



Meeting of
East Sussex County Council
on Tuesday, 24 March 2015
at 10.00 am

NOTE: As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website and the record archived for future viewing. The broadcast / record is accessible at:

www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm



EAST SUSSEX COUNTY COUNCIL

To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held at Council Chamber - County Hall, **on Tuesday, 24 March 2015 at 10.00 am** to transact the following business

- 1 Minutes of meeting held on 10 February 2015** (Pages 5 - 16)
- 2 Apologies for absence**
- 3 Chairman's Business**
- 4 Questions from members of the public**
- 5 Report of the Cabinet** (Pages 17 - 20)
- 6 Report of the Governance Committee** (Pages 21 - 24)
- 7 Questions from County Councillors**
 - (a) Oral questions to Cabinet Members
 - (b) Written questions of which notice has been given pursuant to Standing Order 44
- 8 Report of the East Sussex Fire Authority** (Pages 25 - 26)

Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by Father David Charles, Vicar of Christ Church with St Philip, Eastbourne. The Chairman would be delighted to be joined by any members of staff and Councillors who wish to attend.

County Hall
St Anne's Crescent
LEWES
East Sussex BN7 1SW

PHILIP BAKER
Assistant Chief Executive

16 March 2015

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EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at COUNTY HALL, LEWES on TUESDAY, 10 FEBRUARY 2015 at 10.00 am.

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

53 Minutes of last meeting

53.1 RESOLVED – to confirm the minutes of the meeting of the County Council held on 27 January 2015 as a correct record.

54. Apologies for absence

54.1 Apologies for absence were received from Councillors Butler and D. Shing

55. Chairman's Business

NEW YEAR'S HONOURS

55.1 The Chairman stated that, on behalf of the Council, he had written and congratulated all those of live or work in East Sussex who were recognised in the New Year's Honours

CHAIRMAN'S ACTIVITIES

55.2 I have attended a number of engagements since the last County Council meeting including: the Lewes Prison carol service, the Sussex Downs College Student Awards, the Sixteen Concert and reception at Glyndebourne, the Sussex Music Service Big Sing events, the Christmas Pontifical Sung vespers and a Holocaust memorial service and hosting a Christmas reception. The Vice Chairman also attended a number of events

CHINESE NEW YEAR

55.3 The Chairman indicated that the Chinese New Year begins on 19 February. The Chairman wished all present a very happy Chinese New Year.

PRAYERS

55.4 The Chairman thanked Jez Field for leading the prayers before the meeting.

PETITIONS

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

- | | |
|----------------------|--|
| Councillor Galley | - calling on the County Council to reduce the speed limit on Shortbridge Road and Golf Club Lane, Piltdown to 40 mph |
| Councillor Rodohan | - calling on the County Council to look urgently at installing a Pelican Crossing at St Thomas a Becket Infant and Junior School, Eastbourne |
| Councillor Sheppard | - calling on the County Council to provide kerbs of an adequate height and specification at the bus stops outside the entrance to St Georges Park, Ditchling Common to enable wheel chair users to board and to alight from buses without the use of a ramp, and to include the necessary work within the 2015/16 Capital Programme for Local Transport Improvements |
| Councillor Simmons | - calling on the County Council to address excess traffic speeds in Flitterbrook Lane and Bakery Lane. Punnetts Town, Heathfield |
| Councillor Standley | - calling on the County Council to introduce a 7.5 tonne weight limit on the B2100 from Mark Cross to Rotherfield village centre |
| Councillor Whetstone | - calling on the County Council to introduce a 20mph speed limit at Station Road, Groombridge |

56 Questions from Members of the Public

56.1 There were no questions from members of the public

57. Declarations of Interest

57.1 There were no declarations of interest

58. Reports

CALLOVER

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

Cabinet	- paragraph 1
Lead Member for Transport and Environment	- paragraph 1

NON-RESERVED PARAGRAPHS

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

59. CABINET REPORT – RECONCILING POLICY, PERFORMANCE AND RESOURCES

59.1 Under Standing Order 23, the Council agreed that the speeches of the Leaders of the six groups (or their nominees) on paragraph 1 of the Cabinet's report should be extended beyond five minutes.

59.2 The following amendment was moved by Councillor Blanch and seconded:

Delete paragraph 1.47 of the Cabinet's report and replace with:-

- (1) *approve, in principle, the draft Council Plan at Appendix 1 subject to any subsequent implications from recommendation (4) below and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*
- (2) *note the latest financial position for 2014/15 as set out at Appendix 2;*
- (3) *approve, including any amendments required as a result of changes made by recommendation (4) below, the Medium Term Financial Plan 2014/15 to 2015/16;*
- (4) *approve the net revenue budget estimates for 2015/16 set out in Appendix 3 with the following amendments:*
 1. *Delete the proposed saving of £100,000 for Mental Health Supported Accommodation;*
 2. *Delete the proposed saving of £332,000 for Commissioning Prospectus; reduction of resources available for retendering of services;*
 3. *Delete the proposed saving of £156,000 for Supporting People – countywide floating support;*

4. *Delete the proposed saving of £10,000 for the closure of a mental health accommodation based service for twelve clients;*
 5. *Reduce the proposed saving of £297,000 for reduction in agency foster care by £100,000 in order to protect the respite care service;*
 6. *Delete the proposed saving of £20,000 in Secondary Behaviour Support;*
 7. *Delete the proposed reduction of £81,000 for Targeted Youth Service; reduction in the provision of group activity and some targeted 1:1;*
 8. *Delete the proposed saving of £316,000 for the re-prioritisation of school improvement and intervention;*
 9. *Delete the proposed saving of £378,000 for SEN Personalised Transport;*
 10. *Delete the proposed saving of £62,000 for Economic Development and Skills;*
 11. *Delete the proposed saving of £100,000 for Road Safety;*
 12. *Increase the Gulley Emptying budget by £150,000 to reinstate the 2014/15 saving proposal;*
 13. *Reduce the capital programme by £5m in order to achieve a reduction of £0.45m in the revenue budget;*
 14. *Apply targeted slippage on staff turnover in order to achieve a saving of £500,000;*
 15. *Reduce the Communications budget by £500,000 which is equivalent to a 40% reduction;*
 16. *Reduce the Policy, Strategic Planning and Performance Review budget by £270,000 which is equivalent to a 10% reduction;*
 17. *Increase the Registration Service income budget by £100,000;*
- (5) *in accordance with the Local Government Finance Act 1992 to agree that:*
- (i) *the net budget requirement is £365.7m and the amount calculated by East Sussex County Council as its requirements for the year 2015/16 is £227.2m;*
 - (ii) *the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the*

year 2015/16 is £1203.93p and represents a 1.95% increase on the previous year;

- (6) advise the Borough and District Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 6;*
- (7) agree the savings for 2015/16 as set out in Appendix 4 subject to the changes proposed in (4) above;*
- (8) authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader to make adjustments to the budget to reflect the final settlement;*
- (9) approve those fees and charges set out in Appendix 5 which relate to functions which are not the responsibility of the Executive and to delegate authority to the Chief Finance Officer to approve an increase of all other fees and charges which are not the responsibility of the Executive by up to 2%;*
- (10) approve the draft Capital Programme including further investment in essential programme need 2014/15 to 2017/18 as set out at Appendix 3.*
- (11) note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 3; and*
- (12) note the outcome of consultation exercises as set out in Appendix 8.*

59.3 A recorded vote on Councillor Blanch's amendment was taken. The amendment was LOST, the votes being cast as follows:

FOR THE AMENDMENT

Councillors Birch, Blanch, Daniel, Field, Forward, Hodges, Lambert, Rodohan, Scott, S Shing, Shuttleworth, St Pierre, Tutt, Ungar, Wallis, Webb and Wincott

AGAINST THE AMENDMENT

Councillors Barnes, Belsey, Bennett, Bentley, Buchanan, Carstairs, Clark, Davies, Chris Dowling, Claire Dowling, Earl, Elkin, Ensor, Galley, Glazier, Howson, Keeley, Maynard, Phillips, Pragnell, Pursglove, Sheppard, Simmons, Standley, Stogdon, Taylor, Tidy, and Whetstone

ABSTENTIONS

Councillors Charlton and O'Keeffe

59.4 The following amendment was moved by Councillor Birch and seconded:

Delete paragraph 1.47 of the Cabinet's report and replace with:-

- (1) approve, in principle, the draft Council Plan at Appendix 1 subject to any subsequent implications from recommendation (4) below and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*

- (2) *note the latest financial position for 2014/15 as set out at Appendix 2;*
- (3) *approve, including any amendments required as a result of changes made by recommendation (4) below, the Medium Term Financial Plan 2014/15 to 2015/16;*
- (4) *approve the net revenue budget estimates for 2015/16 set out in Appendix 3 with the following amendments for 2015/16 only:*
- 1. Reduce the revenue contribution to capital by £5m;*
 - 2. Delete the planned transfer of £0.768m to the Corporate Waste Reserve and approve a revenue contribution to capital of £0.768m.*
 - 3. Approve a transfer of £4.232m from the Corporate Waste reserve to ensure that the planned capital programme is maintained;*
 - 4. Utilise £450,000 of the additional base funding identified post-Cabinet;*
 - 5. Reduce the Communications budget by £100,000 including discontinuing Your County;*
 - 6. Reduce the proposed saving for the Community Reablement Service by £2m; £800,000 community based and £1.2m intermediate bed based subject to the presenting needs of clients/patients;*
 - 7. Reduce the proposed savings for Children's Services by £2m and to continue funding Thrive activities;*
 - 8. Reduce the proposed savings for the Standards and School Effectiveness Service by £300,000;*
 - 9. Reduce the proposed savings for SEN and Disability by £700,000;*
 - 10. Reduce the proposed savings for the Targeted Youth Service by £100,000;*
 - 11. Reduce the proposed savings for Passenger Transport by £450,000;*
- (5) *in accordance with the Local Government Finance Act 1992 to agree that:*
- (i) the net budget requirement is £365.7m and the amount calculated by East Sussex County Council as its requirements for the year 2015/16 is £227.2m;*
 - (ii) the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the*

year 2015/16 is £1203.93p and represents a 1.95% increase on the previous year;

- (6) advise the Borough and District Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 6;*
- (7) agree the savings for 2015/16 as set out in Appendix 4 subject to the changes proposed in (4) above;*
- (8) authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader to make adjustments to the budget to reflect the final settlement;*
- (9) approve those fees and charges set out in Appendix 5 which relate to functions which are not the responsibility of the Executive and to delegate authority to the Chief Finance Officer to approve an increase of all other fees and charges which are not the responsibility of the Executive by up to 2%;*
- (10) approve the draft Capital Programme including further investment in essential programme need 2014/15 to 2017/18 as set out at Appendix 3.*
- (11) note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 3; and*
- (12) note the outcome of consultation exercises as set out in Appendix 8.*

59.5 A recorded vote on Councillor Birch's amendment was taken. The amendment was LOST, the votes being cast as follows:

FOR THE AMENDMENT

Councillors Birch, Blanch, Daniel, Field, Forward, Hodges, Lambert, O'Keeffe, Rodohan, Scott, S Shing, Shuttleworth, St Pierre, Tutt, Ungar, Wallis, Webb and Wincott

AGAINST THE AMENDMENT

Councillors Barnes, Belsey, Bennett, Bentley, Buchanan, Carstairs, Clark, Davies, Chris Dowling, Claire Dowling, Earl, Elkin, Ensor, Galley, Glazier, Howson, Keeley, Maynard, Phillips, Pragnell, Pursglove, Sheppard, Simmons, Standley, Stogdon, Taylor, Tidy, and Whetstone

ABSTENTIONS

Councillor Charlton

59.6 The following motion was moved by Councillor Elkin, to adopt paragraph 1 of the Cabinet report:

- (1) *approve, in principle, the draft Council Plan at Appendix 1 and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*
- (2) *note the latest financial position for 2014/15 as set out at Appendix 2;*
- (3) *approve the Medium Term Financial Plan 2014/15 to 2015/16;*
- (4) *approve the net revenue budget estimates for 2015/16 set out in Appendix 3;*
- (5) *in accordance with the Local Government Finance Act 1992 to agree that:*
 - (i) *the net budget requirement is £365.7m and the amount calculated by East Sussex County Council as its requirements for the year 2015/16 is £227.2m;*
 - (ii) *the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the year 2015/16 is £1203.93p and represents a 1.95% increase on the previous year;*
- (6) *advise the Borough and District Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 6;*
- (7) *agree the savings for 2015/16 as set out in Appendix 4;*
- (8) *authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader to make adjustments to the budget to reflect the final settlement;*
- (9) *approve those fees and charges set out in Appendix 5 which relate to functions which are not the responsibility of the Executive and to delegate authority to the Chief Finance Officer to approve an increase of all other fees and charges which are not the responsibility of the Executive by up to 2%;*
- (10) *approve the Capital Programme including further investment in essential programme need 2014/15 to 2017/18 as set out at Appendix 3.*
- (11) *note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 3; and*
- (12) *note the outcome of consultation exercises as set out in Appendix 8.*

59.7 A recorded vote on Councillor Elkin's motion was taken. The motion was CARRIED with the votes being cast as follows:

FOR THE MOTION

Councillors Barnes, Belsey, Bennett, Bentley, Buchanan, Carstairs, Clark, Davies, Chris Dowling, Claire Dowling, Earl, Elkin, Ensor, Galley, Glazier, Howson, Keeley, Maynard, Phillips, Pragnell, Pursglove, Sheppard, Simmons, Standley, Stogdon, Taylor, Tidy, and Whetstone

AGAINST THE MOTION

Councillors Birch, Blanch, Daniel, Field, Forward, Hodges, Lambert, O'Keeffe, Rodohan, Scott, S Shing, Shuttleworth, St Pierre, Tutt, Ungar, Wallis, Webb and Wincott

ABSTENTION

Councillor Charlton

60 Lead Member for Transport and Environment report – Notice of Motion: Parking Outside Schools

60.1 Councillor Maynard moved the reserved paragraph of the Lead Member for Transport and Environment report.

60.2 The motion was CARRIED after debate.

61. Questions from County Councillors

ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Lambert	Councillor Maynard	Provision of footbridge at Exceat
Councillor Tutt	Councillor Maynard	Review of process for scheduling highway works
Councillor St Pierre	Councillor Maynard	The programme and co-ordination of flood management issues

Questioner	Respondent	Subject
Councillor Forward	Councillor Bennett	Possible reduction of 64 teaching and support staff posts by the Ark Academy (William Parker and Helenswood)
Councillor Daniel	Councillor Maynard	Parking enforcement in areas where there are paperless parking permits
Councillor Ungar	Councillor Glazier	Discretionary East Sussex Support Scheme
Councillor Scott	Councillor Maynard	Public response to recent changes to street lighting
Councillor O’Keeffe	Councillor Maynard	Provision of paper parking permits for visitors
Councillor Barnes	Councillor Bentley	Delayed discharge from hospitals
Councillor Whetstone	Councillor Bennett	Cost of making footpath from Forest Row to East Grinstead usable

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

61.2 Two written questions were received from Councillors Tutt and Whetstone for the Lead Members for Strategic Management and Economic Development and Learning and School Effectiveness respectively. The questions and answers are attached to these minutes.

61.3 The Lead Member for Learning and School Effectiveness responded to a supplementary question from Councillor Whetstone.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 1.17 pm

The reports referred to are included in the minute book

WRITTEN QUESTION PURSUANT TO STANDING ORDER 44

1. Question by Councillor Tutt to the Leader and Lead Member for Strategic Management and Economic Development

During the debate on subsidised bus routes at the Cabinet meeting on 16 December it was stated that there is a legal requirement for Cabinet to make certain decisions and that these cannot be delegated to Full Council. Please can you inform me whether there is any legal reason why Cabinet cannot chose to seek the view of the Full Council on any particular decision and abide by the majority view of that body?

Answer by the Leader and Lead Member for Strategic Management and Economic Development

The starting place on this issue is that the County Council operates a 'Leader and Cabinet' style of executive arrangements, as prescribed by Local Government Act 2000 ('LGA 2000'). Under this model, functions of the County Council are divided into "executive" and "non-executive. Subject to a small number of local choice functions, the County Council has no discretion to determine whether matters should be decided by Cabinet or by Full Council as this is determined by legislation. Furthermore the LGA 2000 provides that any function which is the responsibility of an executive of a local authority under executive arrangements may not be discharged by Full Council. Consequently, where a function is an executive function by virtue of the Regulations, Cabinet cannot delegate responsibility for taking decisions relating to that function to Full Council.

In response to the first part of your specific question Cabinet can choose to seek the view of Full Council on a particular matter before reaching its decision, the Cabinet would then be entitled to take account of what the full Council had resolved when it came to take its own decision. The Cabinet would attach such weight to that Council resolution as its members thought fit – which might be considerable. So in response to the second part of your question, the Cabinet could not decide to abide by the majority view in advance, the Cabinet would genuinely have to make up its own mind about the right course of action. If the Cabinet simply agreed to abide by the Council decision this would in substance amount to an unlawful delegation, or a fettering of the Cabinet's discretion.

2. Question by Councillor Whetstone to the Lead Member for Learning and School Effectiveness

How much does it cost the County Council to provide free home to school transport to Sackville School, East Grinstead for children living in East Sussex within the three mile walking limit because the footpath is considered unsafe/dangerous?

Answer by the Lead Member for Learning and School Effectiveness

The daily cost is £143.41 for a 49 seat coach supplied by Crawley Luxury Coaches. We will work with colleagues in highways to look at the costs associated with making this route safe.

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REPORT OF THE CABINET

The Cabinet met on 10 March 2015. Attendance:-

Councillor Glazier (Chair)

Councillors Bennett, Bentley, Chris Dowling, Elkin, Maynard, Simmons and Tidy

1. Council Monitoring – Quarter Three 2014/15

1.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for the third quarter of 2014/15. Broad progress against the Council's four strategic priority outcomes is summarised below and an overview of performance and finance data is provided in the Corporate Summary at Appendix 1 of the report to the Cabinet, previously circulated to all members. Strategic risks were reported at Appendix 7 of the report to the Cabinet and a detailed report for each department was provided was provided in Appendices 2 to 6 of the Cabinet report.

Overview

1.2 The Council's investment in highways maintenance has led to improved conditions in our principal and unclassified roads. The proportion of roads that should be considered for structural maintenance are: principal roads 5% (down from 7%), non-principal roads 9% (unchanged), and unclassified roads 22% (down from 25%). The Council joined Troubled Families Two, in January 2015, as an 'Early Starter' having achieved 100% engagement and 70% payment by results by the end of October 2014. The Council will need to identify and work with 3,570 families over a five year period, starting 1 April 2015. Children's Services launched a new joint initiative between our Post Adoption Support Team and the NHS CAMHS (Child and Adolescent Mental Health Service), called AdCAMHS. The new service aims to improve the prevention of adoption placement breakdown. Our dedicated World War One website has been viewed 34,398 times, an increase of 87% on the previous quarter. Of the 76 Council Plan targets, 57 (75%) are rated green, 9 (12%) are rated amber, 10 (13%) are rated red.

1.3 At quarter 3 the gross projected year end overspend within service departments is £5.6m, this is an improvement of £0.8m from the £6.4m overspend reported at quarter 2. The main changes are within Adult Social Care and relate to agreement with Clinical Commissioning Groups (CCGs) delivering a refinement of operating principles for Continuing Health Care (CHC) which has resulted in costs of £2.4m being borne by CHC budgets within Health. However, the continuing challenge to manage reductions in care packages safely whilst meeting increasing demand has increased estimated costs by £1.2m partly offset by an increase in projected underspend across Directly Provided Services and Management and Support. There were also a number of changes within Communities, Economy and Transport which, increased expenditure by £0.5m. Departments continue to make progress towards achieving savings targets and mitigations and in the main the total value of 'green' and 'amber' rated savings remain the same.

1.4 It is anticipated that the service overspend can be managed within the unused general contingency of £3.5m and the remaining inflation provision for 2014/15; after the minimum wage increase was not as anticipated.

1.5 The forecast expenditure on the capital programme is £134.7m against a re-profiled budget of £165.3m, a total variation of £30.6m compared to £21m reported at Quarter 2. This is mainly due to slippage identified in the Schools Basic Need Programme of £9.8m which was explained in greater detail at Appendix 4 of the report to the Cabinet.

1.6 As reported at quarter 2, the Agile programme has become more complex as significant changes are being made in the way we deliver services and the planned £3m savings from Agile are not being made in 2014/15 in the way originally planned.

1.7 All strategic risks have been reviewed and seven have been amended. Risk 1 (Roads), risk 4 (Health), risk 5 (Resource), risk 6 (Local Economic Growth), risk 7 (Schools), risk 8 (Capital Programme), and risk 10 (Welfare Reform) all have amended risk control responses. There are no changes to any existing risk scores.

Progress against Council Priorities

Driving economic growth

1.8 The latest survey results for road condition have been calculated for the first year of the Council's four year £70m investment plan for roads. The percentage of roads that should be considered for structural maintenance are: principal roads 5% (down from 7%), non-principal roads 9% (unchanged), and unclassified roads 22% (down from 25%). This demonstrates the effect of investment in structural maintenance and the need for the continued work and investment the Council is making to ensure road condition improves on or is held at, current levels (Appendix 5 of the report to the Cabinet).

1.9 Delays to the opening of the Bexhill Hastings Link Road now seem likely as a consequence of the adverse summer and winter weather and archaeology work. The Met Office has confirmed that 2014 was the fourth wettest year since records began, the effects of which have taken its toll on the programme resulting in the contractor not being able to complete the earthworks this year as originally planned. To minimise any further delay and cost overrun the contractor has suspended earthmoving operations for the winter and will remobilise in the spring (Appendix 5 of the report to the Cabinet).

1.10 In quarter 3, we approved 34 applications worth £885,000 from the Regional Growth Fund. The total number approved since the start of the programme in October 2013 is 92 and £3.45m of the £4m fund has now been allocated. These are projected to create or safeguard 479.5 jobs of which 85 have been achieved (Appendix 5 of the report to the Cabinet).

1.11 44% (£131m) of procurement spend was with local suppliers in the 8 month period to end November 2014 (this is an improvement on the 42% for Q2). We plan to enhance engagement with local businesses through introduction of 'Supply to East Sussex' at the end of March 2015. This is a web based resource for access to information about contract opportunities, apprenticeships and training, business events, procurement advice, and support and advice services in East Sussex (Appendix 3 of the report to the Cabinet).

1.12 Locate East Sussex continues to raise the profile of the county as a business location and has recruited 93 influential public and business figures to provide advocacy for the county as a place for business. In the three months of Quarter 3, Locate has facilitated 4 inward investments to the county that have created 20 jobs. This represents a 43% increase on the 14 jobs created in the previous six months April – September; a total of 34 jobs this year (Appendix 5 of the report to the Cabinet).

Keeping vulnerable people safe

1.13 Between January and September 2014 there were 301 people killed or seriously injured on the roads of East Sussex, including 12 fatalities. The last three months (July to September) saw a significant increase in the average number of KSI related crashes to 40 per month over the previous average of 30 per month. There is no obvious reason for this change in KSI figures other than the usual summer increase. In January the Health and Wellbeing Board's main topic for discussion was KSI, feedback from the Board will be considered ahead of a future update on the issue. We are waiting for more detailed analysis being undertaken by the Sussex Safer Roads Partnership to identify emerging trends and to give direction to future interventions (Appendix 5 of the report to the Cabinet).

1.14 A further three comprehensive team based audits of adult social care safeguarding activity have taken place in Quarter 3. Strengths have been identified in evidence-based decision making and partnership working, with areas of development identified as enhancing safeguarding planning and increasing involvement of advocates, where appropriate (Appendix 2 of the report to the Cabinet).

Helping people help themselves

1.15 At the end of Quarter 2 11.4% (19,003) of those eligible have been offered a health check, a 40% increase on the same period in the previous year (13,494). We continue to work with practices to improve the health check offer to those eligible with point of care testing, which enables patients to have the full health check in one attendance at the GP practice rather than sending blood tests to a laboratory which requires a follow-up visit, and all practices now offer a health check service. This performance of 11.4% is better than both the average for Kent, Surrey Sussex (KSS) 10.7% and England average 10.1%. At the end of Quarter 2, 5.8% (9,607) of those eligible received a Health Check a 26% increase on the same period in the previous year (Appendix 2 of the report to the Cabinet).

1.16 Between October and December a total of 10,178 visits were made to the 1Space website for adult social care services. 73% were new visitors and 27% were repeat visitors (Appendix 2 of the report to the Cabinet).

1.17 A members' reference group has been established to look at how we can work across the Council to help local people to help themselves, building on community assets to tackle issues such as loneliness which can affect people across all demographics.

Making best use of resources

1.18 The increase in dry waste recycling tonnages remains at 15% for the first 7 months compared to the same period last year and we are still on track to meet or exceed the target that we set earlier this year. However, we think there is still room for improvement, and this quarter we did some plastics recycling publicity for the winter edition of Your County. While recycling tonnages have increased, residual waste has also increased by 4% and total household waste by 5% (Appendix 5 of the report to the Cabinet).

1.19 We aimed to reduce the number of core office buildings the Council occupies from five to four buildings during 2014/15; however this target will not be achieved in 2014/15 because the Council will need to retain five buildings in occupation until at least 2016 to support the delivery of Agile. The opportunity to vacate Sackville House and potentially one of two other buildings in Eastbourne from 2016 onwards will depend on future space needs and efficiencies achieved through Agile roll out (Appendix 3 of the report to the Cabinet).

1.20 The outturn (April – December) for the whole authority (including schools) is 5.88 days lost per FTE employee and represents an increase of 6.7% on the same period in 2013/14 when 5.51 days were lost per FTE. The end of year forecast is 8.34 days lost per FTE employee against a target of 6.95 days lost per FTE employee. Stress continues to be the primary driver of absences across the organisation (Appendix 3 of the report to the Cabinet).

10 March 2015

KEITH GLAZIER
(Chair)

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 10 March 2015. Attendances:

Councillor Glazier (Chair)
Councillors Elkin, Field and Webb

1. Pay Policy Statement

1.1 The Localism Act 2011 requires local authorities to formulate and publish a pay policy statement on the pay of its Chief Officers and the relationship between these pay levels and the rest of the workforce, excluding schools. This policy statement has to be approved annually by full Council by 31 March.

1.2 At its meeting on 27 March 2012, County Council agreed that the Governance Committee should have formal responsibility for the approval of posts at Chief Officer, Deputy Chief Officer and Assistant Director level with a remuneration package of £100,000 or more, provided the existing grade bands and terms and conditions are applied and any proposed exceptions to these are reported to full County Council. The actual appointment decision will continue to be made by the Appointments Committee (of Members) which already has delegated powers by County Council for the purposes of making recruitment and appointment decisions. Any proposed exceptions to this would require the approval of the full County Council.

1.3 The Localism Act 2011 requires local authorities to prepare an annual pay policy statement relating to the remuneration (total pay packages) of its Chief Officers, as defined by statute, Deputy Chief Officers (and, by definition, Assistant Directors), the Monitoring Officer and its lowest-paid employees, excluding schools. The pay policy also has to state the relationship between the remuneration of Chief Officers and the remuneration of its employees who are not Chief Officers.

1.4 The Hutton report of Fair Pay in the Public Sector recommended the publication of an organisation's pay multiple as a means of illustrating the relationship between the remuneration arrangements for Chief Officers in comparison with the rest of the non-schools workforce in the form of a ratio. The ratio is currently (December 2014) 7.49 to 1 (adjusted to 7.24 to 1 under the revised calculation as set out in the Local Government Transparency Code 2014), which is an improvement on the March 2014 ratio of 7.64 to 1. The pay multiple is published on our website with the Pay Policy Statement.

1.5 It is necessary to include definitions and the authorities' policies relating to levels and elements of remuneration including all additional payments and benefits in kind. The statement must also indicate the approach to the payment of Chief Officers on ceasing employment, including eligibility for the award of additional pensionable service and on the engagement or re-engagement of Chief Officers previously made redundant or accessing a local government pension.

1.6 The existing pay policy statement is fit for purpose and remains a valid statement of the County Council's remuneration arrangements. A copy of the pay policy statement for 2015/16 has been circulated separately as Appendix 1.

1.7 The Committee recommends the County Council:

☆ to agree the Pay Policy Statement for 2015/16 as set out in Appendix 1.

2. Local Government Pension Scheme

2.1 The Local Government Pension Scheme (Amendment) (Governance) Regulations 2015 (referred to as the "Regulations" in this report) require each Administering Authority to establish a *Local Pension Board* by 1 April 2015 for the purposes of "assisting" the Administering Authority (East Sussex County Council).

2.2 The Governance Committee at its meetings on 11 November 2014 and 16 December 2014 and the County Council on 2 December 2014 have already agreed to disband the Pension Fund Investment Panel and agreed to establish a new Pension Committee to have delegated authority for all pension related investment and administration decisions on behalf of the Administering Authority (ESCC). A local Pension Board was also created and its draft terms of reference were agreed based on the then draft Regulations.

2.3 The final version of the Regulations has now been published which enables the County Council to finalise the detailed LGPS management arrangements. This report sets out the remaining decisions that need to be made in order to comply fully with the Regulations.

The East Sussex Pension Board

2.4 The Regulations set out the role and constitutional requirements of the Pension Board. Its role is to assist the Administering Authority in carrying out its pension fund management functions. A draft constitution and terms of reference for the Board were agreed by the County Council in December 2014. Further to the publication of the final Regulations, the following amendments need to be made to the constitution of the Board in order to comply with the requirements:

- a) The "relevant experience" requirement for local Pension Board members has been relaxed. Board members will only be required to have the "capacity" to carry out their duties and to demonstrate a high level of knowledge and understanding of the Scheme and of their role.
- b) Voting rights on the Board are to be conferred only on the employer and scheme member representatives. Therefore, the independent chair cannot vote and will not have a casting vote.

2.5 The Pension Board shall consist of 7 members, and its constitution and terms of reference have been revised to reflect these changes and are shown in full at Appendix 2.

Composition of the East Sussex Pension Board – Consultation outcome

2.6 Employer representatives: Correspondence was sent to all employers after the 16 December 2014 Governance Committee meeting, setting out the final proposal regarding the employer representatives on the Board. The consultation with employers ended on 13 February 2015, with no change(s) proposed to the approved three Employer representatives nominated through the employer bodies.

2.7 Three scheme member representatives: the Committee at its meeting on 16 December 2014 agreed that the appointment of scheme member representatives will be by inviting applications from the Deferred, Pensioners, and Actives, including through existing representative organisations, i.e. Unions.

2.8 Consultation and discussion with Union members has been helpful in gaining views from interested parties, and highlighted key representation issues. This has led to a further review, reconsideration and changes to the scheme members' representative appointment on the board as set out below. In addition, it was asked that substitutes should be allowed, on condition that they have been as fully trained as the Board Member. It is proposed that this only takes place with the agreement of the Pension Board.

		Members	Rep. on the Board	
1	Actives/	21,966	2	Union Rep.
	Deferred	24,049		
2	Pensioners	11,353	1	Appointment

2.9 Independent Chair: appointment into this role is in progress, and the applications will be subject to a selection process by the Governance Committee.

The East Sussex Pension Committee

2.10 In November 2014, the Governance Committee agreed the new LGPS management arrangements including the creation of a County Council Pension Committee to have full responsibility for dealing with the Pension Fund on behalf of the Authority. The terms of reference for the new Pension Committee have been drafted and are shown at Appendix 3.

Governance Committee – amended terms of reference

2.11 To complete the arrangements, and to avoid confusion and duplication of roles, it is proposed that the pension fund responsibilities that currently lie with Governance Committee are transferred to the new Pension Committee. The proposed changes are set out in Appendix 4 and summarised below

- The replacement of the reference to the “*Pension Fund Investment Panel*” with “*Pension Committee*”
- The deletion of sections 16(iii) and (iv) which relate to powers and duties in relation to pension fund management and admission agreements; these functions are proposed to be incorporated into the terms of reference of the new Pension Committee.

GOVERNANCE

2.12 The Committee recommends the County Council to:

☆ (1) agree the Pension Board's revised constitution and terms of reference (Appendix 2);

(2) agree the changes to the appointment of scheme member representatives on the Board;

(3) establish the Pension Committee and agree its Terms of Reference (Appendix 3); and

(4) agree changes to the Terms of Reference of the Governance Committee that relate to the LGPS (paragraph 2.11 and Appendix 4).

10 March 2015

KEITH GLAZIER
(Chair)

EAST SUSSEX FIRE AUTHORITY

Report of a meeting of the East Sussex Fire Authority held at Fire & Rescue Service Headquarters at 10.30 hours on Thursday 12 February 2015.

Present: Councillors Barnes, Buchanan, Butler, Carden, Earl, Galley, Hawtree, Howson (Chairman), Lambert, Peltzer Dunn, Powell, Pragnell, Scott, Sheppard, Taylor and Theobald.

1. FIRE AUTHORITY SERVICE PLANNING PROCESSES FOR 2015/16 AND BEYOND

1.1 The Fire Authority has agreed its Annual Plan for 2015/16. The Plan contains key information on the Fire Authority's Service priorities for the year ahead including summary performance information and available resources.

1.2 The Fire Authority has considered its final draft Revenue Budget 2015/16 and Capital Programme 2015/16 to 2019/20.

1.3 The Authority has made good progress in identifying and agreeing savings proposals over the last 12 months. When pre-existing programmes and other non-operational savings are taken into account, the Authority has already identified £5.7m of savings for delivery by 2019/20. Depending on decisions on Council Tax, the Authority would still need to find up to another £1.7m of savings over that period. Options for changes to operational and non-operational services that were expected to deliver additional savings would be presented to the Authority to consider over the next 12-18 months.

1.4 There remained a number of uncertainties for funding in 2015/16 and beyond and the Fire Authority will need to remain flexible in its approach to its financial planning, especially in advance of the next Spending Review which is expected to follow the national elections in May 2015. The late announcement of key financial information through both the Autumn Statement and the Local Government Finance Settlement (LGFS) continued to hamper effective and timely planning and reporting.

1.5 Members considered two options either:

A) to increase the Council Tax by 1.94% taking the Band D charge to £85.07 and generating additional income of £0.441m in 2015/16; or

B) to accept the 2015/16 Council Tax Freeze Grant of £0.259m and to maintain the Council Tax Band D at £83.45 for the second year in a row.

1.6 The Fire Authority has approved an increase in Council Tax of 1.94% (Option A) and as a result, has approved the following:

1.6.1 the budget proposals set out in the report to the Fire Authority and the net budget requirement of £38.627m for 2015/16;

1.6.2 the Council Tax requirement of £23.170m; and

1.6.3 the Council Tax and precepts as set out in Appendix G, part 1 of the report to the Fire Authority;

The Fire Authority has also approved:

1.6.4 the capital programme for the next five years and the capital budget of £5.855m for 2015/16 and the plans to use capital grant, capital receipts and revenue contributions to finance that expenditure;

1.6.5 the maintenance of the General Reserve at a minimum of 8% of the net revenue budget over the medium term;

1.6.6 the transfer of £95,000 from Earmarked Reserves no longer required into the Improvement & Efficiency Reserve;

1.6.7 the transfer of the projected revenue underspend of £0.132m for 2014/15 to the Capital Programme Reserve; and

1.6.8 the fees and charges set out in Appendix D of the report to the Fire Authority; and

1.6.9 The Chief Fire Officer & Chief Executive, in consultation with the Chairman and Treasurer, has been authorised to make adjustments to the presentation of the budget to reflect the final Local Government Finance Settlement.

2. ESFRS MARITIME RESPONSE TEAM – FUTURE OPTIONS

2.1 The Fire Authority has considered an update on the Integrated Risk Management Plan (IRMP) Phase 3 Review of Offshore Maritime Response.

2.2 Fire and Rescue Services (FRS) are statutorily only required to make provision for firefighting within their area, which by virtue of section 72 of the Local Government Act 1972, extends to the mean low water mark (MLWM). East Sussex Fire & Rescue Service (ESFRS) has a long history of supporting an offshore maritime response to those in distress as a result of fire on board ship.

2.3 Since the last review of the Authority decision to support an offshore maritime response, both the Maritime Coastguard Agency's (MCA) funding and the interim Chief Fire Officers' Association (CFOA) National Resilience Fire & Rescue Marine Response framework had ceased operations.

2.4 Along with some other coastal FRSs, ESFRS was successful in identifying funding to enable it to maintain an offshore response managed under local arrangements; this had been operating in its current format since early 2012.

2.5 The Fire Authority has considered options, (in light of the financial challenges now facing the Service), for the future of the ESFRS Maritime Response Team, or to cease providing the capability altogether. Option 1 was to maintain existing offshore maritime capability; option 2 was to reduce the size of the Maritime Response Team and introduce a range of efficiency measures; and option 3 was to cease to provide an offshore maritime response capability. Members considered the risks locally, as well as the financial implications of the options presented.

2.6 The Fire Authority has agreed in principle that an offshore maritime response continue to be provided in line with a revised model (Option 2) for a further period of three years, subject to the necessary consultation with staff.

COUNCILLOR PHILIP HOWSON
Chairman of East Sussex Fire Authority

13 February 2015