is intended for those children who cannot live with their birth parents and who would benefit from a legally secure placement, usually with an extended family member such as a grandparent or aunt/uncle.

re-tendering, case by case review of over 40 solo routes and the reorganisation of the provision at 2 schools (over 5 sites).

These non COVID-19 overspends have been mitigated in part by a forecast underspend of £1.263m as a result of efficiencies and pay cost controls across a number of areas in the department which we are recording in Central Resources **(ref iii)**. We are also pursuing a range of strategies to reduce the pressures, such as continued close oversight of planning for individual children, and working with CET colleagues on identifying solutions for HTST as described above.

Within the above outturn position, and in line with the Q1 forecast, the department forecasts to achieve all of its £0.134m **(ref ii)** of planned savings for 2021/22.

Capital Programme Summary – The Capital Programme for Children's Services for 2021/22 is £0.967m **(ref x)** and we are forecasting spend to be in line with this.

Performance exceptions (See How to read this report for definition)

Performance measure	Outturn 20/21	Target 21/22	21/22 RAG Q1	Q2	Q3	Q4	Q1 2021/22 outturn	Note Ref
Priority – Keeping vulnerable people safe								
Rate of Looked After Children (per 10,000 children)	57.6 (612 children)	57.6 (612 children)	R				58.5 (623 children)	i

Savings exceptions

Service description	2021/22 (£'000) – Q1 Forecast: Original Target For 2021/22	Target including items c/f from previous year(s)	Achieved in-year	Will be achieved, but in future years	Cannot be achieved	Note ref
Savings						
Early Help	134	134	134	-	-	
Total Savings	**134**	**134**	**134**	**0**	**0**	
			-	-	-	
Subtotal Permanent Changes [1]			**0**	**0**	**0**	
Total Savings and Permanent Changes	**134**	**134**	**134**	**0**	**0**	**ii**

Memo: treatment of savings not achieved in the year (£'000)	Temporary Funding [2]	Part of reported variance [3]	Total	Note Ref
Total	**0**	**0**	**0**	

[1] Where agreed savings are reasonably unable to be achieved other permanent savings are required to be identified and approved via quarterly monitoring.

[2] Temporary funding will only replace a slipped or unachieved saving for one year; the saving will still need to be made in future years (or be replaced with something else).

[3] The slipped or unachieved saving will form part of the department's overall variance - it will either increase an overspend or decrease an underspend. The saving will still need to be made in future years (or be replaced with something else).

Revenue Budget										
Divisions	**Planned (£000)**			**Q1 2021/22 (£000)**						**Note ref**
				Projected outturn			**(Over) / under spend**			
	Gross	**Income**	**Net**	**Gross**	**Income**	**Net**	**Gross**	**Income**	**Net**	
Planned Budget										
Central Resources	2,885	(1,412)	1,473	1,622	(1,412)	210	1,263	-	1,263	iii
Early Help and Social Care	71,323	(12,624)	58,699	72,812	(11,476)	61,336	(1,489)	(1,148)	(2,637)	iv
Education and ISEND	98,632	(5,261)	93,371	101,564	(7,678)	93,886	(2,932)	2,417	(515)	v
Communication, Planning and Performance	22,080	(3,560)	18,520	24,230	(5,390)	18,840	(2,150)	1,830	(321)	vi
DSG non Schools	-	(80,340)	(80,340)	-	(80,340)	(80,340)	-	-	-	
Schools	169,363	(169,363)	-	169,363	(169,363)	-	-	-	-	
Subtotal	**364,283**	**(272,560)**	**91,723**	**369,591**	**(275,659)**	**93,932**	**(5,308)**	**3,099**	**(2,209)**	**vii**
Covid-19 related										
Covid-19 Related Costs	-	-	-	14,403	-	14,403	(14,403)	-	(14,403)	
Covid-19 Specific Funding	-	-	-	-	(3,873)	(3,873)	-	3,873	3,873	
Covid-19 Tranche Funding	-	-	-	-	(10,530)	(10,530)	-	10,530	10,530	
Subtotal Covid	**0**	**0**	**0**	**14,403**	**(14,403)**	**0**	**(14,403)**	**14,403**	**0**	**viii**
Total CSD	**364,283**	**(272,560)**	**91,723**	**383,994**	**(290,062)**	**93,933**	**(19,711)**	**17,502**	**(2,209)**	**ix**

Capital programme										
Approved project	**Total project – all years (£000)**		**2021/22 (£000)**							**Note ref**
			In year monitor Q1 (£000)				**Analysis of variation**			
	Budget	**Projected**	**Budget**	**Actual to date**	**Projected 2021/22**	**Variation (over) / under budget**	**(Over) / under spend**	**Slippage to future year**	**Spend in advance**	
Planned Programme										
House Adaptations for Disabled Children's Carers	1,106	1,106	160	-	160	-	-	-	-	
Schools Delegated Capital	25,218	25,218	760	285	760	-	-	-	-	
Conquest Centre redevelopment	356	356	47	30	47	-	-	-	-	
Total CSD Gross (Planned Programme)	**26,680**	**26,680**	**967**	**315**	**967**	**0**	**0**	**0**	**0**	**x**
Covid-19 Related										
Covid-19 Related Costs	-	-	-	-	-	-	-	-	-	
Covid-19 Specific Funding	-	-	-	-	-	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	-	-	-	-	-	-	
Total CSD (Covid Related)	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	

Communities, Economy & Transport – Q1 2021/22

Summary of progress on Council Priorities, issues arising, and achievements

Summary of successes and achievements – Six highway improvement schemes were completed in Q1, to maintain and improve the condition of the county's roads. 6,357 potholes were repaired in Q1, with 4,690 of these being carriageway potholes; the remainder were primarily footway potholes. Amongst the carriageway potholes, 97.5% of these were completed within the required timescales.

Around £105m is being invested into East Sussex as a result of the East Sussex Economy Recovery Plan to support the survival, reset, recovery and growth of businesses in the county. Detailed updates on each of the six missions which make up the recovery plan can be found on the Council's website.

The buoyancy of the housing market in East Sussex is being reflected in increased demand for searches and consultations. During Q1, Highway searches in respect of property transactions remained around 30% higher than pre-pandemic levels. The number of consultations received by our Transport Development Control and Flood Risk Management teams on applications for major development proposals also remain high, with numbers approximately 25% higher in Q1 than pre-pandemic rates.

The Emergency Planning and Resilience Team continued to support the multi-agency coronavirus response and recovery in Q1, including supporting safe events and COVID-19 testing programmes, in particular the pan-Sussex Community Testing Programme. The team has been instrumental in leading the Local Authority Resilience Partnership Events Working Group; aligning the approach across Sussex and creating similarly aligned guidance. The Sussex Resilience Forum has now stood down its Strategic and Tactical Co-ordinating Groups with a view to handing over to the Recovery Co-ordinating Group. This has enabled the Emergency Planning team to look at future delivery models and to further increase our focus on business as usual activities. While proposals are currently still being drafted for new ways of working and supporting our partner organisations, the new approach is likely to be based on an integrated risk, information and intelligence model; reducing and simplifying plans and processes and better supporting decision makers and supporting teams.

With COVID-19 restrictions easing, demand for ceremonies is growing. Prior to a ceremony taking place couples must sign a legal statement at the local register office to say they intend to get married or form a civil partnership. During Q1 the Registration Service has focused on these Notice of marriage appointments. In a normal year Registration staff would attest 10 to 12 notices per working day in Q1, but at present the team are managing 31 per day.

The final waste outturns for 2020/21 are now available. 56.35% of waste was re-used, recycled or composted, or used beneficially in 2020/21, exceeding the Portfolio Plan target for the year. There was an increase in kerbside recycling during 2020/21, largely due to increased home working and more people staying at home during lockdowns. There has also been an increase in material used beneficially after being recovered from the Energy Recovery Facility in Newhaven. However, the increase in home working and lockdowns also led to an increase in general household waste, to 972 kg per household in 2020/21, resulting in an extra 4,600 tonnes of household waste across the county and exceeding the target for the year. The Household Waste and Recycling Sites across East Sussex have been expanding their capacity and onsite parking during Q1, and since the wider reopening on 19 July 2021, whilst ensuring the service continues to operate in a COVID-19 secure way.

2,980 further premises were connected to improved broadband speeds in Q4 2020/21 as part of the Council's project to improve connectivity throughout the county. Data for the number of premises connected in Q1 will not be available until Q2 (reported a quarter in arrears). Amongst premises that had been connected to improved speeds at the end of May 2021, overall take-up was 75%.

Trading Standards participated in the national Scams Awareness Fortnight in June, using the two weeks to highlight through the media, including social media, the risks associated with various financial scams. A brave victim of a significant scam came forward and told her story to highlight the risks. Furthermore, we attended three locations around the county with displays and information on scams, speaking to a total of 173 people. We also promoted the Friends Against Scams online training (www.friendsagainstscams.org.uk) as well as the various call blocking facilities offered to protect residents from telephone scam calls.

Road condition – The road condition statistics (where a lower outturn indicates a better performance) for 2020/21 have been published: the percentage of Principal roads requiring maintenance reduced from 5% in 2019/20 to 4%, exceeding the target; the percentage of Non-Principal roads requiring maintenance also decreased, from 5% in 2019/20 to 4%, again exceeding the target. The percentage of Unclassified roads requiring maintenance remained the same as the previous year at 14%, meeting the target for the year.

Transport Hub – In response to the new Government bus strategy, the Lead Member for Transport & Environment has given approval for the Council to proceed with the development of an Enhanced Partnership for the whole of the East Sussex local transport authority area. During the autumn we will, in partnership with our bus companies, be developing a Bus Service Improvement Plan which will outline our joint proposals for improving the bus service in East Sussex.

Employability and Skills – The Skills East Sussex Board, the county's strategic body for employment and skills, met in Q1 and discussed its priorities for the next five years. The CO2 Net Zero Task group had its first meeting in Q1, and identified a range of research needs, in order to develop a skills for net zero pathway for the county. Eight careers events were held virtually in May, focussing on construction; Science, Technology, Engineering and Maths (STEM); health and social care; and digital careers. The events were filmed, and these have been made available of the Careers East Sussex website for adult job-seekers. The Employability Passport, which asks young people to reflect on the skills they have and how these meet the needs of employers, is now available to all schools through Careers East Sussex. We have continued to develop the resources available on the Careers East Sussex website, including labour market information resources which can be used both by schools and by adults looking to retrain. The Careers Hub continued to support schools to achieve an average of 5 Gatsby benchmarks, which provide a framework for schools to improve their careers provision, in Q1.

Cultural investment and recovery – A report has been commissioned from consultancy company Blue Sail and is due to be agreed in Q2. The report will include priorities and recommendations to help the pan-Sussex tourism sector to recover from the impact of COVID-19. Consultants Cultural Associates Oxford have been appointed to undertake a governance review of Culture East Sussex and are investigating the structure and priorities of the Cultural Investment Framework, which sets out the priorities and investment needs in the county. A Cultural Development Fund bid is also being developed, and the process is also highlighting potential projects for the future.

Business Support and job creation – Businesses were helped by business support programmes to create or safeguard 101 jobs in Q1. Locate East Sussex, the local commissioned Inward Investment service, helped seven businesses to remain within, or relocate to, East Sussex in Q1.

Road Safety – During Q1 we have completed five safety schemes to improve the road safety infrastructure in the county. A Further 13 schemes have also been instructed and are currently waiting to be scheduled for implementation later this year. As part of the national Bikeability scheme, which helps to prepare people for cycling safely on today's roads, we delivered 144 Bikeability courses to 1,358 individuals at participating schools and the Cycling Centre at Eastbourne Sports Park in Q1. We also delivered 27 Wheels for All sessions at the sports park, which are aimed at adults and children with disabilities and differing needs and helps them to cycle in a safe and structured environment.

Trading Standards – Five Emergency Planning and Resilience training and exercise events were held in Q1, the team are currently investigating a return to business as usual, and as such there has been a slower start to the events as we seek to understand demand. Planning is underway to deliver five externally delivered courses, alongside the training which will be provided by the team. Planned events include business continuity learning, Rest Centre training and Emergency Co-ordination centre training among others.

Rights of Way (RoW) and Countryside Sites – The Rights of Way and Countryside team have worked with colleagues in Property and Legal Services to complete the transfer of Seven Sisters Country Park. The RoW team have also launched an updated online interactive map which allows the public to report problems with paths on the map itself. This helps to increase efficiency in managing the RoW network and provides condition information of the network to the public.

Environment Strategy and Corporate Climate Emergency Plan – In partnership with the Property and Procurement teams in the Business Services Department work in Q1 included:

- Completion of the grant funded Council Decarbonisation of Heat Plan, this will underpin and inform our strategy to deliver decarbonisation of our corporate and school buildings.
- Compilation of a list of potential buildings at which decarbonisation works could take place.
- Progression of two Public Sector Decarbonisation Scheme grant funded projects to the procurement stage.
- Providing feedback to Salix Finance and the Department for Business, Energy, & Industrial Strategy on how best to target, improve and organise future Government decarbonisation funding.

Libraries – 222 people enrolled on Family Learning programmes at East Sussex libraries in Q1, 36 of these enrolments were in Family English, Maths and Language (FEML), whilst 186 were in Wider Family Learning (WFL) programmes. 26 people completed online learning courses, including skills for life and ICT courses, in our libraries in Q1. To support the Summer Reading Challenge which started on 10 July 2021, librarians have attended 69 school assemblies in Q1, of which 27 were virtual. 22 events have also been arranged across the county, four of which are targeted at high need areas and are funded through the Contain Outbreak Management Fund (COMF). 176 IT for You sessions, which offers free 60 minute one-to-one computer sessions with volunteers, were completed in Q1 at Eastbourne and Hastings libraries. The process of inducting and training volunteers and making the necessary ICT adjustments for social distancing are being made at a further eight libraries to allow sessions to take place.

Revenue Budget Summary – The revenue budget is £61.887m and is projected to be on-line. There is £852k of COVID-19 costs and lost income, and £495k of COMF expenditure. Both are offset with COVID-19 tranche and

COMF funding. The largest area of underspend is in Transport and Operational Services. This is made up of the Waste Service underspend of £558k, mainly relating to reducing household waste disposal costs pre COVID-19, which will be partly offset in future years through an increase in household waste due to expected continuation of resident's homeworking. Some of the Waste Service underspend will be redirected to enable CET to develop economic pipeline projects. Concessionary Fares are also underspending based on the agreement to pay operators at pre COVID-19 levels and prices which are currently lower than budgeted for although the pending review of the concessionary fares process may change this position **(ref i)**. The Department will continue to monitor the requirement for making planned reserve draws into revenue as there may be the opportunity to manage within current resources and avoid unnecessary drawdowns from the corporate reserves.

Capital Programme Summary – The CET capital programme has a gross budget of £56.998m. There is spend in advance of £450k and slippage of £316k. The most significant variance is on the Core Bridge programme, where additional retaining wall works were required to prevent the carriageway slipping into the adjacent watercourse **(ref ii)**. There is £265k of COVID-19 and Contain Outbreak Management Fund (COMF) cost, which will be offset with COVID-19 tranche and COMF funding.

Performance exceptions (See How to read this report for definition)								
Performance measure	**Outturn 20/21**	**Target 21/22**	**21/22 RAG**				**Q1 2021/22 outturn**	**Note Ref**
			Q1	**Q2**	**Q3**	**Q4**		
N/A								

Measures marked carry over at year end 2020/21 Final outturn								
Performance measure	**Outturn 19/20**	**Target 20/21**	**20/21 RAG**				**2020/21 final outturn**	**Note ref**
			Q1	**Q2**	**Q3**	**Q4**		
Priority – Driving sustainable economic growth								
Percentage of Principal roads requiring maintenance	5%	8%	G	G	G	G	4%	
Percentage of Non-Principal roads requiring maintenance	5%	9%	G	G	G	G	4%	
Percentage of Unclassified roads requiring maintenance	14%	15%	G	G	G	G	14%	

The full list of Council Plan and Portfolio Plan performance measures is attached in Appendix 1.

Savings exceptions						
Service description	**2021/22 (£'000) – Q1 Forecast**					**Note ref**
	Original Target For 2021/22	**Target including items c/f from previous year(s)**	**Achieved in-year**	**Will be achieved, but in future years**	**Cannot be achieved**	
Savings						
Archives and Records	104	118	118	-	-	
Library Services	240	240	240	-	-	
Parking	-	1,000	1,000		-	
Household Waste	250	250	250	-	-	
Total Savings	**594**	**1,608**	**1,608**	**-**	**0**	
			-	-	-	
			-	-	-	
			-	-	-	
Subtotal Permanent Changes [1]			**0**	**0**	**0**	
Total Savings and Permanent Changes	**594**	**1,608**	**1,608**	**-**	**0**	

Memo: treatment of savings not achieved in the year (£'000)	Temporary Funding [2]	Part of reported variance [3]	Total	Note Ref
	-	-	-	
	-	-	-	
	-	-	-	
Total	**0**	**0**	**0**	

[1] Permanent changes will replace a previously agreed saving that can no longer be achieved. It is done via approval of quarterly monitoring.

[2] Temporary funding will only replace a slipped or unachieved saving for one year; the saving will still need to be made in future years (or be replaced with something else).

[3] The slipped or unachieved saving will form part of the department's overall variance - it will either increase an overspend or decrease an underspend. The saving will still need to be made in future years (or be replaced with something else).

Revenue Budget										
Divisions	**Planned (£000)**			**Q1 2021/22 (£000)**						**Note ref**
				Projected outturn			**(Over) / under spend**			
	Gross	**Income**	**Net**	**Gross**	**Income**	**Net**	**Gross**	**Income**	**Net**	
Planned Budget										
Management and Support	6,181	(3,286)	2,895	6,182	(3,287)	2,895	(1)	1	-	
Customer and Library Services	7,130	(3,149)	3,981	7,107	(2,889)	4,218	23	(260)	(237)	
Communities	4,677	(2,315)	2,362	4,643	(2,383)	2,260	34	68	102	
Transport & Operational Services	84,520	(46,847)	37,673	87,029	(49,781)	37,248	(2,509)	2,934	425	i
Highways	15,450	(2,663)	12,787	15,474	(2,558)	12,916	(24)	(105)	(129)	
Economy	3,350	(2,074)	1,276	3,203	(1,754)	1,449	147	(320)	(173)	
Planning and Environment	2,939	(2,026)	913	3,638	(2,737)	901	(699)	711	12	
Subtotal Planned Budget	**124,247**	**(62,360)**	**61,887**	**127,276**	**(65,389)**	**61,887**	**(3,029)**	**3,029**	**0**	
Covid-19 related										
Covid-19 Related Costs	-	-	-	904	443	1,347	(904)	(443)	(1,347)	
Covid-19 Specific Funding	-	-	-	-	(495)	(495)	-	495	495	
Covid-19 Tranche Funding	-	-	-	-	(852)	(852)	-	852	852	
Subtotal Covid	**0**	**0**	**0**	**904**	**(904)**	**0**	**(904)**	**904**	**0**	
Total CET	**124,247**	**(62,360)**	**61,887**	**128,180**	**(66,293)**	**61,887**	**(3,933)**	**3,933**	**0**	

Capital Programme Summary (£000)										
Approved Programme	**Total project – all years (£'000)**		**2021/22 (£'000)**							**Note Ref**
			In year monitor Q1				**Analysis of variation**			
	Budget	**Projected**	**Budget**	**Actual to date**	**Projected 2021/22**	**Variation (over) / under budget**	**(Over) / under spend**	**Slippage to future year**	**Spend in advance**	
Planned Programme										
The Keep	1,091	1,091	97	-	97	-	-	-	-	
Libraries	5,140	5,140	370	5	370	-	-	-	-	
Broadband	33,800	33,800	2,364	(604)	2,364	-	-	-	-	
Bexhill and Hastings Link Road	126,247	126,247	1,660	88	1,660	-	-	-	-	

APPENDIX 5

Capital Programme Summary (£000)										
	Total project – all years (£'000)		2021/22 (£'000)							Note Ref
			In year monitor Q1				Analysis of variation			
Approved Programme	Budget	Projected	Budget	Actual to date	Projected 2021/22	Variation (over) / under budget	(Over) / under spend	Slippage to future year	Spend in advance	
BHLR Complementary Measures	1,800	1,800	97	(98)	97	-	-	-		
Economic Intervention Fund	8,884	8,884	388	23	388	-	-	-	-	
Economic Intervention Fund - Loans	3,000	3,000	375	80	375	-	-	-	-	
Stalled Sites Fund	916	916	100	-	100	-	-	-	-	
EDS Upgrading Empty Commercial Properties	500	500	-	-	-	-	-	-	-	
Fast Track Business Solutions GBF	3,500	3,500	3,500	-	3,500	-	-	-	-	
Observer Building GBF	1,713	1,713	778	(304)	778	-	-	-	-	
Restoring Winter Garden GBF	1,600	1,600	1,324	10	1,324	-	-	-	-	
UTC Maritime and Sustainable Technology Hub GBF	1,300	1,300	1,300	-	1,300	-	-	-	-	
Charleton Access Road GBF	89	89	89	-	89	-	-	-	-	
Sussex Innovation Falmer, Covid Secure Adaptions GBF	200	200	200	59	200	-	-	-	-	
Creative Hub, 4 Fisher Street, Lewes GBF	250	250	107	(14)	107	-	-	-	-	
Riding Sunbeams Solar Railways GBF	2,527	2,527	2,527	-	2,527	-	-	-	-	
Bexhill Enterprise Park North	1,940	1,940	1,940	-	1,940	-	-	-	-	
Skills for Rural Businesses - Post Brexit	4,413	4,413	3,113	(1)	3,113	-	-	-	-	
Sidney Little Road Business Incubator Hub	500	500	381	-	381	-	-	-	-	
Bexhill Creative Workspace	960	960	369	(355)	369	-	-	-	-	
Eastbourne Fishermen Quayside and Infrastructure Development	1,440	1,440	1,440	-	1,440	-	-	-	-	
SALIX Decarbonisation	343	343	257	32	257	-	-	-	-	
Newhaven Port Access Road	23,271	23,271	459	128	459	-	-	-	-	
Real Time Passenger Information	2,963	2,963	139	(21)	139	-	-	-	-	
Hastings and Bexhill Movement & Access Package	9,488	9,488	2,325	81	2,342	(17)	-	-	(17)	
Eastbourne/South Wealden Walking & Cycling Package	7,150	7,150	525	22	545	(20)	-	-	(20)	
Hailsham/Polegate/Eastbourne Movement & Access Corridor	2,350	2,350	456	(1)	276	180	-	180	-	
Eastbourne Town Centre Movement & Access Package	3,486	3,486	1,637	119	1,544	93	-	93	-	
Other Integrated Transport Schemes	55,877	55,877	3,574	491	3,537	37	-	37	-	
Community Match Fund	1,500	1,500	106	(3)	100	6	-	6	-	

Capital Programme Summary (£000)										
Approved Programme	Total project – all years (£'000)		2021/22 (£'000)							Note Ref
			In year monitor Q1				Analysis of variation			
	Budget	Projected	Budget	Actual to date	Projected 2021/22	Variation (over) / under budget	(Over) / under spend	Slippage to future year	Spend in advance	
Emergency Active Travel Fund	177	177	6	14	6	-	-	-	-	
Emergency Active Travel Fund Tranche 2	1,456	1,456	1,443	66	1,443	-	-	-	-	
Exceat Bridge	2,633	2,633	551	(82)	551	-	-	-	-	
Queensway Depot Development	1,956	1,956	818	7	818	-	-	-	-	
Hailsham HWRS	150	150	146	-	146	-	-	-	-	
Core Programme - Highways Structural Maintenance	379,257	379,272	16,812	997	16,812	-	-	-	-	
Core Programme - Bridge Assessment Strengthening	26,103	26,103	1,249	255	1,662	(413)	-	-	(413)	ii
Core Programme - Street Lighting - Life Expired Equipment	24,759	24,759	1,713	132	1,713	-	-	-	-	
Core Programme - Street Lighting - SALIX scheme	2,961	2,961	1,636	465	1,636	-	-	-	-	
Core Programme - Rights of Way Bridge Replacement Programme	8,748	8,748	627	136	627	-	-	-	-	
Total CET Gross (Planned Programme)	**756,438**	**756,453**	**56,998**	**1,727**	**57,132**	**(134)**	**0**	**316**	**(450)**	
Covid-19 Related										
Covid-19 Related Costs	-	-	250	265	265	(15)	(15)	-	-	
Covid-19 Specific Funding	-	-	(250)	(250)	(250)	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	(15)	(15)	15	15	-	-	
Total CET (Covid Related)	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	

Governance Services – Q1 2021/22

Summary of progress on Council Priorities, issues arising, and achievements

Reconciling Policy, Performance and Resources (RPPR) – The State of the County report, which was considered by Council in July, sets out the impacts COVID-19 has had on the Council and the county, and how we have started to recover and build towards new opportunities, through programmes such as the East Sussex Economy Recovery Plan, and utilising the partnerships which were fostered during the pandemic. The report also outlines the broader demographic and policy context which will form the backdrop for planning for 2022/23 and beyond. The impact of COVID-19 and the additional funding from Government provided an opportunity to reset the 2021/22 budget and make a one off contribution to reserves of almost £9m. Proposals will be brought forward in the autumn for potential further one-off investments, including in highways, infrastructure and climate change. The financial outlook remains unclear, with a further one-year financial settlement anticipated for 2022/23; and the ongoing need for a long-term funding solution for the Council remaining. The Council Plan and Portfolio Plans 2021/22 have been refreshed with completed outturns, and there have been some changes to the performance measures and targets based on the outturns now available. The updated plans are available on our website, all the plans meet the new accessibility criteria.

Transport for the South East (TfSE) – The Department for Transport has agreed TfSE's business plan for 2021/22, which will be supported by a Government grant of £1.225m. This will enable area studies and associated technical programme to be completed and a strategic investment plan to be developed, ahead of a public consultation in 2022. A significant amount of stakeholder engagement is under way to support the technical work, with a range of forums and steering groups helping provide insight and guidance.

Initial work on the procurement process for the strategic investment plan is underway, with a request for quotation to be issued in autumn 2021. Alongside this, a piece of work looking at TfSE's future role, powers, structure, and governance has been commissioned to inform the next stage of the partnership's development. It is being carried out by Arup and is due to report in October.

Following the local elections on 6 May there have been a number of changes to the make-up of the Partnership Board. The board did not meet during Q1 because of the pre-election period but an informal workshop was held in June ahead of the board's Annual General Meeting in July. A series of briefing sessions with District and Borough authority leaders and senior officers is also underway during June and July as part of ongoing stakeholder engagement activities.

Corporate Lobbying – In Q1, the Leader met with local MPs to discuss local and national issues, including ambitions for use of the Levelling Up Fund in East Sussex. We undertook lobbying through the County Councils Network (CCN), contributing to the development of an evidence base on Home to School Transport cost pressures and COVID-19 impacts to support the CCN's national advocacy. The Leader also continues to represent the Council on the CCN's Executive as spokesperson for Children's Social Care issues, and is temporarily also covering Adult Social Care issues. This work provided opportunities to discuss with Baroness Vere (Minister in the Department for Transport) the national Bus Back Better Strategy; and to feed in views on the CCN's national reports and advocacy on issues such as the continuation of virtual committee meetings.

Work has also continued with our South East 7 (SE7) partners to improve the region's influence. In Q1, this work involved joint data analysis to improve our understanding of the shared challenges and opportunities for the SE7 economy, communities and CO_2 net-zero response. Work in Q2 will focus on how SE7 authorities can use all networks and opportunities available to raise awareness of these issues and opportunities in Government and ensure they are factored into the national policy agenda.

The Chief Executive continues to be involved in national policy development as representative for the South East region on a national grouping of local authority Chief Executives. In Q1, this work included providing opportunities for local authorities across the South East region to engage with senior Government officials on policy developments impacting local government; and for authorities across Sussex to host a virtual 2-day visit of the Cabinet Office COVID-19 Taskforce as part of their review of the COVID-19 response.

Supporting democracy – The County Council election was held successfully on 6 May with the election of 50 councillors to represent the 50 County Council electoral divisions for the next four years. Election planning, undertaken in conjunction with the District and Borough councils who administer the election on behalf of the County Council, had added complexity this year due to COVID-19 requirements. Election results were published as they were announced on our interactive results map and all candidates elected received a welcome pack from the Council on results day.

A comprehensive initial Member induction programme was delivered in Q1, including the refresh of councillor ICT equipment, which was undertaken in a COVID-19 secure way over two days immediately after the election. The remainder of the programme was delivered virtually with a range of sessions designed to assist new and returning councillors in undertaking their roles effectively. Sessions included topics such as the Member Code of Conduct and equalities duties, Council meetings, the local councillor role, Highways issues and the Council's integrated business and financial planning process, Reconciling Policy, Performance and Resources. Following appointments to committees at the annual Council meeting, further training on specific roles and responsibilities was provided, covering areas such as Planning, Audit, Scrutiny, External Bodies and Pensions. The induction programme continues throughout 2021/22 and will develop in light of Member feedback and further training needs identified.

During Q1, in light of the expiry of temporary regulations which permitted virtual meetings, we made arrangements to resume physical meetings where legally required, whilst complying with ongoing COVID-19 restrictions, enabling Council business to continue in a transparent and open way. This included detailed planning for the holding of the annual Council meeting in May in liaison with Property Services and Public Health. Use of video conferencing technology continued where legally permitted, including the use of new hybrid meeting technology in the Council Chamber, which has enabled physical attendance to be minimised during COVID-19 restrictions and for some of the benefits of remote attendance to be maintained. We submitted a response to the Government call for evidence on the future of virtual meetings based on the motion agreed by Council in 2020 which requested that local authorities be given the option to decide on use of virtual attendance in future. During Q1 we supported 20 meetings including: one Council meeting; two Cabinet meetings; six Lead Member meetings; three Scrutiny Committees; and eight other committees and panels. We also published agendas for a further 14 meetings. The webcasts of Council meetings were viewed 2,342 times in Q1. The most viewed meeting was the Council meeting on 25 May 2021, which received 372 views.

The main round of school appeal hearings, families have a legal right to appeal against the Council's decision to refuse a place at their preferred school, began in Q1 and the East Sussex School Appeals Service continued to arrange for appeals to be considered through remote hearings developed in line with temporary national regulations, which have been extended to September 2021. The team has continued to provide significant support to independent volunteer panel members, parents and admission authorities to participate fully. We received 159 appeals during Q1 and conducted 19 virtual appeal hearings, some of which took place over multiple days. The secure online digital appeal management system, which was developed in-house, has continued to provide significant benefits in the context of remote working. Recent enhancements to the system, undertaken in conjunction with IT & Digital, have continued to improve its effectiveness for both parents and the service.

Legal Services – During Q1, Legal Services assisted Trading Standards to secure a successful prosecution in relation to possession for supply of counterfeit tobacco with a retail value of £279,000, which resulted in a three year custodial sentence. The service also assisted Children's Services to obtain an Injunction to Prevent Nuisance and Annoyance against a parent, who had threatened social workers. In addition, we assisted Children's Services to secure a six month community order against a parent for knowingly failing to ensure the regular attendance of their child at school. The service assisted Income Recovery in securing the recovery of debts totalling approximately £13,000.

In Q1, Legal Services also advised in relation to 68 Court of Protection cases (compared to 60 in Q4 2020/21) and 26 matters involving safeguarding vulnerable adults (compared to 31 in Q4 2020/21) and 36 Deprivation of Liberty Applications in the Court of Protection (compared to 34 in Q4 2020/21). Deprivation of Liberty Safeguards is the procedure prescribed in law to authorise a patient or resident's deprivation of liberty when they lack capacity to consent to their care and treatment and the arrangements are necessary to keep them safe from harm. The service also continued to provide advice and support to Adult Social Care and Public Health in relation to the Coronavirus Act 2020 and related legislation and guidance.

During Q1 Legal Services continued to advise and assist in pre-proceedings and court applications for care proceedings, with the priority always to keep children within their family, when it is safe to do so, and for public law applications to be a last resort where it is necessary and proportionate response to achieve the best outcome for the child. In Q1, the service advised in relation to 48 families involved in pre-proceedings (compared to 54 in Q4 2020/21). At the end of Q1, there were 76 care proceedings (compared to 75 at the end of Q4 2020/21). The service has also provided advice and assistance in relation to a wide range of other children's matters, such as private law applications, secure accommodation, deprivation of liberty, wardship and judicial reviews. In addition, we continue to provide training to Children's Services staff on relevant legal and practice issues.

During Q1, Legal Services completed 10 planning and highways agreements and secured financial contributions to the Council of £662,997 together with extensive additions and improvements to the highway network across the county. In Q1, we have continued to provide legal advice to secure substantial sums via grant agreements for South East Local Enterprise Projects, grants awards in respect of post-pandemic regeneration projects and new government funding initiatives post-Brexit. In Q1 the service advised on 48 new contract and procurement matters and on 19 new property transactions, including securing two substantial leases of Council property to the NHS, which will bring funds into the Council and assist the NHS with providing services.

Coroner Services – During Q1, 478 deaths were reported to the Coroner, averaging 166 deaths per month. This is lower than the Q4 2020/21 average monthly figure of 200 deaths. Of the 478 deaths reported, 97 went to inquest in Q1 compared to 73 in Q4 of 2020/21. In Q1, 89 inquests were closed compared to 70 in Q4 2020/21. Inquests continue to be heard on either a paper basis or on a hybrid basis, with some family and witnesses attending court, whilst others attend remotely. Jury inquests have now resumed.

Regulation of Investigatory Powers Act (RIPA) – One application has been made under the Investigatory Powers Act (IPA) 2016 during Q1, via the National Anti-Fraud Network (NAFN). The application is pending and relates to door step crime. The application is for both Events and Entity data and it is hoped that it will prove the presence of a rogue trader at a private address during the commission of offences.

Local Government Ombudsman (LGO) complaints – 11 decisions were issued in Q1. Six cases were closed before a full Ombudsman investigation, for a variety of reasons including insufficient evidence of fault, complaints being out of the Ombudsman's jurisdiction and because the complaint had not been through our internal complaint processes. Of the five fully investigated, two cases related to Adult Social Care (ASC) and three to Children's Services (CS). Two were closed with no fault found and three were closed with the complaint partly or fully upheld as follows:

ASC – The client complained that the Council provided inaccurate and incorrect information about the way his mother's residential care would be paid for and failed to offer a care home, whose charges would have fallen within the personal budget set by the Council, and that there was a delay by the Council in setting up a Deferred Payments Agreement. The Ombudsman found the Council at fault for providing incorrect, confusing and conflicting information. Fault was also found because an appropriate third party top up was not in place, and the necessary paperwork had not been completed. The Council agreed to take action to avoid a reoccurrence, including a staff training session with finance colleagues to ensure they have a clear understanding of these issues. It also agreed to offer a Deferred Payments Agreement of £995 as a bridging loan until the property is sold and to pay £250 for any distress caused.

CS – The client complained that the Council did not award transport assistance for her daughter to attend college. She appealed the Council's decision and said the appeal panel did not properly consider the circumstances of the case. The Ombudsman found fault in the way the appeal panel considered the client's appeal because it made its decision based on assumptions, with insufficient information to support the view that a breakfast club was a viable solution to free up the client to accompany her child. Fault was also found that the appeal panel did not comment on the client's point that her daughter was too young to walk home alone. The LGO considered that the Panel did not address the subject of the appeal in full. The Council agreed to apologise to the client for the fault in the way the appeal panel considered her case and arrange for a fresh appeal panel to consider the case.

CS – The client complained that the Council delayed in issuing an Education, Health and Care plan (EHCP) for her son, that there was a lack of constructive communication between June and September 2018 and that there was a lack of consideration of her autism. The Ombudsman did find that the Council delayed issuing the EHCP but did not consider that this caused injustice. The Ombudsman also found that the Council delayed in resolving the matter of the costs of a placement for the client's son between October 2018 and March 2019. Whilst the delay was not significant enough to amount to fault, the Ombudsman did consider that it caused avoidable distress and time and trouble for the client. Finally, the Ombudsman found fault because the Council could have been more proactive in handling the client's condition from the point that officers were aware of her autism. The LGO considered that by not making a record of reasonable adjustments, the Council risks acting inconsistently towards people's disabilities, or placing them in an avoidable situation, where they have to re-state their preferred adjustments. The Council agreed to pay the client £200 to reflect the avoidable distress and time and trouble she suffered; and that the Council's Special Educational Needs team would review how it agrees and records reasonable adjustments for people with disabilities.

Effective publicity and campaigns – A majority of residents (56%) said they felt either fairly or very well-informed by the Council overall in a recently completed survey. Almost three-quarters of parents (72%), and a majority of all residents (57%) were aware of our school holidays food and activities clubs for children. This involved the Council working closely with schools and voluntary organisations to identify children, who are eligible for the scheme, and contacting families directly via school newsletters and digital flyers. New web pages were created, which included booking information for the more than 70 activity providers and enabled parents to see the full range of activities available under the programme. The project has been promoted through traditional media, social media and social media advertising.

Most residents (55%) said they had seen publicity about safety on cliff-tops in East Sussex. This follows a campaign with local partners, which includes new posters at tourist hotspots across our coastline, a press release, coverage in resident newsletters and, a successful social media campaign. Our paid Facebook ads have reached 28,258 people and our free posts have reached over 17,000 people on our social media channels. We also messaged IKEA UK on Instagram, after they posted an image of a man standing close to Beachy Head cliff edge. They subsequently removed the image and apologised. The story was picked up by The Daily Mail and The Argus who quoted the Council.

Media and information work – There were 363 media stories about the Council in Q4, of which 78 were positive and 221 were neutral (stories are classified as positive if they generally celebrate an aspect of the Council's work and neutral if they balance any criticism with positive comment from the Council or others). The press office issued 31 press releases and 126 media enquiries were handled. Q1 included the pre-election period, with constraints on publicity activity.

Web activity – The main Council website had almost 3.3 million page views during Q1, from almost 914,000 visits. This included almost 122,000 views of our coronavirus pages, more than 70,000 views on pages relating to teaching and leadership jobs and more than 40,000 views of the Council election pages. The intranet had 1.3 million page views from just over 500,000 visits during Q1.

South East 7 (SE7) – The Joint SE7 Leaders and Chief Executives Board met remotely in Q1. The Board was joined by Phil Eckersley, the South East Agent of the Bank of England to discuss the impact of COVID-19 and Brexit on the national and regional economy; and by Tony McArdle, an Independent Adviser to the Government's Special Educational Needs and Disability (SEND) Review, to discuss some of the themes, priorities and reforms that were expected to be covered in the upcoming review publication. Both items gave authorities an opportunity to develop a shared understanding of priorities for economic recovery and SEND reform in the region and share these insights with the presenters to inform their work.

Preparation is on-going for the next Joint Leaders and Chief Executives Board taking place in October, which will consider priority next steps for SE7 authorities to deliver on our CO2 net-zero targets, facilitated by an expert external advisor. SE7 Chief Executives continue to meet regularly, including with senior civil servants to inform national policy development.

Partnership with West Sussex County Council (WSCC) – We have continued to work with WSCC in Q1 through partnerships such as the Sussex Resilience Forum to meet the needs of both our communities in response to COVID-19. The Leaders have continued to work closely together, particularly in relation to lobbying, strengthening our collective voice at a local, regional and national level, including within the County Councils Network, the Local Government Association and with Government.

Health and Wellbeing Board (HWB) – Since the HWB last met on 2 March 2021 progress has been made with planning for 2021/22 and our critical focus of preparing for the implementation of the Health and Care Bill in April 2022. An update report was prepared for the meeting on 13 July 2021 covering the specific agreements that have been reached by NHS and local government partners in Q1 to meet the requirements in the Bill, the plans to further strengthen our East Sussex Health and Social Care Partnership and the shared priorities for our system in 2021/22. The agenda for the July meeting also included reports on: the Healthwatch Annual Report; the health and wellbeing inequalities of residents at Kendal Court, Newhaven and homeless people accommodated by Brighton and Hove City Council in temporary accommodation in East Sussex; Improving Population Health and the refreshed East Sussex Alcohol Strategy and Healthy Weight Partnership; and the updated East Sussex Outbreak Control Plan.

Revenue budget summary – The GS budget is currently £7.185m and is projected to have a small underspend of £59k. The £130k additional cost of running the elections in a COVID-19 environment will be funded from general COVID-19 tranche funds.

Performance exceptions
(See How to read this report for definition)

Performance measure	Outturn 20/21	Target 21/22	21/22 RAG				2021/22 outturn	Note ref
			Q1	Q2	Q3	Q4		
There are no Council Plan targets								

Savings exceptions

Service description	2021/22 (£'000) Original Target For 2021/22	Target including items c/f from previous year(s)	Achieved in-year	Will be achieved, but in future years	Cannot be achieved	Note ref
Savings						
There are no targeted savings in 2021/22	-	-	-	-	-	
	-	-	-	-	-	
Total Savings	**0**	**0**	**0**	**0**	**0**	
			-	-	-	
			-	-	-	
Subtotal Permanent Changes [1]			**0**	**0**	**0**	
Total Savings and Permanent Changes	**0**	**0**	**0**	**0**	**0**	

Memo: treatment of savings not achieved in the year (£'000)	Temporary Funding [2]	Part of reported variance [3]	Total	Note Ref
	-	-	-	
Total	**0**	**0**	**0**	

[1] Where agreed savings are reasonably unable to be achieved other permanent savings are required to be identified and approved via quarterly monitoring.

[2] Temporary funding will only replace a slipped or unachieved saving for one year; the saving will still need to be made in future years (or be replaced with something else).

[3] The slipped or unachieved saving will form part of the department's overall variance - it will either increase an overspend or decrease an underspend. The saving will still need to be made in future years (or be replaced with something else).

Revenue Budget

Divisions	Planned (£000)			Q1 2021/22 (£000) Projected outturn			(Over) / under spend			Note ref
	Gross	Income	Net	Gross	Income	Net	Gross	Income	Net	
Planned Budget										
Corporate Governance	5,219	(1,026)	4,193	5,162	(1,025)	4,137	57	(1)	56	
Corporate Support	3,376	(384)	2,992	3,373	(384)	2,989	3	-	3	
Subtotal	**8,595**	**(1,410)**	**7,185**	**8,535**	**(1,409)**	**7,126**	**60**	**(1)**	**59**	
Covid-19 related										
Covid-19 Related Costs	-	-	-	130	-	130	(130)	-	(130)	
Covid-19 Specific Funding	-	-	-	-	-	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	-	(130)	(130)	-	130	130	
Subtotal Covid	**0**	**0**	**0**	**130**	**(130)**	**0**	**(130)**	**130**	**0**	
Total Governance	**8,595**	**(1,410)**	**7,185**	**8,665**	**(1,539)**	**7,126**	**(70)**	**129**	**59**	

APPENDIX 6

Capital programme										
Approved project	Total project – all years (£000)		2021/22 (£000)							Note ref
			In year monitor Q1 (£000)				Analysis of variation			
	Budget	Projected	Budget	Actual to date	Projected 2021/22	Variation (over) / under budget	(Over) / under spend	Slippage to future year	Spend in advance	
Planned Programme										
No current programme for Governance	-	-	-	-	-	-	-	-	-	
Total GS Gross (Planned Programme)	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	
Covid-19 Related										
Covid-19 Related Costs	-	-	-	-	-	-	-	-	-	
Covid-19 Specific Funding	-	-	-	-	-	-	-	-	-	
Covid-19 Tranche Funding	-	-	-	-	-	-	-	-	-	
Total GS (Covid Related)	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	

Strategic Risk Register – Q1 2021/22

Ref	Strategic Risks	Risk Control / Response and Post Mitigation RAG score	RAG
16	**COVID-19** Adverse impact of COVID-19 sickness and restrictions on Council finances and services. Reduced ability to deliver services, priorities and long-term planning, impacting on e.g., protecting and supporting vulnerable adults and children, education and schools, roads and infrastructure, local economic growth, and the Council's workforce. Capacity to manage a response to a significant sustained increase in COVID-19 cases alongside other winter pressures. Adverse impact of COVID-19 on local health, wellbeing and economy, creating new long-term need for Council services.	Services have changed and adapted to the changing situation and Government guidance. We have reviewed and adjusted services in line with the removal of restrictions. Members of staff who can work remotely are continuing to do so and risk assessments have been undertaken for all staff working in buildings or with service users, with appropriate protective measures in place. Looking after the most vulnerable people in our community is our absolute priority and we continue to work with our Borough and District partners to support those who need additional help through the Community Hubs. We have received additional funding from the Government to undertake a range of new activities and support which is not expected to continue after the autumn. We are closely monitoring our COVID-19 spend. We are also monitoring impacts on the economy and wider community and implementing recovery plans with our partners. The medium and long-term impact of COVID-19 is being factored into our Reconciling Policy, Performance and Resource (RPPR) finance and business planning. We have a Local Outbreak Plan to prevent, where possible, and respond to and contain local outbreaks, with specific measures for high-risk areas. We are supporting NHS partners with delivery of the local vaccination programme and are also supporting community testing. The Corporate Management Team meets regularly to ensure our response and recovery is effectively co-ordinated and working well through our established partnerships and the new partnerships, which come into operation when we are operating under the Civil Contingencies Act, including the Sussex Resilience Forum and the Local Health Resilience Forum. Case numbers have fallen, however there may be additional pressures as we move into the autumn from flu and other viruses as people begin to mix more. We continue to plan for different scenarios. Extensive co-ordination and lobbying are taking place at Member and officer level through SE7, CCN and other arrangements.	**Red**
12	**CYBER ATTACK** The National Cyber Security Centre (NCSC) has highlighted the substantial risk to British web infrastructure, with elevated levels of Cyber Crime being reported against all areas of government. Cyber attacks are growing more frequent, sophisticated, and damaging when they succeed. The COVID-19 pandemic has increased the need to carry out many additional functions virtually and remotely. Changes in working practice give rise to more requests to relax security controls, with services more likely to take risks on the technology they procure and how they use it.	Most attacks leverage software flaws and gaps in boundary defences. IT&D use modern security tools to assure our security posture: Monitoring network activity and identifying security threats; Keeping software up to date with regular patching regimes; Continually monitoring evolving threats and re-evaluating the ability of our toolset to provide adequate defence against them; Ongoing communication with the Security industry to find the most suitable tools and systems to secure our infrastructure. IT&D continues to invest in new tools, which use pre-emptive technology to identify threats and patterns of abnormal behaviour. Enhancing user awareness: Expanding E-Learning and policy delivery mechanisms to cover Cyber threat; educating staff around the techniques and methods used by active threats; and providing General Data Protection Regulation (GDPR) training and workshops to cascade vital skills and increase awareness of responsibilities under GDPR legislation. Services hosted in ISO 27001 accredited Orbis Data Centres.	**Red**

Ref	Strategic Risks	Risk Control / Response and Post Mitigation RAG score	RAG
4	**HEALTH** Failure to secure maximum value from partnership working with the National Health Service (NHS). If not achieved, there will be impact on social care, public health and health outcomes and increased social care cost pressures. This would add pressures on the Council's budget and/or risks to other Council objectives.	The focus in Q1 has been putting in place plans to respond to the requirements in the Health and Care Bill and ensure the proposed changes in the Bill do not negatively impact on our functional relationship with the local NHS across commissioning and delivery; and the risks are managed for the way the Council manages resources and delivers its statutory responsibilities, population health priorities and objectives. The following specific agreements have been reached in Q1: •The Council's relationship and role in the Sussex-wide Integrated Care System (ICS) in order that we meet the new duty to collaborate, including membership of the Sussex-wide NHS ICS body and the wider strategic engagement partnership •The role of our place-based partnerships within the ICS, where much of the interface between the social care, public health and the NHS will be managed. In addition, the following plans have been agreed for our integration work and models in East Sussex: •Further strengthening our East Sussex Health and Social Care Partnership through agreeing a set of underpinning principles, that will support our collaboration and the way our teams work together on the ground, and the key actions in 2021/22 that will support this. •Review and refresh of our shared priorities for our transformation programme to ensure they support the continued restoration and recovery of health and social care services; and a clear focus on addressing health inequalities and delivering personalised, preventative care models. •Producing a place-based annual operating plan (an update of our long term shared East Sussex Health and Social Care Plan), with a strong focus on East Sussex shared integration delivery priorities (based on the above review and refresh), as well as core NHS/ICS delivery priorities. •Jointly agreeing a strategic development framework to coordinate delivering the key elements of increased system capability, that will support population health management approaches and improving population health and wellbeing and reducing health inequalities, across the full span of all our organisations' existing roles and services that contribute to this in East Sussex.	Red
5	**RECONCILING POLICY, PERFORMANCE & RESOURCE** Ongoing uncertainty in relation to future funding levels and the longer-term local government funding regime creates a risk of insufficient resources being available to sustain service delivery at the agreed Core Offer level to meet the changing needs of the local community.	We employ a robust Reconciling Policy, Performance and Resources (RPPR) process for business planning, which ensures a strategic corporate response to resource reductions, demographic change and regional economic challenges; and directs resources to priority areas. We take a commissioning approach to evaluating need and we consider all methods of service delivery. We work with partner organisations to deliver services and manage demand, making best use of our collective resources. We take a 'One Council' approach to delivering our priorities and set out our targets and objectives in the Council Plan. We monitor our progress and report it quarterly. Our plans take account of known risks and pressures, including social, economic and demographic changes and financial risks. The Coronavirus pandemic has had, and will continue to have for a long time, profound impacts on our communities and services. We continue to operate in changing and uncertain contexts. We will review and undertake research to track and understand the impacts. We will update and reset our performance targets, priorities, service offers and financial plans, as required, to reflect them. We lobby, individually and in conjunction with our networks and partners, for a sustainable funding regime for local government in general and adult social care specifically to meet the needs of the	Red

APPENDIX 7

Ref	Strategic Risks	Risk Control / Response and Post Mitigation RAG score	RAG
		residents of East Sussex, and which recognises the likely long-term impact of COVID-19 on the Council's expenditure and income.	
15	**CLIMATE** Failure to limit global warming to below 1.5°C above pre-industrialisation levels, which requires global net human-caused emissions of carbon dioxide (CO_2) to be reduced by about 45 percent from 2010 levels by 2030, reaching 'net zero' by 2050 at the latest. The predicted impacts of climate change in East Sussex include more frequent and intense flooding, drought and episodes of extreme heat, as well as impacts from the effects of climate change overseas, such as on food supply. This will lead to an increase in heat-related deaths, particularly amongst the elderly, damage to essential infrastructure, increased cost of food, disruption to supply chains and service provision, and greater coastal erosion.	Climate change adaptation: we are following national adaptation advice, including working with partners on flood risk management plans, a heatwave plan and drought plans. Climate change mitigation: we must reduce our own operation carbon footprint by an average of 13% per year to stay within our 5-year carbon budget and to achieve net zero carbon emissions from the County Council's own activities as soon as possible, and by 2050 at the latest. Our Climate Emergency Officer continues to work with teams across East Sussex to deliver the corporate climate emergency plan covering 2020-22. The main focus is on buildings, which made up 79% of carbon emissions in 2020/21. Travel related emissions will be progressed once the Future Workstyles Review is complete. In quarter 1: 1) Annual carbon reporting for 2021/22 shows that ESCC scope 1 and 2 carbon emissions from buildings, streetlighting and fleet fell by 13% in line with our target. Much of this achievement was due to grid electricity decarbonisation, as a greater portion of power is generated by renewables, and by buildings moving out of portfolio. Keeping within budget next year and beyond will be more challenging, particularly in relation to heating. 2) A Corporate Decarbonisation of Heat Plan will be completed in early quarter 2 and will inform our strategy in this key area. 3) Work continued on delivery of the Public Sector Decarbonisation Scheme grant funded projects but contractor capacity, building material shortages and supply chain issues have caused some delays. This has been flagged to Salix Funders with a request to carry over some heating related works into 2022/23. Feedback was provided to the Department for Business, Energy and Industrial Strategy and Salix Finance on how best to target, improve and organise future government funding. 4) In collaboration with Property Maintenance and Energy teams a pipeline of target sites for building decarbonisation works is being drawn up. 5) Ad-hoc communications have been done around national themed events such as Earth Day and Clean Air Day. Further staff newsletters and other communications are planned for quarter 2 and beyond.	**Red**
1	**ROADS** Wet winter weather, over recent years has caused significant damage to many of the county's roads, adding to the backlog of maintenance in the County Council's Asset Plan, and increasing the risk to the Council's ability to stem the rate of deterioration and maintain road condition. COVID-19 could lead to an increase in the level of staff sickness, as well as the need for staff to self-	The additional capital maintenance funding approved by Cabinet in recent years has enabled us to stabilise the rate of deterioration in the carriageway network and improve the condition of our principal road network. However, a large backlog of maintenance still exists and is addressed on a priority basis. The County Council's asset management approach to highway maintenance is maintaining the overall condition of roads, despite recent years' winter weather. However, severe winter weather continues to be a significant risk with the potential to have significant impact on the highway network. The winter of 2019/20 was one of the wettest on record and generated 4 times more potholes for example. The recently approved five-year capital programme for carriageways 2018/19 to 2022/23, and the six-year	**Amber**

Ref	Strategic Risks	Risk Control / Response and Post Mitigation RAG score	RAG
	isolate/distance. It will lead to a change in our working approach and arrangements, even beyond the length of any Government imposed lockdown.	additional capital programme for drainage and footways 2017/18 to 2022/23 provide the ability to continue to manage condition and build resilience into the network for future winter events. Additional DfT money from 2018/2019 has supported this approach. Our contractor has adapted the service to ensure the workforce can work in a safe environment and has continued to successfully deliver the service on the ground or from home, with a full reactive service and capital programme delivered this year. Staff absence due to COVID related illness or self-isolation has remained very low and has had no significant impact on the service but clearly, in an ever-changing situation, the risk remains. As we move out of lockdown the risk is diminishing and we plan to deliver a full capital programme and service this year. East Sussex County Council staff managing the Highways contract have successfully worked from home with no impact.	
7	**SCHOOLS** Impact of weak leadership in schools on outcomes for children and young people Failure to secure adequate leadership within East Sussex Schools, leading to: • reduced outcomes for children • poor Ofsted reports and reputational damage Failure to accelerate progress and improve attainment for all key groups of pupils • poor Ofsted reports • reputational damage Resulting in: • negative impacts on employability • undermining capacity for economic growth • increased pressures on services provided by social care and health.	Continuing to secure high-quality leadership and governance across all our schools, colleges and settings is a high priority for the Standards and Learning Effectiveness Service (SLES) performance improvement plan. We will: • Work with partnership networks to provide support and challenge for the recruitment, development and performance of high-quality school leaders. • Work with the existing Academy Chains within East Sussex, to ensure appropriate solutions for schools in East Sussex. • Continue to support the East Sussex recruitment and retention strategy with a focus on leadership. • Accelerate the work to develop partnerships between schools that cannot secure adequate leadership alone and explore the options for closure of schools that are unable to deliver a high-quality education to their pupils. • Work with Primary Board, Secondary Board, East Sussex Learning Collaborative Network and Teaching School Hub to support the development of outstanding leaders. • Work with Teaching Schools Alliances and Education Improvement Partnerships to support the development of outstanding leaders. • Work with the primary and secondary board to implement the schools causing concern guidance. • Work with the primary board, secondary board and teaching schools to raise standards of provision, curriculum design and quality of teaching and learning in Key Stage 2 and improve outcomes in Key Stage 4. These mitigations do not take account of COVID impacts/measures.	Amber
8	**CAPITAL PROGRAMME** Against a background of diminishing resources, the capital programme has been produced to support basic need only and as a result of this there is no resource for other investment that may benefit the	The Council maintains a 20-year capital strategy and 10-year capital programme (currently 9 years due to the increased uncertainty and risks to long term local government financing) to provide rigour and support strategic direction. The development and delivery of the capital programme is overseen by a Capital Strategic Asset Board (CSAB), a cross departmental group consisting of officers from each service department, finance, property and procurement. Governance arrangements continue to	Amber

Ref	Strategic Risks	Risk Control / Response and Post Mitigation RAG score	RAG
	County e.g. that may generate economic growth. Additionally, there is a risk, due to the complexity of formulas and factors that impact upon them, or changes in these, that the estimated Government Grants, which fund part of the programme, are significantly reduced. There is also a risk that the move from S106 contributions to Community Infrastructure Levy will mean that Council has reduced funding from this source as bids have to be made to Districts and Boroughs. Slippage continues to occur within the programme, which has an impact on the effective use of limited resources.	be reviewed and developed in support of robust programme delivery of the basic need programme. The Schools (and capital maintenance) Sub Board, which in part focuses on future need for schools' places, continues to inform the CSAB of key risks and issues within the Basic Need Programme. Regular scrutiny by the CSAB of programme and project profiles (both in year and across the life of the programme) occurs on a quarterly basis. The CSAB also proactively supports the seeking and management of all sources of capital funding, including grants; capital receipts; S106; Community Infrastructure Levy (CIL); and, Local Growth Fund monies. A cross department sub board oversees the process for bidding for CIL and the use of S106 funds, and work continues with Districts and Boroughs to maximise the Council's receipt of these limited resources. Additionally, following review, CIL and S106 targets have been reduced. The impact of COVID-19 and EU Exit increases the risk to external funding and of excess inflation being incurred on materials. In addition, the one-year Spending Review (SR) on 25 November 2020 set government department's revenue and capital budgets for 2021/22 only, providing no certainty over future years capital grants. Officers will proactively monitor funding announcements and seek to minimise the impact on delivery of the capital programme, ensuring that there is sufficient liquidity to meet funding requirements. There are a number of risks and uncertainties regarding the capital programme over the current Medium-Term Financial Plan period and beyond. As part of the Reconciling Policy, Performance and Resources (RPPR) process at February 2021, an ongoing capital risk provision of £7.5m was approved, providing the flexibility to react to emerging risks. It represents the ability to borrow for these risks and is managed through ensuring there is Treasury Management capacity, rather than representing funds that are within the Council's accounts. Its utilisation, subject to CSAB approval and adherence to financial regulations, would therefore require additional borrowing and be reported through the RPPR and quarterly monitoring process. CSAB continue to look to manage down the historical levels of programme slippage. Following a review of the programme's annual ambition (against historical deliverability and project risk), in 2021/22 a risk factor has been applied to help mitigate slippage.	
9	**WORKFORCE** Stress and mental health are currently the top two reasons for sickness absence across the Council, potentially leading to reduced staff wellbeing, reduced service resilience, inability to deliver efficient service and/or reputational issues. An inability to attract high calibre candidates could lead to limited recruitment choices and therefore lack of the expertise, capacity, leadership and/or innovation required to deliver services and service transformation.	The 2021/22 Q1 sickness absence figure for the whole authority (excluding schools) is 1.63 days lost per FTE, a decrease of 8.3% since last year. The year-end estimate for 2021/22 is 7.13 days/FTE, so the target of 9.24 days/FTE is predicted to be met. It is positive to note that we have seen a reduction in all absence levels, including mental health related absence. Stress remains the primary driver with Coronavirus as the second highest reason. In response to this, we have continued to enhance our wellbeing offer by: • Creating bespoke offers for front line teams most affected by Covid, including managers workshops, awareness sessions and compassionate leadership • Working with our external health providers to offer Long Covid support and signposting • Continue to support employees with topical on-going health awareness campaigns, including men's health and Covid related anxiety	**Amber**

Ref	Strategic Risks	Risk Control / Response and Post Mitigation RAG score	RAG
		More broadly we have: • Enhanced support provided to managers on Return to Work forms to enable effective signposting for conditions such as bereavement, mental health and cancer • Worked with TP Health to run a series of successful interactive workshops on pertinent health topics, including Mental Fitness and Carers Awareness, with all respondents confirming these increased the likelihood for them to look after their own wellbeing • Launched a Menopause awareness campaign with guidance for employees and managers with supporting videos, which has been very well received Whilst it is too early to assess the full impact of Covid-19, some effects are already being felt. In the context of attraction and recruitment, the move to remote working and the opportunity for this to continue as we consider future new ways of working, has resulted in a much wider geographical pool of applicants being available to the Council. We are already seeing the effects of this with a number of our jobs receiving a high level of interest and significantly more completed applications.	
14	**POST EUROPEAN UNION (EU) TRANSITION** The United Kingdom has left the EU with a negotiated outcome. However, there are likely to be areas of disruption, when paperwork checks on imports begin on 1st October 2021 and physical checks on imported goods begin on 1st January 2022. Key areas at risk of disruption are: •At Newhaven Port and on the surrounding road network due to new port checks. •In business and economic activity, due to import/export administrative complexities for Small and Medium-sized Enterprises, supply chain disruption, impact of trade tariffs on consumer purchasing power, and workforce supply. •The COVID-19 pandemic response and local outbreak management. E.G. through disrupting international supply chains for Personal Protective Equipment, and •Delivery of Council Services.	The risks have reduced until the revised implementation dates for import checks in October 2021 and January 2022. HGV traffic remains lower than usual at Newhaven and ESCC continue to monitor the situation at Newhaven and are ready to react, should disruption look likely. Many of the key areas at risk of disruption are already on the Strategic risk register (COVID-19 response, Local Economic Growth) or departmental risk registers and are subject to business as usual risk and business continuity management. The Trading Standards team are working with Environmental Health colleagues and UK Border Force to smooth the impact of Government border policy on the capacity required to support new border enforcement arrangements at Newhaven Port. Provision of facilities at the port is being arranged and memoranda of understanding drawn up to facilitate effective joint working. Planning will also be informed by the Government Protocol and Border Group, of which the Director of Communities, Economy and Transport is a member. These relationships will continue until the newly revised import check dates and will then be reviewed again. Close working with Sussex Chamber of Commerce to ensure clear advice is provided to Small and Medium Size enterprises engaged in import/export activity. Monitoring impacts on the local economy through Business East Sussex, although this is complex because it is challenging to disentangle COVID and Brexit impacts. The Sussex Resilience Forum has run exercises to support multi-agency emergency planning for the implications of additional border controls. The Chief Executive is a representative for the South East on the Ministry of Housing, Communities and Local Government group of nine regional chief executives, which provides a direct channel of communication into the Ministry, on local and regional issues emerging from the end of the transition period.	**Green**

Ref	Strategic Risks	Risk Control / Response and Post Mitigation RAG score	RAG
6	**LOCAL ECONOMIC GROWTH** Failure to deliver local economic growth, and failure to maximise opportunities afforded by Government proposal to allocate Local Growth Funding to South East Local Enterprise Partnership, creating adverse reputational and financial impacts.	The County Council and its partners have been successful in securing significant amounts of growth funding totalling £129m, via both the South East and Coast 2 Capital Local Enterprise Partnerships, to deliver a wide range of infrastructure projects in East Sussex. We have also secured outgoing European Funding (EU) for complementary economic development programmes supporting businesses to grow, including: South East Business Boost (SEBB); Low Carbon across the South East (LoCASE); TRANSFORM Apprenticeships; South East Creative, Cultural & Digital Support Programme (SECCADS); and inward investment services for the county. We have continued to bid for further EU funding on the above projects and have secured over £4m of investments to be delivered from April 2020 for a further 3 years. Government issued a funding call in mid-June through the Getting Building Fund programme for pipeline projects to create jobs and deliver over the next 18 months, with East Sussex securing £11.2m on 8 projects in late July. All 8 projects were approved by SELEP in October/November and we are now confirming their grant agreements, with several commencing delivery. We have been actively working with partners in developing projects and submitting proposals to a number of recent funds, including: the Green Homes Fund (secured a further £1m); Future High Streets (secured £5m); Stronger Towns Fund (Hastings awarded £24.3m and Lewes awaiting outcome); the SELEP COVID-19 Skills and Business Support Fund (secured £500k). The COVID-19 outbreak in early March 2020 is seemingly changing the funding landscape, and alongside the impacts of leaving the European Union, is having an impact on major funding decisions from Government. We officially launched in September 2020 the East Sussex Economy Recovery Plan, called 'East Sussex Reset'. The plan identifies deliverable actions in the short term, alongside more aspirational asks, and has already aligned and secured new monies totalling £105m investment into East Sussex. It has and will continue to be an important bidding document to Government and into the SELEP, with the new SELEP Recovery and Renewal Strategy approved in March 2021. Both documents will look at ways to address the recent Government policy and Budget announcements (3 March 2021), that have a clear focus on the green revolution (net zero carbon reduction); the new £4bn Levelling Up Fund (LUF); and the new one year £220m UK Community Renewal Fund pilot (UKCRF), which is a precursor to the larger UK Shared Prosperity Fund officially launching in 2022. The prospectuses for both were launched in March 2021. As a result, East Sussex County Council (ESCC) is the lead authority responsible for co-ordinating and appraising bids to the UKCRF and provided its submission on the 18 June deadline amounting to 11 x projects of circa £5m. On the LUF, ESCC submitted a transport package for Exceat Bridge of £8m, while four of the local Borough and District Councils (except Hastings) have submitted major capital funding bids under this first round for town centre/regeneration and cultural investment by the 18 June deadline. Outcomes on both programmes are expected in the summer, with ESCC then directly leading on overseeing the implementation of the UKCRF programme; and the LUF Exceat Bridge; whilst contributing to the development of business cases to secure resources towards the four Borough and District bids submitted to LUF.	**Green**

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APPENDIX 8

Reserves and Balances Policy

1.0 Background

This policy sets out the Council's approach to reserves and balances. The policy has regard to Local Authority Accounting Panel (LAAP) Bulletin 77 "Local Authority Reserves and Balances", issued in November 2008.

1.1 In reviewing medium-term financial plans and preparing annual budgets, the Council will consider the establishment and maintenance of reserves for the general fund. The nature and level of reserves will be determined formally by the Council, informed by the judgement and advice of the Chief Finance Officer (CFO).

2.0 Types of Reserve

The Council will maintain the following reserves:

- A working balance to manage in-year risks, called the General Fund Balance.
- A means of building up funds to meet known or predicted requirements, called Earmarked Reserves.

2.1 Earmarked reserves will be maintained as follows:

- priority outcomes and transformation reserve: to fund the transformation programme to change, protect and improve Council services, and programmes that meet the Council's priority outcomes.
- financial management reserve: to manage the potential financial consequences of risks recognised in the Council's risk management arrangements and the CFO's robustness statement, and to enable the effective management of the medium-term financial strategy and investment strategy.
- named service reserves will be held specifically for the capital programme, waste contract risk and insurance risk.
- other reserves will be held on behalf of others (e.g. Schools) and/or statutorily ring-fenced (e.g. Public Health).

2.2 The Council will also maintain a number of other reserves that arise out of the interaction between legislation and proper accounting practices. These reserves, which are not resource-backed, are for accounting purposes and will be specified in the annual Statement of Accounts.

3.0 Principles to assess the adequacy of reserves

The CFO will advise the Council on the adequacy of reserves. In considering the general reserve, the CFO will have regard to:

- the strategic financial context within which the Council will be operating through the medium-term;
- the overall effectiveness of governance arrangements and the system of internal control;
- the robustness of the financial planning and budget-setting process;
- the effectiveness of the budget monitoring and management process

3.1 Having had regard to these matters, the CFO will advise the Council on the monetary value of the required general reserve.

3.2 In considering specific reserves, the CFO will have regard to matter relevant in respect of each reserve and will advise the Council accordingly.

4.0 Underspends

The process for determining the specific use of any underspend will be based upon the principles of effective financial management. Therefore underspends will not automatically be carried forward via reserves, nor will they only be available to the service that has identified the underspend.

4.1 Periodically during the year, Services will be asked to submit business cases for the use of underspend. Business cases will be determined by the CFO in conjunction with the Corporate Management Team. These will then be held in a Strategic Reserve.

5.0 Use of reserves

Members, as part of agreeing the budget, will agree the policy for drawdown of reserves on the advice of the CFO. Use of reserves will be approved by CMT and reported to Cabinet as part of the RPPR monitoring process.

5.1 The CFO will monitor the drawdown of specific reserves in accordance with the agreed policy, and keep Members advised.

Appendix 9 – What ESCC has achieved so far and next steps (September 2021)

What ESCC has achieved so far

Between 2008-9 and 2020-21 the County Council has reduced its scope 1 and 2 emissions by 66%. This has been achieved through a number of measures, including:

1. Changes to the way we work, for example through the Agile and SPACES programmes. The Agile programme has enabled staff to work flexibly from a range of sites, including home, and so enable a reduced number, and more efficient use of, buildings which enable a reduction in travel through staff being able to be connected whilst working remotely, and enable a more efficient use of the organisation's buildings. The SPACES programme ("Strategic Property Asset Collaboration in East Sussex") is a partnership of public bodies and third sector organisations established in 2013 to seek better use of the public sector estate.

2. Improved and more energy efficient connectivity, for instance through moving to the Surrey Data Centre.

3. Encouraging behaviour change, for example by providing the ICT equipment, tools and support to enable Members and staff to work digitally and providing discounted bus travel and season-ticket loans to encourage the use of public transport.

4. Installing a number of energy efficiency measures in ESCC buildings and street lighting through the £1.025m Salix invest-to-save fund and County Council maintenance budgets, including replacing all the windows at County Hall. Salix has funded nearly 300 projects worth £3.8m, generating annual savings of over £850,000.

5. Installing 1.4MW of renewable energy generation on buildings, mostly on schools.

6. Requiring energy efficiency improvements in key contracts, for example including performance indicators for street lighting and business mileage within the current highways contract.

7. Changing our approach to procurement to enable more goods and services to be delivered by local businesses, which reduces the transport impact of our supply chain.

8. The Council has recently procured a new framework for the provision of electricity for corporate buildings, schools and street lighting. This allows electricity to be supplied from renewable sources, independently certified through the Renewable Energy Guarantees of Origin scheme (REGOs). This started from 1 April 2020 for an initial period of at least 12 months and is likely to continue, subject to availability and price. This applies to corporate sites and has been offered to schools. Please note that the purchase of green electricity is not counted towards ESCC's carbon reduction target, on the basis that it is recognised good practice to work to reduce energy usage first, followed by improving energy efficiency, then investing in renewable energy, and finally to procure green electricity.

9. Case study example: Buxted Primary School, energy efficient lighting:

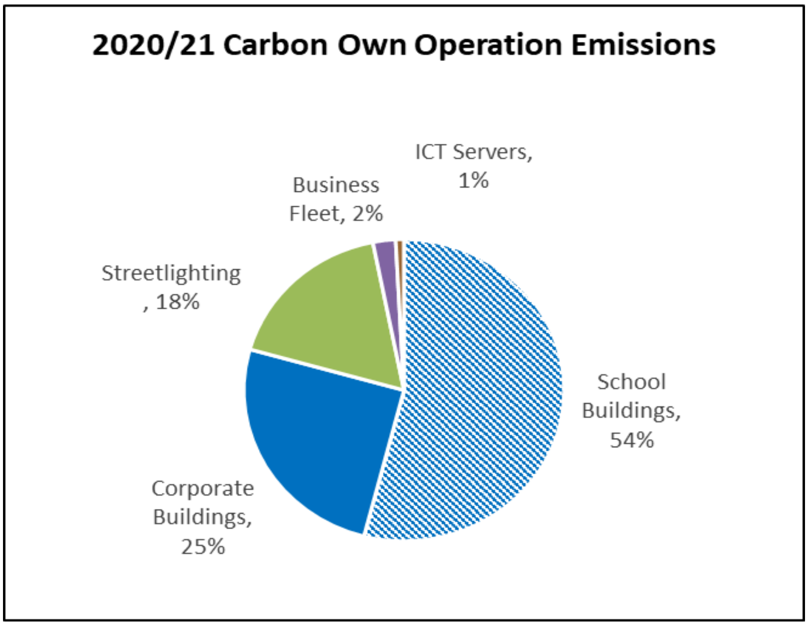
- Fluorescent lamps were replaced with energy efficient LED lamps, improved controls and emergency lighting across the school estate.
- The changes cost £15,000 and led to a 17% reduction in electricity use, which saved £1,500 and 5 tonnes of CO_2 per year.

- Feedback from the school: "We undertook the new lighting project throughout our school building and the results have been very good…overall we are very pleased with our new lighting." Bursar at Buxted C of E Primary, May 2020.

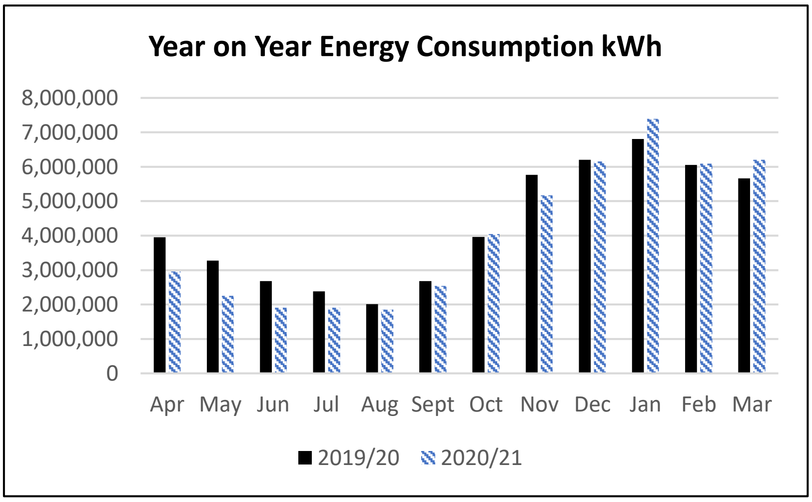
Carbon reduction in 2020/21

In 2020/21:

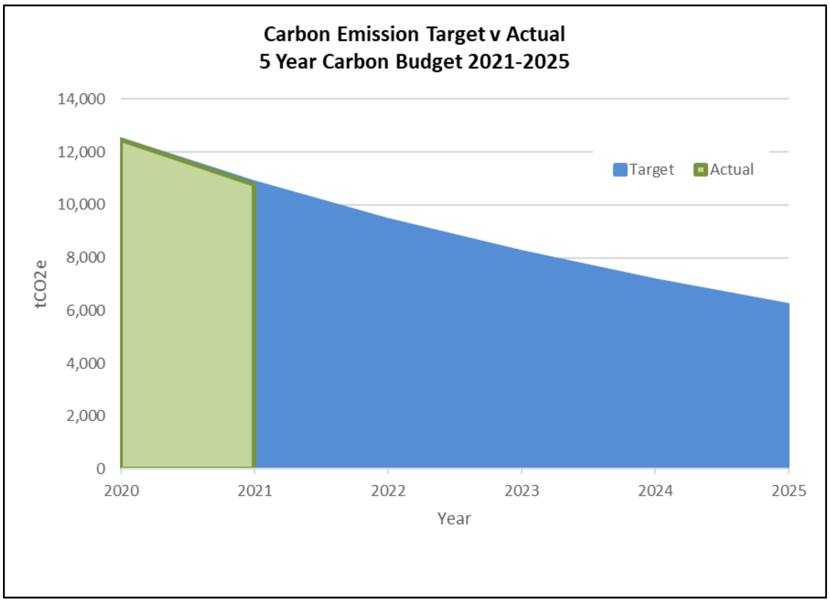
- Buildings accounted for 79% of scope 1 and 2 emissions, with schools being the largest share. Corporate buildings include all non-school buildings.
- Heating made up 60% of building emissions.
- ESCC's fleet CO_2 emissions were down 19% compared with 2019-20 due to reduced mileage.



- Covid 19 impact: April to September 2020 saw a 25% reduction in energy use compared with the previous year. October 2020 to March 2021 saw energy use increase by 3%, as schools re-opened and buildings were heated but required increased ventilation, in line with central government guidance, to provide Covid secure building environments. Overall total energy use was down 6%.



- <u>Scope 1 & 2 CO_2 emissions:</u> fell 13% in 2020-21 compared with 2019-20 (by 1,672 tonnes), keeping ESCC within its carbon budget.



Looking forward

As schools and staff gradually return to normal, we anticipate an increase in energy usage and carbon emissions compared with last year.

Projects underway in 2021/22 to reduce ESCC's carbon emissions include:

- Conversion of 14,000 streetlights to low energy LEDs.
- Completion of the delivery of the £480K of government-funded energy efficiency projects in 2022, including a whole building retrofit and pilot installation of heat pumps in a primary school.
- Installation of low energy LED lighting and solar panels in at least 6 sites.
- Implementation of the Council's Electric Vehicle Strategy.
- Continue to deliver the communications plan to Members and staff.
- Continue to embed carbon reduction into appropriate procurement contracts, for example the new highways contract.
- Update the staff travel plan alongside the Future Workstyles review.

Monitoring and reporting of progress

The target is to reduce emissions by an average of 13% per year. Until we are able to measure and report on our scope 3 emissions more accurately, and therefore know where and how to better influence these emissions, we are measuring and reporting on our performance against a 13% p.a. reduction target for scope 1 and 2 emissions. This is monitored and reported quarterly to the Officer Climate Emergency Board, which has representatives from every department and is co-chaired by the Chief Operating Officer and the Director for Communities, Economy and Transport. Progress is also reported quarterly in the County Council's strategic risk register and annually to Full Council.

Appendix 10 – Progress against the Action Plan and Scrutiny Review recommendations

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
	Framework (governance, leadership, communications, data, policy & partnership working):			
1	Set up robust governance: Establish a senior Officer board to oversee delivery of this plan.	(no similar recommendation from the Scrutiny review)	Complete	Officer board set up in July 2020. Co-chaired by Chief Operating Officer and Director of CET, with representatives from every department.
2	Develop a communications plan: Set out clear messages and comms routes, Member and staff engagement, & integrate public engagement via the Environment Strategy	15 a) Develop an interactive communication/information platform, which includes details on what the Council itself is doing on climate change and to discuss opportunities where residents may take an active role in lowering community carbon emissions	Complete	A climate change communications plan was agreed by CMT in March 2021 and is being implemented (e.g. press releases, Yammer articles, staff newsletter, website updates, promotion of Solar Sussex Together to residents). This work is now part of business as usual.
3	Improve greenhouse gas (GHG) baseline data: a) Update ESCC's GHG data management plan and improve transparency by explaining the methods, data, processes, assumptions, estimates, changes and quality checks used. b) Obtain more accurate GHG data for staff commuting, priority suppliers and renewables already installed at schools.	(no similar recommendation from the Scrutiny review)	In progress	a) The Orbis Energy Team have developed a documented process on what detailed annual GHG data is collated, how and from where. b) Covid and the work on Future Work Styles has altered staff commuting, so data will be collated once a new 'normal' has become established. c) More accurate data is being requested from some large suppliers, notably as contracts are re-procured, and better quality data is in the process of being collected on renewable energy installations and to capture energy generation and export data.
4	Review ESCC's policies, strategies, programmes, projects and practice to align with the climate emergency: policy should provide clear and stable direction and a simple set of rules that	16a) Business case evaluation and procurement decisions should include an assessment of the carbon impact of the proposal.	In progress	Discussions have been had with other local authorities to see whether there are tried and tested examples of good practice that ESCC could learn from, and discussions are also being held with the University of Sussex and with the Carbon Trust. The outcome of this work will inform updated corporate report writing guidance to provide appropriate advice to report authors.

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
5	supports corporate climate change mitigation and adaptation	16 b) Reports that go to the Executive and Council should include an assessment or statement of the carbon emissions impact of the proposals/decision in the report where relevant and material.	In progress	As above
6	Work in partnership with other organisations to share resources & good practice: continue to work with all Sussex local authorities on developing organisational and area-wide carbon plans.	15b) The Council to use its convening power to co- ordinate the actions it is taking on climate change with its partners, and in particular with the District and Borough Councils in East Sussex.	In progress	The Council hosts the East Sussex Environment Board, which is one of the sub boards to Team East Sussex and leads on delivering the East Sussex Environment Strategy. The Strategy includes a commitment to develop a road map to net zero for the county, which is being developed with a range of partners, including through regular meetings with the District and Borough Councils.
7	Work with SE7 partners on climate change.	17) The Council lobbies Government at a national level via ADEPT and the South East 7 partnership, to amend the planning system and building regulations so that the carbon performance of new buildings, including school buildings, can be taken into account in planning decisions.	In progress	The Building Regulations are a separate regulatory framework to the planning system. The planning system allows local planning authorities to require energy efficiency standards that exceeds the minimum requirements of the Building Regulations where there are Local Plan policies in place to do so. Both the planning system and Building regulations are being reviewed by government. In October 2020 the Council responded to the Planning for the Future White Paper expressing the need for the planning reforms to complement climate change targets, and we continue to work with networks such as ADEPT to lobby government for change. New school project designs now reflect increased focus on climate change priorities and how this is informing the new 10 year capital programme.
8	Produce an annual progress report: report to County Council each September on progress and identify additional resources that may be required	(no similar recommendation from the Scrutiny review)	In progress	This is the first annual report to the Council on progress against the climate emergency declaration
	Emissions from buildings:			

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
9	Behaviour change programme – corporate: develop an engagement plan to create an energy-aware culture amongst staff and Members & develop a network of climate emergency champions to accelerate change	15 a) Develop an interactive communication/information platform, which includes details on what the Council itself is doing on climate change and to discuss opportunities where residents may take an active role in lowering community carbon emissions	In progress	A climate change communications plan was agreed by CMT in March 2021 and is being implemented (e.g. press releases, Yammer articles, staff newsletter, website updates, promotion of Solar Sussex Together to residents). This work is now part of business as usual.
10	Behaviour change programme - schools: update & disseminate the energy saving guide for schools.	4 a) The Council, in conjunction with maintained schools, should publish comparative data on energy efficiency (e.g. league tables and energy performance), set a carbon reduction target and encourage engagement with pupils in learning projects and activities to reduce carbon emissions	In progress	The Council holds the relevant energy data, however the energy performance of schools varies for a number of reasons, which means that it would not be possible to compare schools on a like-for-like basis. It would also be complex and costly to try to set school-specific carbon reduction targets, therefore it's recommended that schools should be encouraged to aim for a 13% per year carbon reduction target, in line with the Council's overall target and the target for the county. There's long been engagement with schools on energy reduction, energy efficiency and renewables, for instance through the promotion of ESCC's energy fund and assisting the Youth Cabinet to develop a school energy auditing tool. The Council will facilitate sharing best practice amongst schools on carbon efficiency via various forums
11	(no similar recommendation from the climate emergency action plan)	3) a) The Council to consider through the RPPR process opportunities for capital funding within the core capital programme to carry out carbon reduction projects in its corporate buildings, notably building fabric improvements, and lobbies Government for additional funding in this area.	In progress	The Council has invested capital in carbon reduction projects for a number of years and is working on additional proposals through the RPP&R process this year. The Council has engaged with, and been encouraged to provide feedback to, BEIS and MHCLG on the need for consistent and long-term funding from government to enable local authorities to take further action.
12	Planned Maintenance & Capital programmes: 1) Establish a robust process for identifying, prioritising and delivering projects.	3b) In developing energy efficiency projects, the Council should take a whole building approach, which is based on whole life costings.	In progress	Updates to the County Council's Capital Strategy in February 2021 included the emerging relevance of Environment, Social and Governance (ESG) considerations. The Strategy will now be further updated to support the County Council's climate emergency

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
13	2) Prepare an annual programme of energy efficiency projects linked to the maintenance and capital programmes. 3) deliver a pipeline of whole-building energy efficiency projects.	6) The Council to review the payback periods used for major building refurbishment projects and adjusts the provision of capital funding for carbon reduction projects to enable more work in this area to be carried out based on whole life costings.	In progress	declaration. Work to tackle climate change has become a part of the Council's core business due to national legislation and is a key priority for the Council, therefore opportunities for investment will be considered as a basic need.
14	Install low carbon heating in buildings to replace gas and oil boilers: review boiler replacement programme and assess options for replacing with heat pumps	1) Priority consideration should be given to the implementation of low carbon heating systems, e.g. the use of ground source and air source heat pumps, in all newly commissioned buildings and when renewing systems in existing buildings. The most energy efficient type of heat pump currently available should be used where possible (e.g. ground source, then air source heat pumps).	In progress	To ensure that the costs and benefits of any potential project is balanced with the Environment, Social and Governance (ESG) implications of carbon reduction initiatives, the following will be considered as part of the Council's Capital Strategy: 1) Energy efficiency measures at the start of any capital project and included in the whole project costs when establishing a business case. 2) Where possible, ESG schemes to be integrated within existing funded programmes, e.g. boiler replacement programme with low carbon replacements as part of the capital building maintenance programme. 3) The specific technology to be deployed (e.g. heat pumps etc) will be dependent on a range of factors including the age, type of building and its levels of insulation/heat retention. 4) A whole building approach to include whole life costings which will range from shorter to longer term pay back periods. It may be possible to use short term savings to subsidise longer term improvements. This will include building fabric improvements and also greater awareness of energy efficient use of buildings by end users.
15		4 b) The Council consider through the RPPR process providing capital funding for a pilot project to install heat pump technology in one of the County's maintained schools as a best practice case study.	In progress	Funding from the national Public Sector Decarbonisation Fund was secured in 2021 to carry out a whole-building energy retrofit to Ninfield primary school, including the installation of heat pumps. This work will be completed, largely in summer 2022.

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
16		2) The Council should keep the use of hydrogen gas heating technology under review and ensure all new or replacement boilers are capable of being 'hydrogen ready'.	In progress	Currently, it is not possible to source "hydrogen ready" boilers. The government is due to publish a heat decarbonisation plan in the near future, which may help ESCC to plan for a transition to hydrogen boilers. In the meantime, ESCC is an active member of Hydrogen Sussex, which works with a range of partner organisations to understand and prepare for the emerging hydrogen economy.
17	New build: ensure the 2008 ESCC sustainable buildings policy is being implemented and report on its effectiveness.	(no similar recommendation from the Scrutiny review)	Not started	During 2020/21 there was no staff capacity to take this forward. However, given the policy and carbon incentives to decarbonise heat and, following a successful bid to the government's Low Carbon Skills fund, a consultant was appointed to produce a corporate decarbonisation of heat plan, including desktop studies for 24 sites to extrapolate and give estimated costs for our building portfolio to reach net zero.
18	(no similar recommendation from the climate emergency action plan)	5) The Council lobbies the Department for Education to provide sufficient funding for new schools to be built to a carbon neutral standard and provide funding for major improvements to retrofit energy efficiency and carbon reduction measures to all school buildings.	In progress	The Council has engaged with, and been encouraged to provide feedback to, BEIS and MHCLG on the need for consistent and long-term funding from government to enable local authorities to take further action.
	Emissions from street lighting:			

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
19	Improve energy efficiency – street lighting: a) Install energy efficient LED lights. b) Review dimming and switch-off policy.	7) The Council should: a) Explore the scope for further energy savings by reducing the amount of time street lights are on through ongoing maintenance and replacement programmes. b) Explore the use of alternative technologies such as solar and wind turbines for less essential lit signs and other street furniture. c) Keep the use of intelligent lighting systems for street lighting under review and install intelligent lighting in the car parks and campus at the County Hall campus as an example of best practice.	In progress	a) The Council is in an 18 month programme to replace the remaining 16,000 sodium lamps with very low energy LED lamps, which will reduce carbon emissions by a further 600 tonnes per year. We will continue to explore further reductions through part night lighting and we will work with communities to apply this where appropriate, though this needs to be balanced with public safety. b) The Council has installed a number of solar powered signs in the past but they have not proved to be reliable. However, as technology and reliability improve, we will continue to explore the use of these technologies for use across our lit network. c) A review of intelligent street lighting systems was undertaken by a consultant in summer 2020 and concluded that they would not provide carbon savings or a financial return. Savings were better achieved by programming the new lighting units to switch off at night as they are installed and where this is approved. As intelligent lighting technology matures so the costs are likely to decrease, so the use of intelligent lighting systems will be reviewed again in 2022-23. County Hall campus lighting was upgraded in 2016. The lamps have in¬built daylight sensors and the main car park lights have lamps that are programmed to dim overnight between midnight and 5am. A data logger was used in November 2020 to confirm that dimming is taking place, which brings a saving of about 45%.
	Emissions from transport, including commuting:			
20	Grey fleet review: commission review by the Energy Savings Trust.	(no similar recommendation from the Scrutiny review)	Complete	A grey fleet review was completed by the Energy Savings Trust in 2020 and is being used to inform the development of the staff travel plan (see below).

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
21	Develop and implement a staff travel plan: to cover both business mileage and commuting.	8 a) explore more varied patterns of working to determine what is the best level of remote working from a staff perspective and for the Council to meet its business needs and reduce carbon emissions. b) Work is undertaken to support cultural change to embed changes in working practices that reduce the need to travel, or encourages less travel, such as the use of technology to hold meetings remotely and provide training using remote meeting technology. c) The Council explores the provision of more capacity for drop-in centres / hot desking and collaboration space in regional offices so staff do not always need to travel into the main office buildings, including County Hall, as part of the future workplace planning arrangements. d) The Council investigate the introduction of hybrid committee meetings where councillors can either attend remotely or in person.	In progress	The development of a staff travel plan is being commissioned from a specialist consultancy. This will be informed by the review of Future Workstyles that was completed during the summer. The staff travel plan work will review the policies and incentives currently in place (e.g. existing flexible working arrangements) and put forward costed recommendations for addressing the points raised in the Scrutiny review, alongside other staff travel items (e.g. electric vehicles).
22		9 a) The Staff Travel Plan is revised to encourage, and where appropriate consideration is given to the potential for incentivising, the use of other travel modes (e.g. walking, cycling and public transport) and the uptake of Electric Vehicles to reduce carbon emissions.	In progress	
23	(no similar recommendation from the climate emergency action plan)	9 b) The Council considers lobbying the Department for Transport to make changes to season tickets for train and bus travel so they can be used flexibly by staff commuting to work	Complete	The Flexi Season ticket was introduced nationally in June 2021. It offers 8 days of travel in 28 days, any time, between two stations.

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
24	Install EV charge points: Identify where to locate which types & number of chargers, and delivery mechanism, for staff & visitor use	10) Electric Vehicle (EV) charging points are installed at the main office buildings, or at least County Hall, with a plan agreed by the end of March 2021.	In progress	In March 2021 Cabinet agreed for the Council to explore options for procuring EV charge points on the corporate estate and the highway network. An internal team has been established to take this forward, including looking at our own fleet and the car lease scheme, and a new post of EV officer has been agreed and the recruitment has started. The Council is part of a network of transport authorities (KCC, BHCC, WSCC and SCC) that share information on their respective approaches to EVs. SPACES are also inputting to the process.
25		11a) Smaller own fleet vehicles should be replaced by EVs in the short term when the leases expire. 11b) Review the car lease scheme to encourage staff to select low emission or zero emission vehicles.	In progress	
26	(no similar recommendation from the climate emergency action plan)	12) The Council should keep the market for larger hydrogen powered vehicles under review, with a view to undertaking early pilot schemes and eventually phasing out the diesel-powered larger vehicles in its fleet in line with Government policy.	In progress	The Council is an active member of Hydrogen Sussex, which works with a range of partner organisations to understand and prepare for the emerging hydrogen economy. The Council submitted a joint bid for £12.8m to DfT's Zero Emission Bus Regional Areas Scheme to help purchase 37 hydrogen buses with BHCC and Brighton & Hove Buses but was unsuccessful.
	Emissions from water & waste:			
27	Reduce waste: consider requiring all sites to sign up to the same waste contract & set up food waste collections from all kitchen areas.	(no similar recommendation from the Scrutiny review)	In progress	These actions will deliver relatively modest carbon savings and there is currently limited staff capacity to take these forward. The Property Contracts team have made some progress, working with waste contractors to widen provision of recycling and food waste services to schools.
28	Reduce water usage: Install water efficient fittings in all appropriate toilets, urinals, taps & showers	(no similar recommendation from the Scrutiny review)	Not started	These actions will deliver relatively modest carbon savings and there is currently not the staff capacity to take these forward. Scope has been identified for awareness raising amongst Property FM managers and controllers of premises to enable low/no cost actions.
	Emissions from procurement:			

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
29	Engage priority suppliers: a) obtain scope 1 & 2 GHG footprints of transport & construction contracts above >£1m p.a. b) embed low carbon outcomes into new contracts including low/zero emission vehicles.	11 c) The Council to consider specifying the early use of low emission vehicles in the procurement of major contracts (e.g. the Highways maintenance contract), where feasible	In progress	The Council is working with a few suppliers to gauge the ability of different markets to measure their greenhouse gas footprints and is working on requiring low carbon outcomes from high value contracts with large carbon footprints (e.g. from the new highways contract). This includes considering whether to specify the early use of low emission vehicles.
30	Offer practical support to all other suppliers: Provide energy audits and grants to local SMEs in the supply chain (e.g. via LoCASE) and eco-driver training for transport providers	(no similar recommendation from the Scrutiny review)	Complete	The Council has promoted take up of the LoCASE offer of free energy audits and access to grant funding to SMEs within its supply chain.
	Renewables:			
31	Identify opportunities to install PV and other renewables plus battery storage on buildings & land: commission viability assessment of renewables on buildings & land	3c) The Council should explore installing solar panels on its buildings and energy storage where this is possible. In particular, the Council should explore the feasibility of installing solar panel canopies over the car parks at County Hall and use the resultant energy in the building and to power Electric Vehicle/electric bike charge points in the car parks.	In progress	The Council secured funding in 2021 from the national Public Sector Decarbonisation Fund to install solar PV and storage batteries at 6 sites. The installation of solar panel canopies in the car parks at County Hall will be considered as part of the work on staff travel, for which consultancy support is currently being procured.
	Off-setting:			
32	Explore carbon off-setting: work with the Sussex Local Nature Partnership to explore options and costs for off-setting with natural capital benefits	13) The Council to keep opportunities for investing in natural habitats under review for inclusion in a carbon off-setting plan at the appropriate time when the science has been developed.	In progress	The Council hosts the Sussex Local Nature Partnership, which has developed a Natural Capital Investment Strategy, which identifies carbon storage and sequestration as a key area for natural capital investment. The LNP has secured funding from Natural England to map where in Rother, Wealden and Eastbourne carbon sequestration could take place, for instance through habitat management and/or tree planting. The Council is also leading a SELEP-funded project to better understand the potential scale of

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
				supply and demand in the voluntary carbon off-set market and to determine how it could encourage the development of the market.
33		14a) The Council to develop a carbon off-setting plan which includes investment in woodland creation, natural habitats and renewable energy generation.	Not started	A plan will be developed once it's clear, for example from the action above, what the local market is able to deliver and at what cost, so that the costs, benefits and risks can be assessed with greater certainty.
34		14 b) Review the Property Asset Disposal and Investment Strategy to identify land availability and opportunities for carbon off-setting habitats and investment in the development of solar farms.	Not started	The Council has a database of land holdings already used to identify key sites for investment. This can be used to complete a systematic review of sites to determine whether they might be viable for investment in off-setting, though ESCC is not a large landowner. A set of criteria will need to be developed to sieve sites in line with Council priorities. 14b) In addition to the response to 14 a), the Council's asset management plan 2020- 2025 will consider land sites availability and suitability for solar farms. A business case will need to be formulated to understand the capital investment and ongoing management/expenditure requirements.
35	(no similar recommendation from the climate emergency action plan)	18 a) ESCC to build on the existing Dutch Elm Disease Strategy to develop a Strategic Tree Policy and action plan to manage Ash Dieback, Dutch Elm Disease and other tree diseases/pests which includes a programme to replace lost trees where possible (subject to safety issues) to mitigate the impact on carbon absorption.	In progress	East Sussex Highways have a tree inspection policy which forms part of the current Highways contract. This is supported by a Tree Inspection Manual, which deals with how inspections and remedial work are prioritised on a risk-based approach. Schools and Property are creating a strategy via Orbis in conjunction with Surrey County Council. In May 2021, the Council applied to the Defra Treescapes fund, which would be used to replace highway trees lost to disease. We await to hear if this bid has been successful.

No.	Climate Action Plan 2020-22	Scrutiny Review recommendations 2021	Status	Progress update
36	(no similar recommendation from the climate emergency action plan)	18 b) Both County and District/Borough Planning teams should be encouraged to attend the master class training provided by the Forestry Commission on the retention and protection of woodlands and trees.	In progress	Discussions are being held with the Forestry Commission to determine what appropriate training they could deliver to planners. This will then be raised through the East Sussex Planning Liaison Group (attended by Heads of Planning), the Local Plan Managers Group and the development Management Forum.
	Grid flexibility:			
37	Assist integration of low carbon technologies into the national grid: Review ESCC estate for opportunities to provide Grid Flexibility services such as Demand Side Response and Battery Storage	(no similar recommendation from the Scrutiny review)	In progress	The Council secured funding in 2021 from the national Public Sector Decarbonisation Fund to install solar PV and storage batteries at 6 sites. This work will be completed in 2022.

East Sussex, South Downs and Brighton & Hove
Waste and Minerals Local Plan

Waste and Minerals Local Plan
Revised Policies

Proposed Submission Consultation Document

September 2021

East Sussex County Council

South Downs National Park Authority

Brighton & Hove City Council

Draft Revised Policies Consultation 2021

East Sussex County Council, the South Downs National Park Authority and Brighton & Hove City Council (the Authorities) are undertaking a review of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan. In 2020, the Authorities published and held a public consultation on a proposed Draft Revised Policies document. This is a Local Plan document that seeks to alter and update parts of the existing minerals and waste local plan documents. Since then, the Authorities have considered the response to that consultation and drafted a second version of the Draft Revised Policies (this document). It has now been published for a second public consultation known as a Pre-Submission or Regulation 19 Consultation.

What is a Pre-submission / Regulation 19 Consultation?

Before a Local Plan can be adopted as policy, it must be subject to a Public Examination by an independent Inspector. The Inspector examines whether the plan has met certain legal requirements and is 'Sound'. For a plan to be sound, it must be positively prepared, justified, effective and consistent with national policy. The Pre-submission / Regulation 19 Consultation seeks your views on whether the draft Plan has met the required legal requirements, whether it is sound or not, and if it is not sound, how it should be altered to make it sound.

How do I respond?

Responses may be made by email or post using the addresses below, or using the online form. Please include your name and your address in any response. For more information on how we will use your data, please see our privacy notice.

Your response should clearly state:

1. if your comment relates to the legal compliance and / or soundness of the plan;
2. the issue(s) that you wish to raise;
3. and in the case of comments relating to soundness, how the plan should be altered to make it sound.

Comments may be submitted:

Online - http://consult.eastsussex.gov.uk

Email - wasteandmineralsdf@eastsussex.gov.uk

Post - RPD Consultation 2021, Planning Policy and Development Management - Communities, Economy and Transport, East Sussex County Council, County Hall, St Anne's Crescent, Lewes, BN7 1UE.

The deadline for comments is [TBC].

Draft Revised Policies Consultation 2021

Can I respond anonymously?

Responses without a name or address, or indicating that they do not wish their name or address to be published will be treated as anonymous responses, these will be published as such and may not carry the same weight as other responses. Further information can be found in the privacy notice.

What happens next?

All responses will be collated and these, along with the Plan and its supporting evidence, will then be re-published and submitted to the Government to start a Public Examination into the Plan. An independent inspector will then consider the responses to this consultation and examine the legal compliance and soundness of the Plan. If the Inspector finds the Plan to be sound and legally compliant the Authorities will then seek to adopt it as policy.

Questions?

If you have any questions please do contact us using the email above or by phone on 01273 481846 (East Sussex) or email planningpolicy@brighton-hove.gov.uk (Brighton & Hove).

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Draft Revised Policies

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1 Introduction

1.1 East Sussex County Council, Brighton & Hove City Council and the South Downs National Park Authority (the Authorities) have responsibility for planning the future management of waste and production of minerals. To guide those decisions the Authorities are required to prepare Minerals and Waste Local Plans which contain policies that guide where minerals and waste developments should go. These policies are then used to make decisions on planning applications for waste management and minerals activities.

1.2 The Waste and Minerals Local Plan (WMLP) is currently comprised of the:

- Waste and Minerals Plan 2013 (WMP), and
- Waste and Minerals Sites Plan 2017 (WMSP).

1.3 The purpose of the review principally focuses on minerals provision, as well as updating and clarifying certain other policies, it is not a complete review of the WMLP. This document therefore sets out proposed revisions to specific policies within the WMLP. The Plan Area for this and the other WMLP documents is the administrative areas of East Sussex and Brighton & Hove including part of the South Downs National Park and the Plan period for the policies within this document is 2019-2034 inclusive (15 years). This period differs from the period covered by the existing WMLP. However, at the completion of this review, a full plan review of the entire WMLP will be undertaken which will provide an opportunity to align the Plan period. The revised policies include two key changes:

- East Sussex and Brighton & Hove to become more reliant on aggregates from the marine sources and other sources outside of the Plan Area.
- Providing increased protection for minerals and minerals related infrastructure against inappropriate development being located nearby,

1.4 A number of updates to clarify and consolidate existing policies are also proposed, along with an additional policy for the provision of an additional area of clay extraction at Aldershaw Farm. No other alterations to the existing strategy are being proposed at this time.

1.5 This document, if adopted, will join the other WMLP documents in forming part of the Development Plan for the administrative areas set out in Paragraph 1.3. This means that relevant policies within the WMLP documents apply to all development within this area, not just proposals for waste and minerals development, and that other local authorities within this area will need to consider relevant WMLP policies when determining planning applications. Similarly, other relevant Development Plan documents besides the WMLP will need to be considered when determining applications for waste and minerals development.

1 Introduction

1.6 Once this review has been completed, a composite version of the Waste and Minerals Local Plan comprising of the Waste and Minerals Plan and the Waste and Minerals Sites Plan, incorporating the changes proposed in this document will be published.

How to read this document

1.7 As the Authorities are proposing to make amendments to specific parts of the WMP and WMSP this document is written in the style of an amendment document. On the following pages there is a table which lists all the policies in the WMLP and their status.

1.8 Over the remainder of the document, to help show and explain these the amendments, the following special notations are used:

Explanation

Commentary text explaining the proposed changes can be found in these grey bordered boxes. This does not form part of the revised policies and will not be included in the final Plan.

Text in bold explains what alterations are being proposed, for example if sections are proposed to be deleted or added.

Text in italics is proposed text on which comments are being sought.

The Authorities intend to publish a document that consolidates all three documents in due course.

2 Summary of Policy Review

2.1 Below is a complete list of adopted and draft policies of the Waste and Minerals Local Plan from the WMP, WMSP and this document, the Revised Policies Document (RPD). Policies proposed for deletion are ~~struck out~~ with a red background, whilst proposed policies are shown <u>underlined</u> with a green background. All relevant policies should be applied in the determination of planning applications.

Policy Number	Policy Title	Document	Page	Status
	Overarching Strategy			
WMP1	Presumption in Favour of Sustainable Development	WMP	33	Adopted
~~WMP2~~	~~Minerals and Waste Development affecting the South Downs National Park~~	~~WMP~~	~~36~~	~~Adopted~~
<u>RV1</u>	<u>Minerals and Waste Development affecting the South Downs National Park and High Weald Area of Outstanding Natural Beauty</u>	<u>RPD</u>	<u>17</u>	<u>Draft</u>
WMP3a	Promoting Waste Prevention, Re-use and Waste Awareness	WMP	40	Adopted
WMP3b	Turning Waste into a Resource	WMP	42	Adopted
WMP3c	Production of Energy from Waste (EfW)	WMP	45	Adopted
WMP3d	Minimising and Managing Waste During Construction, Demolition and Excavation	WMP	46	Adopted
WMP3e	Waste Management In New Development in the Plan Area	WMP	48	Adopted
WMP4	Sustainable Provision and Use of Minerals	WMP	50	Adopted
	Providing for Waste			
WMP5	Provision of Built Waste Facilities	WMP	53	Adopted
~~WMP7a~~	~~Sustainable Locations for Waste Development (Excluding Land Disposal)~~	~~WMP~~	~~61~~	~~Adopted~~
~~WMP7b~~	~~More Detailed Criteria for Waste Development~~	~~WMP~~	~~62~~	~~Adopted~~
<u>RW1</u>	<u>Sustainable Locations for Waste Development (Excluding Land Disposal)</u>	<u>RPD</u>	<u>21</u>	<u>Draft</u>
SP1	Waste Site Allocations	WMSP	14	Adopted
SP2	Areas of Opportunity on Previously Developed Land	WMSP	15	Adopted
SP3	Areas of Search	WMSP	16	Adopted
SP4	Physical Extension of Existing Waste Site	WMSP	17	Adopted
SP5	Existing Industrial Estates	WMSP	19	Adopted
WMP8a	Land Disposal of Non-Inert Waste	WMP	67	Adopted
WMP8b	Deposit of Inert Waste on Land for Beneficial Uses	WMP	69	Adopted
WMP8c	Management of Landfill Gas	WMP	70	Adopted
WMP9a	Hazardous Waste	WMP	72	Adopted
WMP9b	Low Level Radioactive Waste	WMP	75	Adopted
WMP10	Management of Waste Water and Sewage Sludge	WMP	77	Adopted
WMP6	Safeguarding Waste Sites	WMP	58	Adopted

2 Summary of Policy Review

Policy Number	Policy Title	Document	Page	Status
SP6	Safeguarding Waste Sites	WMSP	22	Adopted
SP7	Waste Consultation Areas	WMSP	23	Adopted
	Providing for Minerals			
~~WMP11~~	~~Provision of Aggregates~~	~~WMP~~	~~81~~	~~Adopted~~
RM0	Sustainable Use of Aggregates	RPD	24	Draft
RM1	Provision of Aggregates	RPD	31	Draft
WMP12	Provision of Gypsum	WMP	83	Adopted
WMP13	Provision of Clay	WMP	85	Adopted
RM2	Provision for an additional extraction area at Aldershaw Farm	RPD	34	Draft
~~WMP14~~	~~Safeguarding Mineral Resources~~	~~WMP~~	~~88~~	~~Adopted~~
~~SP8~~	~~Mineral Safeguarding Areas for land-won minerals resources within the Plan Area~~	~~WMSP~~	~~25~~	~~Adopted~~
RM3	Safeguarding Mineral Resources	RPD	38	Draft
RM4	Prior Extraction of Minerals	RPD	40	Draft
~~WMP15~~	~~Safeguarding Wharves and Railheads~~	~~WMP~~	~~90~~	~~Adopted~~
~~SP9~~	~~Safeguarding wharves and railheads within the Plan Area~~	~~WMSP~~	~~27~~	~~Adopted~~
RM5	Safeguarding Minerals Infrastrucure	RPD	43	Draft
~~SP10~~	~~Safeguarding facilities for concrete batching, coated materials...~~	~~WMSP~~	~~28~~	~~Adopted~~
RM6	Safeguarding facilities for concrete batching (etc)	RPD	46	Draft
~~SP11~~	~~Minerals Consultation Areas~~	~~WMSP~~	~~29~~	~~Adopted~~
RM7	Minerals Consultation Areas	RPD	47	Draft
WMP16	Exploration for Oil and Gas	WMP	92	Adopted
	Overarching Policies			
WMP17	Restoration	WMP	94	Adopted
WMP18	Transport - Road, Rail and Water	WMP	97	Adopted
WMP19	Co-location of Complementary Facilities	WMP	98	Adopted
WMP20	Community Involvement and Benefits	WMP	100	Adopted
WMP21	Opportunities for Sustainable Waste Management and Minerals Production in Other Development	WMP	102	Adopted
WMP22	Expansion and Alterations Within Existing Waste Facilities	WMP	103	Adopted
	Development Management policies			
WMP23a	Design Principles for Built Waste Facilities	WMP	106	Adopted
WMP23b	Operation of Sites	WMP	107	Adopted
WMP24a	Climate Change	WMP	109	Adopted
WMP24b	Resource and Energy Use	WMP	109	Adopted
WMP25	General Amenity	WMP	110	Adopted
WMP26	Traffic Impacts	WMP	112	Adopted

Summary of Policy Review 2

Policy Number	Policy Title	Document	Page	Status
~~WMP27~~	~~Environment and Environmental Enhancement~~	~~WMP~~	~~113~~	~~Adopted~~
RD1	Environment and Environmental Enhancement	RPD	51	Draft
WMP28a	Flood risk	WMP	117	Adopted
WMP28b	Water Resources and Water Quality	WMP	118	Adopted
	Diagrams			
	Waste Key Diagram	WMP	156	
	Minerals Key Diagram	WMP	157	

Notes:

1. All policies within the WMLP are considered to be strategic policies. See paragraphs 20-23 of the NPPF for further information.
2. Some policies appear out of document order above so that they appear correctly grouped in the table.

3 Context

Explanation

This section does not contain any Policy changes, and instead serves as an update to the factual information provided in the WMP, and gives an overview of the minerals produced and imported into the Plan Area which are subject to the review.

Background to the Review

3.1 *The Authorities monitor the success of the WMLP and its policies through their Annual Monitoring Reports (AMRs) and Local Aggregate Assessments (LAAs). Through this process, three areas of the Plan have been identified which the Authorities consider should be reviewed. These are:*

- *The provision of sand and gravel (aggregates);*
- *the safeguarding of minerals resources and infrastructure; and*
- *improving the effectiveness of specific policies.*

3.2 *The Authorities have also checked current WMLP policies against the latest iteration of the NPPF, proposing changes where necessary, and have factored in updated evidence, changes in relevant policy and emerging policy. The Authorities have also monitored the effectiveness of the policies in the WMLP in the determination of planning applications, and this has in turn formed part of the consideration when identifying the topics of the review.*

3.3 *The Authorities remain committed to the concept of net self-sufficiency for the management of non-hazardous waste, meaning that they plan for the management of an amount of waste which is equivalent to the amount arising in the Plan Area. The overall approach to waste policies in the WMLP is not considered to require review at this time.*

3.4 *The Authorities are committed to ensuring that the WMLP minimises and mitigates against contributory causes of climate change, as well as adapting to the changes to our climate that are likely to occur. This is especially pertinent given the Climate Emergency declared by each of the three Authorities, and emerging legislation and documents including the Government's 25 Year Environment Plan. The existing WMLP has policies concerning climate change, particularly WMP24a and WMP24b, which are considered to be still relevant and in accordance with higher level planning policy (i.e. the NPPF). The scope of the current review is largely limited to minerals provision, however the Authorities acknowledge that a review of the whole Plan in terms of climate change implications will be necessary in the future. For this reason the Authorities will commit to a future* *full plan review in order to reassess the entire plan in the context of climate change and key legislative changes, such as the Environment Bill (once enacted) and secondary legislation, policy changes and further guidance.*

Policy Context

3.5 *Local Plans, including minerals and waste plans, must be prepared in the context of national policy and other relevant documents. Since the adoption of the WMP in February 2013 and the WMSP in 2017, the policy context for planning generally as well as Minerals and Waste planning has evolved, with the publication of new key documents informing the content of this review. Policies and documents which have influenced the approach taken in this Plan revision are detailed below[1]. This is not an exhaustive list of documents, and does not include documents published before the publication of the WMP; a more complete list of documents will be available in the Sustainability Appraisal that will be published as part of this review.*

National Policies and Strategies

3.6 *National planning policy is set out in the 'National Planning Policy Framework' (NPPF) (last updated July 2021). This document provides the framework for sustainable development in England, and contains a chapter on facilitating the sustainable use of minerals. Waste policies are set out in the National Planning Policy for Waste (October 2014). Planning Practice Guidance provides further information on how national policy should be implemented, including notes on Minerals, Waste and Plan-Making, and is updated periodically.*

3.7 *The following documents have also been taken into account when preparing the Review:*

- *The 25 Year Environment Plan sets out the government's overall approach to protecting and improving the natural environment. The Environment Bill , which has not yet been enacted, makes provision about targets, plans and policies for improving the natural environment.*
- *The Ten Point Plan for a Green Industrial Revolution sets out the government's approach to economic growth, supporting green jobs and accelerating the path to net zero.*
- *The Energy White Paper sets out how the UK will decarbonise its energy system and reach net zero emissions by 2050.*
- *The Resources and Waste Strategy for England sets out policy for the preservation of material resources in England by minimising waste, promoting resource efficiency and moving towards a circular economy where products and materials are recovered and regenerated where possible. This document is of particular relevance to the production of secondary and recycled aggregates.*

1 *A list of references for this section is available in the Appendix.*

3 Context

- *The Waste Management Plan for England provides an analysis of the current waste management situation in England and aims to bring current waste management policies together under one national plan. The most recent iteration of the Plan, published in January 2021, includes changes relating to the promotion of a circular economy.*
- *Practice Guidance on the Production and Use of Local Aggregate Assessments is produced by the Planning Officers Society and the Minerals Products Association. The South East England Aggregates Working Party (SEEAWP), to which the Authorities are party, has also produced guidance on the production of LAAs. The Authorities have considered the guidance when working on this Plan Review and in preparing the LAA.*
- *The Planning Officers Society and the Minerals Products Association have produced Minerals Safeguarding Practice Guidance which has instructed the safeguarding of minerals resource and infrastructure in this Plan Review.*

Local Plans and Strategies

3.8 *The District and Borough Councils in East Sussex, as well as the South Downs National Park Authority and Brighton & Hove City Council have published, or are preparing, Local Plans which set out planning policies governing development in their areas. There are also a number of Neighbourhood Plans in place or in preparation in the Plan Area, which contain planning policies for smaller-scale areas, although these cannot plan for strategic matters such as waste and minerals.*

3.9 *The following local documents have been taken into account when preparing the Plan Review:*

- *The Authorities are required to prepare a Local Aggregate Assessment (LAA) annually which reports on all aggregate supply options and forecasts demand in the Plan Area.*
- *The South Downs National Park Authority (SDNPA) have produced a Sustainable Construction Supplementary Planning Document which expands upon the guidance provided in The South Downs Local Plan and sets out what the expectations are for different forms of development when applying the Local Plan policies relating to construction.*
- *Lewes District Council have produced a Circular Economy Technical Advice Note which encourages a circular economy approach involving the recovery and reuse of construction materials, for the development sectors within Lewes District.*
- *The Marine Management Organisation (MMO) is responsible for managing the seas around England through marine planning, which includes providing licenses for marine dredging that are necessary for the marine extraction of minerals. The MMO South Marine Plan, adopted July 2018, covers the areas of sea which border the Plan Area.*
- *West Sussex County Council and the SDNPA adopted their Joint Minerals Local Plan in 2018. A Soft Sand Review of the Plan was subsequently undertaken, which identified changes to the Plan, and was formally adopted in March 2021. The supply of soft sand is an important cross-boundary issue between Minerals Planning Authorities in the south of England.*

Context 3

- *The Joint Area Action Plan, which sets out the future vision and development policies for the Shoreham Harbour area, has been adopted by Brighton & Hove City Council, Adur District Council and West Sussex County Council. Minerals wharves at Shoreham Harbour within West Sussex are known to import significant amounts of marine dredged aggregate and crushed rock into the WMLP Area.*
- *The Shoreham Port Authority adopted their most recent Port Masterplan in 2021, setting out the Port's plans for future growth.*
- *The Environment Strategy for East Sussex was published in 2020, and sets out a long term goal for East Sussex to remain within its science-based carbon budget. The document focuses on five key themes: climate change, natural capital, air quality, water, and resource efficiency. East Sussex County Council have also agreed a Climate Emergency Action Plan which covers the Council's corporate carbon emissions, sets out the scale of the carbon footprint, describes the carbon budget that the Council will aim to keep within, and proposes an initial 2 year delivery plan for 2020-22. Brighton & Hove City Council adopted the Carbon Neutral 2030 Programme in 2021, setting out the direction for action on climate change for the Council, its partners and residents, in response to the climate and biodiversity emergency. The SDNPA also adopted a Climate Change Adaptation Plan in 2015 which sets out how the authority intends to meet the challenges and opportunities of climate change.*
- *The SDNPA Partnership Management Plan sets out a vision for what the National Park should look like by 2050. The SDNPA People and Nature Network sets out aims to create a connected network of green infrastructure.*
- *The High Weald AONB Management Plan sets out long term objectives for conserving the High Weald Area of Outstanding Natural Beauty.*
- *Two Local Enterprise Partnerships (LEPs) cover the Plan Area. These are cross-boundary economic partnerships between Local Authorities and businesses. The Coast to Capital LEP includes Brighton & Hove, whilst East Sussex is part of the South East LEP.*
- *The Newhaven Enterprise Zone is a designation which covers a number of sites in Newhaven which are identified and/or safeguarded in the WMP, including North Quay which contains a number of safeguarded mineral wharves.*
- *Transport for the South East is a cross-boundary partnership which aims to improve the transport network and benefit the economy throughout the South East of England.*
- *The Local Transport Plan for East Sussex, which includes the areas of the National Park, covers the period 2011-2026 and sets out the future direction for transport infrastructure and services in the County. The Local Transport Plan for Brighton & Hove, which also includes areas of National Park, contains a long-term strategy for delivering transport improvements until 2030.*

Industry Best-practice Guidance

3.10 *The following documents provide guidance on construction practices, and have been useful in developing policies for the Plan review:*

3 Context

- *The Royal Institute of British Architects (RIBA) have developed a 2030 Climate Challenge which aims to ensure architects meet net zero carbon standards for new and retrofitted buildings by 2030.*
- *The Royal Institute of Chartered Surveyors (RICS) have produced the Whole Life Carbon Assessment for the Built Environment which is a professional statement that aims to standardise carbon assessments in development, and which all RICS members must act in accordance with.*
- *The UK Green Building Council (UKGBC) have produced a framework definition on net zero carbon buildings in order to provide the industry with clarity on how to achieve net zero carbon in construction. The UKGBC have also set out Circular Economy Guidance for Construction Clients, which provides practical guidance for the construction industry.*
- *The Green Construction Board have set out the Buildings Mission 2030 report, which demonstrates how achieving the 2030 target to halve all new building energy use over 2018 standards is achievable.*

Cross-boundary and Partnership Working and the Duty to Cooperate

3.11 *The Duty to Cooperate (DtC) is a statutory requirement set out in Section 110 of the Localism Act 2011 that requires councils and other prescribed bodies to work together on strategic matters when preparing Plan documents. The Authorities have worked in partnership with others in preparing the WMLP review. Details of the steps taken by the Authorities in relation to the DtC can be found in the Plan Monitoring Reports.*

3.12 *The National Planning Policy Framework also requires authorities to produce and maintain Statements of Common Ground (SoCG) during the plan-making process, which are written records of key cross-boundary matters and the progress made towards cooperation between authorities. A number of draft SoCGs have been prepared alongside the WMLP Review, and the Authorities have also signed up to, and actively engage with, a number of other existing and emerging SoCGs relevant to the Plan Area.*

Characteristics of the Plan Area

3.13 *Large parts of the Plan Area are subject to protection. Two thirds is covered by the South Downs National Park and the High Weald Area of Outstanding Natural Beauty. Several other tracts of land are designated as being of international and national environmental importance. The area to the east of the Plan Area, in the vicinity of Lydd Quarry, is designated for its ecological and geological interest at a national and international level, including the Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The Pevensey Levels Ramsar site is designated for its wetland habitat. The Plan Area contains a number of other SPAs, SACs, SSSIs and ancient woodlands. There are also* *a number of locally designated sites of importance for their wildlife and/or geology (Local Wildlife Sites and Local Geological Sites). These areas are protected in order to maintain the rich and varied landscape character and biodiversity within the Plan Area.*

3.14 *The demography of the Plan Area affects the need for minerals as well as the generation of waste. The Plan area had an estimated total population of approximately 840,459 in 2017, of which about two thirds live in East Sussex and the remainder in Brighton & Hove. Approximately 4% live within the South Downs National Park. There is significant residential development expected within the Plan Area, which has been planned for up to 2034. The population in East Sussex is predicted to increase by approximately 10.86% between 2016 and 2031. The average household size is also expected to decrease from 2.22 in 2014 to 2.06 in 2039. These factors could lead to a greater demand for minerals in terms of impact on development and infrastructure and an increase in waste arisings, though a reduction in the average size of household may cause the waste generated per household to decrease.*

Minerals and Waste Context

Minerals in the Plan Area

3.15 *Minerals are natural substances which include metals, rocks, and hydrocarbons (oil and gas) that are extracted from the earth (including the seabed) by mining, quarrying, pumping and dredging. They are used in a wide range of applications related to construction, manufacturing, agriculture and energy supply.*

3.16 *The geology of the Plan Area dictates where minerals occur. The South Downs National Park, in the south west of the Plan Area, is formed of chalk hills and vales dissected by major valleys cut by the rivers Ouse and Cuckmere. The High Weald, which covers much of the northern, central and eastern parts of the Plan area, is a faulted structure comprising clays and sandstones. The Low Weald is a gently undulating clay vale which separates the High Weald from the chalk Downs to the south. The Coastal Marshes are located between Eastbourne and Bexhill, and in the Rye Bay/Camber area either side of the Rother estuary. These areas comprise large sheets of alluvium, extending inland over the Pevensey Levels and Romney Marsh.*

3.17 *Aggregates are minerals such as sand, gravel, and crushed rock, which are used in the development and improvement of infrastructure and buildings. Two types of sand and gravel are found in the Plan Area: sharp sand and gravel and soft sand, which have different uses. Historically there have been low levels of extraction of 'land-won' sand and gravel in East Sussex, and imports of aggregates extracted from the seabed (known as marine dredged aggregates) and crushed rock have been important in meeting local construction needs.*

3 Context

3.18 *Secondary aggregates are materials that are produced as a by-product of other industrial processes, and recycled aggregates are materials that have previously been used in construction. A steady supply of both, particularly recycled, is produced across the Plan area.*

3.19 *Clay is extracted in East Sussex for brick and tile manufacture. There are currently four active sites, including Aldershaw Farm in Sedlescombe near Battle.*

3.20 *Gypsum is an important raw material for the construction industry, and is used in plaster and plasterboard, cement and other industrial processes. The resource near Robertsbridge in East Sussex is the largest deposit in the UK. Gypsum can be substituted with desulphogypsum (DSG), a secondary material which is a by-product from coal fired power stations.*

3.21 *There is currently only one existing licence for exploration for oil and gas within East Sussex covering 20 square kilometres around North Chailey. There are no current planning applications or planning permissions for any oil and gas exploration and development in East Sussex.*

Waste in the Plan Area

3.22 *Waste is generally defined as materials and goods we discard because we no longer want or need them. Many different types of solid and liquid waste are produced in the Plan Area and the Plan applies to them all. Around 1.75 million tonnes of solid waste are handled in the Plan Area each year. The main types are:*

- ***Local Authority Collected Waste (LACW)*** *which comprises about 21% of all wastes in the Plan Area;*
- ***Commercial and Industrial Waste (C&I)*** *which makes up about 27%, and;*
- ***Construction, Demolition and Excavation Waste (CDEW)*** *which accounts for about 51%.*

3.23 *Other waste sources include hazardous waste, which makes up approximately 1% of the total waste stream and often requires specialist treatment facilities with tight environmental controls, low level radioactive waste, liquid waste, wastes arising from the agricultural sector, and waste water, which comprises the water and solids that flow to a waste water treatment works. There are 74 waste water treatment facilities within the Plan Area treating 90 million cubic metres of waste water each year.*

3.24 *Some waste is exported to other areas for management including non-inert waste to landfill. Approximately 47,000 tons of LACW and C&I waste was exported for land disposal at facilities outside of the Plan Area in 2018. This is an improvement on 2010/11 when approximately 147,000 tones of LACW was sent for land disposal outside the Plan Area.*

Transport of Minerals and Waste

3.25 *Road infrastructure in the Plan Area is currently constrained. There are no motorways, and the trunk road network is predominantly single carriageway. Although waste and minerals traffic movements account for only a small percentage of the total, the current limitations of the road network is a consideration in planning for new development. To accommodate additional transport demands on the strategic and major road networks, there are a number of improvements currently being implemented to the A27 east of Lewes, whilst there are aspirations for further improvements to be delivered on the A27 and A21 corridors. In addition, there are proposed improvements to the A22 in the Hailsham and Stone Cross area.*

3.26 *Rail Freight movement of minerals and waste consists of gypsum and DSG imported into the mine at Robertsbridge; crushed rock, sand and gravel and recycled aggregates imported into Newhaven; and Incinerator Bottom Ash (IBA) produced by the Newhaven Energy Recovery Facility exported from Newhaven to Brentford to be processed into recycled aggregate. A new railhead facility in Newhaven exports aggregates into the wider South East market.*

3.27 *Marine-borne aggregates are imported through the ports of Newhaven, Rye and Shoreham. Aggregate importation figures are available in the Authorities' Local Aggregate Assessment (LAA)*

4 Overarching Strategy

Explanation

The overarching strategy of the WMLP is set out in the WMP. It sets out the vision and strategic objectives [(2)] for the Plan Area, and four main overarching policies, WMP1, WMP2, WMP3a-e and WMP4. Together these policies aim to promote the movement of waste up the waste hierarchy so that waste is prevented, then reused, recycled, recovered and as a last resort disposed of safely, by enabling the provision of the required waste management facilities. The policies also seek to make provision for a steady supply of minerals by promoting the use of secondary and recycled aggregates, the use of sustainable transport methods, whilst using viable primary mineral resources as a least preferred option. Both of these aims are in the context of objectives seeking to mitigate and adapt to climate change whilst protecting and enhancing the environment, communities and human health.

In this section the Authorities propose:

- to remove the section titled Local Strategy Statement, which is now addressed through Statements of Common Ground with the relevant duty to co-operate parties.
- replace Policy WMP2 Minerals and Waste Development Affecting the South Downs National Park with Policy RV1 Minerals and Waste Development Affecting the South Downs National Park and High Weald Area of Outstanding Natural Beauty.

The overarching strategy of the WMLP itself remains unchanged.

It is proposed that the part of this section titled Local Strategy Statement - Approach to Key 'Larger than Local' Matters in the WMP (pages 25-32) is removed from the WMP because this topic is now addressed through the Statement(s) of Common Ground that accompanies this Plan.

2 See WMP pages 22-24.

Minerals and Waste Development affecting the South Downs National Park and High Weald Area of Outstanding Natural Beauty (RV1)

Explanation

As part of the review of Policy WMP27, which is addressed later in this document, it has been identified that further clarity could be provided in relation to minerals and waste development affecting the High Weald Area of Outstanding Natural Beauty (AONB), particularly in respect of its purposes. Policy WMP2 currently contains similar requirements in relation to the South Downs National Park, but does not refer to the High Weald AONB. The Authorities propose to revise WMP2 to align more closely with the NPPF (2021).

The Authorities also propose the removal of criteria c) which addresses extensions to existing soft sand quarries or new quarry proposals in the National Park. This is now addressed within the following section Provision of Aggregates (RM1) and Duty to Cooperate work, see page # for further information.

Neither of these changes are intended to alter the overall strategy of the Waste and Minerals Local Plan.

Is it proposed that this section will replace Minerals and Waste Development affecting the South Downs National Park (WMP2) on pages 34-36 of the WMP.

Purpose of Policy RV1

To ensure development is sustainable and appropriate to the purposes and duty of the South Downs National Park Authority and the purposes and objectives of the High Weald Area of the Outstanding Natural Beauty Management Plan.

4.1 ***The South Downs National Park***

4.2 *The South Downs National Park was established in 2010 and the South Downs National Park Authority took up its statutory responsibilities in April 2011. The South Downs National Park covers an area of 1600km² and stretches from Eastbourne in the East to Winchester in the West. Although over 85% of the area is farmed, it has a population of over 117, 000 people and includes the towns of Lewes, Midhurst and Petersfield. The South Downs Local Plan 2019 sets out the planning policy*

4 Overarching Strategy

context for the whole SDNP, replacing previous joint plans with each of the district and boroughs. The SDNPA plans jointly for minerals and waste with East Sussex County Council, Brighton and Hove City Council, West Sussex County Council and the Hampshire Authorities.

4.3 *National Parks and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty and this will be given great weight in decisions.*

4.4 *The South Downs National Park has the following statutory purposes:*

- *To conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and*
- *To promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.*

4.5 *Section 62 of the Environment Act 1995 requires all relevant bodies including statutory undertakers and statutory bodies to have regard to the purposes. If there is a conflict between the two purposes, the first takes precedence. In pursuing these purposes the SDNPA also has a duty to seek to foster the economic and social well-being of local communities within the National Park.*

The High Weald Area of Outstanding Natural Beauty

4.6 *The High Weald AONB was designated in 1983 and covers land within 4 counties and 11 district or borough councils. It is one of 46 AONBs in England, Wales and Northern Island. It covers an area of 1,461km2 and 127,000 people live within its boundary. A third edition of the management plan for the High Weald AONB was published in 2019, covering the period to 2024.*

4.7 *The primary purpose of AONB designation is to conserve and enhance natural beauty, but the architects of the 1949 Act recognised other underlying principles which were important aspects of the designation's success. These included the need to maintain a 'thriving community life' with particular emphasis on farming and forestry, and the need to promote understanding and enjoyment of the area's special qualities. These subsidiary purposes – in effect, qualifications of the primary purpose – are those defined in the Countryside Commission statement 1991, restated in 2006 (the basis for the wording of the subsidiary purposes can be found in the Countryside Act 1968, section 37):*

- *In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry and other rural industries, and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development*
- *The formal legal responsibility for both development control and for management of the High Weald AONB (including the duty to prepare an AONB Management Plan) lies with the local authorities in whose area(s) the AONB exists. In addition, local authorities and all public bodies have a statutory duty under CROW Act 2000, Section 85, to '…have regard to the purpose of*

conserving and enhancing natural beauty…'. To 'conserve and enhance' is a single duty, therefore exercising the duty requires that both elements be addressed.

Minerals and Waste Development in the South Downs National Park and the High Weald Area of Outstanding Natural Beauty

4.8 *National Parks and Areas of Outstanding Natural Beauty (AONB) have the highest status of protection in terms of landscape and scenic beauty. Great weight, therefore, must be given towards the protection of the natural beauty of the landscape, together with conservation of wildlife and cultural heritage, when making planning decisions.*

4.9 *National planning policy for minerals and waste development in the countryside and rural areas relates to "major development" within nationally designated areas including National Parks and AONB. Within the context of national policy, the winning and working of minerals and waste development generally constitutes major development whereby due to the nature, character and scale of some proposals, there is the potential to adversely impact upon recreational opportunities and the natural beauty of protected landscapes.*

4.10 *Major minerals and waste development (including quarry restoration) can have significant adverse impacts upon such areas of natural beauty together with the recreational opportunities that they provide. In line with national policy, major minerals and waste development must not be permitted within National Parks or AONB except in exceptional circumstances. Applications must also be demonstrated to be in the public interest. Development will only be in the public interest if consideration of the proposal details gives sufficient reason/s to override the potential damage to the natural beauty, cultural heritage, wildlife or quiet enjoyment of the National Park and or AONB. Minerals and waste development can also have positive effects on the environment through restoration and aftercare (Policy WMP17 addresses restoration requirements in detail).*

4.11 *Other minerals and waste development which is ancillary to a main minerals and waste operation (e.g. weighbridge, offices, haul road and minor amendments) would not normally be considered as major development. It would be expected however that such proposals have regard for and consideration of National Park and AONB purposes, and ensure that great weight is given to the conservation of the landscape and natural beauty, conservation of wildlife, cultural heritage and recreational opportunities.*

4.12 *Quarries and quarrying operations have the potential to impact heavily upon the landscape and surrounding environment, therefore the setting of any proposed development within the context of the National Park or AONB is also an important consideration. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.*

4 Overarching Strategy

4.13 *Minerals and waste development not considered to be major should be carefully assessed. Weight should be given towards conservation of the landscape's natural beauty, the conservation of wildlife and cultural heritage and the need to avoid adverse impact upon recreational opportunities within these areas.*

Policy RV1

Minerals and waste development affecting the South Downs National Park and High Weald Area of Outstanding Natural Beauty

a) Minerals and waste development in the South Downs National Park and the High Weald AONB will have regard to the relevant Management Plan.

b) Major minerals and waste development in the South Downs National Park or High Weald AONB will be refused other than in exceptional circumstances, and where it can be demonstrated to be in the public interest[3]. In this respect, consideration will be given relevant information, including:

- *i. the need for the development, including in terms of any national considerations; and*
- *ii. the impact of permitting or refusing the development upon the local economy; and*
- *iii. the cost of and scope for developing outside the designated area or meeting the need in another way; and*
- *iv. any detrimental effect on the environment, landscape and/or recreational opportunities and the extent to which it could be moderated.*

c) Small-scale waste management facilities for local needs are not precluded from the National Park or AONB where they meet the requirements of Policy RD1.

d) Proposals for the backfilling of redundant quarries within the National Park or AONB need to conform with (b) above and additionally demonstrate net long term benefits to the National Park or AONB and that they meet Policy WMP 8b criteria (a) to (e).

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3 *In the case of minerals and waste proposals, all applications are defined by the Town and Country Planning (Development Management Procedure) Order 2010 as 'major'. However, for the purpose of this policy, the potential for significant impacts on the National Park and AONB will be dependent on the individual characteristics of each case. When assessing what constitutes "major development" within a protected landscape the guidance set out in Footnote 60 to the NPPF will be applied*

5 Providing for Waste

5.1 The Providing for Waste section in the WMLP sets out policies regarding the amount of waste management capacity that is planned for locations suitable for waste management development, and safeguarding arrangements for waste management facilities.

Explanation

Monitoring by the Authorities indicates that the waste strategy does not require altering at this time. There was ambiguity in Policy WMP7a "Sustainable Locations for Waste Management Development" and Policy WMP7b "More Detailed Criteria" that required clarification. Policy RW1 below combines and clarifies these policies.

All other policies within this section apart from WMP7a and WMP7b remain unchanged.

Sustainable Locations for Waste Development (RW1)

Explanation

Policy RW1 proposes to remove ambiguity and consolidate WMP7a and WMP 7b clarifying the policies intent. It retains the existing direction of policies WMP 7a and WMP 7b and all alterations to the policy are intended to only be technical in nature. Policy RW1 proposes the following alterations:

1. The preference expressed in Policy WMP7b for development on general industrial land including general industrial estates, employment land (B2/B8 uses), previously-developed land, and land already in waste management uses, has been replaced by a requirement to demonstrate that the development is located within one of these areas or, that it has been adequately demonstrated and explained why this is not possible. The exception in relation to minerals sites has been retained.
2. Text in Policy WMP 7a concerning small scale facilities in the South Downs National Park and the High Weald AONB has been removed; this was already addressed through the criteria relating to small scale facilities which are not restricted by the Area of Focus and addressed by Policy RV1 which places additional requirements on development within the South Downs National Park.
3. The 'Purpose of Policy' box and supporting text have also been updated to reflect the updated text.

5 Providing for Waste

The Authorities have focused on making the above alterations to the policy and, at this time, consider that the broad strategy does not require alteration. Consequently, no alterations to other over-arching approaches for this policy area have been considered.

No further amendments have been made to the proposed policy following the Regulation 18 consultation.

No changes are proposed to the sites already identified in the adopted WMSP nor are any additional waste sites identified.

It is proposed that this section will replace Suitable Locations for Waste Development (WMP7a, WMP7b) on pages 59-62 of the WMP. It is also proposed that Policies WMP7a Sustainable Locations for Waste Development (excluding land disposal) and WMP7b More Detailed Criteria for Development are superseded by RW1 Sustainable Locations for Waste Development (excluding land disposal).

Purpose of Policy RW1

To identify broad areas (Areas of Focus) within the Plan Area within which more sustainable opportunities for locating waste recycling and recovery facilities are more likely to be found.

5.2 *National policy requires local planning policy to give a clear indication to industry about the areas where development might be acceptable and to provide flexibility to allow for responses to changes in circumstances.*

5.3 *This policy relates to waste treatment facilities, i.e. facilities involved in processes in the waste hierarchy excluding land disposal. Transfer facilities are included because they play a fundamental part in moving waste to and from the facilities referred to in this policy, and increasingly waste transfer is being integrated with waste processing (such as that which takes place at Materials Recovery Facilities) at the same site and so there is less distinction between them. Land disposal is covered separately in Policy WMP 8.*

5.4 *This policy identifies areas hereon called 'Areas of Focus' where the best opportunities for the development of waste recycling and recovery facilities are most likely to be found. Areas of Focus indicate broadly the areas where the greatest sustainability benefits are likely to be achievable based on the application of national policy. However this policy recognises that there may be sites which are acceptable in principle but are beyond the Areas of Focus. For example, there may be* *sites just outside of the Areas of Focus where there may be overriding sustainability reasons for permitting development, such as supporting movement up the waste hierarchy or being well-related to the strategic road network. The policy therefore does not precisely define boundaries, and the overall sustainability benefits of proposals will be considered on their merits. Consideration of locations within the Areas of Focus also needs to be balanced with ensuring the Plan is deliverable, and as such the Plan considers economic viability which is often influenced by economies of scale.*

5.5 *The Areas of Focus are those where the greatest sustainability benefits are likely to be achieved regarding new waste development or extensions to existing sites as they are more likely to be close to:*

- *waste arisings,*
- *better transport network,*
- *complementary industries and waste development for potential co-location benefits,*[4]
- *existing facilities where there is scope for physical site extension (for detail about alterations within the site boundary of existing facilities See Policy WMP 22).*

5.6 *The Areas of Focus reflect the fact that the majority of the population and businesses in the Plan Area are located along the coastal strip so this is where the main proportion of the largest waste streams (C&I, CDEW, and LACW wastes) is either currently generated or likely to be in the future according to predicted growth areas in Local Plans. The Areas also reflect the road, rail and water transport connections within the Plan Area. Areas outside the Areas of Focus are generally more rural and less densely populated and therefore it is likely that less waste is generated and there are fewer opportunities for maximising sustainability. Much of these areas are also covered by landscape designations of the AONB and the SDNP.*

5.7 *The policy also recognises that with modern design and operational techniques, waste management facilities can increasingly be accommodated in general industrial areas as a B2 use class, and even more so with the revised waste hierarchy which includes 'preparation for reuse'. Detailed criteria to manage the potential impacts of development is covered in the development management policies later in the Plan Document. Proposals will also be subject to the relevant statutory pollution control regulatory frameworks.*

5.8 *Applicants are expected to make reasonable efforts when seeking to demonstrate that there are no suitable sites within the preferred locations under criteria A2 and B2. The level of detail should be appropriate to the scale and type of facility being proposed.*

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4 See Policy WMP 19.

5 Providing for Waste

5.9 *Sites identified within the Waste and Minerals Sites Plan and Schedule of Suitable Industrial Estates are all considered to be within the Area of Focus and located on one or more of the types of land specified under criteria B1; as such these sites are considered in accordance with this Policy.*

Policy RW1

Sustainable Locations for Waste Development (excluding land disposal)

The principle of the development will be supported where:

A1. The site is located within a broad Area of Focus indicated on the Key Diagram and described in paragraph 5.5*, or*

A2. It has been demonstrated there are no suitable sites available within the Areas of Focus to meet identified needs, or the proposed development is a small-scale facility / extension to existing facility predominantly to meet smaller, more localised needs only[5]*.*

In addition to criteria A1 or A2 the proposed development must also demonstrate:

B1. The proposed development is located on: general industrial land including general industrial estates, employment land (B2/B8 uses), previously-developed land, or land already in waste management uses; or

B2. There are no suitable sites available within the locations listed under criteria B1; or

B3. The proposal is located at a minerals working or landfill site and the development's lifespan will be limited to the lifespan of the minerals operation or landfill site[6]*, unless there are overriding reasons why the lifespan should be extended.*

5 *Smaller, localised facilities can be essential in helping to provide local solutions for collecting, sorting, bulking, and transferring and treating wastes in complementing the waste treatment provided at more strategic larger-scale facilities.*

6 *The lifespan of a site may, but does not necessarily, include restoration phases.*

6 Providing for Minerals

Sustainable Use of Aggregates (RM0)

Explanation

Following the 2020 consultation on the Draft Revised Policies a further review of the likely aggregate demand (See RM1) was undertaken. As part of that review it was identified that, whilst the adopted Waste and Minerals Local Plan promotes waste minimisation, it does not specifically address the topic of resource use and that support for resource minimisation could be more explicitly expressed. Representations received during the 2020 consultation also queried whether the use of recycled and secondary aggregates should be prioritised over virgin material. The Authorities recognise that aggregates are essential for construction, but they are also a finite resource which should be used prudently. The NPPF also recognises this in its definition of Sustainable Development (paragraph 8). Policy RM0 seeks to address these omissions.

6.1 **It is proposed that this section is inserted at the prior to Provision of aggregates WMP11 (pages 78-81) in the WMP.**

Purpose of Policy RM0

To ensure the sustainable use of aggregates.

6.2 *Aggregates such as sand and gravel are used in construction, and are usually mined from the land, dredged from the seabed or recycled from existing construction industry waste. Secondary aggregates such as certain mineral waste can also be used in construction. As a mined or dredged material, aggregate is a primary resource of which there is a finite supply; likewise, recycled aggregate is limited by the material available to recycle. The NPPF (paragraph 8) explains that Sustainable Development includes using natural resources prudently, whilst also supporting growth, innovation, and improved productivity. This is also supported by the forthcoming Circular Economy package. Policy RM0 seeks to promote that when aggregates are used in construction they are used in the most sustainable way.*

6.3 *There are now a growing number of examples of low aggregate construction developments. Originally these may have been a consequence of another design choice, for example in the form of temporary buildings, or as exemplars such as the Glyndebourne Pavilion. However, more recent prefabricated building techniques and innovations in construction technology such as the K-Brick*

6 Providing for Minerals

may prove to be more prevalent in the future as the development industry takes on the challenge to deliver buildings which meet net zero carbon objectives. In many cases these techniques and technology also reduces aggregate consumption.

6.4 *Reducing the amount of aggregates used in construction will require changes in both construction methods and technology. And, as aggregates are just one of the materials used in construction, it is important that this is considered as just one element of the design process for any development. This will be achieved directly within the South Downs National Park and Brighton & Hove, and by working with the Districts and Boroughs within East Sussex, who are the planning authorities for most types of development by helping them to include circular economy and resource minimisation policies within their local plans.*

6.5 *After minimising the amount of aggregates, developers should seek to use recycled and secondary aggregates in place of primary materials wherever possible. However, secondary materials may not always be suitable owing to limitations relating to material specifications and availability. Where this occurs, the design choice should be explained within the proposal.*

Policy RM0

Sustainable use of aggregates

Innovative proposals that a) minimise the quantities of aggregates used in construction, and b) prioritise the use of recycled and secondary aggregate over virgin aggregate, are encouraged and will be supported.

East Sussex County Council will support Local Plan policies that promote sustainable aggregate use as part of design or Circular Economy policies within Local Plans being prepared by the District and Borough Councils within East Sussex.

6.6 *Policy RM0 is a starting point, for setting a clear direction in relation to ensuring the sustainable use of aggregates. As knowledge and experience develops into good practice it will inform future reviews of the plan, under which this policy may be refined.*

6.7 *Applicants should address the use of aggregates as part of their wider consideration of resources used when designing their developments. These design choices should be documented and presented through Design and Access, Sustainability or Circular Economy statements as applicable. Applicants are also encouraged to engage in any design panels, where available.*

Provision of Aggregates (RM1)

Explanation

The current adopted WMLP makes provision for 0.1 million tonnes per annum (mtpa) of land-won aggregate during the plan period, and commits the Authorities to providing a land bank of 7 years permitted aggregate reserves. The permitted sites identified to contribute to this provision in the WMLP are Lydd Quarry (area in East Sussex), and Novington sandpit located within the SDNP. This provision rate is therefore a combined rate including both sharp sand and gravel and soft sand.

In coming to the 0.1 mtpa provision rate the Authorities maintained that the Plan Area was a "special case" recognising the particular circumstances of:

- low production;
- remote reserves;
- high dependence on marine landings; and
- large area affected by environmental constraints/designations

Following the Public Examination into the Waste and Minerals Sites Plan in 2016, the Inspector concluded in his report that "[…] the Plan cannot maintain provision for the production of land-won aggregates at a rate of 0.10 mtpa throughout the Plan period. There will be no permitted reserves at that date because either mineral working under the planning permissions will cease in accordance with a condition of the permission or the workable reserves will be depleted at current rates of production. For that reason alone it will not be possible to maintain a land-bank of at least 7 years". The Authorities accepted the Inspector's conclusions and recognise that the WMLP aggregate provision levels need to be reassessed.

Soft Sand

The main source of soft sand in the South East (the Lower Greensand Formation) runs through Kent, Surrey, Hampshire, West Sussex and peters out just over the border of East Sussex. There has been limited working of this material in the Plan Area in recent times. Novington Sandpit is the only permitted soft sand site and lies within the South Downs National Park in the East Sussex Plan Area. It is understood that there is a reserve of around 250,000 tonnes still to be worked as part of the extant planning permission.

However, the site has been inactive since 2013 and any reported sales figures prior to that date are considered to be confidential. On that basis it is not possible to calculate an LAA rate and it assumed that the need for soft sand in the Plan Area has entirely been met through imports for at least six years.

6 Providing for Minerals

The Authorities have worked with the other South East Mineral Planning Authorities to agree a Position Statement on Soft Sand. This sets out the context for soft sand provision at a regional level. Following on from that work, the Authorities have entered into a Statement of Common Ground with Kent County Council and West Sussex County Council which acknowledges the current reliance on imported materials to meet the needs of the Plan Area and explains the process each Mineral Planning Authority will go through to meet the 'steady and adequate supply of minerals' required by the NPPF[7].

Future Provision

The NPPF states that mineral planning authorities should plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA) to forecast demand, based on a rolling average of 10 years sales data and other relevant local information. The LAA should include an assessment of all supply options including land won, marine dredged, secondary and recycled sources. The Authorities have carried out a review of aggregate provision, and further details and calculations are set out in the LAA 2019, and LAA 2020 (dashboard) (to be updated).

During the Call for Evidence and Sites (CfES) the operator of Lydd quarry submitted proposed extension areas for the site. These were considered for inclusion in the draft Plan but were not considered acceptable as allocations due to the significant harm mineral working would cause to the interests of designated sites located within the vicinity of the proposals. In addition, the Authorities consider that there are adequate and suitable alternative supplies of material to the proposals which would result in lesser environmental effects. No other aggregate sites were submitted at the CfES stage.

Following consultation on the draft Revised Policies in 2020 some representations were received relating to aggregates and the provision of material to the Plan Area. These include comments and queries concerning marine dredged aggregate (MDA), recycled aggregates and the calculation and methodology of provision levels. The operator of Lydd quarry also submitted a revised proposal for a quarry extension with more clarified extraction proposals. The Authorities have reassessed the proposed allocations but consider that the issues of harm to designated sites remain and alternatives exist. The proposed allocations are therefore not included in the draft Plan.

New aggregate data has been collected and published since 2020, mainly as a result of the annual aggregate monitoring surveys. Revised housing projections figures are also now available which indicate that forecasts of demand for aggregates over the Plan period may now be higher

7 Paragraph 213

since the publication of the consultation document in 2020. Data is set out in the LAA 2019 (and LAA 2020 dashboard- update once 2021 LAA is drafted) and the supporting documents including the Aggregate Data Technical Paper (link).

Following the consultation on the draft Revised policies in 2020, policy RM1 and supporting text have been revised to reflect the matters above. In summary, the following chapter now includes further explanation of how provision will be secured for the Plan Area together with updated information and data. Policy wording has been clarified to confirm that new rail and wharf infrastructure would be supported and where relevant minor corrections have also been made. Some issues are covered further in the Aggregates Technical Paper, which also include detailed workings of the methodology of assessing supply and demand in the Plan Area.

It is proposed that this section replaces Provision of aggregates WMP11 (pages 78-81) in the WMP, and Section 4 Providing for Minerals paragraphs 4.1 to 4.6 (page 24) in the WMSP.

Purpose of Policy RM1

To ensure sustainable provision for an appropriate level of aggregates for consumption in the Plan area over the duration of the Plan period.

Introduction

6.8 *Historically there have been low levels of extraction of 'land-won' aggregates in East Sussex, and imports of marine dredged aggregate (MDA), crushed rock and other aggregates have been important in meeting local construction needs. These have been imported via a mixture of rail, road and wharf. Within the Plan Area two types of aggregate resource are to be found: sharp sand and gravel, and soft sand, which have different uses. Sharp sand and gravel uses include concreting applications and soft sand, also known as building sand, uses include production of mortar.*

6.9 *There is currently one working sharp sand and gravel extraction site in the east of the Plan area at Lydd. Lydd quarry straddles the East Sussex/Kent border and extraction is currently taking place within East Sussex. Approximately 50% of the production is exported to Kent and it is estimated that less than a year of reserves remain. If this site were to contribute to future aggregate provision in the Plan Area, further reserves at the quarry would need to be identified. The area around Lydd*

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Quarry is constrained by both National and International environmental designations including SSSI, Special Protection Area and Ramsar site. The designations cover or are adjacent to all the sand and gravel resource in this part of the County.

6.10 *The majority of land-won sharp sand and gravel deposits in East Sussex are found in the coastal areas and river valleys. Having assessed these resources, the Authorities have concluded that identification of feasible extensions or new land - won sites in the Plan area is not possible due to the environmental constraints which are considered overriding.*

6.11 *Apart from production at Lydd quarry and road imports from outside the Plan Area, aggregate supply is currently received through the Ports of Shoreham, Newhaven and Rye, and at a railhead at North Quay in Newhaven. Marine imported material is also exported by rail from a different rail head at East Quay, Newhaven. There are also permitted CDEW sites producing recycled aggregates which can in some cases substitute for sharp sand and gravel end-uses, and secondary aggregates, such as brick waste, are also produced and imported into East Sussex.*

6.12 *A new aggregate processing plant, aggregate bagging plant, concrete batching, and rail siding extension has recently been constructed at Fishers Wharf, Newhaven Port. The operation involves the import of marine dredged aggregate (MDA). The plant has now commenced operation with both marine imports being received and rail exports taking place. Once fully implemented the development will provide up to 0.42 mtpa of new import capacity. The majority of the material will be sold and used within the Plan area and a proportion will be exported by rail.*

6.13 *The Plan Area appears to have been reliant on soft sand imports for a number of years. The Authorities have undertaken a number of surveys to confirm this assumption, and to understand where the material is imported from and how the need for soft sand is currently being met. As a partner Authority for waste and minerals plans in Hampshire, West Sussex, East Sussex and Brighton and Hove, the SDNPA is working on a unified position across the South Downs National Park relating to the provision of soft sand that is consistent with national policy within a designated landscape.*

Future Provision

6.14 *Government policy requires mineral planning authorities to plan for a steady and adequate supply of aggregates and so in undertaking the WMLP Review the Authorities have assessed how provision can be continued in the Plan Area. Much of the supporting evidence for the WMLP review is set out in the Authorities' LAA. The most recent LAA 2020 Dashboard (link) indicates that at current demand levels the rate for land-won material is 0.15 mtpa. This figure has been calculated on the basis of sales figures for sharp sand and gravel only as the only permitted soft sand site in the Plan area has not produced any mineral for some years. It is acknowledged that less than a years reserve exist at the only active sharp sand and gravel site in the Plan Area. The LAA also identifies rates for other types of aggregate provision including marine and rail imports. It is a* *particular characteristic of this Plan area that over 80% of aggregates consumed are imported (based on 2014 figures). Indeed, the Plan area has a long-standing unique and particular land-won aggregate situation which has been recognised as a "special case".* [(8)]

6.15 *If demand for aggregates in the Plan Area were to remain constant then the total rate of aggregates considered for provision over the Plan period would be around 0.7 mtpa. The Authorities are also required to assess the effect of demand changes on provision. To do this the Authorities have used projections of homes and infrastructure over the next decade. Calculations carried out for the Review (see Aggregates Data Technical Paper - link) indicate that aggregate demand requirements could double, meaning that the total provision for the 15 year Plan Period (15 years from 2019, therefore to 2034) could be in the region of about 1.48 mtpa.*

6.16 *Unused permitted capacity remains at all infrastructure and processing facilities which could be utilised in the future with the minimum of constraints. A significant amount of aggregates imported into Shoreham Port on the West Sussex side are consumed in the Plan Area and it is understood that additional unrestrained capacity remains at the Port. There is also further capacity available for the production of recycled and secondary material (see Aggregates Data Technical Paper - link).*

6.17 *In terms of quantity the supply of MDA from Fisher's wharf, once fully operational, would effectively provide an equivalent amount of aggregate to substitute for land-won sharp sand and gravel from Lydd where resources are near exhaustion. It is also necessary to ensure that the end uses of these materials and their markets are comparable, and that sufficient reserves of MDA are available. In terms of continuing supply to the existing market area, the Fishers Wharf development at Newhaven could provide for the western side of the Plan Area, and the Authorities consider that any market variations to the east could be compensated for by, for example, further imports using existing capacity at Rye Harbour as well as from Kent. The Crown Estate advises that marine aggregate is wholly interchangeable with land based sand and gravel, and can perform the same technical tasks. Reserves off the south coast of Sussex and Hampshire are circa 80 million tonnes with a life of 24 years at 10 year average levels of extraction. New capacity is also expected to come on stream in the very near future. The environmental impact of dredging is considered at the application stage of the Marine Licencing system which is determined by the Marine Management Organisation.*

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8 *During the review process for the Secretary of State's Proposed Changes to the Review of Policy M3 of the South East Plan the Councils requested to be treated as a special case. This recognised the particular circumstances of low production; remote reserves; and high dependence on marine landings; in an area largely affected by environmental constraints/designations.*

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6.18 *An assessment of the existing capacity at permitted import and processing facilities in the Plan Area indicates that adequate capacity exists to accommodate at least double the current levels of demand. Recent revised housing projections (2020 data) however point to a possible higher level of demand, (although this assumes current building methods endure). All details are set out in the LAA and the Aggregate Data Technical paper (links).*

6.19 *It is acknowledged that if demand were to exceed these levels, there could potentially be shortfalls in supply during the Plan period. However, the Authorities consider that the market is likely to respond in such circumstances to enable additional provision by, for example, diverting exports. In the past regardless of the aggregate demand at that time, supply has occurred and construction has taken place in the Plan Area. In addition, if demand is high enough it could be that market conditions are favourable for new import and recycling infrastructure and/or sites which, where appropriate, would be supported by RM1 and other policies in this Plan. Furthermore, the amount of aggregates needed in new buildings may reduce over time as construction methods change in response to net zero carbon requirements. The sustainable use of aggregate is supported in policy RM0.*

6.20 *With regards to soft sand it is considered that the most appropriate approach is to safeguard the soft sand resource and not allocate any further sites in the Plan Area. It is not appropriate to designate Areas of Search in a protected landscape and no aggregate sites have been put forward during the consultation process in either the National Park or the AONB.* [9][10][11]

6.21 *The Authorities consider that based on current evidence there are no acceptable or feasible land-won sites available, and that in the context of the Plan Area's long established "special case", future provision in the Plan Area has to be supplied from a combination of recycled and secondary material, and rail, wharf and other aggregate imports. This provision strategy does not therefore include land-won material from within the Plan Area and does not require the allocation of sites or setting of a specific "landbank" for aggregates.*

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9 *Any future applications for soft sand extraction in the National Park will need to address paragraph 177 of the NPPF and Policy SD3 of the South Downs Local Plan.*

10 *Mineral extraction is considered to be 'major development' as defined in the Glossary of the NPPF and the Town and Country Planning (Development Management Procedure) (England) Order 2015. Paragraph 177 of the NPPF states that planning permission should be refused for major development in National Parks other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Footnote 60 of the NPPF states that the question of whether a development proposal is 'major' in a National Park is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.*

11 *Paragraph 177 of the NPPF relates primarily to the determination of planning applications in protected landscapes. However, to ensure that all local plan allocations are deliverable, it is also necessary to consider the issue of major development at the plan making stage.*

6.22 *The Plan strategy for meeting the sand and gravel needs of the Plan Area is therefore through supporting and encouraging imports through existing permitted facilities, as well as utilising permitted recycled and secondary aggregate capacity, and encouraging sustainable usage of aggregates. Proposals for new rail and wharf import infrastructure will be supported, where appropriate. To ensure that that supply is secured and maintained through import facilities it is important that minerals infrastructure including wharf and rail heads are adequately safeguarded. This is covered in policy RM5. In addition, any extensions or improvements to existing safeguarded sites which improve the operation and/or efficiency of the landing, processing, handling and storage of minerals will normally be supported. The reuse of existing infrastructure will be supported where appropriate.*

6.23 *The strategy aims to protect and support every mechanism for enabling supply. This will allow provision for at least a doubling of current demand which equates to just over 22 million tonnes (mt) of aggregates over 15 years at an average of approximately 1.48 mtpa, peaking at 2.02 mtpa in 2025/26. Of the 22mt, between 14.43 mt & 16.56 mt will be sourced from imports, using existing permitted facilities. Aggregate supply and demand in the Plan area, including the annual provision figure, will be continually monitored via the Authorities' Monitoring Report and the Local Aggregate Assessment, and will be reviewed when required by national legislation.*

6.24 *In the event that land-won aggregate proposals are received they will be considered against existing Development Plan policies. All Plans should be read as a whole and criteria based policies within the WMLP ensure that there is complete policy coverage for any future proposal.*

6.25 *Proposals for new sites and additional capacity for aggregate importation infrastructure and recycled and secondary aggregate production will also be subject to the environmental protection requirements set out in other plan policies.*

6.26 *Proposals which may involve marine operations should also consider Policies S-AGG-3 and S-AGG-4 from the MMO South Marine Plan. These policies refer to proposals in areas where high potential aggregate resource occurs, and local sourcing of aggregates respectively.*

Policy RM1

Provision of aggregates for consumption in the Plan Area

The Authorities will enable the provision of at least 22 million tonnes (averaging 1.48 mtpa) of aggregate material over the the Plan period by seeking to protect, maintain and enhance existing:

a) aggregate importation infrastructure and capacity; and

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b) recycled and secondary aggregate production

Proposals for new rail and wharf import infrastructure, and additional capacity for a) and b) (including increased operational capacity within the site boundary of existing infrastructure) will be supported. In particular, support will be given to proposals which further enable sustainable provision of aggregates by sea and/or rail.

Provision for an additional extraction area at Aldershaw Farm (RM2)

Explanation

An extension to the Aldershaw Tiles extraction site was promoted by the operator in response to the Call for Evidence and Sites 2017 and was included in the 2020 consultation draft (Regulation 18) version of the Revised Policies Document (RPD). The tile works is a small-scale operation which primarily produces handmade tiles, many of which are used in the restoration of historic buildings. Clay supplies are now running low at the extraction site and an extension could extend the lifetime of the facility by providing a potential minerals reserve of between 25 and 30 years.

Since publishing the Regulation 18 RPD, the site assessment has been updated in accordance with the revised NPPF 2019 and the subsequent revised NPPF 2021 which now places higher protection on the AONB, ancient woodland and irreplaceable habitats. Paragraph 180 and Footnote 63 states that development resulting in the loss or deterioration of ancient woodland should be refused unless where wholly exceptional circumstance exist and where by a suitable compensation strategy exists.

Mineral extraction is a type of operation regarded as major development in the NPPF and in legislation[1]. Though, under Footnote 75 of the NPPF (2021), for the purposes of Paragraphs 176 and 177, the decision maker must determine whether the development constitutes major development.

Under paragraphs 176, 177 and Footnote 60 of the NPPF (2021), where a decision maker judges a proposal to represent major development, permission should not be granted other than in exceptional circumstances and where the development is demonstrably in the public interest.

As the previously promoted extension would extend into an area of ancient woodland, the extension site proposed in response to the Call for Evidence and Sites is therefore no longer being allocated. Sites outside of areas of ancient woodland may be available and further information on site selection and feasibility of extraction is anticipated from the landowner/operator.

The Authorities believe that development for clay extraction could take place outside the area of ancient woodland. Any proposal for extraction within or within the vicinity of ancient woodland would be subject to further consideration in light of paragraphs 176, 177 and 180 and Footnotes 60 and 63 of the NPPF, as set out above.

The ultimate decision on exceptional circumstances and the public interest can only be taken when a planning application is submitted as exemplified by the following case:

R (Advearse) v. Dorset Council paragraph 46[2][(12)]sets out the successive stages for the consideration and implementation of the NPPF, particularly in relation to paragraph 177 of the NPPF (2021).

Since 2020, the Policy has therefore been revised in response to key responses, as follows:

- No longer allocating a specific site.
- Inclusion of a criteria based policy in line with national policy.

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[1] Town and County Planning (Development Management Procedure)(England) Order 2015

[2] R (Advearse) v Dorset CC et al [2020] EWHC 807 (Admin) Paragraph 46

It is proposed that this section is appended to Provision of Clay (WMP13) on pages 84-85 of the WMP.

Purpose of Policy RM2

To ensure a continued supply of specialist clay.

12 *46. Consideration and application of a policy such as the one stated at (what is now) paragraph 172 of NPPF 2019 [paragraph 177 of NPPF 2021] will not always be a oneoff event. The expectation is that policies in the NPPF will be considered at successive stages: for example, not only at the time a Local Plan is formulated, but also when subsequent decisions are taken on applications for planning permission. As the decisions in issue become more specific, the information relevant to the application of any particular policy is likely to change.*

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6.27 *It has been identified that an additional extraction area for the Aldershaw Tiles site is required to ensure continued provision of clay for use in the production of specialist tiles. The products made at the Aldershaw Tile works include specialist clay tiles used in the restoration of historic buildings. The tiles may need to match original features, and so the colour and quality of these products is an important consideration.*

6.28 *The Policy aims to make provision for the specialist clay product, to meet the need from outside of areas of ancient woodland where possible, and to only allow development within designated ancient woodland in wholly exceptional circumstances, where a suitable compensation strategy exists and where it is in the public interest, in accordance with national policy. A final decision on whether exceptional circumstances exist can only be made when proposals come forward.*

Policy RM2

An area of additional clay extraction may be proposed in connection with the specialist tile manufacturing facility at Aldershaw Farm as identified on Map 10.2 [Minerals Sites and Infrastructure Map].

To be acceptable in principle, proposals for an additional extraction area must demonstrate that the following criteria are met:

i. An assessment of the impact on the Ancient Woodland (Screen Wood and Lane Wood) must be carried out. Where necessary and in accordance with Natural England and the Forestry Commission’s standing advice, appropriate buffers should be incorporated, and mitigation provided, to the satisfaction of both bodies.

ii. The impact on the High Weald Area of Outstanding Natural Beauty must be assessed and appropriate mitigation should be included, if required, in consultation with the High Weald AONB Unit.

iii. An assessment of the impact on the Beauport Park Local Wildlife Site must be carried out; and where necessary appropriate mitigation provided, in consultation with and to the satisfaction of the County Ecologist.

iv. Access to the site is through the existing brickworks.

An appropriate mitigation and environmental enhancement scheme for the operations and restoration of the entire extraction site would be required as part of any permission.

Proposals must demonstrate how they have considered relevant Policies in the WMP, WMSP and the Development Plan (relevant Local Plan). Any application will be assessed in accordance with relevant development plan policies taking into account any material considerations.

6.29 *Protected and notable species may be present within or in the vicinity of any future additional area of extraction. Appropriate assessments and surveys should be carried out in accordance with standing advice and development management policies within this Plan.*

6.30 *Any restoration plan should be supported by a landscape and ecological management plan.*

Safeguarding Mineral Resources (RM3)

Explanation

The provision of aggregates (minerals used for the construction and improvement of buildings or infrastructure) is important in ensuring that planned development in the Plan Area can be delivered. Directly linked to the provision of aggregates is the safeguarding of minerals resources and the safeguarding of minerals infrastructure. Safeguarding helps to ensure that minerals resources, which are finite in their supply, are not sterilised by other development.

Separate policies relating to safeguarding of mineral resources are contained within the Local Plan and Sites Plan. To avoid duplication of policy content, it is proposed that policies WMP14 and SP8 are combined into a single policy within the Waste and Minerals Local Plan.

It is also proposed that a list of exempt development relating to Minerals Safeguarding Areas (MSAs), Minerals Consultation Areas (MCAs) and prior extraction is included for clarity. This establishes the concept that not all development should be constrained by mineral designations.

The list of safeguarded resource sites will be moved to the policies map. The list of safeguarded sites has been included below for information. The strike-through indicates sites which are no longer being safeguarded.

Gypsum:

- Brightling Mine/Robertsbridge Works, Mountfield

Sand and Gravel (inclu. soft sand):

- Novington Sandpit
- Ditchling/Plumpton Reserve [13]
- ~~Scotney Court Farm, Jury's Gap Road, Camber, near Lydd~~

13 This is a new safeguarded resource.

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- ~~Scotney Court Extension and Wall Farm, Jury's Gap Road, Camber, near Lydd~~ (14)
- ~~Broomhill, near Lydd~~ (15)

Clay:

- Ashdown Brickworks, Bexhill
- Little Standard Hill Farm, Ninfield
- Chailey Brickworks, Chailey
- Hastings Brickworks, Guestling
- Aldershaw Farm, near Hastings
- Horam Brickworks, Horam

Since the consultation in 2020, the wording of the policy has been updated to ensure that 'potentially' viable resources are safeguarded to address the issue of viability changing overtime.

This section replaces Safeguarding Mineral Resources (WMP14) on pages 86-88 of WMP and paragraphs 4.1 - 4.11 and Policy SP8 on pages 24-25 of the Waste and Minerals Sites Plan. Policies WMP14 and SP8 are superseded by Policy RM3.

Purpose of Policy RM3

To ensure known mineral resources of local importance are safeguarded.

6.31 *The National Planning Policy Framework requires MPAs to prevent mineral resources from being unnecessarily sterilised. Sterilisation of known or potential resources would reduce the ability and flexibility to supply future demand. However, it is also important to find a balance between protecting mineral resources for the future and allowing for necessary development of some of those areas.*

14 Permitted extraction sites (Scotney Court Farm, Scotney Court extension and Wall Farm) are currently being worked and near exhaustion at Lydd Quarry. The continued safeguarding of these sites is therefore not considered necessary. Furthermore, the area around Lydd Quarry is constrained by both National and International environmental designations and further working is not feasible due to the environmental constraints which are considered overriding.

15 The area around Lydd Quarry which includes Broomhill is constrained by both National and International environmental designations. Mineral working at Broomhill would therefore not be feasible due to the significant harm mineral working would cause to the interests of designated sites which are considered overriding. Broomhill is therefore no longer safeguarded.

6.32 *Government advice contained in the NPPF and other guidance [16] requires mineral planning authorities to define Mineral Safeguarding Areas (MSAs) which should contain resources that are of local and national importance to warrant protection for future generations. Mineral safeguarding allows for potential resource to be examined; however, there is no presumption that resources defined in MSAs will be worked.*

6.33 *Minerals Consultation Areas are areas where Local Planning Authorities will consult with the Authorities on alternative development proposals, not including excluded development. They have been identified using information on known minerals resources and existing permitted extraction and transport infrastructure sites.*

6.34 *Where non-mineral development is proposed which could potentially sterilise minerals resource, developers will be required to carry out investigation work to ascertain whether economically viable mineral resources are present and whether prior extraction is practicable. The results of this work should be reported in a 'Minerals Resource Assessment' which should be proportionate to the nature and scale of the proposal (for more detail see separate guidance on safeguarding). For the Authorities to raise no objection to the non-mineral development, they will need to be satisfied that either minerals sterilisation will not occur (either because the mineral resources are not economically viable or that an appropriate and practicable level of prior extraction can take place) or because there is an overriding need for the development.*

6.35 *Clay sites, permitted Gypsum reserves and soft sand are safeguarded. No strategic need for chalk extraction was identified in the WMP, and there is no evidence to suggests that the situation has altered. No areas have therefore been identified to safeguard chalk resource within the review.*

Soft Sand

6.36 *When considering proposals for mineral extraction, national policy[17] requires planning authorities to 'provide the provision of non-energy minerals outside of National Parks, the Broads, Areas of Outstanding Natural beauty and World Heritage Sites, scheduled monuments and conversation areas' where practicable. However, the soft sand resource within East Sussex lies entirely within the boundary of the South Downs National Park. This soft sand resource then extends through the SDNP and its boundary in West Sussex and Hampshire.*

6.37 *As soft sand resource in the south east is relatively limited and constrained by a number of designated landscapes[18], the Plan safeguards the extent of the soft sand resource in East Sussex.*

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16 *British Geological Survey (BGS) guidance for Mineral Safeguarding published in 2011.*

17 *NPPF paragraph 211*

18 *South East Soft Sand Position Statement*

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6.38 *The Authorities consider that the following categories of development/application type are exempt from the Policy requirements of RM3, RM4, RM5 and RM7. The exemptions would apply to sites located in MSAs and MCAs; to the requirements for prior extraction; and for consultations relating to both mineral resources sites and minerals infrastructure sites. Those listed would also be exempt from the requirements of Mineral Resource and Infrastructure Assessments.*

Excluded Development

- *Householder planning consent: Applications for alterations to existing single buildings including works within the boundary/garden of a house i.e. domestic extensions, conservatories, loft conversions, dormer windows, garages and similar structures (car ports, outbuildings) within the curtilage of an existing dwellinghouse*
- *Applications for Advertisement Consent*
- *Applications for Listed Building Consent*
- *Lawful Development Certificate (LDC) for existing use, proposed use, or operation or activity in breach of a planning condition*
- *Applications for Tree Works (including consent under Tree Preservation Orders and notification of proposed works to trees in conservation areas)*
- *Application for non-material amendments*
- *Applications for small-scale urban infill development within existing built-up areas i.e. the development of a small gap between existing buildings/enclosed by other types of development*
- *Developments within a conservation area within existing urban areas*

Policy RM3

Minerals Safeguarding Areas

Mineral Safeguarding Areas (MSAs), as shown on the Policies Map, identify potentially viable land-won mineral resources and sites.

Proposals for non-minerals development on or near the MSA that would sterilise or prejudice the extraction of the mineral resource, or result in incompatible development, should not be permitted.

Development proposals within areas shown as Mineral Safeguarding Areas on the Policies Map or that may affect a mineral operation or resource, must demonstrate that mineral resources will not be sterilised and the development is not incompatible with any permitted minerals operations.

The Authorities will periodically review and update Mineral Safeguarding Areas as required.

Prior Extraction of Mineral Resources (RM4)

Explanation

Prior extraction of minerals resources is required by the NPPF (2021) to be promoted and considered for development proposals which would sterilise resources. Following an assessment of viability of sand and gravel resource within the Plan Area, it is proposed that no additional sharp sand and gravel resource will be safeguarded. A prior extraction policy is required to ensure that soft sand resource (all of which is to be safeguarded), clay and gypsum reserves are appropriately safeguarded and does not become sterilised. A separate policy requiring prior extraction where feasible and practicable has been included.

No changes to the direction of this Policy have been made since the 2020 consultation. For clarity, some minor updates to the supporting text have been made.

Purpose of Policy RM4

To ensure the best and most sustainable use of minerals by seeking their extraction prior to development.

6.39 *The NPPF requires that MPAs should set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place. Where non-mineral development is proposed, developers may be required to carry out investigation work to ascertain whether there are economically viable mineral resources present and whether prior extraction is practicable. The results of this work should be presented within a Minerals Resource Assessment (MRA) which should be proportionate to the nature and scale of the proposal. Guidance on preparing a MRA can be found within the separate guidance document on safeguarding. The Minerals Resource Assessment may conclude that prior extraction is not practicable due to constraints and location, delay to construction timetable, and effect on landform thereby making the site not viable for the proposed development.*

6.40 *The Mineral Planning Authority will consider the conclusions of the Minerals Resource Assessment, including on prior extraction, in forming its view on the proposed development and provide advice to the Local Planning Authority.*

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6.41 *Where planning permission is granted for the prior extraction of minerals, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.*

6.42 *Policy RM4 must be read in conjunction with the Excluded Development list, please refer to paragraph 6.38 for further details.*

Policy RM4

Prior Extraction of Mineral Resources

All developments permitted within Mineral Safeguarding Areas should undertake prior extraction unless it can be demonstrated to the satisfaction of the MPA that:

a)The mineral resource would not be sterilised by the proposed development.

and/or

b)The mineral cannot be practically or feasibly extracted.

Safeguarding Minerals Infrastructure (RM5)

Explanation

Safeguarding protects existing and planned infrastructure, such as railheads and wharves, which are integral to the supply, storage and transportation of minerals. Within the Plan Area, wharves at the ports of Newhaven, Shoreham and Rye are safeguarded in order to preserve mineral landing capacity, along with railheads at Newhaven and the British Gypsum rail facility near Robertsbridge. It is, therefore, important to review safeguarding arrangements at the same time as a review of mineral provision.

The introduction of sensitive land uses in close proximity to minerals operations can have a detrimental impact on their ability to effectively operate. Issues such as noise and dust from existing infrastructure sites can affect incompatible development such as residential uses negatively. It is necessary to protect these mineral facilities from encroachment of non-minerals development to support continued effective working of these facilities, therefore it is proposed that reference to the Agent of Change principle (para 187 of NPPF) is added to the Policy. *The list of safeguarded minerals infrastructure sites will be moved to the Policies Map.*

The Newhaven Enterprise Zone, and its Strategic Framework, which includes the Port of North Quay has been considered as part of the review. However, it is considered that there is no need to change the direction or wording of the policy.

Since the 2020 consultation, the direction of the policy has not changed, however amendments have been made to the supporting text. The term 'disturbance' is now defined within the supporting text. The wording within the policy has also been amended to ensure consistency with other policies.

It is proposed that this section replaces Safeguarding Railheads and Wharves Policy (WMP15) on pages 89-90 of WMP and pages 26-27 of the Waste and Minerals Sites Plan, and that Policies WMP15 and SP9 are superseded by RM5.

Purpose of Policy RM5

To ensure the continued provision of minerals to the plan area by protecting essential minerals infrastructure from encroaching development.

6.43 *National Policy requires Mineral Planning Authorities (MPAs) to assess the need for existing, planned and potential wharf and rail facilities to be safeguarded and to encourage and promote the use of sustainable transport modes for the movement of minerals. Sustaining imports of marine aggregates through local wharves is particularly important in the Plan Area because of the scarcity of viable land based mineral resources in this area.*

6.44 *Marine borne aggregates are currently imported at the Ports of Rye, Newhaven and Shoreham. Material for the plasterboard factory at Robertsbridge is imported by rail. Bottom ash produced by the Newhaven Energy Recovery Facility is exported by rail to a processing facility outside the County. Crushed rock and other aggregates are imported by rail into the Plan Area at Newhaven. The majority of aggregates movements within the Plan Area are currently made by road.*

6.45 *There are currently no active chalk sites in the Plan Area and more recently chalk has been imported by road from West Sussex. Clay resources are linked to brickworks and none of these sites are close to rail facilities or ports to transport bricks within or out of the Plan Area. More detailed support for a modal shift in transportation of minerals is covered in Policy WMP 18.*

6 Providing for Minerals

6.46 *Proposals for other uses at minerals wharves must demonstrate that sufficient alternative mineral wharf capacity (tonnage) is deliverable and available to ensure no net loss of capacity within the port before the Authorities would accede to alternative development of the site. Proposals for new residential, business or amenity development in proximity to aggregate wharves should be assessed to ensure the impact of existing operations is fully addressed. The safeguarding arrangements would apply to all existing permitted, planned and potential (e.g. when new sites come forward or when suitable sites are released from their previous use) sites regardless of whether they are currently in use.*

6.47 *Proposals affecting safeguarded mineral infrastructure sites or within MCAs around these, including rail depots, wharves, concrete batching and asphalt plants, and aggregate recycling sites should be supported by a Mineral Infrastructure Assessment (MIA). This should provide sufficient evidence which is proportionate to the nature and type of development, to enable the MPA to assess whether the proposed development is likely to have an adverse effect on the facility including its capacity. Further guidance on preparing the MIA can be found within the separate guidance document on safeguarding.*

6.48 *The NPPF requires that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Development proposals in the vicinity of safeguarded wharves (including vacant wharves) and railheads should be designed to minimise the potential for conflicts of use and disturbance (e.g. light disturbance, noise pollution, dust, odour, other emissions, impact on visual amenity of potential occupiers and impacts arising from traffic movements associated with Minerals Infrastructure sites), in line with the Agent of Change principle as set out within the NPPF[(19)].*

6.49 *The Joint Area Action Plan (JAAP) for Shoreham Harbour which was adopted in October 2019 sets out the future vision and planning policies for the Shoreham Harbour regeneration area. The intention is to consolidate port related uses in the eastern harbour arm. It is important that wharf safeguarding policies are applied to ensure capacity is maintained whilst regeneration proposals come forward.*

6.50 *Shoreham Port is partly within West Sussex, so landings at wharves in the West Sussex part may also help meet demand in the western part of the Plan Area. On that basis, provision of equivalent capacity (tonnage) of minerals wharfage within either part of Shoreham Port may be acceptable subject to similar safeguarding by West Sussex County Council as Minerals Planning Authority. Future joint working by authorities on the JAAP has been addressed through a Statement of Common Ground which has been agreed between the Shoreham Harbour Planning Authorities and the Shoreham Port Authority.*

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19 Paragraph 187 of the NPPF (2021)

6.51 *The wharves and railheads safeguarded for the purposes of minerals transportation are listed on the Policies Map. A list of the permitted mineral infrastructure sites is published alongside the Annual Monitoring Report (AMR) on the County Council's website. It is updated periodically outside the Annual Monitoring Report process. Updated GIS layers are re-issued accordingly.*

6.52 *Policy RM5 must be read in conjunction with the Excluded Development List, please refer to paragraph 6.38 for further details.*

Policy RM5

Safeguarding Minerals Infrastructure

Existing, planned and potential minerals wharf and railhead facilities (including rail sidings) and their consequential capacity are safeguarded in order to contribute towards meeting local and regional supply for aggregates and other minerals as well as supporting modal shift in the transport of minerals. The need for railheads and minerals wharves will be monitored.

Capacity for landing, processing and handling and associated storage of minerals at wharves in Shoreham, Newhaven and Rye Ports is safeguarded. Alternative use proposals should demonstrate that there is no net loss of capacity for handling minerals within a port.

Proposals for non-minerals related uses within the vicinity of an infrastructure site should be designed to minimise the potential for conflicts of use and disturbance in accordance with the Agent of Change principle. Proposals for incompatible non-minerals development should not be permitted.

The Authorities will support the co-location of railheads and minerals wharves with processing capacity subject to it being demonstrated that this does not adversely affect space requirements for operational use.

The Authorities will periodically review and update Mineral Infrastructure Safeguarded Areas as required.

6 Providing for Minerals

Safeguarding facilities for concrete batching (etc.) (RM6)

Explanation

To ensure the plan remains relevant throughout the plan period, it is proposed that the list of safeguarded facilities is removed from the policy wording and is moved to the Policies Map. The policies map would be periodically reviewed and updated as necessary.

Since the 2020 consultation, the direction of the policy remains the same. The Policy wording has been amended to strengthen the wording and emphasise the limited circumstances in which permission may be granted. Reference to the agent of change principle has been added to supporting text to ensure consistency with other policies.

It is proposed that this section replaces pages 27-28 of the Waste and Minerals Sites Plan. Policy SP10 is proposed to be superseded by RM6, as drafted below.

Purpose of Policy RM6

To ensure adequate provision of minerals of the plan area by protecting infrastructure facilities from encroaching development.

6.53 *Whilst the development management of concrete batching and similar facilities are generally district and borough council planning matters, in order to provide a comprehensive safeguarding mechanism for minerals infrastructure in the Plan Area it is considered appropriate to safeguard such sites in the WMLP.*

6.54 *The NPPF requires that planning policies safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material. No such sites were received in response to the Call for Evidence and Sites consultation, and a need for additional facilities has not been identified.*

6.55 *Development proposals within the vicinity of safeguarded concrete batching, coated materials manufacture and other concrete products must be compatible with the operations at the safeguarded concrete and concrete products sites in accordance with the Agent of Change Principle and national* *policy* [20]*. Proposals should be accompanied by a proportionate Minerals Infrastructure Assessment (MIA) comprising a compatibility assessment. Further guidance on preparing the MIA can be found within the separate guidance document on safeguarding.*

6.56 *Safeguarded concrete batching facilities are listed on the Policies Map.*

Policy RM6

Safeguarding facilities for concrete batching, coated materials manufacture and other concrete products within the Plan Area

Facilities for concrete batching, coated materials manufacture and other concrete products are safeguarded against development that would unnecessarily sterilise the facility or prejudice its use. The safeguarded facilities are identified in the Policies Map.

Proposals for non-minerals development on or near the site that would prejudice the use of the facility, or result in incompatible development, should not be permitted. Planning permission will only be granted where it is demonstrated that:

- *the proposed development is in accordance with a site allocation in an adopted local plan or neighbourhood plan;*
- *the site is no longer needed;*
- *the proposal is of a temporary nature; or,*
- *the capacity of the site can be relocated elsewhere.*

The Authorities will periodically review and update safeguarded facilities as required.

Minerals Consultation Areas (RM7)

Explanation

Based on local constraints and changes to the surroundings of safeguarded sites, it is proposed that the extents of Mineral Consultation Areas are altered dependent on the constraints of each site. These can be found in the Policies Map.

20 *Paragraph 187 of the NPPF states that proposals must ensure that the new development can be integrated effectively with existing businesses and existing facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.*

6 Providing for Minerals

The proposed wording of this policy would allow the MPA discretion to raise concern in cases where the minerals sites and facilities may be adversely affected by non-minerals development.

In response to representations received during the 2020 consultation, to avoid confusion, reference to MSAs has been removed from the supporting text and the exemptions list has been moved earlier in the document.

It is proposed that this section replaces Minerals Consultation Areas (SP11) on pages 28 & 29 of the WMSP.

Purpose of Policy RM7

To ensure appropriate consultation is undertaken by Local Planning Authorities on alternative development proposals.

6.57 *Policies RM3 and RM5 seek to safeguard land-won minerals resources and minerals infrastructure from sterilisation and incompatible development. Minerals Consultation Areas (MCAs) are required to be defined by National Policy [21]. They are a means to ensure that, in determining non-minerals development by another local planning authority within the Plan Area, account is taken of the need to safeguard such assets. Brighton & Hove City Council and the South Downs National Park Authority can achieve this consideration within their own decision taking. In the County of East Sussex outside the South Downs National Park, local planning authorities need to consult the Minerals Planning Authority on relevant applications. To ensure a manageable process, Policy RM7 below sets out how the consultation process will be implemented.*

Policy RM7

Minerals Consultation Areas

Within the County of East Sussex outside the South Downs National Park, the local planning authority will consult the Minerals Planning Authority on non-minerals development affecting, or potentially affecting, existing minerals sites and facilities identified in the Policies Map. Neighbourhood planning groups will also need to consult the relevant MPA where allocating land affecting MSAs in their Neighbourhood Plan.

21 *Paragraph 210 of the NPPF (2021)*

Types of planning applications not included within the excluded development list which fall into a Mineral Consultation Areas (MCA) will require the consultation of the Minerals Planning Authority. MCAs will be updated when necessary and included in Annual Monitoring Reports, and the local planning authorities informed accordingly.

6.58 *Minerals Consultation Areas do not apply to development considered unlikely to affect MSAs. Please see paragraph 6.38 for further details.*

7 Development Management Policies

7.1 The Development Management Policies section in the WMLP sets out policies to be used in the determination of waste and minerals applications covering a range of topics such as environmental enhancement, transport, design and operation.

7.2 The Authorities' monitoring indicated that these policies are broadly operating as expected, and do not require altering at this time. However, it was identified that the supporting text of Policy WMP27 was factually incorrect and requires alteration. All other policies within this section apart from WMP27, which is to be replaced by Policy RD1 below, remain unchanged.

Environment and Environmental Enhancement (RD1)

Explanation

Policy WMP27 and its supporting text seeks to conserve and enhance the environment. This is a development management policy and is intended to be a general policy that can be applied to a wide range of proposals. Several changes are being proposed to this policy and its supporting text:

1. Addition of specific reference to net gain in biodiversity

In the NPPF it is identified that plans must contribute to net gain of biodiversity. Presently, WMP 27 seeks to maximise opportunities to increase biodiversity and habitat creation. The NPPF now requires almost all development to result in net gains in biodiversity. The policy has been updated to reflect this new emphasis. The policy text has also been shortened and made more flexible by identifying environmental and historic designations as a whole, instead of listing specific designations.

2. Alteration of supporting text in relation to Habitats Regulation Assessments

The supporting text of WMP27 provides guidance in a grey box to be used when undertaking Habitats Regulations Assessments (HRA), [22] which the Authorities are required to undertake at specific times set out in law. The first part of the HRA process is called screening, which identifies if further assessment is required.

22 The Conservation of Habitats and Species Regulations 2017 transposes the Habitats Directive and elements of the Birds Directive into English Law. These directives seek to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora and require certain assessments to be undertaken in certain circumstances.

Within the guidance in the grey box the third paragraph and footnote 89 makes reference to the advice given in the Design Manual for Roads and Bridges which indicates "*that if the increases in traffic* [arising from a development] *will amount to less than 200 Heavy Duty Vehicles (HDV) movements per day the development can be scoped out of further assessment*".

In 2017, a High Court judgement in the case of Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351 (Admin) found that in following the advice of the Design Manual for Roads and Bridges by using a 200 HDV vehicle limit as a threshold for screening, Lewes District Council, when undertaking a Habitats Regulation Assessment on their Joint Core Strategy, had failed to consider the cumulative impact of the development proposed in their local plan in combination with those proposed within the Wealden Local Plan. The judgement also undermined the use of a 1% threshold to determine if a scheme may be screened out. The supporting text in the WMP, which was based on the best advice available in 2013, follows an approach similar to Lewes District Council. The Authorities are, therefore, seeking to amend the supporting text in order to update it in light of the judgement.

3. Alteration to supporting text to Include of reference to soils in relation to biodiversity and climate change.

The importance of the biodiversity within soils and its potential to store carbon has significantly increased in the last few years. Measures for protecting and minimising disturbance to soils should be included in an Environmental Statement. Reference to this requirement is therefore included in the supporting text.

4. Additional changes between 2020 and 2021 version

Following the consultation on the Draft Revised Policies in 2020, Policy RD1 was revised. In summary:

- The policy text has been altered to align more closely with the NPPF (2021), and now refers to the Sussex Nature Recovery Network and any future Local Nature Recovery Strategy.
- Additional supporting text to reference the NPPF and the requirements within it have been added.
- The ambiguity in the policy text referring to 'a) above' has been clarified.
- The list of designations has been moved from the Policies Map to Appendix 3 of this document.
- Reference to landscape added; this was accidently omitted when WMP27 was first transposed.

7 Development Management Policies

7.3 **It is proposed that this section replaces Environment and Environmental Enhancement (WMP27) on pages 113-116 of the WMP. Policy WMP27 Environment and Environmental Enhancement would be superseded by RD1 Environment and Environmental Enhancement.**

Purpose of Policy

To conserve and enhance the built and natural environment including: natural assets; biodiversity and geodiversity; landscapes; historic environment; geology and geomorphology; Heritage assets; and landscape character.

7.4 *The Plan Area has a range of natural and built features which are recognised for their environmental and / or historic qualities, a number of which are formally recognised via international, national, or local level designations. Within the existing policy hierarchy, sites or features designated at a national or international level receive statutory protection via legislation. Others designated at a more local level carry less policy weight in decision-making, although the Authorities recognise that such features are an important part of the local environment.*

7.5 *Policy RD1 sets out the Plan's policy in respect to proposed minerals and waste development and the natural and historic environment. This policy is based on the principles set out in the NPPF. The NPPF also details information which applicants are expected to provide and contains guidance on how planning applications that affect environmental and historic sites should be determined in certain circumstances. Applicants are expected to provide the information as set out in the NPPF and the Minerals and Waste Planning Authority will follow the policy set out when determining planning applications.*

Policy RD1

Environment and Environmental Enhancement

To conserve and enhance the built and natural environment development should:

a) protect and enhance designated sites, areas and features of environmental, landscape and historic importance, as listed in Appendix 2;

b) provide measurable net gain in biodiversity and enhancement of natural capital, as guided by the Sussex Nature Recovery Network and any future Local Nature Recovery Strategy, following the mitigation hierarchy with gain provided on site where possible, or at the best strategic location for nature's recovery; and

c) maximise opportunities for functional habitat creation including inter-connectivity between habitats within and outside the site.

Permission will not be granted where:

x) a site or area of national or international importance is adversely affected, or an appropriate assessment has concluded that the plan or project may adversely affect the integrity of the site or area, unless there are no alternative solutions and there is an imperative overriding public interest for the development, or

y) the development would have a significant adverse impact on such a site, area or feature as referred to in a. above.

7.6 *Proposals are expected to assess the topics raised under this Policy within an Environmental Statement, particularly if there are known features in the vicinity of the application site. Any proposals for net gain in biodiversity to be achieved should be proportionate to the proposed development and its location in relation to the Nature Recovery Network. Applicants are expected to follow the latest biodiversity net-gain best practice when addressing this policy.*

7.7 *The importance placed on the biodiversity within soils and its potential to store carbon has significantly increased in the last few years. Both waste and minerals development can result in a large amount of soil disturbance .The Environmental Statement accompanying such proposals should therefore include details of how soil disturbance is to be minimised. Best practice examples are set out in the Defra publication 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites'.*

7 Development Management Policies

7.8 *A list of different types of designated sites, priority, legally protected and notable species & habitats, (including irreplaceable habitats) are included in Appendix 2. Where there is evidence that identifies an un-designated environmental or historic site, area or feature as important, these are considered in the same way as designated sites of similar characteristics, following best practice guidance in relation to species..*

7.9 *When assessing significance, the appropriate tests as set out in the NPPF, where relevant, should be applied. At the time of publication, this is paragraphs 176, 180, 181 (natural environment), 194 and 197-205 (heritage assets) of the NPPF (Feb 2021).*

7.10 *In the cases where proposed development may affect the integrity of sites or areas that are subject to the Habitat Regulations and Appropriate Assessment, the presumption is that development should not be permitted. This follows the broad approach set out in the NPPF and the Habitats Directive, and will be appropriate for the vast majority of proposed developments. The Habitats Regulations do make an exception in instances where, subject to a number of strict requirements, there are clear imperative reasons of overriding public interest for the development. When considering the proposal due weight will be given to the approach the applicant has taken to follow the Habits Regulations, and the reasons of overriding public interest that are put forward.*

7.11 *Where appropriate, the Authorities will include planning conditions that provide for notification, evaluation and (if confirmed) recording of important natural or archaeological features that may be encountered and, where relevant, the retrieval of finds and placing in recognised national collections. Agreements for restoration, after-care and after-use will be flexible to allow for active conservation of any interest, as they are discovered, throughout the life of the planning permission.*

8 Implementation and Monitoring

8.1 **It is proposed that the implementation and monitoring table in section 7 of the Waste and Minerals Plan (pages 120-137) is updated. Entries for policies WMP4, WMP7a, WMP7b, WMP11, WMP14, WMP15 and WMP27 would be deleted and replaced with the table below.**

8.2 *Monitoring and reporting on the implementation of the policies in the Plan is important to establish whether they are being successful in achieving their aims. Monitoring also allows corrective action to be taken if the aims of the Plan are not being met. Performance of the policies is currently and will continue to be evaluated yearly and reported via the Local Aggregates Assessment and Annual Monitoring Report.*

Policy	*Delivery Body/Mechanism*	*Key Delivery Partners*	*Delivery Target (how much, when, where)*	*Delivery Indicator*
RW1 - Sustainable Locations for Waste Development	*ESCC, BHCC, SDNPA* *Strategic waste facilities developed in the most sustainable locations.*	*Waste industry* *Minerals industry*	*Strategic facilities located consistent with the approach identified in the Plan.*	*Locations of waste facilities consistent with policy.*
WMP4	*ESCC , BHCC, SDNPA* *Identification of locations for mineral infrastructure, processing of secondary minerals, and for recycling of mineral resources.*	*Minerals industry* *Environment Agency* *Landowners* *Port Authorities*	*A proportional increase in use of secondary or recycled materials in relation to total minerals used.* *Sufficient primary and secondary aggregates provided to the Plan Area over plan period*	*Data about minerals produced in the Plan Area or imported into the Plan Area.*

8 Implementation and Monitoring

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
				Data about C&D waste being recycled at permitted waste sites.
RM0 Sustainable Use of Aggregates	*ESCC, BHCC, SDNPA,* *Change in construction practices*	*District/Borough Councils* *Development Industry*	*Sustainable use of aggregates being a considered as a design consideration in the design of all developments.*	Policy Citation / Consideration of aggregate usage in design in random sample review of Design and Access Statement / Planning Statements
RM1 Provision of Aggregates	*ESCC, BHCC, SDNPA* *Importation of aggregates by sea, rail, and road. Provision of recycled and secondary aggregates for use in the Plan Area*	*Minerals industry* *CDEW industry* *Environment Agency* *Landowners* *Port Authorities*	*Sufficient primary and recycled/secondary aggregates provided to the Plan Area over plan period.*	*Data on imports of aggregates to the Plan Area.* *Consumption of aggregates in the Plan area.*

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
		MMO *Crown Estate*		*Data about C&D waste being recycled at permitted waste sites.*
RM2 - Provision for an additional extraction area at Aldershaw Farm	*Policy RM2 is monitored under the arrangements for WMP13 Provision of Clay.*			
RM3 - Safeguarding Mineral Resources *RM4 - Prior Extraction of Minerals Resources*	*ESCC, BHCC, SDNPA* *Safeguarding of land-won resources and identifying consultation areas. Development industry to undertake prior extraction of minerals where feasible.* *Review Minerals Resource Assessments.*	*District/Borough councils.* *Minerals industry* *Environment Agency* *Natural England* *Development industry*	*No viable resources sterilised.*	*Number of applications for built development on safeguarded or consultation areas.* *Tonnage figures of prior extracted resources.* *Review of Minerals Resource Assessments and number of applications for prior extraction proposals*

8 Implementation and Monitoring

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
RM5 - Safeguarding Minerals Infrastructure	*ESCC & BHCC* *Identify and safeguard sites and capacities at wharves and railheads.* *Review Minerals Infrastructure Assessments.*	*District/Borough councils and regeneration area partners* *Port Authorities* *Minerals industry* *Waste industry* *Network Rail*	*No net loss of wharf/rail capacity in the Plan Area.*	*Annual monitoring of wharf status (active or redundant) and existing rail sidings/tracks.* *Number of applications for built development on safeguarded wharves/rail sidings.* *Review of Minerals Resource Assessments and number of applications for prior extraction proposals*
RM6 -Safeguarding Facilities for Concrete Batching	*ESCC, BHCC, SDNPA and relevant districts & boroughs.* *Identify and safeguard sites. Implement consultation areas.*	*District & Borough Councils.* *Aggregates manufacturing industry.*	*No net loss of concrete batching facilities. Proposals should be compatible with batching plants.*	*Ongoing monitoring through the consultation process.*

Implementation and Monitoring 8

Policy	Delivery Body/Mechanism	Key Delivery Partners	Delivery Target (how much, when, where)	Delivery Indicator
RD1 - Environment and Environmental Enhancement	*ESCC, BHCC, SDNPA* *Industry to address environmental protection in proposals.*	*Waste/minerals industry* *Environment Agency* *Natural England*	*Proposals should minimise environmental impacts where possible and mitigate where necessary.* *Overall maintenance, and where possible enhancement, of environmental assets in the Plan Area.*	*Ongoing monitoring of conditions on waste developments.* *Enforcement cases or complaints about environmental assets related to waste/minerals developments.* *Proposals resulting in net gain.*

9 Summary of Proposed Amendments

Document - Section [Page numbers]	Proposed Amendment(s)	Reason(s) for Review
WMP - Overarching Strategy: Local Strategy Statement - Approach to Key 'Larger than Local' Matters [p25-32]	The section Local Strategy Statement - Approach to Key 'Larger than Local' Matters **is deleted**.	Factual update.
WMP Minerals and Waste Development in the South Downs National Park (WMP2)	**Replaced by** RPD - Minerals and Waste Development affecting the South Downs National Park and High Weald Area of Outstanding Natural Beauty (RV1) [p15-18]	Clarification of policy and factual update.
WMP - Sustainable Locations for Waste Development (WMP7a, 7b) [p59-62]	**Replaced by** RPD - Sustainable Locations for Waste Development Policy (RW1) [p19-22]	To clarify an ambiguity in the existing policy requirements.
	New Policy RPD - Sustainable Use of Aggregates (RM0) [p23-24]	New policy introduced to ensure sustainable use of aggregate.
WMP - Provision of Aggregates (WMP11) [p78-81]	**Replaced by** RPD - Provision of Aggregates (RM1) [p25-32]	To reassess the approach to aggregates provision in the context of depleting permitted land-won reserves in the Plan Area. Following consideration of reasonable alternatives, the new approach does not allocate any additional sites, but will rely on imported material and recycled aggregate.
WMP - Provision of Clay (WMP13) [p84-85]	**Additional Policy added** RPD - Provision for additional extraction area at Aldershaw Farm (RM2) [p32-35]	To support area of additional clay extraction area for clay extraction at the existing Aldershaw Quarry in response to a submission to the 'call for sites'.
WMSP - Section 4 Providing for Minerals paragraphs 4.1 to 4.6 [p24]	WMSP - Section 4 Providing for Minerals paragraphs 4.1 to 4.6 [p24] **are deleted**.	Factual update to reflect proposed amendments.

Summary of Proposed Amendments 9

Document - Section [Page numbers]	Proposed Amendment(s)	Reason(s) for Review
WMP - Safeguarding Minerals Resources (WMP14) [p86-88] WMSP - Safeguarding Minerals Resources (paragraphs 4.1-4.23) and Policy SP8 Minerals Safeguarding Areas for land won minerals resources within the Plan Area [p24-25]	**Replaced by** RPD - Safeguarding Minerals Resources (RM3) [p35-31]	To consolidate the policy requirements into a single policy for added clarity.
	New Policy RPD - Prior Extraction of Minerals (RM4) [p32-40]	New policy requirement to require extraction of mineral resources prior to alternative development proposals commencing within Minerals Safeguarding Areas in some circumstances
WMP - Safeguarding Railheads and Wharves (WMP15) [p89-90] WMSP - Safeguarding Wharves, Railheads and Concrete Batching: Wharves and Railheads (paragraphs 4.12-4.19) and Policy SP9 Safeguarding wharves and railheads within the Plan Area, Sand [p26-27]	**Replaced by** RPD - Safeguarding Wharves and Railheads (RM5) [p40-44]	To incorporate reference to the 'agent of change' principle introduced in the revised National Planning Policy Framework
WMSP - Safeguarding Wharves, Railheads and Concrete Batching: Concrete Batching Plants (paragraphs 4.20-4.21) and Policy SP10 Safeguarding facilities for concrete batching, coated	**Replaced by** RPD - Safeguarding facilities for concrete batching, coated materials manufacture and other concrete products with the Plan Area (RM6) [p44-54]	To remove the list of safeguarded facilities from the policy wording and instead illustrate on the Policies Map, to enable easier updating.

9 Summary of Proposed Amendments

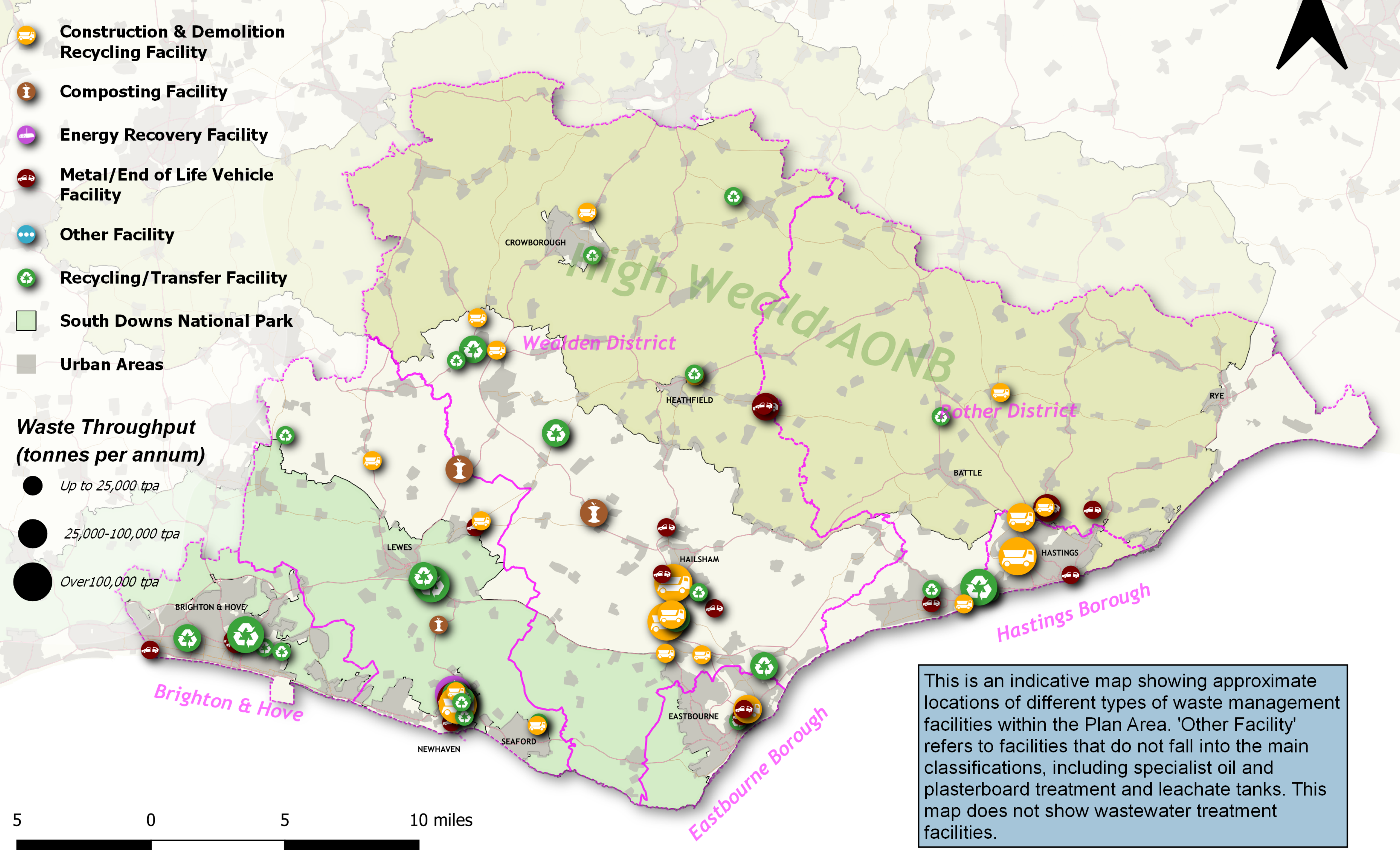
Document - Section [Page numbers]	Proposed Amendment(s)	Reason(s) for Review
minerals manufacture and other concrete products within the Plan Area		
WMSP - Minerals Consultation Areas (paragraphs 4.22-4.23) and Policy SP11 Minerals Consultation Areas [p28-29]	**Replaced by** RPD - Minerals Consultation Areas (RM7) [p46-47]	To revise the extents of Mineral Consultation Areas to take into account the constraints of each site.
WMP - Environment and Environmental Enhancement (WMP27) [p##-##]	**Replaced by** RPD - Environment and Environmental Enhancement (RD1) [p48-52]	1. To add a requirement for a net gain in biodiversity. 2. To update the policy requirements to take into account the judgement in Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] 3. Factual update to incorporate reference to soils conservation

Table 1

10 Maps

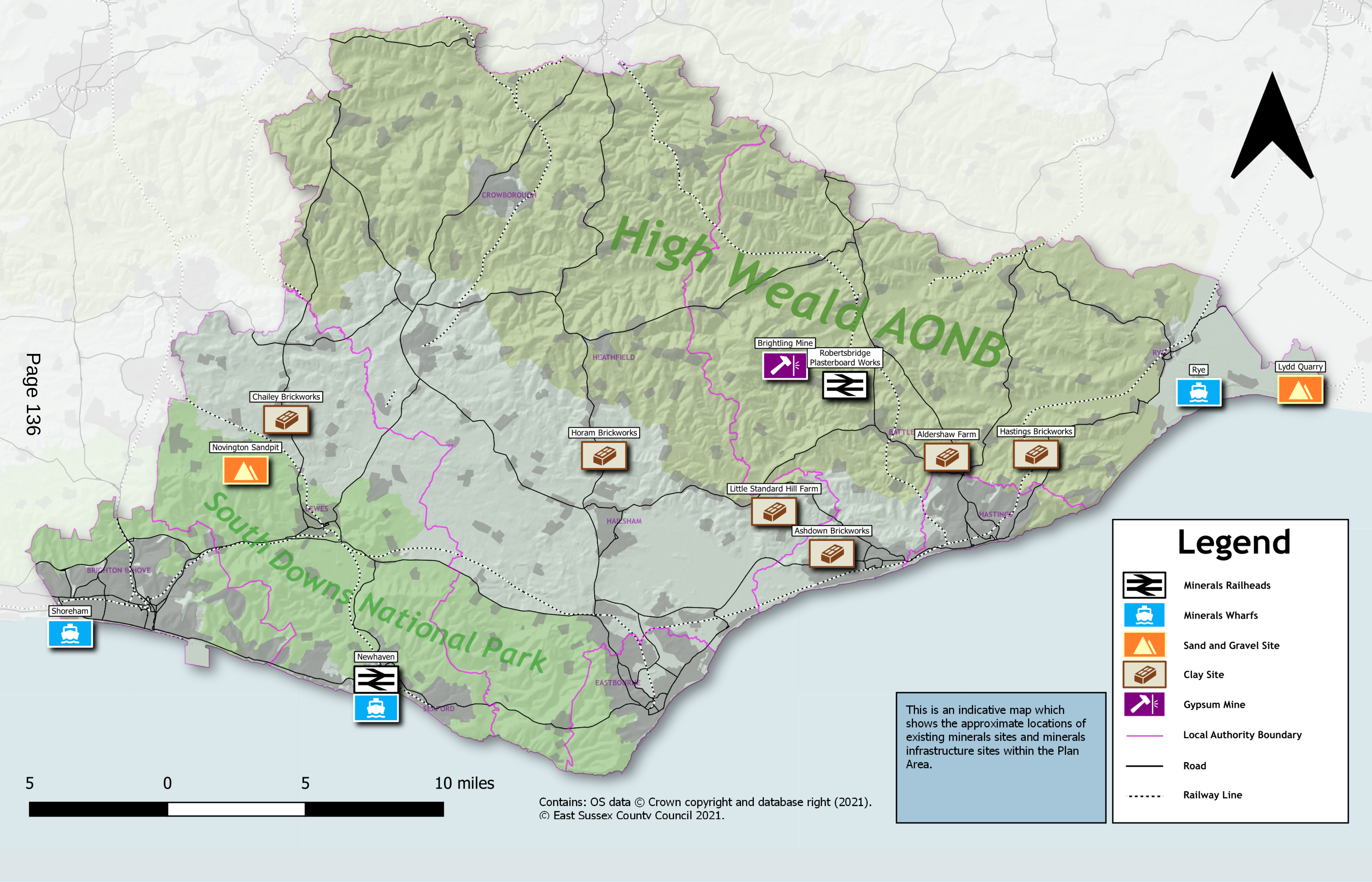
10.1 Location of Waste Management Facilities Map

Locations of Existing Permitted Waste Management Sites Within the Plan Area



10.2 Minerals Sites and Infrastructure Map

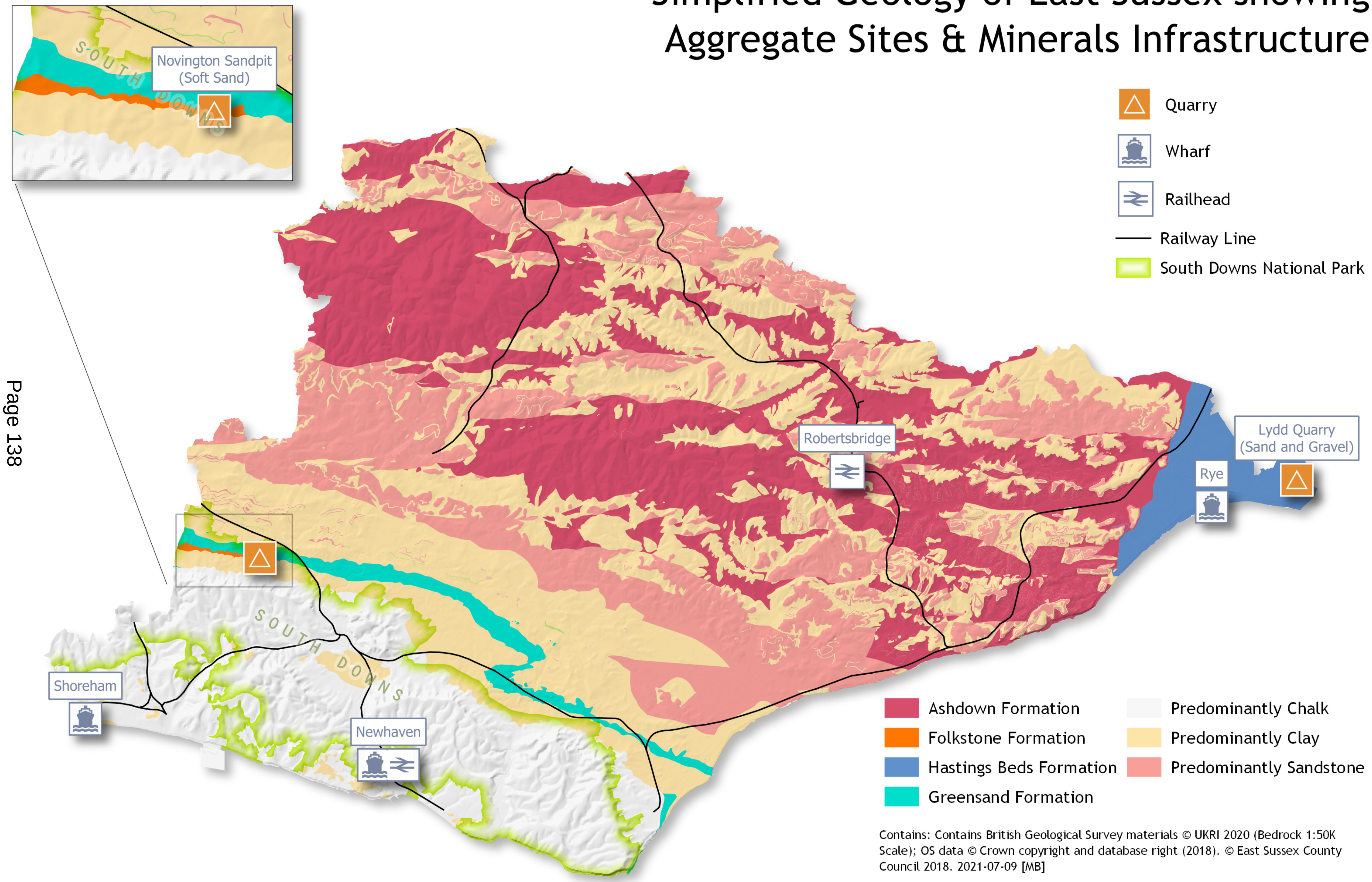
Locations of Existing Minerals Sites and Infrastructure Within the Plan Area



This is an indicative map which shows the approximate locations of existing minerals sites and minerals infrastructure sites within the Plan Area.

10.3 Simplified Geology Map

Simplified Geology of East Sussex showing Aggregate Sites & Minerals Infrastructure



11 List of Designated Sites, Areas and Features (RD1)

Historic

- Scheduled Monuments
- Registered Parks and Gardens
- Registered Battlefields
- Designated Wreck Sites
- Listed Buildings
- Conservation Areas

Environmental

- Areas of Outstanding Natural Beauty (AONB)
- South Downs National Park
- Special Areas of Conservation
- Special Protection Areas
- Ramsar Site
- National Nature Reserves
- Sites of Special Scientific Interest
- Ancient Woodlands
- Marine Conservation Zones
- High Quality Agricultural Land
- UK BAP Priority Habitats (JNCC - Adviser to Government on Nature Conservation)
- The habitats of Section 41 Species (naturalengland.org.uk)
- Local Nature Reserves
- Local Wildlife Sites
- Biodiversity Net-Gain Sites

Landscape

- East Sussex Landscape Character Areas

12 Glossary

Annual Monitoring Report (AMR) - a yearly report produced by the Authorities which monitors the effectiveness of the Local Plan and its policies.

Area of Focus - broad locations that are considered suitable, in principle, for the development of waste recycling and recovery facilities as defined in paragraph 5.7 of this document.

Area of Outstanding Natural Beauty (AONB) – area with a statutory national landscape designation, the primary purpose of which is to conserve and enhance natural beauty.

Call for Evidence and Sites (CfES) - a public consultation event where a council or authority asks for landowners, developers or any other interested parties to submit a site to be considered for inclusion in a Local Plan.

Commercial and Industrial Waste (C&I) - waste produced by business and commerce, which includes waste from restaurants, offices, retail and wholesale businesses, and manufacturing industries.

Construction, Demolition and Excavation waste (CDEW) - Waste arising from the construction and demolition of buildings and infrastructure. Materials arising in each of the three streams (i.e. Construction; Demolition; Excavation) are substantially different: construction waste being composed of mixed non inert materials e.g. timber off cuts, plasterboard, metal banding, plastic packaging; demolition waste being primarily hard materials with some non inert content e.g. bricks, mortar, reinforced concrete; and excavation waste being almost solely soft inert material e.g. soil and stones.

Energy Recovery – covers a number of established and emerging technologies, though most energy recovery is through incineration technologies. Many wastes are combustible, with relatively high calorific values – this energy can be recovered through processes such as incineration with electricity generation, gasification or pyrolysis.

Incinerator Bottom Ash (IBA) – a burnt residue produced as a by-product of burning of waste at high temperatures under controlled conditions.

Local Aggregate Assessment (LAA) - a yearly monitoring report required by the NPPF in which the Minerals Planning Authority forecast and assess the aggregates produced, imported and used within the Plan Area.

Local Authority Collected Waste (LACW) – formally known as Municipal Solid Waste (MSW), is waste that is collected by a waste collection authority. The majority is household waste, but LACW waste also includes waste from municipal parks and gardens, beach cleansing, cleared fly-tipped materials and some commercial waste.

Marine Dredged Aggregates (MDA) – aggregates sourced by dredging from the sea bed.

Marine-Borne Material - minerals including aggregates transported and imported by sea, which may be either dredged from the sea bed or transported from other areas.

Materials Recovery Facility - facility which receives and sorts recyclable materials for processing.

Mineral Consultation Areas - areas of where district and borough planning authorities should notify the County Council if applications for development come forward. This should prevent mineral resource being lost ('sterilised') or minerals infrastructure being adversely affected.

Minerals Infrastructure - sites and facilities required for the landing, importation, storing, handling, sorting, processing and transportation of both land-won and marine-borne minerals.

Minerals Infrastructure Assessment - a document to assess whether the proposed development is likely to have an adverse effect on the infrastructure facility including its capacity. For further information see Minerals Product Association / Planning Officers Society guidance.

Minerals Resource Assessment - an assessment to provide sufficient information to enable the Minerals Planning Authority and Local Planning Authority to consider the potential effect of non-exempt development in MSAs/MCAs on safeguarded minerals resrouces, and the viability of prior extraction of mineral ahead or in conjunction with the non-mineral development. For further information see Minerals Product Association / Planning Officers Society guidance guidance.

Mineral Safeguarding Areas - areas of known mineral resource that are of local or national importance (such as building stones) to warrant protection for the future.

Minerals Planning Authority (MPA) – the planning authority responsible for planning control of minerals development.

Mitigation – actions to prevent, avoid, or minimise the actual or potential adverse affects of a development, plan, or policy.

Non-inert Waste - Waste that is potentially biodegradable or may undergo any significant physical, chemical or biological change when deposited at a landfill site. Sometimes referred to as 'non-hazardous waste'.

Plan Area - The geographical area covered by this Plan. This encompasses the historic County of East Sussex, i.e. East Sussex, Brighton & Hove and the area of the South Downs National Park within East Sussex and Brighton & Hove.

Primary Aggregates – naturally-occurring mineral deposits that are used for the first time.

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Recovery - 'Recovery' refers to waste treatment processes such as anaerobic digestion, energy recovery via direct combustion, gasification, pyrolysis or other technologies. These processes can recover value from waste, for instance by recovering energy or compost, in addition they can reduce the mass of the waste and stabilise it prior to disposal. The definition of recovery set out in the EU Waste Framework Directive applies which states: " 'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy."

Recycled Aggregates - are derived from reprocessing waste arisings from construction and demolition activities (concrete, bricks, tiles), highway maintenance (asphalt planings), excavation and utility operations. Examples include recycled concrete from construction and demolition waste material, spent rail ballast, and recycled asphalt.

Recycling - the processing of waste materials into new products to prevent waste of potentially useful resources. This activity can include the physical sorting of waste which involves separating out certain materials from mixed waste.

Restoration - methods by which the land is returned to a condition suitable for an agreed after-use following the completion of waste or minerals operations.

Secondary Aggregates - recycled material that can be used in place of primary aggregates. Usually a by-product of other industrial processes. Examples include blast furnace slag, steel slag, pulverised-fuel ash (PFA), incinerator bottom ash, furnace bottom ash, recycled glass, slate aggregate, china clay sand, colliery spoil.

Sustainability Appraisal - a tool for appraising policies to ensure they reflect sustainable development objectives. The Planning and Compulsory Purchase Act 2004 requires a sustainability appraisal to be undertaken for all development plan documents.

Sustainable Development – in the broadest sense, sustainable development is about ensuring well-being and quality of life for everyone, now and for generations to come, by meeting social and environmental as well as economic needs.

Transfer Facility - facility where waste is bulked up before being transported to another facility for further processing.

Waste and Minerals Local Plan (WMLP) – term used to describe the suite of Plan Documents and other items prepared by the Authorities, that outline the planning strategy for waste and minerals for the Plan Area.

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Waste and Minerals Plan (WMP) - the plan that sets out the long-term spatial vision for the area and the strategic policies to deliver that vision.

Waste and Minerals Sites Plan (WMSP) - the plan that details specific sites where waste and minerals development is preferred.

Abbreviations

AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
BAP	Biodiversity Action Plan
CDEW	Construction, Demolition and Excavation Waste
CfES	Call for Evidence and Sites
C&I	Commercial & Industrial Waste
DtC	Duty to Cooperate
DSG	Desulphogypsum
LAA	Local Aggregate Assessment
LACW	Local Authority Collected Waste
MCA	Mineral Consultation Area
MDA	Marine Dredged Aggregate
MIA	Minerals Infrastructure Assessment
MMO	Marine Management Organisation
MPA	Minerals Planning Authority
MRA	Minerals Resource Assessment
MSA	Mineral Safeguarding Area
NPPF	National Planning Policy Framework
RPD	Revised Policies Document
SA	Sustainability Appraisal

12 Glossary

SAC	Special Area of Conservation
SDNP	South Downs National Park
SDNPA	South Downs National Park Authority
SoCG	Statement of Common Ground
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
WMP	Waste and Minerals Plan
WMLP	Waste and Minerals Local Plan
WMSP	Waste and Minerals Site Plan

Table 1

13 References

2030 Climate Challenge, RIBA.

Brighton & Hove Local Transport Plan 4, Brighton & Hove City Council (2015).

Buildings Mission 2030, Green Construction Board (2019).

Carbon Neutral 2030 Programme, Brighton & Hove City Council (2021).

Circular economy guidance for construction clients: How to practically apply circular economy principles at the project brief stage, UKGBC (2019).

Circular Economy Technical Advice Note, Lewes District Council.

Coast to Capital Local Enterprise Partnership.

East Sussex County Council's Climate Emergency Plan, East Sussex County Council (2020).

East Sussex Environment Strategy 2020, East Sussex Environment Board (2020).

East Sussex Local Transport Plan 3, East Sussex County Council (2011).

East Sussex Waste and Minerals Monitoring Reports and Local Aggregate Assessments.

East Sussex Waste and Minerals Plans.

Energy white paper: Powering our net zero future, Department for Business, Energy & Industrial Strategy (2020).

Environment Bill, Department for Environment, Food and Rural Affairs.

High Weald AONB Management Plan, High Weald Joint Advisory Committee.

Joint Minerals Local Plan, West Sussex County Council and the South Downs National Park Authority (2021).

Minerals Safeguarding Practice Guidance, Planning Officers Society and Mineral Products Association.

National Planning Policy for Waste, Ministry of Housing, Communities & Local Government (2014).

Net Zero Carbon Buildings: A Framework Definition, UKGBC (2019).

Newhaven Enterprise Zone.

Our Waste, Our Resources: a Strategy for England, HM Government (2018).

13 References

Partnership Management Plan, South Downs National Park Authority.

The People and Nature Network, South Downs National Park Authority.

Planning Practice Guidance, Ministry of Housing, Communities & Local Government.

Practice Guidance on the Production and Use of Local Aggregate Assessments, Planning Officers Society and Mineral Products Association.

SDNPA Climate Change Adaptation Plan, South Downs National Park Authority (2015).

Shoreham Harbour Joint Area Action Plan, Adur District Council, Brighton & Hove City Council and West Sussex County Council (2018).

Shoreham Port Masterplan 2021, Shoreham Port Authority (2021).

Table 1

14 Copyright Notices

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Acronyms

East Sussex County Council: ESCC

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Base Map & Roads, Ordnance Survey, 2019. Archaeological Notification Areas, ESCC, 2019. Conservation Areas, Lewes District Council, Wealden District Council, Rother District Council, Eastbourne Borough Council, Hastings Borough Council, BHCC, 2019. Listed Buildings, Historic England, 2019. Registered Battlefields, Historic England, 2019. Scheduled Monuments, Historic England, 2019.
Ground Water Protection Zones, Environment Agency, 2019. Flood Zones 2 & 3, Environment Agency, 2019. Flood Zones 3a & 3b, ESCC 2018. Surface Water Flood Zones, Environment Agency 2019. Air Quality Management Areas, Lewes District Council, Rother District Council, Hastings Borough Council, BHCC, 2019. Ancient Woodland, Natural England, 2019. Area of Outstanding Natural Beauty (AONB), Natural England, 2019. Biodiversity Action Areas, Sussex Wildlife Partnership, 2019. DEFRA Noise Priority Areas, DEFRA, 2019.
Local Geological Sites, ESCC, 2019. Local Nature Reserve, ESCC, 2019. Marine Conservation Zone, DEFRA, 2019. National Park, Natural England, 2019. Ramsar Site, Natural England, 2019. Registered County Parks, Historic England, 2019. Rights of Way, ESCC, BHCC, 2019.
Sites of Nature Conservation Interest (SNCI), Natural England, 2019. Site of Special Scientific Interest (SSSI), Natural England, 2019. Special Area of Conservation (SAC), Natural England, 2019. Special Protection Area (SPA), Natural England, 2019.

Other information sourced internally from East Sussex County Council, the South Downs National Park Authority, and Brighton & Hove City Council and through submissions during the consultation process. Please reuse and recycle this document.

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APPENDIX 1

East Sussex County Council

Report to the Independent Remuneration Panel 2021

1. Background

1.1 The Independent Remuneration Panel (IRP) is required, by the Local Authorities (Members' Allowances) (England) Regulations 2003, to make recommendations to the Council on allowances paid to Councillors. In March 2013, the Council agreed that the Panel be asked to review the Scheme every 4 years in accordance with the Regulations unless the Assistant Chief Executive considers that there is a change in circumstances that justifies an earlier review or a request is received from a Group Leader. The Panel must produce a report making recommendations on:

(a) the responsibilities or duties in respect of which the following should be available:

(i) Special Responsibility Allowances (SRA);

(ii) travelling and subsistence allowance; and

(iii) co-optees' allowance;

(b) the amount of such allowances and as to the amount of basic allowance;

(c) whether dependants' carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;

(d) whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10(6);

(e) whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed.

1.2 The last full review of the ESCC Member Allowances Scheme was in 2017, although the Council agreed in July 2020 a recommendation from the IRP that a Special Responsibility Allowance should be payable to the Chair of the Pension Committee. Since 2017 the scheme allowances have risen annually in line with those of the Local Managers Pay (LMG).

1.3 Legislation requires that the index used for the purpose of annual adjustment of allowances must be reviewed after a maximum period of four years. As the scheme of allowances has not been reviewed for the same period, the Panel is asked to refresh the entire scheme. Since the review of the scheme undertaken in 2017 there has been a change to the scrutiny structure of the Council. In summary, the Council moved from a structure in which there were 5 scrutiny committees to structure in which there were 3 scrutiny committees and an Audit Committee. As part of its deliberations, the Panel has considered the report in which these changes were proposed in order to understand the impact of the changes to the structure.

2. The principles of the East Sussex scheme

2.1 The Panel has previously used the following principles when framing its recommendations:

- The review should take into account the value of the work undertaken by Members of the County Council and of the functions carried out by the Council.
- The system of allowances should acknowledge that public service, rather than material reward, should remain the primary motivation for involvement in local government.
- The scheme should be fair in terms of relevant comparisons with other public bodies.
- The system for the payment of Members' allowances should be simple to understand and administer.
- The scheme for Members' allowances should take into account the desirability of attracting people to take part in local government who reflect the population of East Sussex.
- The scheme should have regard to statutory guidance and relevant comparative information including local wage rates.
- SRAs should only be paid to reflect significant and exceptional additional work.

2.2 The Panel agreed that these principles should continue to be used when considering the Members' Allowances Scheme.

3. The review process

3.1 The Panel met during 2021 to review and consider information relevant to the review. All councillors were contacted regarding the review of the scheme of allowances and given an opportunity to submit written representations and/or to make representations in person. A summary of the written representations received is attached at Appendix 1.

3.2 The Panel is required to review allowances based on the facts and information provided to it. Although the Panel is not required to take into account the financial position of the County Council it was mindful of this factor and the impact of coronavirus. It is for County Councillors to decide whether to accept, reject or modify the Panel's recommendations in the light of current budgetary constraints.

4. The Scheme of Allowances

4.1 Annual increments for all allowances

The Panel has previously agreed that the all Member allowances rise incrementally each year in line with increases awarded to ESCC LMG managers. Over the last six years, these have been:

Year	Percentage increase in ESCC LMG salaries
2021/2022	Not yet agreed
2020/2021	2.75%
2019/2020	2%
2018/2019	2%

2017/2018	1%
2016/2017	1%

4.2 Having reviewed the position the Panel see no reason to change the provision for annual increments for 2021/22 but wish to review the scheme of allowances for 2022/23 in early 2022 and as part of the review, consider whether an index should be used and if so which index. The Panel recommends that:

- **The basic and special responsibility allowances be adjusted in 2021/22 in line with the Local Manager Group pay award (once agreed)**
- **The Panel reviews the scheme of allowances in early 2022 for 2022/23. As part of the review the Panel will make a recommendation as to whether an index should be used for that year and if so what the index should be**

5. Basic Allowance

5.1 The Panel considered all statements presented and compared the allowance with other similar county authorities. These included neighbouring authorities and those of a similar size.

5.2 The basic allowance for these authorities at the time of the Panel's report being finalised was as follows:

County Council (in order of population size)	**Basic Allowance (no. of cllrs)**
Kent	£15,406 (80)
Essex	£12,000 (75)
Hampshire	£12,489 (78)
Surrey	£12,748 (81)
West Sussex	£12,202 (70)
Oxfordshire	£11,013 (63)
Cambridgeshire	£10,315 (61)
East Sussex	£13,149 (50)

5.3 This table shows that the East Sussex County Council basic allowance is comparable with other authorities and at the current time the Panel is not proposing any increase to the basic allowance.

5.4 **The Panel recommends that the basic allowance remains at £13,149 for 2021/22 (subject to any change arising from the index link to the LMG pay award for this year)**

6. Special Responsibility Allowances (SRAs)

6.1 In reviewing the SRAs the Panel considered representations that had been made and was mindful of the principle that SRAs should only be paid to reflect significant and exceptional additional work.

6.2 SRAs are currently paid in respect of the following roles:

Role	No.	Amount (per councillor)
Leader	1	£36,817
Deputy Leader	1	£18,792
Other Cabinet Members	5	£16,107
Scrutiny Chairs	3	£6,711
Chair of Planning Committee	1	£6,711
Chair of Pension Committee	1	£6,711
Chair of the Audit Committee	1	£6,711
Chairman of the County Council	1	£13,420
Vice-Chairman of the County Council	1	£5,374
Leader of the largest Opposition Group	1	£13,420
Deputy Leader of the largest Opposition Group	1	£3,487
Leader of the second largest Opposition Group	2	£5,374 in total £2,687 for each co-leader
Chairs of Scrutiny Review Boards		£1,341

6.2 **Having reviewed the various SRAs, the Panel recommends that all SRAs remain unchanged and that no additional SRA is payable for other work/roles**.

7. Travel and subsistence

7.1 The basic mileage rate (45p per mile) reflects the rate recommended by the Inland Revenue. The current scheme also allows for an additional payment of 10p per mile for each passenger carried to encourage car sharing and to reduce pressure on parking. The scheme also includes a bicycle allowance of 20p per mile.

7.2 The Panel recommends **that the basic mileage rate and supplement for passengers remain at 45p and 10p per mile respectively and that the bicycle allowance remain at 20p per mile. The Panel also recommends that the subsistence rates remain unchanged.**

8. Dependent carer's allowance

8.1 The Scheme allows for payment of a dependent carer's allowance of the actual cost up to a maximum of £10 per hour. The Panel agreed that this should be reviewed it has not increased since 2009. An increase in this allowance may encourage residents of East Sussex to take a role in Local Government. The Panel considered that the allowances payable for dependent carers should be increased.

8.2 The Panel recommends that the dependent carer's allowance should be amended to the actual cost up to £15 per hour and that co-optees also be eligible to claim this allowance.

9. Co-optees' Allowance

9.1 The Panel noted that co-optees are currently able to claim mileage for their travel to meetings of their respective bodies or to boards when appointed. The Panel recommends that **this remain unchanged but that the scheme be amended to enable co-optees to claim for dependent carer's allowance for the actual cost up to £15 per hour.**

10. Other issues

Maternity and Paternity Leave

10.1 The Panel welcomed the fact that a report on a Maternity and Paternity Leave Policy for councillors was to be submitted to the Council's Governance Committee on 30 September 2021.

Representation on the Council

10.2 The Panel recommends that the political groups and the Council be proactive in encouraging a greater cross section of the community to stand for election in order to increase the diversity of councillors on the Council. It was noted that the basic allowance had increased by nearly 9% in 2017, partly with the intention of encouraging a greater cross section of the community to stand for election. In relation to a consultation/survey with under represented groups on the council - as suggested by a councillor, the Panel concluded that it might be more appropriate for political groups to consider this issue and any impact the increase in basic allowance in 2017 had had on candidates standing in the 2021 council elections.

Conclusion

The Panel would like to thank the councillors for their contributions and views in assisting the Panel to reach its decisions.

Fiona Leathers (Chair of the Panel)
Daphne Bagshawe
Duncan Keir

My only comment is that I see no justification for any increase in present circumstances.
No need for changes .
I would like to speak
Thanks for giving me the chance to make my views know about the Allowances. Is this in relation to the pay we receive every month? If it is, then I would recommend that a consultation be conducted with young people, people of colour and women in our communities – as they are under-represented in the Council. It would be useful to know whether the pay that is provided is a

APPENDIX 1

factor, and also what the other factors are that limit representation. I know that there is a limitation in terms of candidates. But young people may take up the opportunity more if they considered this as a proper job. Many would be unable to take this kind of role while starting out in their career, and would not be able to sustain themselves with the pay alone. I am sure financial hardship plays a part.

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Member Parental Leave Policy

The objective of this policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption and that reasonable and adequate arrangements are in place to provide cover for any special responsibilities during any period of leave taken.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any Member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of SRAs, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the Member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one SRA shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member’s maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

5. Local Member responsibilities [ESCC addition]

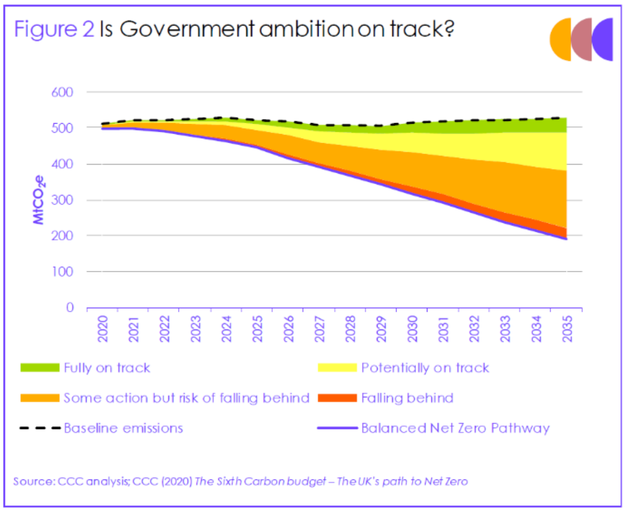
5.1 Any Member intending to take maternity, paternity, shared parental or adoption leave should ensure that they make arrangements for an alternative Member point of contact to be available to local residents in their division for the purposes of casework and other local Member enquiries.

Climate and Ecology Bill Briefing 10th September 2019

I. Why ESCC should support the Climate and Ecology Bill (also known as the Climate and Ecological Emergency Bill) **https://publications.parliament.uk/pa/bills/cbill/58-02/0061/21061.pdf**

The Bill provides scientifically-sound, unambiguous and understandable targets, a requirement for integrated policy framework and a process for public engagement not provided in current or upcoming piece-meal legislation. It is supported across the political spectrum and is consistent with ESCC's profile as progressive, taking action on climate change and protecting nature. Publicly declaring support for the Bill will show we are serious about the issues and about the need for legislation to ensure urgent action takes place. More specifically:

- ✓ The UK Committee on Climate Change (CCC) progress report of 2021 finds that the UK is not on track to reach the 2050 target of netzero.
- ✓ The recent International Panel on Climate change (IPCC) report is unambiguous: the climate and ecological situation is now an issue of national security with any semblance of a secure future at perilous risk.
- ✓ The Bill emphasises consensus and cross party working, as is appropriate and necessary to address a local, national and international crisis.
- ✓ Accountability frameworks are clear so we can be sure sufficient action will be taken, and this will build confidence and security.
- ✓ The Bill calls for multi-year funding, to assist local government with immediate and longer-term financial planning.



Extracts from <u>IPCC Climate Change Report 2021</u> - Summary for Policymakers:

- *Human-induced climate change is already affecting many weather and climate extremes in every region across the globe. Evidence of observed changes in extremes such as heatwaves, heavy precipitation, droughts, and tropical cyclones, …, has strengthened since AR5 (the last report)*
- *Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in CO2 and other greenhouse gas (GHG) emissions occur in the coming decades.*
- *Many changes in the climate system become larger in direct relation to increasing global warming. They include increases in the frequency and intensity of hot extremes, marine heatwaves, and heavy precipitation, agricultural and ecological droughts in some regions, and proportion of intense tropical cyclones, as well as reductions in Arctic sea ice, snow cover and permafrost.*
- *Many changes due to past and future GHG emissions are irreversible for centuries to millennia, especially changes in the ocean, ice sheets and global sea level.*
- *From a physical science perspective, limiting human-induced global warming to a specific level requires limiting cumulative CO2 emissions, reaching at least net zero CO2 emissions, along with strong reductions in other GHG emissions. Strong, rapid and sustained reductions in CH4 emissions would also limit the warming effect resulting from declining aerosol pollution and would improve air quality.*
- *Scenarios with very low or low GHG emissions (SSP1-1.9 and SSP1-2.6) lead within years to discernible effects on greenhouse gas and aerosol concentrations, and air quality, relative to high and very high GHG emissions scenarios (SSP3-7.0 or SSP5-8.5). Under these contrasting scenarios, discernible differences in trends of global surface temperature would begin to emerge from natural variability*

within around 20 years, and over longer time periods for many other climatic impact-drivers (high confidence).

II. Who supports the Climate and Ecology Bill?

- 115 MPs from 12 political parties (including independent)
- 29 Peers
- 103 Councils – including 11 Conservative led Councils
- 229 Organisations

III. Who helped with the revised Bill?

- MPs, peers, councillors, parliamentary staff
- Barristers at Garden Court Chambers and Six Pump Court
- Members of the UK Environmental Law Association
- Wildlife and Countryside Link
- Friends of the Earth
- Prof. Joanna Haigh (formerly of Imperial College London)
- Prof. E. J. Milner-Gulland (University of Oxford)
- Prof. (Emeritus) Philip Warren (University of Sheffield).

IV. Why we need each section of the new CE Bill

Section1 - Climate and Nature targets together

- The current 2008 (amended 2019) Climate Act has a target of netzero by 2050. Even if we reach this target, this only gives a 50% chance of limiting the global mean temperature to 1.5 degrees above pre-industrial levels. The CE Bill commits to reducing overall contribution to global greenhouse gas emissions at a rate that provides a 66% or greater chance of limiting the global mean temperature increase to 1.5 degrees Celsius compared to pre-industrial levels.
- Having a temperature target, rather than carbon or greenhouse gas emissions targets, better frames decisions and can flex with new scientific data.
- Biodiversity loss is as significant as (and interrelated with) climate change with, for instance, the loss of pollinators leading to potential agricultural collapse. The CEE Bill recognises the need for a legally binding nature target to halt and reverse the degradation and loss of nature.
- The Bill requires government to fulfil obligations under UNFCCC and Paris agreement, Leaders Pledge for Nature and UNCBD – thereby enshrining international agreements in law.
- The Bill covers emissions and nature degradation that the UK is responsible for in other countries (because of what we import and consume), as well as in the UK.

Section 2 - Strategy and targets

- There is no current overarching UK Climate and Ecology strategy and, as the CCC has reported in 2021, there are significant gaps in the policy we do have.
- Various separate laws, policies and strategies by sector currently lead to inconsistent and contradictory decision-making.
- Combining action on the interrelated issues of climate and ecology with a science-based approach will help government at all levels bring down emissions while ensuring communities benefit.
- The strategy will come with financial support for industry transition and protection of livelihoods.

Section 3 – Public and expert involvement. Building consensus and cohesion

- A non-political Climate and Nature Assembly will work together with the CCC and the Joint Nature Conservation Committee (JNCC)
- The Assembly will consider expert advice and recommend measures to be included in the strategy. This process will help to build political consensus and cohesion around the urgent measures that are needed.

Section 4 – Using science and experts to drive action

- The CCC and the JNCC will have explicit roles to evaluate, monitor and report annually on the implementation of the strategy and achievement of targets.
- The CCC will recommend annual carbon budgets – rather than the currently used 5 year carbon budgets. This will ensure better oversight and accountability.
- This will bring more certainty and security to the population, and, crucially, private sector and different layers of government.

Section 6 – Accountability to Parliament

- The government will report progress to Parliament and this will motivate accountability and improved implementation.
- Regular accountability will build confidence and stability in the country.

V. How will the people of East Sussex benefit?

In the short to medium term, the Bill will help guide investment in new sustainability jobs, securing a just transition from polluting industries and increase the number of well-paid jobs in the growing sustainability sectors.

East Sussex is at particular risk of a range of extreme weather-induced disasters, not least flooding and tidal surges which affect housing and industry as well infrastructure, such as roads and rail and – like heatwaves and biodiversity loss – can destroy crops, leading to agricultural collapse.

With the adoption of an integrated and clear policy framework, there is a far greater chance that East Sussex will stave off the worst of extreme weather events, and – where this is not possible – implement adaptations in advance of rural, town and county-wide emergencies.

The Bill’s proposal for multi-year funding will ensure East Sussex County Council can more easily plan mitigation and adaptation, providing security in the face of the climate and ecological emergency, across all sectors.

Annex 1: Additional references and information

See the IPPC report – Climate Change 2021, The Physical Science Basis, Summary for Policymakers here:

https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM.pdf

Two short films explaining what the IPCC report is here:

https://vimeo.com/582884673

https://vimeo.com/582875636

UK Climate Change Committee 2021 Report to Parliament

https://www.theccc.org.uk/publication/2021-progress-report-to-parliament/

Climate and Ecology Bill

[AS INTRODUCED]

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Bill 61 58/2

[AS INTRODUCED]

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BILL

TO

Require the United Kingdom to achieve climate and nature targets; to give the Secretary of State a duty to implement a strategy to achieve those targets; to establish a Climate and Nature Assembly to advise the Secretary of State in creating that strategy; to give duties to the Committee on Climate Change and the Joint Nature Conservation Committee regarding the strategy and targets; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Duty of the Secretary of State: climate and nature targets

(1) The Secretary of State must achieve the objectives in subsection (2) ('the objectives').

(2) The objectives are to ensure that the United Kingdom—

(a) reduces its overall contribution to global greenhouse gas emissions ('emissions') at a rate consistent with—

(i) limiting the global mean temperature increase to 1.5 degrees Celsius compared to pre-industrial levels; and

(ii) fulfilling its obligations under the UNFCCC and the Paris Agreement, taking into account the United Kingdom's and other countries'—

(A) historical emissions;

(B) common but differentiated responsibilities; and

(C) respective capabilities, considering national circumstances;

('the climate target'); and

(b) halts and reverses its overall contribution to the degradation and loss of nature in the United Kingdom and overseas, thereby—

(i) increasing the health, abundance, diversity and resilience of species, populations, habitats and ecosystems so that by 2030 nature is visibly and measurably on the path of recovery, and—

(ii) fulfilling its obligations under the UNCBD and its protocols, following the commitments set out in the Leaders' Pledge for

Nature, taking into account the United Kingdom's and other countries'—

(A) historical contributions to the degradation of nature;

(B) common but differentiated responsibilities; and

(C) respective capabilities, considering national circumstances;

('the nature target').

(3) The duty applies to matters of devolved legislative competency subject to section 5.

2 Duty of the Secretary of State: climate and nature strategy

(1) The Secretary of State must, within twelve months of the passing of this Act, publish and lay before Parliament a strategy ('the strategy') to achieve the objectives specified in section 1.

(2) The strategy must include annual interim targets consistent with the achievement of the objectives and the Secretary of State must take all reasonable steps to meet those annual interim targets.

(3) The strategy must include measures that, in the opinion of the Secretary of State, and subject to sections 3 and 4, will achieve the objectives specified in section 1 by—

(a) reducing greenhouse gas emissions from sources caused by human activity as far and as rapidly as possible;

(b) ensuring that the UK's emissions are calculated on the basis of UK consumption and include international aviation and passenger shipping;

(c) ensuring that steps taken to mitigate emissions minimise, as far as possible, damage to ecosystems, food and water availability, and human health;

(d) ensuring that steps taken to increase the health, abundance, diversity and resilience of species, populations and ecosystems follow the mitigation and conservation hierarchy, with avoidance of the loss of nature prioritised;

(e) restoring and expanding natural ecosystems, and enhancing the management of cultivated ecosystems to protect and enhance biodiversity, ecological processes and ecosystem service provision, including climate change mitigation;

(f) including measures to protect, restore and enhance ecosystems in the United Kingdom (and elsewhere, when activity generated from within the United Kingdom is harmful to such ecosystems);

(g) ending the exploration, extraction, export and import of fossil fuels by the United Kingdom as rapidly as possible; and

(h) taking every possible step to avoid, limit—and where limiting is not possible—compensate for the adverse impacts of United Kingdom-generated cycles of consumption, trade, financing and production on ecosystems and human health; including, but not limited to, the extraction of raw materials, deforestation, land degradation, pollution and waste production.

(4) The measures in the strategy must—

(a) be projected to have a net positive impact on—

(i) local communities, including those with a high deprivation rating according to Government deprivation indices;

(ii) young people; and

(iii) people with protected characteristics under section 4 of the Equality Act 2010; and

(b) include sufficient financial support and retraining for people whose livelihoods and jobs will be affected by the proposed measures, including those measures that require transitioning out of industries characterised by high emissions and high impacts on ecosystems.

(5) The strategy may include measures in areas of devolved legislative competency subject to section 5.

3 Public involvement

(1) The Secretary of State must, within two months of the passing of this Act, procure by open tender an expert independent body to establish a Climate and Nature Assembly ('the Assembly') comprising a representative sample of the United Kingdom population.

(2) The body appointed pursuant to subsection (1) must secure the establishment of the Assembly within three months.

(3) The Assembly must consider expert advice and then recommend measures to be included in the strategy.

(4) Where a recommendation has been approved by—

(a) at least 66% of members of the Assembly, the Committee on Climate Change (CCC) or Joint Nature Conservation Committee (JNCC) must try to reach agreement with the Assembly on a proposal to include that recommendation in the strategy;

(b) at least 80% of the Assembly, the CCC or JNCC must agree to propose the inclusion of that recommendation in the strategy unless in their opinion there are exceptional and compelling reasons, which must be stated, not to.

(5) If a recommendation is supported by at least 80% of the Assembly, and by the CCC or the JNCC, the Secretary of State must consider and try to reach agreement with those bodies on the inclusion of that recommendation in the strategy.

4 Duties of the Committee on Climate Change and the Joint Nature Conservation Committee

(1) The CCC and the JNCC must—

(a) evaluate, monitor and report annually on the implementation of the strategy and on the achievement of the interim targets; and

(b) undertake the duties referred to in sections 3 and 6.

(2) The CCC must recommend annual carbon budgets for the United Kingdom, Scotland, Wales and Northern Ireland with a view to the requirements of section 2 being met.

5 Approval by devolved legislatures

(1) The targets in section 1 apply to matters of devolved legislative competency if the condition in subsection (2) is met.

(2) That condition is—

(a) in relation to Scotland, that the Scottish Parliament has passed a motion of the form "That the Parliament agrees to the climate and nature targets in section 1 of the Climate and Ecology Act 2021";

(b) in relation to Wales, that Senedd Cymru has passed a motion of the form "That Senedd Cymru agrees to the climate and nature targets in section 1 of the Climate and Ecology Act 2021";

(c) in relation to Northern Ireland, that the Northern Ireland Assembly has passed a motion of the form "That this Assembly agrees to the climate and nature targets in section 1 of the Climate and Ecology Act 2021".

(3) The strategy under subsection 2 may include measures in areas of devolved legislative competency if the condition in section (4) is met.

(4) That condition is—

(a) in relation to matters within the legislative competency of the Scottish Parliament, that the Scottish Parliament has passed a motion of the form "That the Parliament agrees to the measures in the climate and nature strategy";

(b) in relation to matters within the legislative competency of Senedd Cymru, that Senedd Cymru has passed a motion of the form "That Senedd Cymru agrees to the agrees to the measures in the climate and nature strategy;

(c) in relation to the Northern Ireland Assembly, that the Northern Ireland Assembly has passed a motion of the form "That this Assembly agrees to the agrees to the measures in the climate and nature strategy".

6 Acceptance and implementation of the strategy, or any revisions made thereto

(1) The Secretary of State must—

(a) lay the strategy before the House of Commons; and

(b) move a motion in the House of Commons of the form in subsection (2) for agreement or amendment by that House.

(2) The form of the motion is "That this House approves the Climate and Nature Strategy, laid before this House on [date], without amendment."

(3) The Secretary of State must implement the strategy, including—

(a) any amendments made to the strategy made by resolution of the House of Commons by amending the Motion in subsection (2);

(b) any revisions made under subsection (5).

(4) The Secretary of State must report annually to Parliament on the implementation of the strategy or any revisions thereto; and progress towards achieving the objectives and interim targets under sections 1 and 2.

(5) If at any time, based on up-to-date scientific evidence, in the opinion of the Secretary of State, or the CCC, or the JNCC, or the House of Commons (by motion stated), the measures in the strategy or the interim targets are unlikely to achieve the objectives, the Secretary of State must revise the strategy and in such case the provisions of subsections (3) and (4) shall apply.

7 Financial provisions

There is to be paid out of money provided by Parliament—

(a) *any expenditure incurred under or by virtue of this Act; and*

(b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

8 Interpretation

In this Act—

"limiting the global mean temperature increase to 1.5 degrees Celsius" means with a 66% or greater probability of limiting peak warming to 1.5 degrees Celsius according to the Intergovernmental Panel on Climate Change report, Global Warming of 1.5°C, published on 8 October 2018 or else, the most ambitious 1.5 degrees Celsius pathway available if and when the 66% or greater probability of limiting peak warming to 1.5 degrees Celsius, according to future Intergovernmental Panel on Climate Change (IPCC) reports, is superseded;

"UNFCCC" is the United Nations Framework Convention on Climate Change which entered into force on 21 March 1994;

"Paris Agreement" is the agreement of the UNFCCC which entered into force on 4 November 2016;

"nature" includes—

(a) the abundance, diversity and distribution of animal, plant, fungal and microbial life and its risk of extinction;

(b) the extent and condition of habitats; and

(c) the health and integrity of ecosystems;

"ecosystems" includes both natural and managed ecosystems and the air, soils, water and abundance and diversity of organisms of which they are comprised;

"UNCBD and its protocols" is the United Nations Convention on Biological Diversity, which entered into force on 29 December 1993, and all subsequent agreements and protocols (if any) arising from it;

"Leaders' Pledge for Nature" is the agreement of the UN Summit on Biodiversity of 28 September 2020;

"calculated on the basis of UK consumption" means all UK territorial emissions except those generated in the production of goods and services exported from the UK; all consumption emissions generated abroad in the production and distribution of goods and services imported to the UK; all emissions generated from UK passenger transportation demands related to both personal and commercial passenger travel outside of UK territory, including international aviation, passenger shipping;

"mitigation and conservation hierarchy" refers to resolution 58 of the World Conservation Congress, hosted by the International Union for Conservation of Nature from 1 to 10 September 2016.

9 Extent, commencement and short title

(1) This Act extends to England and Wales, Scotland, and Northern Ireland.

(2) This Act comes into force on the day on which it is passed.

(3) This Act may be cited as the Climate and Ecology Act 2021.

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Presented by Caroline Lucas
supported by Barry Gardiner, Alan Brown,
Ed Davey, Liz Saville Roberts, Claire Hanna,
Stephen Farry, Clive Lewis, Alex Sobel,
Brendan O'Hara, Sarah Olney and Ben Lake.

Ordered, by The House of Commons, to be
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