



Meeting of
East Sussex County Council
on Tuesday, 14 July 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, Lewes, **on Tuesday, 14 July 2015 at 10.00 am** to transact the following business

- 1 **Minutes of the meeting held on 12 May 2015** (*Pages 5 - 16*)
- 2 **Apologies for absence**
- 3 **Chairman's business**
- 4 **Questions from members of the public**
- 5 **To receive notice by the Returning Officer certifying the election of a County Councillors for the Old Hastings and Tressell electoral division** (*To Follow*)
- 6 **Report of the Cabinet** (*Pages 17 - 32*)
- 7a **Report of the Governance Committee - 29 June 2015** (*Pages 33 - 36*)
- 7b **Report of the Governance Committee - 10 July 2015** (*To Follow*)
- 8 **Questions from County Councillors**
 - (a) Oral questions to Cabinet Members
 - (b) Written Questions of which notice has been given pursuant to Standing Order 44
- 9 **Report of the East Sussex Fire Authority** (*Pages 37 - 38*)

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 the Reverend Martin Miller, St Michael's Church, Newhaven. 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

6 July 2015

This page is intentionally left blank

MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 12 MAY 2015 at 10.00 am

Present Councillors John Barnes, Colin Belsey, Nick Bennett, Bill Bentley, Ian Buchanan, Carla Butler, Frank Carstairs, Peter Charlton, Charles Clark, Godfrey Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Stuart Earl, David Elkin, Michael Ensor, Kathryn Field, Kim Forward, Roy Galley, Keith Glazier, John Hodges, Philip Howson, Laurence Keeley, Carolyn Lambert, Carl Maynard, Ruth O'Keeffe, Michael Phillips, Peter Pragnell, Mike Pursglove, Pat Rodohan, Phil Scott, Jim Sheppard, Daniel Shing, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Rosalyn St. Pierre, Bob Standley, Richard Stogdon, Barry Taylor, Sylvia Tidy, David Tutt, John Ungar, Steve Wallis, Trevor Webb, Francis Whetstone and Michael Wincott

1 To elect a Chairman of the County Council

Councillor Michael Ensor (Vice-Chairman of the County Council) in the Chair.

1.1 The following motion was moved by Councillor Glazier and **SECONDED**

–

‘To elect Councillor Belsey to serve as Chairman of the County Council for the ensuing year’.

1.2 In moving his motion, Councillor Glazier paid tribute to the excellent work that Councillor Belsey had undertaken during the past 2 years as Chairman of the County Council.

1.3 There being no other nominations, the Vice-Chairman put the motion to the vote and declared Councillor Belsey elected as Chairman of the County Council for the ensuing year. Councillor Belsey made a declaration of acceptance of office and took the Chair.

Councillor Belsey in the Chair.

1.4 The Chairman thanked the Council for electing him as Chairman.

2 To appoint a Vice-Chairman

2.1 The following motion was moved by Councillor Glazier and **SECONDED** –

‘to appoint Councillor Ensor to serve as Vice Chairman of the County Council for the ensuing year’.

MINUTES

2.2 There being no other nominations, the Chairman put the motion to the vote and declared Councillor Ensor appointed as Vice Chairman of the County Council for the ensuing year. Councillor Ensor made a declaration of acceptance of office and took his seat as Vice-Chairman.

3 Minutes of the meeting held on 24 March 2015

3.1 RESOLVED – to confirm the minutes of the meeting of the County Council held on 24 March 2015 as a correct record.

4 Apologies for absence

4.1 Apologies for absence were received from Councillor Blanch.

5 Chairman's business

JEREMY BIRCH

5.1 The Chairman, Group Leaders and other members paid tribute to Jeremy Birch following his death on 6 May 2015. Jeremy Birch was a highly respected councillor both at Hastings Borough where he was Leader and at the County Council where he served since 1995. His knowledge, passion and commitment will be greatly missed. On behalf of the County Council, the Chairman offered condolences to Jeremy's family and friends.

5.2 The Council stood in silence as a mark of respect for their former colleague Jeremy Birch.

ELECTIONS

5.3 On behalf of the Council the Chairman congratulated those in the Chamber who were elected in the recent District and Borough Council elections. The Chairman also congratulated the MPs in East Sussex who were elected on 7 May 2015.

CHAIRMAN'S ACTIVITIES

5.4 I have attended a number of engagements since the last County Council meeting including: the unveiling and dedication of SS Barn Hill Interpretation Board at Sovereign Harbour, the Ore Centre Opening Ceremony, the High Sheriff's Lunch, the Royal visit of the Duke of Gloucester to the Southern Water Plant at Peacehaven, the formal opening of the new Seaford Head Golf Clubhouse, the production of Il Travatore and the pre-show reception at the White Rock Theatre. The Vice Chairman has also attended a number of events.

PRAYERS

5.5 The Chairman thanked Don Smith, former Lead Elder at King's Church (Eastbourne and Hastings) for leading the prayers before the Council meeting.

PETITIONS

5.6 The Chairman informed the Council that he had not received any petitions from members immediately before the meeting.

6 Declarations of Interest

6.1 There were no declarations of interest

7 Reports

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

- Governance Committee - paragraph 1
- Lead Member for Transport
and Environment - paragraph 1

NON-RESERVED PARAGRAPHS

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

8 Report of the Governance Committee - Reserved Paragraph - Appointments to Committees

8.1 Councillor Glazier moved the reserved paragraph of the Governance Committee's report as amended by the revised version of Appendix 1 that had been tabled at the meeting

8.2 The motion was CARRIED

9 Record of Delegation of Executive Functions

9.1 In accordance with the Constitution, Councillor Glazier presented a written record to the Council of his appointments to the Cabinet, their portfolios and his delegations of executive functions. A copy of the Leader's report is attached to these minutes.

10 Appointments to Committees and Sub Committees

10.1 Councillor Bennett moved, and it was seconded, that appointments be made to the Committees and Sub-committees, listed in item 8 of the agenda, in accordance with the list of nominations from political groups which was circulated in the Council Chamber.

10.2 The motion was CARRIED.

11 Appointment of Members to other Committees and Panels

11.1 Councillor Bennett moved, and it was seconded, that members be appointed to serve on the Committees and Panels listed in item 9 of the agenda, in accordance with the political balance provisions and the list of nominations from political groups which was circulated in the Council Chamber.

11.2 The motion was CARRIED

MINUTES

12 Appointments to the Transport and Student Support Panel and the Education Performance Panel

12.1 Councillor Bennett moved, and it was seconded, that the political balance provisions would not apply to the membership of the Transport and Student Support Panel and the Education Performance Panel and that members be appointed to the Panels in accordance with the list of nominations from political groups which was circulated in the Council Chamber.

12.2 The motion was CARRIED (with no member voting against).

13 Confirmation of Continuation of Other Bodies

13.1 Councillor Bennett moved and it was seconded, that the bodies listed in agenda item 11 be continued, that the political balance provisions shall not apply to these Panels and that members be appointed by the Chief Executive as the need arises.

13.2 The motion was CARRIED (with no member voting against).

14 Appointment of Chairs and Vice Chairs of Committees and Sub Committees

14.1 The following motion, moved by Councillor Bennett and seconded, was CARRIED:

'To appoint the following members to positions listed below':

Committee	Chair	Vice-Chair
Regulatory	Stogdon	
Adult Social Care and Community Safety Scrutiny Committee	Pragnell	Webb
Audit, Best Value and Community Services Scrutiny Committee	Blanch	Barnes
Children's Services Scrutiny Committee	Field	S Shing
Health Overview and Scrutiny Committee	Ensor	O'Keeffe
Economy, Transport and Environment Scrutiny Committee	Stogdon	Pursglove
Governance Committee	Glazier	
Planning Committee	Daniel	Stogdon
Pension Committee	Stogdon	
Standards Committee	Stogdon	

15 Questions from members of the public

15.1 There were no questions from members of the public

MINUTES

16 Cabinet's priorities for the forthcoming year

16.1 Councillor Glazier outlined the Cabinet's priorities for the forthcoming year. The other Group Leaders commented on these, following which there was a debate.

17 Report of the Lead Member for Transport and Environment

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

17.2 The motion was CARRIED after debate

18 Questions from County Councillors

ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Ungar	Councillor Maynard	Update on discussions regarding possible provision of shuttle bus between Eastbourne District General Hospital and the Conquest Hospital, Hastings.
Councillor St Pierre	Councillor Maynard	Additional cost resulting from legal challenge regarding the Queensway junction with the Bexhill to Hastings Link Road.
Councillor Tutt	Councillor Glazier	Engagement with opposition Group Leaders prior to meeting with the Secretary of State for Communities and Local Government
Councillor Daniel	Councillor Maynard	Removal of abandoned, untaxed vehicles from un-adopted roads.
Councillor Pursglove	Councillor Simmons	Estimated cost of Queensway Gateway and likely opening date
Councillor S Shing	Councillor Maynard	Highway maintenance standards following works to highways and footways
Councillor Webb	Councillor Glazier	Request that when meeting with the East Sussex MPs the Leader raises the issue of deprivation in the County

MINUTES

Questioner	Respondent	Subject
Councillor Wincott	Councillor Bennett	Governance arrangements of academies in East Sussex

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

18.2 One written question was received from Councillor Lambert for the Lead Member for Transport and Environment. The question and answer are attached to these minutes.

18.3 The Lead Member for Transport and Environment responded to a supplementary question from Councillor Lambert.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.49 pm

The reports referred to are included in the minute book

MINUTES

Delegations approved by the Leader of the Council – 12 May 2015

(a) *names of the County Councillors appointed to the Cabinet*

The Cabinet comprises the following members

Portfolio	Appointment
Strategic Management and Economic Development	Councillor Keith Glazier
Resources	Councillor David Elkin
Community Services	Councillor Chris Dowling
Economy	Councillor Rupert Simmons
Transport and Environment	Councillor Carl Maynard
Adults Social Care	Councillor Bill Bentley
Children and Families (designated statutory Lead Member for Children's Services)	Councillor Sylvia Tidy
Learning and School Effectiveness	Councillor Nick Bennett

(b) *the extent of any authority delegated to cabinet members individually as portfolio holders is set out in the Constitution of the County Council and below.*

In overall terms the areas of responsibility for each portfolio holder includes the following (subject to any subsequent amendment by the Leader at his discretion) principal services to be interpreted broadly. In accordance with the wishes of the Leader, principle services are not to be construed restrictively. In the event of any doubt in connection to a decision made by a Lead Member, the Leader confirms that he has delegated full executive authority to that decision maker:

Portfolio	Scope
Strategic Management and Economic Development	<ul style="list-style-type: none"> • Chairing and managing the executive and its work • Overall strategy and policy for the Council • Principal service area responsibilities: Communications Economic Development/LEP Policy and Performance Public Health Equalities South East Seven Partnership Democratic Services all ancillary activities

MINUTES

Resources	<ul style="list-style-type: none"> • Strategy and policy for all corporate resources matters • Principal service area responsibilities: Financial Management Property asset management Risk management Procurement Internal audit ICT Personnel and Training Legal all ancillary activities
Community Services	<ul style="list-style-type: none"> • Strategy and policy for all Community Services matters • Principal service area responsibilities: Archives and records Coroner services Libraries Registration Services Strategic Partnerships Culture Voluntary Sector all ancillary activities
Economy	<ul style="list-style-type: none"> • Strategy and policy for all economic development and regeneration projects and all ancillary activities • Principal service area responsibilities Trading Standards
Transport and Environment	<ul style="list-style-type: none"> • Strategy and policy for all Transport and Environmental matters • Principal service area responsibilities: Operational services Planning and developmental control Transport strategy and road safety Environmental and waste strategy Emergency Planning Gypsies and travellers all ancillary activities

MINUTES

Adult Social Care	<ul style="list-style-type: none"> • Strategy and policy for all Adult Social Care and Community Safety matters • Principal service area responsibilities: Services for vulnerable adults including older people, learning disability, physical disability, mental health and all ancillary activities Community Safety
Children and Families	<ul style="list-style-type: none"> • Overall strategy and policy for all Children's Services (social care) matters • Principal service area responsibilities: Child protection and family support Fostering and adoption for children Residential care for children Other aspects of social care for children Special educational needs Youth justice Youth service all ancillary activities
Learning and School Effectiveness	<ul style="list-style-type: none"> • Strategy and policy for all Children's Services (education) matters • Principal service area responsibilities: Quality and standards in educational establishments School admissions and transport Early years and childcare School organisation and place planning all ancillary activities

(c) *appointment to the position of Deputy Leader*

Councillor Elkin to be appointed Deputy Leader of the County Council

(d) *the terms of reference and constitution of the Cabinet and any executive committees together with the names of cabinet members appointed to them*

Delegations to each of these positions will remain as currently set out in the Constitution of the Council

(e) *the nature and extent of any delegation of executive functions to local committees*

There is no delegation of executive functions to local committees

(f) *the nature and extent of any delegation to officers*

MINUTES

The delegations of executive functions to Officers will be as set out in the Constitution. The delegations to Officers can be viewed via the following link:

<http://www.eastsussex.gov.uk/yourcouncil/about/keydocuments/constitution/>

or alternatively hard copies are available at County Hall, Lewes (please contact Andy Cottell – 01273 481955)

Councillor Keith Glazier
Leader of the Council

12 May 2015

WRITTEN QUESTION PURSUANT TO STANDING ORDER 44

1. Question by Councillor Lambert to the Lead Member for Transport and Environment

When the Seaford Household Waste Recycling site (HWRS) was closed for four days a week, residents understood that servicing of the site by Veolia would take place on these four days to avoid any further lack of access to these facilities.

I understand that Veolia are in fact emptying the site during the three days that it is open to the public, resulting in temporary closure and long queues. One resident was forced to return to the site four times before he could get in. Another resident tried to visit the site on Bank Holiday Monday, a day when many people might wish to use the site, only to find it closed. He then went to Newhaven which apparently was busy with a line of queuing cars almost back to the road. His total journey time was just over an hour and he commented to me "Great for the carbon footprint!"

Can you take the necessary action to ensure that any servicing of the site is done outside of Friday, Saturday and Sundays to avoid residents losing any further access to this well-used facility? Can you further assure residents that both Household Waste sites will be open on Bank Holidays?

Answer by the Lead Member for Transport and Environment

Following public feedback on the original closure proposals, Cabinet approved the retention of the Seaford HWRS but reduced the opening days to Friday to Sunday. Currently there are no plans to open the site on Bank Holidays.

During the week when the site is closed, the management contractor, Veolia, aims to service (usually on a Wednesday) as many of the containers present on site as possible, with priority being given to the most popular material streams, so that there is maximum useable storage capacity available on the site prior to the next weekend's opening.

During any given weekend opening, the containers located on the site can become full (again certain materials, e.g. black bag and green waste, fill particularly quickly), meaning that to maintain availability, from time to time, these containers need to be removed and emptied. The Environmental Permit for the site requires materials to be containerised and the Planning Consent limits the permitted operating hours for the site. Therefore, if the containers are not able to be emptied during the weekend opening hours, there is a strong likelihood that they would soon become full, which would lead to the site closing early due to a lack of available container capacity. To avoid this scenario, during the weekend itself, Veolia aim to replace full containers as soon as possible with empty ones. The Seaford HWRS is a more rudimentary 'single-level' site, (and does not benefit from the user / operator separation provided by a 'split-level' arrangement as at the newer, purpose-built Newhaven HWRS), and unfortunately this invariably means that container exchanges require users to be excluded from the site for their own health and safety. A typical container exchange takes in the order of 20 minutes.

MINUTES

Veolia and the County's Waste Management Team are monitoring the situation with regards to queuing in the locality and are actively seeking to identify measures to increase on-site container capacity for the high demand materials such as green and black bag waste. Nevertheless, householders in Seaford also have the option of using the Newhaven HWRS, located approximately 4 miles away. This site is larger, more accessible, is open 7 days per week, and due to its split-level design, is far less likely to have to temporarily close when container exchanges are required.

REPORT OF THE CABINET

The Cabinet met on 29 June 2015. Attendance:-

Councillor Glazier (Chair)

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

1. Council Monitoring – end of year 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 end of year 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 broadband project is delivering speeds which are exceeding expectations. 580 jobs have been created and £4.2m allocated to support business growth in the county. There has been an improvement in the proportion of roads that should be considered for structural maintenance. The opening of the Bexhill to Hastings Link Road has been delayed until later in 2015. In 2014/15, 100% of working age adults and older people receiving our support, and 100% of carers received self-directed support. The number of children with a Child Protection Plan reduced to 469 from 613. 1,684 children are accessing a place with an eligible early years provider, a take up of 78.1% which is 16.1% above the national average. As part of the SE7, we delivered £3m of savings against a target of between £750,000 and £1m, due to additional savings delivered through joint work with Surrey County Council on procurement. Newhaven Library opened 14 March 2015. Our dedicated World War One website has been viewed 45,000 times since launch in August 2014.

1.3 More detail of progress against each of our priority outcomes is set out at paragraphs 1.9 to 1.34 below. 76 performance targets are reported at year end: 51 (67%) were achieved, 21 (28%) were not achieved and 4 (5%) are carried over for reporting in quarter 1 2015/16, because outturn data is not yet available. 46 can be compared to previous years, of these 31 (67%) improved, 3 (7%) showed no change, 8 (17%) deteriorated and 4 (9%) are carried over for reporting at quarter 1 2015/16.

1.4 At the end of the year the gross service overspend was £5.5m, this is an improvement of £0.1m from the £5.6m overspend reported at quarter 3. There are, therefore, no new material variations to report. As previously reported this can be managed within the unused general contingency and the remaining inflation provision for 2014/15. The provisional outturn, subject to external audit, is a significant achievement given the scale of savings that have been delivered. Of the £30.4m savings planned for 2014/15 (net of £0.3m investments), £21.9m were made as planned and there were mitigating savings of £0.6m; a total of £22.5m of savings were delivered, £7.9m below target. In addition, there were slipped savings from 2013/14 of £2.4m, of these £2.0m were achieved in 2014/15, with £0.4m remaining unachieved.

1.5 As reported at quarters 2 and 3 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.

1.6 The value of debt over 5 months at quarter 4 is £2.490m. This is an increase of £434k when compared to quarter 4 2013/14 outturn of £2.056m. This is due to a number of debts which are secured against a property where we are awaiting the issue of an order for sale/possession, these debts would not have been included in the aged debt profile last year. Joint working is continuing with Adult Social Care and Legal team colleagues. The new aged debt reporting continues to be of value in enabling better monitoring to identify areas for focus.

1.7 For 2014-15 the capital programme is reporting a variation of £50.8m against an approved gross budget of £170.5m. At quarter 3 we reported a variation of £30.5m due to slippage on a handful of major projects such as Bexhill Hastings Link Road £6.7m, Hastings Library £6.0m and £9.3m in the School Places Programme due to issues relating to planning deferring expenditure by £2.5m and the remainder of the variation due the budget not being aligned to delivery plans. The additional variation of £20.3m reported at quarter 4 is largely due to slippage on the Broadband scheme of £5.2m due to implementation costs being lower than anticipated allowing for a phase 2 in 2015-16, further slippage on the Bexhill Hastings Link Road of £4.7m due to adverse weather conditions and Terminus Road has incurred slippage of £3.1m as the project is still in development stage and firm cost profiles will not be known until a contractor is appointed.

1.8 The Strategic Risk Register, Appendix 7 of the report to the Cabinet, has been reviewed and eight risks have been amended. Risk 3 (Care Act) has been amended to reflect the Care Act being enacted on 1 April 2015. Risk 1 (Roads), risk 4 (Health), risk 6 (Local Economic Growth), risk 7 (Schools), risk 8 (Capital Programme), risk 9 (Workforce) 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

1.9 The entire £4.2m Regional Growth Fund (RGF) has been allocated and 580 jobs created against a target of 486. Projects supported include the expansion of BD Foods in St Leonards, creating 40 new jobs and Airtrace in Eastbourne, creating 15 jobs (Appendix 5o the report to the Cabinet).

1.10 A total of 38,565 premises are now able to be connected to improved broadband, exceeding the target of 35,000. The delivered speeds are exceeding expectations; as of December over 15,000 premises were able to receive speeds of 24mbps or above, with only 2,211 able to receive less than this (Appendix 5 of the report to the Cabinet).

1.11 The contractor of the Bexhill Hastings Link Road was unable to complete the bulk earthworks during 2014 due to wet weather, the amount of archaeology undertaken, and the subsequent winter delays. Following dry weather earth moving activities restarted earlier than envisaged. Remaining works comprise the completion of the countryside section of the scheme including bulk earthworks, landscaping and topsoiling in parallel with finishes to the structures and carriageway construction (Appendix 5 of the report to the Cabinet).

1.12 The planning application for the Queensway Gateway Road was approved by Hastings Borough Council in February 2015. Following assessment of the business

case, an allocation of £15m was approved by SELEP on 20 March 2015. Site clearance work started in March 2015 and the scheme is due for completion in September 2016 (Appendix 5 of the report to the Cabinet).

1.13 Stage 1 of the Uckfield Town Centre Highway Improvement Scheme was completed in November. This included new street lights and widening footways outside the railway station (Appendix 5 of the report to the Cabinet).

1.14 21 highways resurfacing schemes have been delivered in quarter 4, treating 5.8 miles of road at a cost of £1.75m. Throughout the year we have completed over 314 resurfacing schemes, which equates to over 120 miles of resurfaced roads and fewer roads requiring structural maintenance (Appendix 5 of the report to the Cabinet)

1.15 In 2014/15, 41% (£216m) of procurement spend was with local suppliers. We have focused our attention where we can add the greatest value, for example in the construction category, we achieved 70% of procurement spend with local suppliers. We have also introduced the 'Supply to East Sussex' website in collaboration with public sector partners across the county, to provide a 'one stop shop' for communicating contract opportunities to our suppliers, including Small and Medium Enterprises (Appendix 3 of the report to the Cabinet)

1.16 The percentage of Looked After Children (LAC) making two levels or more of progress between KS1 and KS2 is higher than the national average in writing (90% against a national average of 82%) and in maths (76% against a national average of 75%). 76% of LAC made two levels or more progress between KS1 and KS2 in reading, compared to the national figure of 81%. 23% of LAC made three levels of progress between KS2 and KS4 in English, against a national average of 34.5%. 26.5% made three levels of progress in maths against the national outturn of 26.3%. A high proportion of the cohort has benefitted from additional 1:1 tuition funded by the Pupil Premium, attended the Virtual School's residential revision weekend and received additional support. 12.5% of LAC achieved 5 or more A* - C GCSE's including English and maths against a national average of 12% (Appendix 4 of the report to the Cabinet)

1.17 Of the 155 eligible care leavers, 12 took up places at university in September 2014 which represents 7.7% against a target of 7%. In 2014/15 6 care leavers took up an apprenticeship, one of which is within the Council. This represents 3% against a target of 10% (Appendix 4 of the report to the Cabinet).

Keeping vulnerable people safe

1.18 Between January and December 2014 (pending DfT validation) there were 388 people Killed or Seriously injured (KSI) on the roads, an increase of 14.5% on 2013 and 2% higher than the 2005-2009 average. In 2014, 16 people were killed; this is lower than the average of 33 per year for 2005-2009. East Sussex figures mirror national data which identifies that driver/rider error is a main or contributory factor in over 90% of crashes. Public Health has allocated £1m to reduce KSIs in the county, and this will be used to deliver a 3 year programme of targeted activity. We are currently developing the draft programme which will ensure this funding is spent efficiently and effectively, and this will be presented to a joint Economy Transport and Environment and Audit, Best Value & Community Services scrutiny board in the autumn. The programme will focus on the following actions: behaviour change and education, growing and strengthening local partnerships, and development of a better evidence base. In addition there will be a detailed evaluation plan for the programme (Appendix 5 of the report to the Cabinet).

1.19 Two school safety zones have been completed. A 20mph zone has been created on Steyne Road, Sutton Avenue and a number of side roads in Seaford, creating a safe route for children travelling to and from schools in the area. A further zone has been introduced outside St Andrew's Infant School in Eastbourne. Two

School Safety Zones covering Ratton School in Eastbourne and Heathfield Community College have been delayed until 2015/16. These are due to additional survey and liaison work for the Eastbourne scheme and investigation of alternative technology for the Heathfield scheme (Appendix 5 of the report to the Cabinet).

1.20 The number of care proceedings initiated continues to reduce from 77 in 2013/14 to 67 in 2014/15; we have also supported the courts to improve timeliness of proceedings. Looked After Children admissions in 2014/15 have significantly reduced when compared with 2013/14, a reduction of 16% from 190 in 2013/14 to 159 in 2014/15 (Appendix 4 of the report to the Cabinet).

1.21 The target to recruit 50 adopters was met and 56 children were placed for adoption against a target of 50, these included placements for three older children who were more difficult to place (Appendix 4 of the report to the Cabinet).

1.22 The Family Drug and Alcohol Court (FDAC), which is the first in the South East outside of London, sat for the first time in Hastings on 7 April 2015. FDACs work differently to conventional care courts by addressing the entrenched problems of the parents in order to enable the children to remain with them (Appendix 6 of the report to the Cabinet).

Helping people help themselves

1.23 100% of the total target number, 1015, of families in the Troubled Families programme were turned around by the end of the 3 year programme. Families are considered to be turned around if an adult in the family sustains a job for a minimum period, thereby allowing themselves to come off related benefits, or if the family achieve targeted reductions in antisocial behaviour, under 18's crime, school exclusions or unauthorised absences. 1,294 families received a family support intervention during the programme (Appendix 4 of the report to the Cabinet).

1.24 East Sussex continues to perform well at providing NHS Health Checks. To quarter 3 this year 16.4% (27,279) of those eligible were offered a health check; this is 27% higher than the same period last year (21,482) (Appendix 2 of the report to the Cabinet).

1.25 At 31 March 2015 there are 1,874 service entries on 1Space across 1,798 organisations exceeding the target figure for 14/15. There were a total of 43,511 visits to 1Space during 2014/15 (28% repeat visitors and 72% new visitors) a 51% increase on the 14/15 target figure for this period and a gross increase of 71% from 2013/14 (Appendix 2 of the report to the Cabinet).

1.26 Services for the residents of East Sussex requiring support following welfare reform have been streamlined. Universal Credit goes live in Hastings and Rother in April 2015, with Eastbourne, Lewes and Wealden following in June 2015 (Appendix 6 of the report to the Cabinet).

Making best use of resources

1.27 We have completed our plans for the final year of the Medium Term Financial Plan 2013/14 - 2015/16 and are now developing our approach for 2016/17 onwards. The Council Plan, Portfolio Plans and Revenue Budget Summary have all been published (Appendix 6 of the report to the Cabinet).

1.28 We have increased our focus on generating income; significant additional income includes the partnership 'pool' for Non Domestic Rates within East Sussex, covering the County Council, the five Borough and District Councils and the Fire and Rescue Service. (Appendix 3 of the report to the Cabinet).

1.29 We are expanding and embedding our partnership working with Surrey County Council in relation to all Business Services and Legal Services. This will lead to a wide range of benefits including fostering innovation, increased sustainability and improved quality of services, commercial leverage and delivery of broader shared efficiencies (Appendix 3 of the report to the Cabinet).

1.30 Eight SPACES projects were completed in 2014/15 against the target of three. This includes five co-locations, one disposal and community provision and one land swap. In addition, Wealden District Council is now storing documents at the County Council's Ropemaker Park. The Programme benefits measured to date include £12.9m capital receipts and £2m reduction in revenue costs across the partners (Appendix 3 of the report to the Cabinet).

1.31 A vastly improved system for managing committee meetings and the associated paperwork has been implemented. The system, called "modern.gov" will provide much easier and more efficient management for all our committee papers. Content will be much easier to find, view and cross reference electronically than is possible with our current system. The system went live on 5 May 2015 (Appendix 6 of the report to the Cabinet).

1.32 £2.55m of capital receipts were generated in 2014/15 against a target of £4m due to three disposals being delayed. The delays are due to a belated footpath challenge Westfield Down (£560k); a restrictive covenant relating to 14 Westfield Lane (£375k); and purchaser queries on ground conditions at Woollards Field (£540k) (Appendix 3 of the report to the Cabinet).

1.33 The Citrix project is now complete and this major infrastructure project is a major contributor to our Public Services Network accreditation allowing us to share information across organisational boundaries with our partners (Appendix 3 of the report to the Cabinet).

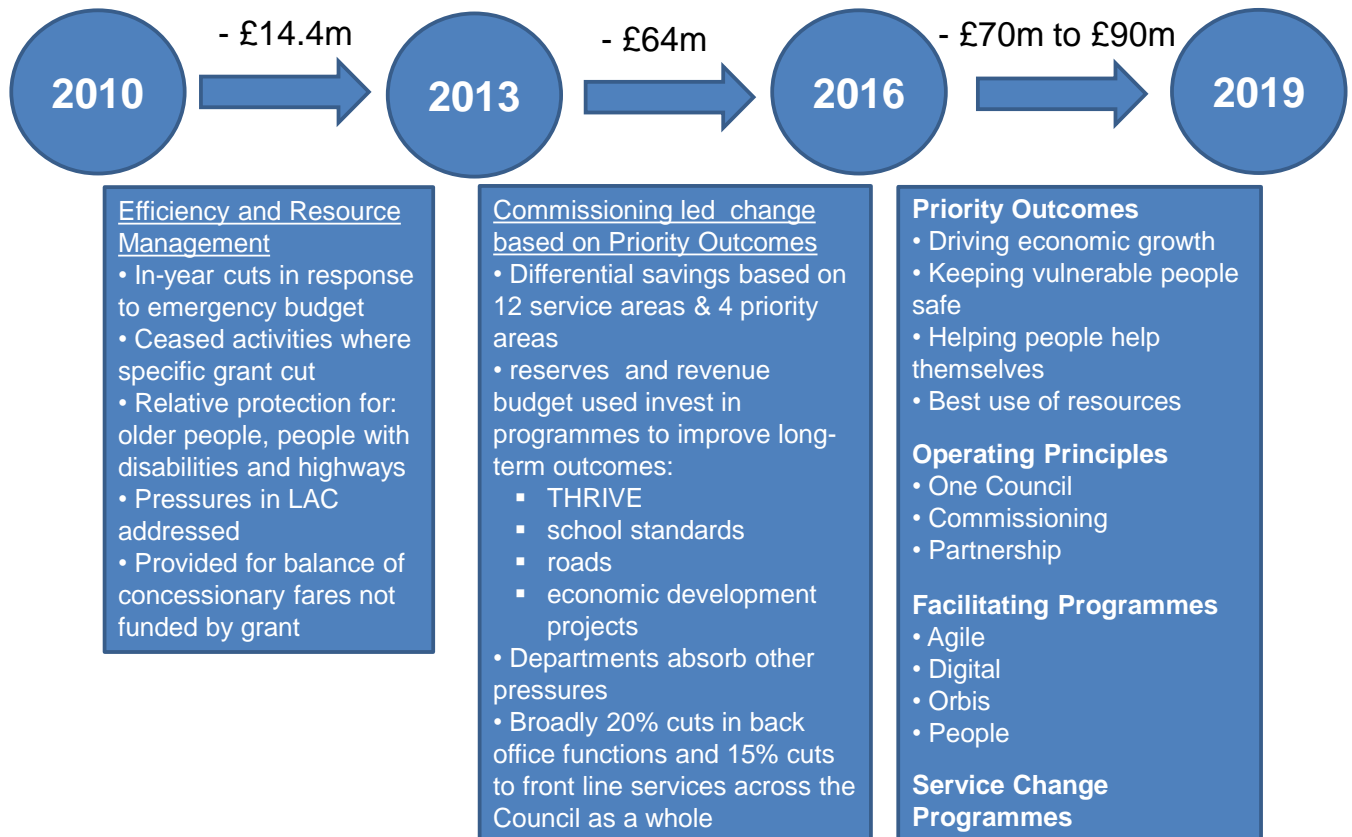
1.34 The Sickness Absence outturn for the whole authority (including schools) is 8.31 days lost per FTE employee, which represents an increase of 6.3% since 2013/14. The majority of the increase is in non-schools teams and comparisons with a small group of local authorities indicates that this outturn is higher than average. We will validate the comparability of the data and explore potential learning from approaches to absence and wellbeing. Stress continues to be the primary driver of absences across the organisation (Appendix 3 of the report to the Cabinet).

2. Reconciling Policy, Performance and Resources: State of the County

2.1 The State of the County report begins our Reconciling Policy, Performance and Resources process, the business and financial planning cycle, for the period 2016/17-2018/19. The Council's current medium term financial plan runs to the end of the current financial year.

2.2 The last five years have seen the County Council make savings of £78m. The diagram below shows how those savings were achieved through a mixture of service change, efficiency and prioritisation. During this period we have been able to make differential savings across priorities and have used reserves to invest in some areas. Whilst the County Council will still have a net budget of about £350m next year, the need to make savings of £20m-£25m in 2016/17 and a total of £70m-£90m up to 2018/19, will bring a new scale of challenge which cannot be met without direct impact on front line services for all service areas across the organisation.

Our Journey



2.3 The next three year’s programme will be developed and implemented against a background where public expenditure as a proportion of GDP will become the lowest it has been since World War 2. With some areas of Government spending being protected (such as Health), unprotected departments (such as Communities and Local Government) will face some very deep cuts. For the County Council, this will mean statutory services will need to be provided at a reduced level and some services that the public value will have to cease if we are to manage within our means. This may increase the risks to some of the more vulnerable people in the community. Research shows that the public considers the period of austerity to be over and there is a danger that they will see Local Government as the cause of the cuts rather than Central Government.

2.4 The next three years will be unprecedented both in the scale of Government grant reductions and uncertainty about the effects of the Care Act (the latter of which means that the financial position of the Council’s largest service is hard to predict but is likely to be in the range indicated above). These savings are in addition to the £78m reduction in spending the Council made between 2010 and 2015. Savings to date have been achieved by ceasing activities where specific Government grants were cut, applying Lean methodologies and working in partnership where this is more efficient and provides better value for money. This has allowed the Council to make differential savings, providing relative protection to or investment in priorities such as older people’s services, highways and Looked After Children, and taking higher levels of savings in back office and non-priority areas. Clear targets for the areas of investment and for delivery of the priority outcomes are set out in the Council and in Lead Members’ Portfolio Plans. It is not possible to achieve the next round of savings through efficiency and without affecting front line services, when so much has already been achieved in this way and the scale of the savings is so large.

Council Priority Outcomes

2.5 Last year, Members agreed a more focused approach to the Council Plan and agreed some broad outcomes which indicate success in delivery of our four priorities. These outcomes provide a focus for decisions about spending and savings and will direct work across the Council. The outcome that “the Council makes the best use of resources” is a test that will be applied to all our activities. The four priority outcomes are set out in more detail in Appendix 1 of the report to the Cabinet, but fall under the following headings:

- Driving economic growth;
- Keeping vulnerable people safe;
- Helping people help themselves; and
- Making best use of resources.

Development of the Council's Medium Term Plans

2.6 The Council's current Medium Term Plan runs to the end of 2015/16 and was agreed by County Council in February 2014. The Council has, in the past, been able to develop detailed plans for a rolling three year period, which has enabled longer-term service change to be achieved in support of our priorities and the savings necessary to achieve a balanced budget to be made.

2.7 The next Medium Term Planning period, the three years between 2016/17 and 2018/19 will see demand for services continue to rise due to demographic pressures. The changes expected which will affect our services are set out in Appendix 2 of the report to the Cabinet. The key changes are:

- A 1% rise in the overall population, with reductions in the absolute numbers and proportions of young people and working age adults;
- An increase in the number and proportion of older people, with the largest percentage rise in people aged over 85;
- Potential need for 7,500 new jobs to meet the increase in the workforce as the retirement age increases and to provide employment for those currently on Jobseekers' Allowance; and
- Whilst the overall number of young people will decrease (as the population of 0-4 and 16-17 falls), there will be an increase in the number of primary age pupils in the middle of the period and a need for additional primary school places to provide places and choice in the areas where new housing growth is providing pressures on places. This bulge in the primary school population will feed through to secondary schools and there will be a need for additional places in the following three years.

2.8 The national and local context in which the Council's plans will need to be made is set out in Appendix 3 of the report to Cabinet. Broadly, the Government's long-term aim of reducing tax as a percentage of GDP, coupled with low productivity in the economy, means that public expenditure will continue to fall as a percentage of GDP until 2020. The lower ratio of GDP to spend tends to become locked into Government plans and is therefore likely to continue beyond 2020. With less money, the state will therefore need to have a smaller role in society. With spending commitments and priority being given to the NHS, to some aspects of welfare spend (such as pensions) and to defence, savings in other “unprotected” areas will need to be greater. As an unprotected area, spend and, therefore, the services Local Government can provide will inevitably continue to decline.

2.9 The Office of Budget Responsibility has said that the plans set out in the Conservative party's manifesto imply cuts of more than 5% in 2016-17 and in 2017-18. A number of the Government's manifesto promises could involve additional costs for the Council, but there is unlikely to be additional funding available to meet any costs, as the Conservative party manifesto set a target of saving £13bn from Government departments. A new Comprehensive Spending Review is anticipated to take place over the summer and will be published in October 2015. It will set out detailed spending plans for each Government department. The detailed provisional settlement for the Council is expected in December 2015, but the current

planning assumption is that the Council will lose £46m in Government funding over the next three years.

2.10 The Government has also announced an emergency budget for 8 July 2015. The budget is expected to introduce measures to reduce the deficit by addressing the country's poor productivity record, to introduce changes to welfare provision and may begin the cuts required of unprotected Government departments. The Chancellor's speech to Parliament on 5 June 2015 indicated that there were likely to be in-year cuts to Local Government services, for example, Public Health.

2.11 The effects of the Care Act add to the difficulty of making firm predictions about the level of savings required and there will be some opportunities to increase the Council's income (see paragraphs 2.14 and 2.15 below). However, taking all these changes together, it is estimated that the Council will have a net budget of just over £350m in 2016/17 to spend on services. This will require savings of £20m-£25m in 2016/17. Savings for the period 2016/17-2018/19 are expected to need to total £70m-£90m. These savings are in addition to those the Council has made over the last five years which total £78m. Services have, in the main, absorbed inflationary and service pressures, which mean that the savings made were much higher in real terms. Chief Officers may also need to take measures to implement any in-year cuts to Local Government spending introduced as part of the budget in July.

Meeting our Strategic Challenge

2.12 The key elements which will help us meet the strategic challenge we face, and progress against them, is set out below.



Cross-Council Facilitating Programmes

2.13 A summary of the progress on our cross-Council facilitating programmes which will help us to work most effectively in future years is set out below:

- i) Community Resilience – work is underway throughout all services on early intervention to help avoid more costly interventions later. Work in the next year will concentrate on developing a strategy to work with the communities to reduce demand for public service through increased self-help
- ii) People Strategy – the approved strategy is being implemented, along with a new learning management system due to be launched in September, with a stronger focus on health and wellbeing and the personnel performance management system currently under review.
- iii) Agile – activity on the Property and IT phase of the work continues, with a supporting programme aimed at helping staff to manage in an Agile environment.
- iv) Digital – linked to our Agile programme, our Digital Strategy has a number of elements which support our service change programmes. These will help us to share information with others, work more efficiently and support and enable channel shift to allow more services to be delivered digitally and to reduce costs.
- v) South East Business Services – work is progressing towards the creation of a joint business services partnership with Surrey County Council (SCC), now known as Orbis, following agreement by Cabinet. The services covered will include: personnel, finance, procurement, property and ICT. Work is also underway to develop a legal services partnership with SCC aligned with the Orbis programme.

Maximising control and independence

2.14 Income Generation - work is underway to ensure the Council maximises its income under four themes:

- core finance and funding;
- fees and charges;
- cultural change; and
- commercial strategy.

2.15 In relation to core finance, additional income will be generated through the Business Rates Pooling agreement, the increase in Council Tax base (estimated at 1% per annum), increased income from Business Rates from new developments and rises in Council Tax. The assumption officers have made about increases in Council Tax of 1.95% per annum could be subject to change, following any revised Government ceiling on Council Tax increases without a referendum. An Investment Strategy for Property is also under development.

2.16 The Local Government Association (LGA) has created a Municipal Bonds Agency (MBA) which it believes will allow councils to raise funds at significantly lower rates than those offered by the PWLB. It is an independent company with the sole aim of reducing financing costs for councils through arranging lending at competitive interest rates. It is envisaged that the company will fund lending through any or all of the following:

- Raising money on the capital markets through issuing bonds
- Arranging lending or borrowing directly from local authorities
- Sourcing funding from other third party sources, such as banks, pension funds or insurance companies.

2.17 The County Council is not able to issue its own bonds due to the stringent capital market requirements including an initial sum of £250m+ needed to get a market rate. The MBA would, however, be able to raise finance in bulk from the capital markets by issuing bonds and lending to local authorities. The current indication is that around 60 local authorities have pledged support. The County Council is giving consideration as to whether to participate in the scheme and a report will be taken to the Lead Member shortly for decision. The Council is currently in negotiations to determine the level of its participation in the scheme.

2.18 Taking part in setting up the agency does not commit the Council to borrowing, but could give early access to potentially cheaper borrowing if required.

2.19 There are other benefits that arise from the creation of the MBA including:

- Reduced exposure to shifting government lending policies through increased competition and diversity of lending sources.
- The creation of a centre of expertise at the intersection between capital markets and local government finance.
- The opportunity to access European Investment Bank (EIB) funding for future Council infrastructure development. EIB rates are lower than PWLB rates, but cannot usually be accessed by local authorities, because, in most cases, the EIB will only lend money for specific projects worth £250 million or more (in some cases the EIB will help to finance £150 million projects) for which it will provide up to half the funding.
- There is the possibility that the Council may receive dividend income in the future.

2.20 The proposals are grounded in the prudential code, but there are a number of risks associated with the formation of the MBA. These are:

- The company has not started to operate and is an unproven concept;
- It may not be possible to raise the required level of capital or further capital may be required;
- The demand for borrowing may not materialise;
- The PWLB may reduce its margins making the company an unattractive prospect;
- If the company has to be wound up, assets remaining in the company will be distributed to the value of cash investments – the value of any investment may not therefore be realised.
- In the event of any local authority becoming bankrupt, the Council's liability will be limited to the proportion of its investment.

2.21 In order to participate in the scheme Council will need to agree amendments to its Treasury Management Strategy. The recommended amendments are set out in Appendix 1 which has been circulated separately to all members.

2.22 Devolution - work is also underway to ensure we fully exploit any opportunities that devolution may offer to make the most of the public funding that is available for the benefit of the people of East Sussex. Proposals in the Cities and Local Government Bill are predicated on a mayoral model. The Council is working with SE7 partners to develop a devolution ask and offer which will be based on the circumstances in the south east and which seeks a more flexible governance model to take account of a large two-tier area. More details of the developing SE7 proposal are set out in Appendix 3 paragraph 1.4 of the report to the Cabinet.

Service Change Programmes

2.23 In response to changes in legislation and in preparation for the scale of savings anticipated during the next planning period, a number of service change streams have been developed. It will be through these change streams, supported by the cross-Council facilitating programmes, that services will be reshaped in a way that will help them become sustainable in the future.

2.24 Skills - the work in relation to skills has the following two main streams:

- ensuring the County Council, as an employer, is playing its part to assist young people and vulnerable groups into employment, linked to its workforce plan and future workforce needs; and
- facilitation between schools, colleges and employers to ensure that the county has the workforce it needs, equipped with appropriate skills, both for current employment opportunities and in future growth sectors.

2.25 Children's Services Future Operating Model - the Thrive Programme has successfully reduced the number of children coming into care and the length of time they spend in care. The savings needed in the next planning period and the changing relationships with schools as they become more autonomous, means that we need to develop a radical new operating model for Children's Services, which delivers our priority outcomes as effectively as possible

against the background of diminishing resources and influence over schools. The review of service design aims to:

- commission integrated services working closely with partner agencies;
- ensure the right people work with the right children, families and settings in the right way for the right amount of time;
- work better together with Adult Social Care and NHS for the benefit of the whole population; and
- mobilise communities and other partners to help children, young people and families.

2.26 East Sussex Better Together and the Care Act - a more detailed explanation of the work we are carrying out on East Sussex Better Together (ESBT) and the Care Act is set out in Appendix 3, paragraphs 3.1 to 3.9 of the report to the Cabinet. The rising numbers of older people needing help, the additional duties arising from the Care Act and its effect on market inflation in the care sector would place considerable strain on our ability to meet all substantial and critical need without additional funding. Service development through the better integration with the NHS via the ESBT Programme will help to mitigate this strain, provided the Government continues to support a shift from acute to community care. The additional savings likely to be required during the next planning period could mean the ability to meet our statutory duties is jeopardised. With half our budget spent on services for Adults, however, it will not be possible to protect the budget, whilst continuing to meet our other duties.

2.27 Highways Contract Re-let - Members will be aware that the highways contract re-let, which will be completed for the start of the 2016/17 financial year, and which will have taken an outcomes focus to services, is expected to deliver savings of just over £1m. This will leave the Council with a new role in relation to highways, managing the contract and the asset, but with delivery of the contracted outcomes the responsibility of the contractor.

Capital Programme

2.28 A summary of the changes to the Capital Programme following the closure of the 2014/15 accounts and a review of the programme's overall deliverability is attached at Appendix 4 of the report to the Cabinet.

2.29 The review of the programme has identified changes to the profile of individual schemes including slippage, to ensure alignment with delivery timescales. In addition, there is a reclassification of £0.9m within the building improvement project to revenue and additional budget requirement for the Schools Access Initiative Programme of £0.2m due to the current budget allocation ending in 2014/15 and our need to ensure that we accommodate children with specific needs in "mainstream" schools. The Council has capital contingency to fund this cost.

2.30 The Council has a contingency to mitigate programme risks outlined in detail at Appendix 4 paragraph 2.7 of the report to the Cabinet. Following a review, this stands at £12.9m (£10m agreed at the February meeting of the County Council less the £1.2m used and adding the additional resources of £4.1m).

RPPR next steps

2.31 Through the RPPR process, we will bring forward proposals for savings across the next three financial years to reshape the organisation and deliver the savings required by commissioning services which will deliver our priority outcomes as far as possible, in partnership with others, where this will yield better outcomes for local people. Where the services commissioned are delivered by others, arrangements will need to ensure that democratic accountability for use of budgets and outcomes is protected.

2.32 Whilst the existing service change, facilitating and income generation programmes identified above will help to ensure that the Council delivers its services in the most efficient way possible and that it maximises the use of all the resources available to it, they cannot deliver the scale of savings likely to be required during the next three years. We will continue to make sure we learn from best practice elsewhere, benchmark our services for value for money and take efficiency savings where these are available. However, the scale of the savings we have already made and the size of the task ahead means that our service offer will need to fundamentally change and reduce. Some services will need to cease and statutory services will need to be delivered in a tightly targeted way, which means that some people who access them now may not be able to do so in the future. This will bring increased risk to the Council and to those we serve.

2.33 The Council has identified its key outcomes against the four priority areas which will help officers bring forward prioritised and targeted savings plans (Appendix 1 of the report to the Cabinet). The facilitating programmes contribute to and our commissioning approach will help to deliver a One Council approach to achieving the outcomes identified by Members.

2.34 Our priority outcomes and operating principles are being used to shape the work already underway in relation to the elements in the strategic challenge diagram. Chief Officers have used them to identify areas of search for savings in the next year. These are:

- Adult Social Care – integrating work with health to take a single view of health and care requirement; developing our digital systems to maximise efficiency and reduce the cost of advice and assessment; review return on investment in preventive services to focus on those which give the greatest return in terms of reduced need for long term care;
- Children’s Services - integrated services with partner agencies; ensuring the right people work with the right children, families and settings in the right way for the right amount of time; integrated work with Adult Social Care and NHS; and mobilising communities and other partners to help children, young people and families as part of our community resilience work and increased digitalisation of service access.
- Review the Capital Programme to ensure we are making the right choices between revenue and capital to meet basic need in the county;
- Communications model redesign;
- Commissioning strategy for community based services such as libraries and children’s centres;
- Review of corporate financing arrangements; and
- Highways contract re-let and review of winter maintenance policy and routes.

2.35 Cabinet has agreed that Chief Officers develop plans over the summer for the delivery of savings of £70m-£90m in the next three years, subject to any amendment required following the Government’s emergency budget in July, with more detailed proposals for savings of £20m-£25m to be brought to Cabinet in October.

Engagement, Communications and Lobbying

2.36 Engagement and communications will take place on both the Council’s overall position and specific proposals as they emerge with the public, partners, staff and stakeholders. The Council will seek to lobby through national, local and regional networks and direct with decision makers on issues affecting the county to get the best possible outcomes for local people.

2.37 The Committee **recommends** the County Council to:

- ✧ agree the amendments to the Treasury Management Strategy set out in Appendix 1 to facilitate investment in a wholly local government owned municipal bond agency.

3. South East Seven (SE7) and South East Devolution Update

3.1 The last SE7 Leaders' Board meeting of Leaders and Chief Executives took place on 15 May 2015 and the notes of the meeting were attached as Appendix 1 of the report to the Cabinet. The meeting had a specific focus on the decentralisation and devolution agenda with discussion on national policy shifts and the implications and opportunities for the SE7 partnership.

3.2 Following agreement at the previous meeting, Tony Travers, Director at London School of Economics, attended the meeting to deliver a presentation (a copy of the presentation was attached at Appendix 1 of the report to the Cabinet) on the challenge facing the public sector over the next five years, with a specific focus on:

- Future public expenditure and the consequence for Local Government; and
- The evolution of Government policy towards "sub-national Government.

3.3 The key points of the presentation and the discussion were as follows:

- The Government's financial plans signal a continued period of reducing monies for the public sector, with Local Government taking a continued, larger share of the burden.
- The policy shift towards devolution represents an opportunity for Local Government to build strong cases for local freedoms and flexibilities.
- The SE7 offer/ask to Government would be better received if it were to be seen as providing a solution to or taking on a Central Government challenge.

3.4 The Board was in agreement that the SE7 is well-positioned to build a case for a transfer of a package of freedoms and flexibilities. A case for devolution could build upon the existing SE7 framework (namely a coalition of the willing where two or more councils can collaborate on shared priorities) and arrangements as a long-established partnership, with a proven track record and a strong and well-recognised brand (both nationally and locally). Any devolution activity would be predicated on strong relationships within the two-tier areas of the SE7 and would be an alternative to a change to Unitary Authorities.

3.5 The Board also considered the work undertaken by the Chief Executives' Board (with the support of KPMG) to explore the specific devolution opportunities for the SE7. Caroline Haynes, Director at KPMG, set out the context and options for the SE7. The key points of the discussion were as follows:

- A SE7 devolution offer would fit with the Conservative manifesto pledge to "strengthen and improve devolution for each part of our United Kingdom in a way that accepts that there is no one-size-fits-all solution". Development of a SE7-specific devolution offer and governance model is critical to ensure the proposal is received well by Government and is locally appropriate for the SE7 (i.e. to reflect that the SE7 is not a city region and that the mayoral model would not be appropriate).
- The relationship of most of the SE7 area to London was considered critical and infrastructure within the SE7 was noted as an essential component of a SE7 offer.

3.6 It was agreed that a coalition of willing SE7 authorities would be formed, who would work at pace to progress this activity. The case for devolution will not focus solely on savings: it is primarily about the best possible outcomes and service provision for residents. The group would develop a SE7 framework for fiscal devolution of the following:

- road and rail infrastructure;
- digital infrastructure;
- adult social care and health;
- employment and skills; and
- support to local businesses.

3.7 Since the meeting, East Sussex, Surrey and West Sussex County Councils have, agreed to explore with Government what powers and freedoms can be devolved to this part of the South East. The three councils are clear on the crucial role that partners, especially Borough and District Councils, will play in the shaping of a successful devolution offer. Further detail of the initial offer to Government is set out in the letter to the Secretary of State for Communities and Local Government, Rt. Hon. Greg Clark MP, at Appendix 2 of the report to the Cabinet.

3.8 As the devolution discussion develops with Government and partners over the coming weeks and months, further updates will be provided to Members. Where decisions need to be made which impact ESCC, formal endorsement will be sought through Reconciling Policy, Performance and Resources and other relevant governance mechanisms.

3.9 A communications and stakeholder engagement strategy will be developed to ensure the devolution offer can be shared and communicated in the most effective way.

3.10 A number of additional activities will also be progressed by the SE7:

- Collaboration with the Behavioural Insights Team will continue and an update will be shared with the Leaders' Board at the next meeting in September; and
- The Chief Executives' Board will consider the review by Louise Casey into the Rotherham Child Sexual Exploitation case at their next meeting and any lessons will be shared at a future meeting of the Leaders' Board.

4. Ashdown Forest Trust

4.1 The Cabinet considered a report by the Director of Communities, Economy and Transport regarding the Ashdown Forest Trust's Income and Expenditure Account for 2014/15 and Balance Sheets as at 31 March 2015. The Ashdown Forest Trust, a registered charity, was set out by a declaration of Trust in 1988. East Sussex County Council is the trustee and agrees grants made to the Ashdown Forest Conservators, from the Ashdown Forest Trust Fund.

4.2 The Trust's Income and Expenditure Account shows an annual deficit in 2014/15 of £18,694. The movement from the previously projected surplus of £1,768 is mostly attributable to the £21,000 grant payment for the refurbishment of the Ashdown Forest Visitor's Centre. This was approved by Cabinet and payment was made at the end of the financial year. There has also been a slight reduction in the audit fees that were estimated earlier in the year.

4.3 The main source of income was the rent from the Royal Ashdown Forest Golf Club, currently £70,000 per annum. A rent review took place at the end of 2014 and it was agreed that there would not be any increase in the rent payable. This decision was based on market evidence, which identified that the current rent was in line with the market and therefore a rent increase would be unreasonable. This will be reviewed every five years

under the terms of the lease. The majority of the expenditure relates to the £65,100 annual grant paid to the Conservators of the Ashdown Forest. In 2013/14, the Trust made an operating surplus of £176, when no one-off payments were approved but audit fees were more costly. The accumulated General Reserve totalled £155,470 at 31 March 2015.

4.4 A formal annual report and statement of accounts will be compiled in accordance with the Charity Commission's Statement of Recommended Practice (SORP). These accounts will be independently examined before being submitted to the Charity Commission by 31 January 2016.

29 June 2015

KEITH GLAZIER
(Chair)

This page is intentionally left blank

2015/16 Treasury Management Strategy (extract)**1. Amendment to the 2015/16 Treasury Management Statement**

- 1.1 Minor but important amendments are required to the Council's Treasury Management Strategy to permit the investment in shares in the Municipal Bonds Agency. The technical name for this type of investment is 'Non-Specified'.
- 1.2 It is important to note that the amendments will not enable the Council to make investments in shares where the sole purpose is to speculate on increasing share values.
- 1.3 It is proposed that the following sentences will be **deleted** from the Treasury Management Strategy (para 5.17):- *'Non-Specified investments are any other type of investment (i.e. not defined as specified above). The identification and rationale supporting the selection of these other investments and the maximum limits to be applied are set out in Table 4 below. Non specified investments would include any sterling investments'*.
- 1.4 The following sentences will be **added** to the Treasury Management Strategy (para 5.17: *'The Council may make an investment in the form of shares in the municipal bonds agency (Local Capital Finance Company Limited) where the primary purpose is to support the Council's priorities rather than to speculate on the capital sum invested. With the exception of the municipal bonds agency investment, only investments where there is no contractual risk to the capital invested and where the rate of return justifies their use will be entered into.*

Non-Specified investments are any other type of investment (i.e. not defined as specified above). The identification and rationale supporting the selection of these other investments and the maximum limits to be applied are set out in Table 4 below. Non specified investments would include the purchase of shares in the municipal bonds agency (Local Capital Finance Company Limited).'

This page is intentionally left blank

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 29 June 2015. Attendance:

Councillor Glazier (Chair)
Councillors Daniel, Elkin and Howson

1. East Sussex Electoral Boundary Review

1.1 The Local Government Boundary Commission for England (LGBCE) is an independent body whose main activity is to carry out electoral reviews of principal local authorities in England. The Commission is carrying out a review of East Sussex County Council in a coordinated process alongside simultaneous reviews of all five districts and boroughs within East Sussex.

1.2 The review has been triggered because East Sussex County Council meets the Commission's intervention criteria due to electoral inequality. The Commission has found levels of electoral inequality between county electoral divisions. Since the last review in 2005, through development and movement of people, some county councillors now represent many more, or many fewer, electors than other councillors. In addition, the Commission considers that two district/borough councils in East Sussex also meet the criteria for review. Even though only three councils have triggered a review, this review will include the county and the five districts and boroughs. The review will *not* include: parliamentary constituency and parish boundaries, and the external boundaries of the county and district/borough authorities.

1.3 A Member Reference Group, comprising one nominee from each Group represented on the County Council, has overseen the initial work that has resulted in the draft submission. A copy of the draft submission has been circulated separately as Appendix 1. From the evidence, the Reference Group has concluded that the County Council has the correct number of members to fulfil the current and expected member roles to enable the Council to discharge its functions most effectively. Furthermore, the Reference Group considers that there should be no reduction in the number of county councillors in Hastings and Rother and that double-member divisions should be replaced with single member divisions. The LGBCE has made it clear that it will also consider submissions from individuals or groups of individuals at each phase of the review.

1.4 The timescales for the remainder of this process are as follows:

Phase 1: Decision on council size

ESCC draft submission considered at Full Council	14 July 2015
Deadline for council size submission to LGBCE	7 August 2015
LGBCE decides on county and district/borough sizes	15 September 2015

Phase 2: Decision on ward and division patterns

LGBCE consultation on ward/division patterns	22 September – 30 November 2015
LGBCE consultation on its draft recommendations	15 March 2016 – 16 June 2016
Publication of LGBCE final recommendations	September 2016
Order laid before Parliament	October 2016

1. The Committee **recommends** the County Council to:

✧ 1) recommend to the Local Government Boundary Commission for England (LGBCE) that:

a) the report and evidence on current and future member roles at Appendix 1 be agreed as the draft County Council's submission to the LGBCE;

b) the current number of members on the County Council should remain unchanged at 49 whilst also maintaining the current number of county councillors in each of the five districts and boroughs;

c) if there is an absolute need to change the size of the Council (for example to address electoral inequalities that cannot be resolved by any other means) then the number of councillors in Hastings and/or Rother should not be reduced; instead, a marginal increase in council size to 50 would be acceptable;

d) there should, as a matter of principle, be a consistent picture of (49) single-member county electoral divisions across the county with no multi-member divisions; and

e) there should be coterminosity between county electoral division and district/borough ward boundaries; under no circumstances should any county electoral division straddle a district or borough boundary.

2) authorise the Assistant Chief Executive to produce the final version of the submission on Council size to the Local Government Boundary Commission for England taking into account any additional information requested by the Commission.

2. Amendment to Constitution – disciplinary process for senior officers

2.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 amends the statutory process to be followed when dismissing the Head of Paid Service, Monitoring Officer or Chief Finance Officer by removing the requirement that a Designated Independent Person (DIP) be appointed to investigate and make a binding recommendation on disciplinary action against the Statutory Officers.

2.2 The regulations require the County Council to amend its Standing Orders to ensure that disciplinary action against any of the Statutory Officers cannot be taken until comments, views or recommendations are received from a panel consisting of at least two independent persons and including any representations from the officer concerned. The final decision must be made by the Full Council. For the avoidance of doubt, the new process applies to dismissal for the same reasons as apply to the current DIP process; this means that it applies to dismissals for any reason other than redundancy, permanent ill-health or infirmity of the mind or body.

2.3 The arrangements in the new Regulations would be subject to any provisions contained in the officers contracts of employment, until such time as the contracts are amended.

2.4 In the case of a proposed disciplinary action against a Statutory Officer, the Council is required to invite independent persons who have been appointed for the purposes of the members' conduct regime introduced under the Localism Act 2011 to form a panel ('the Panel'). The Panel will include two or more independent non-voting persons who accept the invitation in the following priority order:

GOVERNANCE

- (a) a relevant independent person who has been appointed by the council and who is a local government elector;
- (b) any other independent person who has been appointed by the council; and
- (c) an independent person who has been appointed by another council or councils

2.5 The authority must appoint the Panel at least 20 working days before the meeting of the council to consider whether or not to approve a proposal to dismiss the relevant officer.

2.6 The proposed procedure to manage a dismissal of a relevant officer is set out in Appendix 2 of the report (circulated separately to all members) and will amend the procedure currently set out in Part 4 of the Constitution, Officer Employment Procedure Rules. It is proposed that any allegations are investigated by an independent and suitably qualified person and that the Governance Committee will use its best endeavours to agree the appointment of this person with the officer. Any discussion at Governance Committee and Full Council taking place under these rules concerning an individual officer would be conducted under the exempt part of these meetings.

2.7 The Committee **recommends** the County Council to:

☆ 1) to agree to the Constitution being amended to reflect the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 in relation to the disciplinary process for the posts of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer; and

2) approve for inclusion in Part 4 of the Constitution, Officer Employment Procedure Rules provision for the proposed procedures for the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer as set out at Appendix 2

29 June 2015

KEITH GLAZIER
(Chair)

This page is intentionally left blank

1 INTRODUCTION

The Local Government Boundary Commission for England (LGBCE) is an independent body whose main activity is to carry out electoral reviews of principal local authorities in England. The Commission is carrying out a review of East Sussex County Council in a coordinated process alongside simultaneous reviews of all five districts and boroughs within East Sussex.

The Commission will ultimately make recommendations to Parliament on the electoral arrangements of the six local authorities in East Sussex, namely:

- a) **Council size:** the total number of councillors elected to each authority.
- b) The **boundaries of all wards (for district and borough councils) and divisions (for the county council)** – but not the external boundary of any of the authorities.
- c) The **number of councillors** elected to each ward and division.
- d) The **name of each ward and division.**

The new electoral arrangements will come into effect from the next County Council elections in May 2017; Hastings Borough Council elections in 2018 and other district and borough council elections in 2019.

Reason for the review

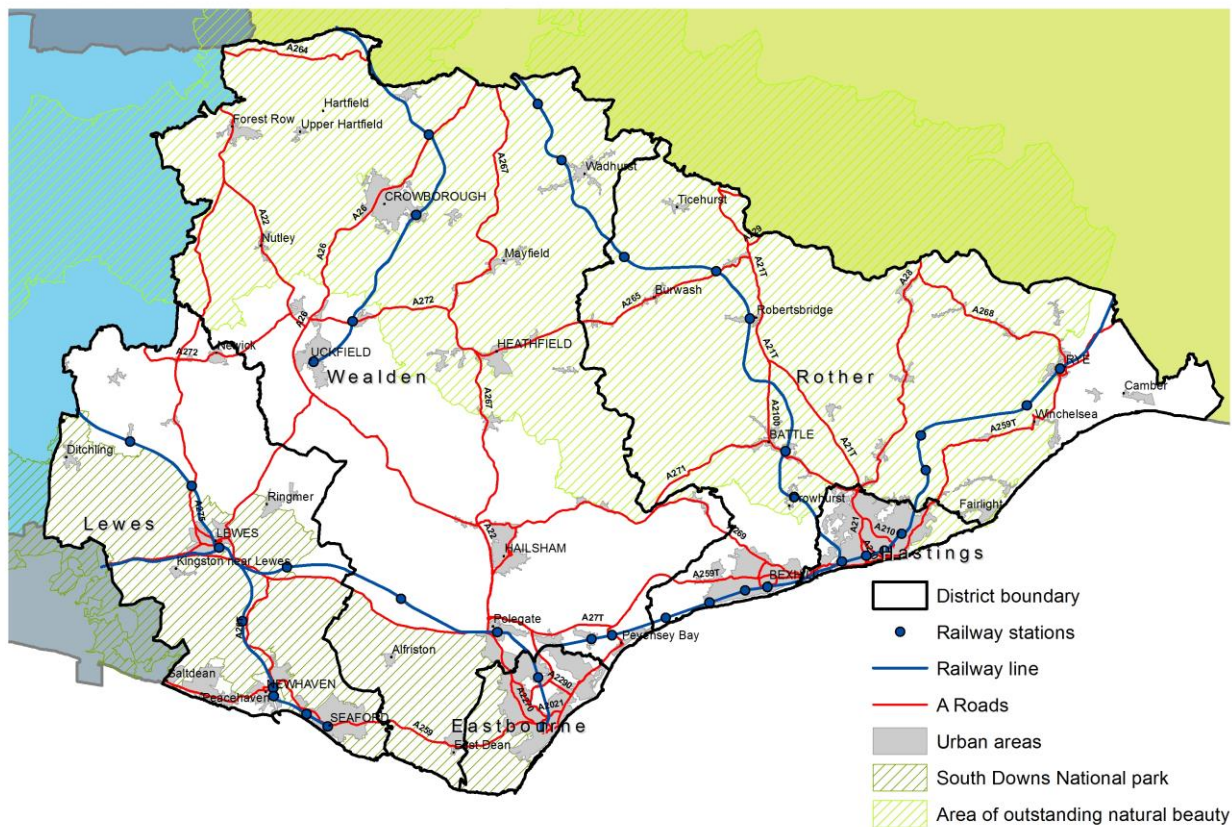
This review has been triggered because East Sussex County Council meets the Commission's intervention criteria due to electoral inequality. The Commission has found significant levels of electoral inequality between county electoral divisions. Since the last review, through development and movement of people, some county councillors now represent many more, or many fewer, electors than other councillors. In addition, the Commission considers that two district/borough councils in East Sussex also meet the criteria for review. Even though only three councils have triggered a review, this review will include the county and the five districts and boroughs.

The first phase of the electoral review, and the subject of this report, is a consideration of council size (the number of councillors elected to the authority).

2. BACKGROUND

Local Authority Profile

East Sussex is a county of 660 square miles. About two thirds of the county is designated as Areas of Outstanding Natural Beauty: the High Weald and the South Downs National Park. East Sussex is an attractive place to live with a generally peaceful atmosphere; an overall low crime rate; high quality natural environment, countryside and coast; vibrant towns and attractive villages with unique characteristics and histories.



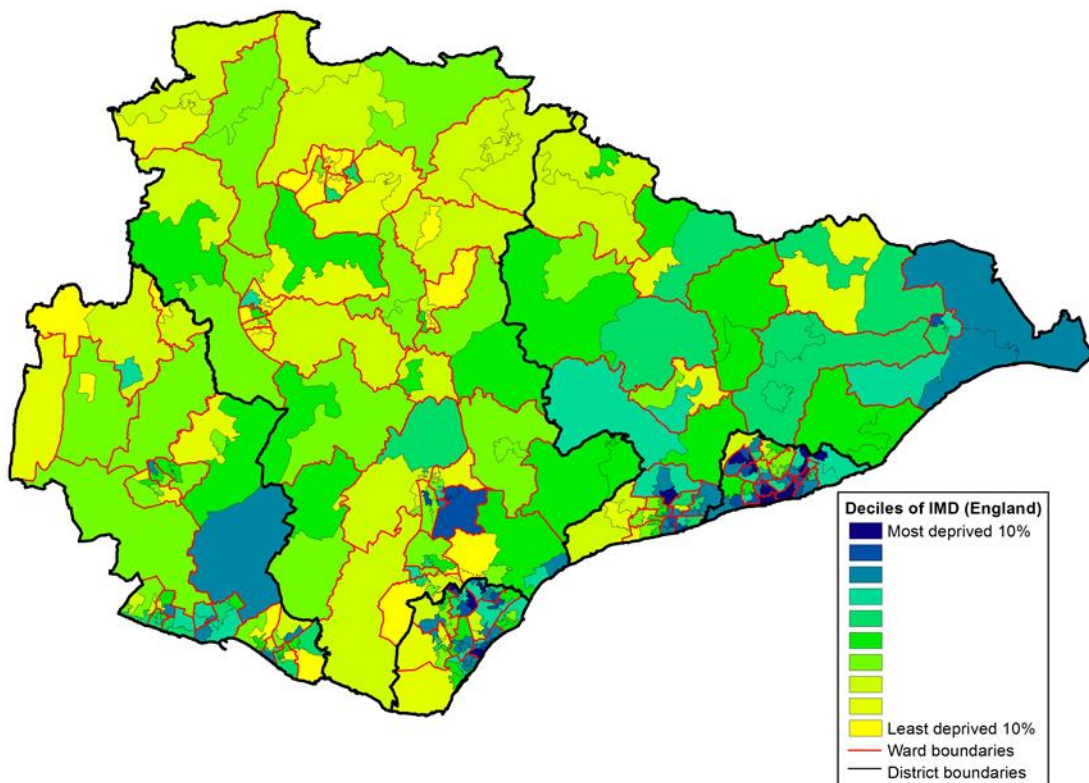
© Crown copyright. All rights reserved.100019601, 2015.

East Sussex has no motorways and a limited trunk road network. Only short sections of the major roads are dual carriageways. A high quality, efficient and safe road network is considered vital to and a major factor governing the prospects for economic growth. Our Local Transport Plan sets out schemes that aim to improve transport infrastructure in the county over the next 15 years. Schemes that offer the best impact on communities and provide greatest value for money are carefully prioritised.

The Bexhill Hastings Link Road is due to open later in 2015 and will benefit residents and businesses in the area by creating space and access for up to 2,000 new homes, business developments, and employment opportunities.

Employment deprivation is highest in the coastal towns and in the east of the county. However, there are pockets of deprivation in some rural areas:

Indices of Deprivation 2010: Indices of multiple deprivation



© Crown copyright. All rights reserved.100019601, 2015.

Council priorities

The council has identified four overarching priority outcomes:

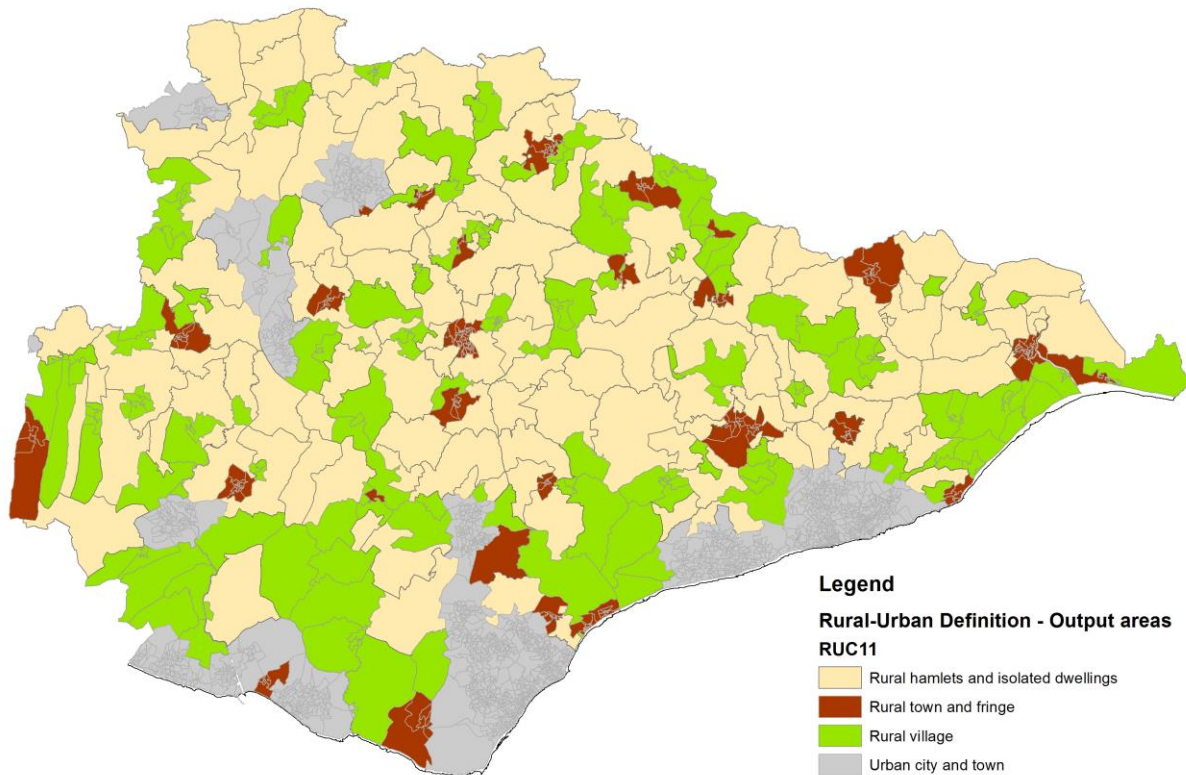
- Driving economic growth
- Keeping vulnerable people safe
- Helping people help themselves; and
- Making best use of resources.

Making best use of resources is the 'gateway' priority through which any activity and accompanying resources must pass. The remaining three priority outcomes guide our activities, direct our resources and are reflected in our Council Plan activities and targets.

As resources tighten, we are evolving an ever sharper focus on these priority areas. This process requires us to define clearly the outcomes we wish to achieve and then to monitor our success in delivering these outcomes for the county's residents, communities and businesses.

Demographic pressures

Almost three quarters of the population in East Sussex live in urban areas. (See map below)



In 2013, East Sussex had a population of 534,402 (ONS mid-year estimates). East Sussex has had an older age profile compared to England and Wales and the South East for at least the last 30 years. Over half of the county's population is aged over 45, compared to 43% nationally and 44% regionally. In particular, the proportion of the population aged 75+ is almost 12%, compared to 8% regionally and nationally. East Sussex still ranks highest of all 35 counties in England based on its percentage of the population aged 90+ and second highest for 75+ and 85+ after Dorset.

At district level, Rother, together with Christchurch, is ranked highest of all districts and unitary authorities in the country for its percentage of the population aged 90+. It is also second highest for the 75+ and 85+ age groups. Eastbourne ranks fourth highest for the over 90 age group and is within the top 10 for 85+.

The pensionable age population is also relatively higher in East Sussex than nationally and regionally, representing 24% of the total population in 2013, compared to 17% in England and Wales and 18% in the South East.

On the other hand, there are fewer young people in the county compared to the national and regional picture. Younger generations, aged 20-39, only account for 20% of the total population, compared to 25% in South East and 27% in England.

The working age population, aged 16-64, accounts for around 59% of the county's population, which is also lower than the national and regional averages of about 64% and 63% respectively.

As a consequence of an ageing population, the elderly dependency ratio is 41% in East Sussex, compared to 27% nationally and 29% regionally. Rother has the highest ratio at 56% and Hastings the lowest at 29%.

By 2021, the total population is projected to increase by 5.8% to 565,197. The following projections take account of the housing to be developed in that time period. The districts and boroughs in East Sussex expect that over 12,600 dwellings will be built by 2021.

Districts	Estimates	Projected Population									2013-2021	% change
	2013	2014	2015	2016	2017	2018	2019	2020	2021			
Eastbourne	100,537	101,002	101,450	101,902	102,354	102,806	103,261	103,716	104,175	3,638	3.6	
Hastings	90,754	91,054	91,383	91,967	92,489	93,007	93,522	93,963	94,467	3,713	4.1	
Lewes	99,479	99,725	100,274	100,624	101,268	102,377	103,803	104,809	105,630	6,151	6.2	
Rother	91,054	91,363	92,059	92,800	93,537	94,359	95,212	95,948	96,706	5,652	6.2	
Wealden	152,578	153,890	155,366	156,841	158,317	159,793	161,268	162,744	164,219	11,641	7.6	
East Sussex	534,402	537,034	540,532	544,134	547,965	552,342	557,066	561,180	565,197	30,795	5.8	

Districts	Completed dwellings	Planned dwellings								Total
	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2014/15-2020/21	
Eastbourne	245	228	230	230	230	231	231	233	1,613	
Hastings	133	156	263	230	228	234	197	232	1,540	
Lewes	113	257	152	281	489	611	428	355	2,573	
Rother	157	326	352	345	381	395	341	352	2,492	
Wealden	560	635	635	635	635	635	635	635	4,447	
East Sussex	1,208	1,602	1,632	1,721	1,963	2,106	1,832	1,807	12,665	

During the next medium term planning period (2016/17 to 2018/19) there will be an increased demand for council services due to demographic pressures based on:

- a 1% rise in the overall population, with reductions in the absolute numbers and proportions of young people and working age adults;
- an increase in the number and proportion of older people, with the largest percentage rise in people aged over 85;
- a potential need for 7,500 new jobs to meet the increase in the workforce as the retirement age increases and to provide employment for those currently on Jobseekers' Allowance; and
- an increase in the number of primary age pupils in the middle of the period and a need for additional primary school places to provide places in the areas where new housing growth is providing pressures on places.

Previous boundary reviews

Until 1997, East Sussex County Council had 70 councillors, albeit representing a much larger population. Brighton & Hove became a unitary authority at that time and the County Council was reduced to 44 members by removing the 26 Brighton and Hove electoral divisions. Initially, no assessment was undertaken to determine whether the remaining 44 members was an appropriate size for East Sussex County Council.

However, in its submission to the Boundary Commission in March 2003, the County Council considered that there was justification for moving to a slightly larger Council of 49 members based on an assessment that determined:

- an increased emphasis on councillors' community leadership role and the additional partnerships and external bodies in which they were expected to become involved
- the need to better recognise community interests.
- The need to fulfil adequately the scrutiny process which required a slightly larger number of members to undertake the detailed work involved.

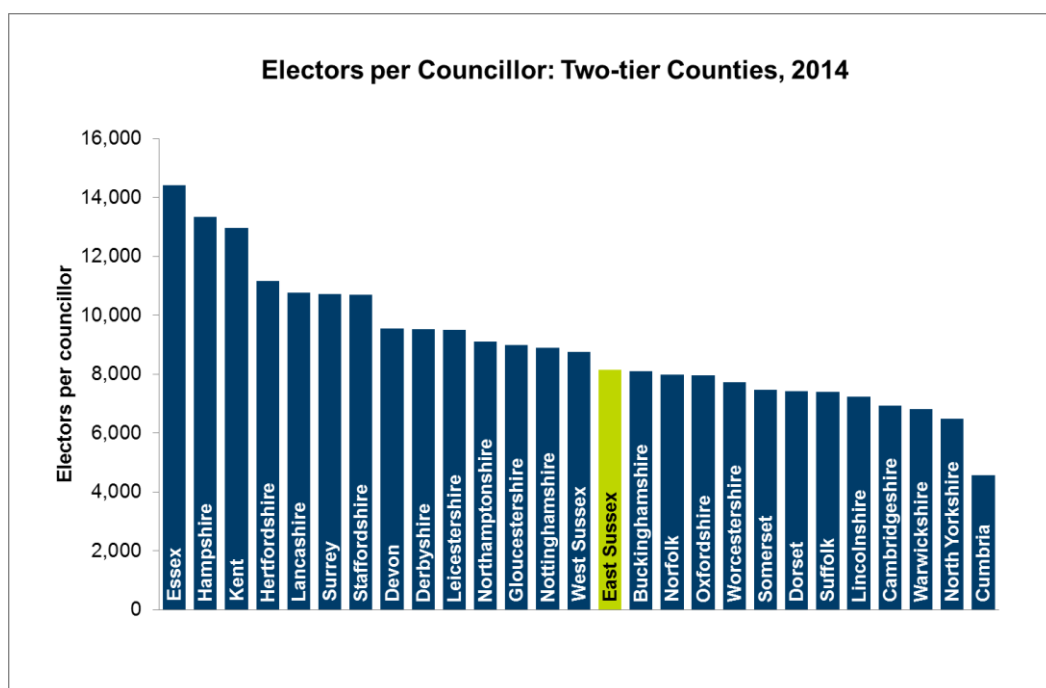
Developing this submission

A 'reference group' of Members, from each of the political groups represented on East Sussex County Council, met on 2 June 2015 to collate their evidence and experience and to formulate the basis of the Council's submission on council size. The group was supported by Kim Bloxham (Team Manager, Research and Information, ESCC) and Paul Dean (Member Services Manager).

The draft submission was considered by Governance Committee which [will] forward its recommendations for consideration at Full Council (14 July 2015).

3. PROPOSAL

At present, East Sussex County Council has 49 elected Members and the ratio of electors to Members sits within an acceptable range of comparator authorities:



Forecast electoral growth

In 2021, the electorate is projected to increase to 431,900 in East Sussex. Electorate rates have been calculated by dividing the number of electors in the 5-year period 2009-2013 by the population aged over 18 for the same period. The projections were produced by applying the electorate rates to the population aged over 18 for each year of the period 2015-2021. The 2014 estimates of electorate were supplied by the districts and boroughs from a 'snapshot' of the electoral roll.

Districts	Estimates	Projected Electorate						
	2014	2015	2016	2017	2018	2019	2020	2021
Eastbourne	73,036	74,456	74,967	75,413	75,766	76,150	76,481	76,832
Hastings	57,998	63,639	64,187	64,643	65,043	65,446	65,745	66,087
Lewes	73,938	77,650	77,956	78,463	79,309	80,401	81,115	81,723
Rother	70,869	73,268	74,001	74,631	75,308	75,957	76,483	77,032
Wealden	119,172	122,936	124,372	125,625	126,821	127,962	129,071	130,228
East Sussex	395,013	411,949	415,482	418,775	422,245	425,916	428,895	431,902

Source: 2014 estimates are from the data supplied by the district/boroughs in 'Electorate Matrix for CEDs sub-district projections 19.01.2015'.

East Sussex County Council governance and decision making arrangements

Following local government reorganisation in 1997, the County Council embraced the ‘democratic renewal agenda’ and was the first council in the country, in May 1999, to establish a leader and cabinet model with the Cabinet comprising only members of the administration.

The Cabinet is responsible for the strategic management of the authority within the budget and policy framework agreed by the County Council. The eight Cabinet members have individual decision making powers within their portfolios. The time commitment for the Leader and Deputy Leader of the Council was assessed to be equivalent to a full time post.

Cabinet meetings are well attended and all members are permitted to speak on matters on the agenda. All members are also able to speak at lead member decision making meetings.

The County Council itself approves the budget and policy framework and meets six times a year to consider draft policy documents, the outcome of scrutiny reviews (see below) and to discuss other matters of significant interest.

A number of other committees are required to fulfil a range of other responsibilities. The following table provides the list of current council bodies together with the number of county councillor sitting on them. .

Council body	No. of County Councillors
Full Council	49
Cabinet	
Leader of the Council	1
Deputy Leader of the Council	1
Other Lead Members appointed by the Leader	6
Scrutiny committees	
Audit, Best Value and Community Services Scrutiny Committee	7
Adult Social Care and Community Safety Scrutiny Committee	7
Economy, Transport and Environment Scrutiny Committee	7
Children’s Services Scrutiny Committee	9
Health Overview and Scrutiny Committee	7
Members of the Cabinet may not serve on scrutiny committees but do attend scrutiny committee meetings to address issues relating to their area of responsibility.	
Other bodies	
Complaints Panels	3
East Sussex Schools Forum	1
School Admissions Forum	5
Regulatory Committee	18
Governance Committee	5
Planning Committee	7
Standards Committee	7
Pension Committee	5

Council body	No. of County Councillors
East Sussex Music Management Committee	5
County Joint Consultative Committee	5
Governors Panel	7
County Consultative Committee (Governors)	5
Joint Advisory Committee (Schools)	5
Standing Advisory Council for Religious Education (SACRE)	5
Corporate Parenting Panel	7
Education Performance Panel	8
Transport and Student Support Panel	3
Adoption and Permanence Panels (2)	2
Fostering Panels	1
Recruitment Panels (as need arises)	5
Health and Wellbeing Board	4
Joint Strategic Planning Advisory Committee	6

Overview and scrutiny

Scrutiny is the method used by councillors, who do not sit on the Cabinet, to evaluate and make recommendations on almost any matter that affects East Sussex residents. Scrutiny works alongside the Cabinet to help make sure the Council is delivering services efficiently and effectively, and that the Council is responsive to the needs and opinions of the County's residents and organisations.

East Sussex scrutiny has an excellent record of informing Cabinet decisions and using evidence to draw conclusions and provide constructive challenge that ultimately improves the lives of people living and working in East Sussex. Scrutiny is seen by the Cabinet as a supportive force on issues where evidence, rather than politics, and strategic insight, rather than parochial concerns, are allowed to surface and develop into practical ideas.

The work of scrutiny in the County Council is divided between five scrutiny committees which each meet four times a year. Four scrutiny committees mirror the County Council's Cabinet portfolio responsibilities and a fifth, the Health Overview and Scrutiny Committee (HOSC), scrutinises health services. The current structure of the scrutiny committees was agreed by County Council in 2011 and the model has remained in place with only minor alternations since then.

Sitting on the 5 scrutiny committees are 7 or 9 county councillors plus external representatives on some committees.

Scrutiny committee meetings typically last three hours and are open to the public. Each scrutiny committee sets its own work programme and undertakes a number of in-depth scrutiny projects each year. These projects have increased in complexity and importance in recent years and include:

- scrutiny reviews lasting several months;
- increasing numbers of short 'table top' (ie. short and focussed) scrutiny reviews;
- increasing numbers of meetings associated with 'budget scrutiny' (a process in East Sussex known as Reconciling Policy, Performance and Resources) as the authority's finances become increasingly constrained;
- complex service transformations requiring ongoing scrutiny reference groups;

- detailed health scrutiny work arising from additional Public Health responsibilities acquired by the Council since 2014 and the implications for scrutiny responsibilities arising from the Francis Inquiry.

Meetings of HOSC and Children's Services Scrutiny Committee are webcast live and recordings are available for six months on the Council's website.

The councillor time commitment for scrutiny has therefore been maintained since 2000 and indeed the scrutiny role has, if anything, become more complex and demanding. This has been reflected, for example, by an increasing demand from members for 'awayday' events to focus on member training and scrutiny skill development.

Representatives on outside bodies

County councillors sit on a wide range of external bodies as part of the Council's partnership working arrangements. These arrangements are not intended to provide 'figureheads' but the appointments come with a range of obligations and responsibilities that enable members to contribute effectively to the bodies concerned. In the Council currently makes 85 member appointments to 32 external bodies.

Councillors' representative roles

The general consensus of East Sussex County Council Members is that the amount of time spent by councillors' in undertaking their representational roles has, on average, not reduced significantly in recent years. However, the nature of the role *has* changed and continues to evolve, and there are broad differences in the nature of work for councillors representing the county's urban and rural areas.

Councillors' casework has expanded into areas that were previously rare: for example, health and NHS related issues. Councillors say that health related cases have been particularly noticeable since April 2013 when the County Council took over responsibility for public health.

These factors combined with the geographic and demographic factors described above indicate that the current average size of county electoral divisions are broadly in line with councillor workload.

Deprivation factors and low electoral registration

If councillors are to represent their electoral division or ward effectively, then it is logical that the total population ought to be taken into consideration rather than just those registered on the electoral roll; this is especially so where deprivation is a significant factor. Demographics and deprivation are clearly major factors affecting caseload in our experience, but since East Sussex is not, on average, a high income County, most electoral divisions have a degree of deprivation.

Over the five years from 2009 to 2013, only 68% of the total population aged 18+ in Central St Leonards and Gensing were on the electoral roll. This compares to 94% average for the county as a whole. Yet, half of all the Lower level Super Output Areas in the electoral divisions of Central St. Leonards and Gensing; Devonshire; and Braybrooke and Castle are in the most deprived 10% of local authorities in England.

These figures are further reflected in councillors' perceptions of a high and increasing volume and complexity of casework in the County's urban areas which is particularly noticeable in Hastings. Hastings county councillors in particular report relatively high caseload levels that are of significant complexity. Councillors report having to attend meetings of residents' forums and ward forums which generate significant workloads. They consider that any reduction in the number of county councillors in Hastings would impair their ability to manage their responsibilities effectively.

Areas of low registration levels in East Sussex therefore do not indicate low levels of demand for councillors' time; indeed the opposite appears to be the case. Our statistics show that if registration levels in these wards were to increase to the county average then there is no case for reducing the number of county councillors in Hastings.

Relationships with parish and town councils

In the country's rural areas, maintaining relationships with parish and town councils creates significant and increasing demands on county councillors' time. East Sussex has 82 parish and 10 town councils situated in Lewes, Rother and Wealden. There are no parish councils currently in the coastal towns which are represented by 21 county councillors in Hastings, Eastbourne and Bexhill.

In the rural areas, a county councillor reports to several parish councils each of which can meet monthly; many parishes also hold an annual parish assembly that can be attended by large numbers of people with questions posed to the county councillor. Many parishes now have additional 'liaison' meetings with county council where the local county councillor is expected to attend; traffic issues, for example, loom large at these meetings and councillors report that casework is growing. Parish meetings can use up to six evenings in some months.

Councillors with a town council within their area may also have one or two parish councils. In addition and on the coast what were once relatively small parish councils cover increasingly populous areas.

Elections

Hastings Borough Council elects by halves with the presumption of two-member wards. (The other four districts and borough have whole-council elections every four years). Each county electoral division in Hastings is coterminous with, and includes, two borough wards (four borough councillors). Any reduction in the number of county councillors might therefore logically require a proportionate reduction in the number of borough councillors in order to maintain a clear and logical structure. Hastings Borough Council is arguing to remain at its current council size.

Technology and social media

Email has overtaken postal correspondence as the most popular means used by residents to contact their local councillor. Councillors now say that they receive *more* emails than they did letters previously. The reasons for such an increase are complex, however one factor is likely to be the relative ease of sending an email compared to a letter. As a consequence, county councillors consider that they have become involved in increasingly varied and complex casework. Whilst technology has improved case handling efficiency, the *volume* of cases has increased so there is no evidence of any reduction in the *time* commitment required by county councillors overall.

The explosion in the use of email and social media has led to councillors being 'copied in' to a far wider range of matters than they were previously. Councillors report not having enough time to give their full attention to some issues that come before them.

Coterminosity and single member electoral divisions

Effective and convenient local government is best achieved where district ward and county division boundaries are coterminous; and parish and town councils are not split between county divisions or district wards. East Sussex district and county councillors agree that split electoral areas and split parishes increase the challenges involved in creating and maintaining effective local relationships in an already complex world.

Currently East Sussex County Council comprises 44 divisions and 49 councillors. Five two-member divisions (Bexhill King Offa; Crowborough; Hailsham & Herstmonceux; Peacehaven &

Telscombe Towns; and Polegate, Willingdon & East Dean) were created following the last boundary review in 2005.

County councillors have highlighted strong concerns and challenges in managing in the two-member divisions. Particular problems have occurred in case load management in two-member divisions with casework being unfairly distributed and confusion with liaison with parish/town councils. We consider that the boundary review should seek to eliminate two-member divisions whilst retaining the same total number of county councillors.

4 Recommendations

- 1. The current number of members on the County Council should remain unchanged at 49 whilst also maintaining the current number of county councillors in each of the five districts and boroughs.**
- 2. If there is an absolute need to change the size of the Council (for example to address electoral inequalities that cannot be resolved by any other means) then the number of councillors in Hastings and/or Rother should not be reduced; instead, a marginal increase in council size to 50 would be acceptable.**
- 3. There should be a consistent picture of single-member county electoral divisions across the county (with no multi-member divisions).**
- 4. There should be coterminosity between county electoral division and district/borough ward boundaries; under no circumstances should any county electoral division straddle a district or borough boundary.**

This page is intentionally left blank

(9) Officer Employment Procedure Rules

1. Recruitment and appointment

(a) Declarations

- i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or of the partner of such persons.
- ii) Every member and Chief Officer or Deputy Chief Officer of the Council shall disclose to the Assistant Chief Executive any relationship known to him or her to exist between himself or herself and any person known to be a candidate for an appointment under the Council. The Assistant Chief Executive shall report to the members or Chief Officer responsible for making the appointment details of the disclosure.
- iii) No candidate so related to a councillor or an officer will be appointed without the authority of the Assistant Chief Executive and relevant chief officer and another chief officer or officers nominated by them.

(b) Seeking support for appointment

- i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- ii) Subject to paragraph (iii), no councillor will seek support for any person for any appointment with the Council.
- iii) Nothing in paragraphs i) and ii) above will preclude a councillor from giving a reference for a candidate for submission with an application for appointment.

2. Recruitment of head of paid service and chief officers

Where the Council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying:
 - i) the duties of the officer concerned; and
 - ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

3. Appointment of head of paid service

- (a) The full council will approve the appointment of the head of paid service following the recommendation of such an appointment by a committee or sub-committee of the Council. That committee or sub-committee must include at least one member of the Cabinet.
- (b) The full Council may only make or approve the appointment of the head of paid service where no well-founded objection has been made by any member of the Cabinet.

4. Appointment of chief officers and deputy chief officers

- (a) A committee or sub-committee of the Council will appoint chief officers and deputy chief officers. That committee or sub-committee must include at least one member of the Cabinet.
- (b) An offer of employment as a chief officer or deputy chief officer shall not be made if an objection is received from a member of the Cabinet which is well founded in the opinion of the Chief Executive or the Monitoring Officer.
- (c) A deputy chief officer means a person who, as respects all or most of the duties of his/her post, is required to report directly or is directly accountable to a chief officer.

5. Other appointments

- (a) **Officers below deputy chief officer.** Appointment of officers below deputy chief officer (other than assistants to political groups) is the responsibility of the head of paid service or his/her nominee, and may not be made by councillors.
- (b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group if such an appointment is made.

6. Disciplinary action

~~(a) **Suspension.** The Head of Paid Service, the Monitoring Officer and the Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.~~

~~(b) **Independent person.** No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.~~

~~(c) Councillors will not be involved in the disciplinary action against any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of disciplinary action.~~

7. Dismissal

~~In the event of a proposal to dismiss the Head of Paid Service, a Chief Officer or Deputy Chief Officer, all the members of the Cabinet shall be informed and the body making the decision shall consider whether any objection from a Cabinet member is well founded before deciding whether to confirm the dismissal.~~

~~Councillors will not be involved in the dismissal of any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals~~

- (i) Where an allegation is made against the Head of Paid Service, Monitoring Officer or Chief Finance Officer (Statutory Officers) relating to conduct or capability or some other substantial issue that requires investigation, the matter will be considered by the Governance Committee.
- (ii) The Governance Committee will consider and action suspension, where appropriate. Any suspension must not last longer than two months, unless an extension is recommended by a suitably qualified and independent Investigator.
- (iii) For the purposes of the 2015 regulations, the Governance Committee will operate as the Panel (including two or more independent non-voting persons who have accepted the invitation).
- (iv) The Panel will include two or more independent non-voting persons who accept the invitation in the following priority order:
 - (a) a relevant independent person who has been appointed by the council and who is a local government elector;
 - (b) any other independent person who has been appointed by the council; and
 - (c) an independent person who has been appointed by another council or councils.
- (v) At the relevant time, the Committee will consider whether potential disciplinary/dismissal issues require investigation and whether the relevant officer should be suspended. In this regard the authority must ensure that the Panel is in place at least 20 working days before the meeting at which it considers whether to approve a proposal to dismiss.
- (vi) The Governance Committee will inform the relevant officers of the allegations, and allow him/her to respond in writing and in person. The Governance Committee will then decide whether no further action is required or that the matter requires an investigation by a suitably qualified and independent person and the Committee will use its best endeavours to agree this person with the officer.
- (vii) The Panel will review the results of the investigation to consider what action if any is appropriate, after hearing the views of the relevant officer, and report its recommendations. The independent persons must express their views but do not have a vote on whether the case should progress to full Council to consider dismissal.
- (viii) Where dismissal is recommended, the Panel will provide advice, views or recommendations to Full Council for the authority to vote on whether it approves the proposal to dismiss. The relevant officer will be provided with all relevant papers or documents in advance of the meeting and allowed to make their representations. Written representations may also be given by the relevant officer in advance of the meeting.
- (ix) No notice of dismissal shall be given until the matter has been referred to the full Council for approval.
- (x) In relation to an appeal, as the authority has approved the dismissal, there is no one in the authority who has the power to overturn the dismissal decision. In this respect and as set out above, the relevant officer will have the opportunity to make representations to the Panel before any dismissal recommendation is made and thereafter at full Council.
- (xi) Any discussion at the Full Council or the Governance Committee under these rules regarding an individual officer would be conducted under the exempt part of the meeting

This page is intentionally left blank

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 18 June 2015.

Present: Councillors Barnes, Buchanan, Butler, Deane, Earl, Galley, Howson (Chairman), Lambert (Vice-Chair), Morris, O'Quinn, Peltzer Dunn, Penn, Scott, Taylor, Theobald, Whetstone and Wincott.

1. **QUEEN'S BIRTHDAY HONOURS**

1.1 The Fire Authority has congratulated Deputy Chief Fire Officer Gary Walsh on being awarded the Queen's Fire Service Medal announced in the Queen's Birthday Honours List. Gary has been recognised for his contributions to the Fire & Rescue Service both locally and at a national level. The Fire Authority has also recorded its congratulations to Trevor Green on being awarded an MBE. Trevor has been recognised for his contribution as a Community Volunteer and for his work with the charity Operation Florian.

2. **SERVICE HEADQUARTERS – STAGE 3 REPORT**

2.1 The Fire Authority has considered a report of the Chief Fire Officer & Chief Executive (CFO&CE) that presented the business case for a relocation of Service Headquarters to the Sussex Police site in Lewes.

2.2 The Policy & Resources Panel on 28 May 2015 had considered this report and recommended that the Fire Authority approve the relocation of Service Headquarters (SHQ) to the Sussex Police site in Lewes with the delivery of improved use of space elsewhere in the ESFRS estate. Members had considered the stage 2 asset appraisal in November 2014 and had agreed to progress with a stage 3 outline business case on the relocation of Service Headquarters (SHQ) to a shared facility with Sussex Police in Lewes.

2.3 Negotiations are continuing with Sussex Police on options for rent and service charges, and upfront payments. The relocation of Service HQ to Lewes would set a framework for the transformation of future service delivery.

2.4 The Fire Authority has agreed that:

- (i) option 2, the relocation of Service Headquarters (SHQ) to the Sussex Police site in Lewes with the use of space elsewhere in the ESFRS estate be approved;
- (ii) the Capital Programme be varied to include the capital scheme SHQ relocation for £650,000;
- (iii) the one-off revenue costs of £0.276m be funded from the Improvement & Efficiency earmarked reserves;
- (iv) authority be delegated to the CFO&CE, in consultation with the Treasurer and Monitoring Officer, to agree the draft terms of the leases/licences for the Sussex Police site and the Policy & Resources Panel be asked to approve the final terms of the leases/licences;
- (v) the disposal of the existing SHQ site at Upperton Road be approved;

- (vi) authority be delegated to the CFO&CE, in consultation with the Treasurer and Monitoring Officer, to agree the draft terms of the disposal of the Upperton Road site in line with the best consideration reasonably obtainable and the Policy & Resources Panel be asked to approve the final terms of the disposal; and
- (vii) the implementation of the agile programme to support future working styles and future Service transformation be commenced.

Councillor Taylor abstained.

**COUNCILLOR PHILIP HOWSON
CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**

19 June 2015