

Meeting of
East Sussex County Council
on Tuesday, 20 October 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:
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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, 20 October 2015 at 10.00 am** to transact the following business

- 1 Minutes of the meeting held on 14 July 2015 (Pages 5 - 10)**
- 2 Apologies for absence**
- 3 Chairman's business**
- 4 Questions from members of the public**
- 5a Report of the Cabinet - 22 September 2015 (Pages 11 - 18)**
- 5b Report of the Cabinet - 13 October 2015 (to follow)**
- 6 Report of the Governance Committee (Pages 19 - 20)**
- 7 Report of the Lead Member for Resources (Pages 21 - 22)**
- 8 Report of the Lead Member for Transport and Environment (to follow)**
- 9 Questions from County Councillors**
 - (a) Oral questions to Cabinet Members
 - (b) Written Questions of which notice has been given pursuant to Standing Order 44
- 10 Report of the East Sussex Fire Authority (Pages 23 - 26)**

Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by the Reverend Vicky Martin, Seaford Baptist Church. 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 1UE

PHILIP BAKER
Assistant Chief Executive

12 October 2015

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MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 14 JULY 2015 at 10.00 am

Present Councillors John Barnes, Colin Belsey (Chairman), Nick Bennett, Bill Bentley, Mike Blanch, Ian Buchanan, Carla Butler, Frank Carstairs, Charles Clark, Godfrey Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Stuart Earl, David Elkin, Michael Ensor (Vice Chairman), 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, 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

19 Minutes of the meeting held on 12 May 2015

19.1 RESOLVED – to confirm the minutes of the meeting of the County Council held on 12 May 2015 as a correct record

20 Apologies for absence

20.1 Apologies for absence were received from Councillors Peter Charlton and Alan Shuttleworth

21 Chairman's business

BERYL HEALY AND DAVID BELLOTTI

21.1 The Chairman paid tribute to 2 former colleagues, Beryl Healy and David Bellotti, following their recent deaths. Beryl was a highly respected councillor both at Eastbourne Borough where she was Leader of the Council for 2 years and Mayor for 3 years and at the County Council where she served from 1996 to 2013. David was a County Councillor from 1981 to 1997, was Chairman of the Council from 1993 to 1994 and served as Chair of the Education Committee and Sussex Police Authority. On behalf of the County Council, the Chairman offered condolences to Beryl and David's family and friends.

21.2 The Council stood in silence as a mark of respect for their former colleagues Beryl Healy and David Bellotti

CHAIRMAN'S ACTIVITIES

21.3 I have attended a number of engagements since the last County Council meeting including: the East Sussex Girl Guiding annual review at Hertsmonceux, a service and reception for Her Majesty's Judiciary at Ditchling, the Bishop of Chichester's evening reception, the memorial events for Jeremy Birch and Beryl Healy, the opening of new community facilities at Etchingham and the Grand Opening of Gildredge House in Eastbourne. I hosted Summer Civic

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reception in Eastbourne and presented awards at the Support with Confidence award ceremony. The Vice Chairman also attended a number of events

PRAYERS

21.4 The Chairman thanked Reverend Martin Miller, St Michael's Church, Newhaven for leading the prayers before the Council meeting.

PETITIONS

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

Councillors Daniel and Hodges	- calling on the County Council to re-schedule the No. 7 bus in Hastings
Councillor Galley	- calling on the County Council to lower the speed limit to 40 mph on Coopers Green Road, Uckfield from Ringles Cross to Five Ash Down Village
Councillor Hodges	- calling on the County Council to re-surface pavements in Ashford Road, Hastings.
Councillor O'Keeffe	- calling on the County Council to look at the timetabling of the 129 bus service in Lewes and consider amending the route of the Malling buses in order to better serve the Winterbourne area

22 Declarations of Interest

22.1 The following member declared a personal interest in items on the agenda as follows:

<i>Member</i>	<i>Position giving rise to interest</i>	<i>Agenda item</i>	<i>Whether interest was prejudicial</i>
Councillor Daniel	Holder of A Blue Badge	Agenda item 8(b) – written questions	No

23 Reports

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

Cabinet	-	paragraphs 1, 2 and 3
Governance Committee	-	paragraph 1 (10 July 2015 meeting)
East Sussex Fire Authority	-	paragraph 1

NON-RESERVED PARAGRAPHS

23.2 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.

24 Questions from members of the public

24.1 There were no questions from the public

25 To receive notice by the Returning Officer certifying the election of a County Councillors for the Old Hastings and Tressell electoral division

25.1 The Council agreed to receive the Notice of the Returning Officer certifying the election of a County Councillor for the Old Hastings and Tressell division at the by-election held on 9 July 2015

26 Report of the Cabinet - Reserved Paragraphs

26.1 Councillor Glazier moved the reserved paragraphs of the Cabinet's report.

26.2 The motions were CARRIED after debate.

27 Report of the Governance Committee - 10 July 2015 - Reserved Paragraph - Allocation of places on Committees

27.1 Councillor Glazier moved the reserved paragraph of the Governance Committee report.

27.2 The following amendment moved by Councillor Daniel and seconded was CARRIED:

Insert at the end of paragraph 1.8

2) to agree appointments to Committees as follows:

Regulatory Committee – Councillor Charman

Standards Committee – Councillor Daniel

Music Service Management Committee – Councillor Charman (replacing Councillor Daniel)

27.3 The Motion, as amended, was CARRIED.

28 Questions from County Councillors

ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Lambert	Councillor Glazier	Council policy regarding the release of staff to act as retained fire fighters
Councillor St Pierre	Councillor Maynard	Mitigations in relation to the impact of climate change
Councillor Tutt	Councillor Bentley	Update regarding the current position in relation to Home Care Contracts
Councillor Charman	Councillor Elkin	Projected impact of future service reductions on the most vulnerable people in East Sussex.
Councillor Forward	Councillor Bennett	Promotion of breastfeeding

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Questioner	Respondent	Subject
Councillor Whetstone	Councillor Bennett	Number of pupils from East Sussex allocated places at West Sussex schools and Sackville College and impact of county boundary on home to school transport
Councillor Pragnell	Councillor Bentley	Update in relation to day care provision for older people
Councillor Field	Councillor Glazier	Consideration of any difference between average male and female pay in companies who might be awarded contracts
Councillor S Shing	Councillor Glazier	Lobbying of Government for greater powers to local authorities to introduce traffic orders

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

28.2 Two written questions were received from Councillors Daniel and Hodges for the Lead Member for Adult Social Care and the Lead Member for Transport and Environment. The questions and answers are attached to these minutes.

28.3 The Lead Members responded to supplementary questions.

29 Report of the East Sussex Fire Authority

PARAGRAPH 1 – QUEEN'S BIRTHDAY HONOURS

29.1 Members commented on paragraph 1 of the East Sussex Fire Authority's report and Councillor Howson, the nominated spokesperson for the Fire Authority, responded.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.48pm

The reports referred to are included in the minute book

WRITTEN QUESTION PURSUANT TO STANDING ORDER 44

1. Question by Councillor Daniel to the Lead Member for Adult Social Care

How effective was the Blue Badge amnesty held from 8 to 22 June, as advertised in "Your County" (Spring Edition). How many badges were handed in and how is it proposed to deal effectively with this issue in the future?

Answer by the Lead Member for Adult Social Care

During the Blue Badge Amnesty a total of 36 badges were handed in across East Sussex, these ranged from expired badges to deceased persons badges and one or two of the older style that should not have been in use since the end of last year. The two week amnesty was part of a wider initiative called Operation Bluebird which has this year removed or seized a further 91 badges that were being inappropriately used within the County.

To help deal with this issue in the future traffic wardens and parking attendants in East Sussex have received training on how to identify any misuse of Blue Badges. In addition we have an Investigator which is funded from a successful bid to the Department of Communities and Local Government for two years. The Investigator works closely with enforcement officers who provide daily intelligence regarding suspect badges and also provide sworn statements of any seizures for use in court. The Investigator also receives concerns from members of the public from our dedicated e-mail address. All concerns are looked into and the Investigator is able to carry out interviews under caution, seize Blue Badges and collate information for any cases that require further action, including prosecution.

2. Question by Councillor Hodges to the Lead Member for Transport and Environment

Ashford Road in Hastings lies within the St. Helens and Silverhill Division of East Sussex that I represent. It is a road built in the early sixties of concrete construction and without any further surface coating. This in itself creates a significant ambient noise problem from passing vehicles that have increased by an order of magnitude since its date of construction. However whilst the noise problem remains at a nuisance level, the far more serious problem is the continuing deterioration of the pavements in terms of the misalignment of the paving flags. Where the misalignment of adjacent flags exceeds the County Council's intervention standard, our excellent Highway Steward has previously effected the necessary repairs, and continues to do so. The rate of deterioration, which is adversely affected by the hydrology of a clay subsoil, many adjacent trees, and inferior reinstatement works by the utility companies, exceeds the frequency at which subsequent inspections take place. This has had the effect of leaving much of the pavement in a condition that is not conducive to the passage of the significant percentage of elderly and infirm residents who have retired to this area. I have attempted through Overview and Scrutiny to ask for a reduction in the intervention criteria for misaligned paving flags when the population of a particular street has a skew in its demography towards those who would be adversely affected by such a set of conditions as now exist in Ashford Road. Apparently this is too difficult to manage, although ESCC boast one of its priorities as "helping people to help themselves" with another subset of preventing trips and falls in the elderly population. There have been

several instances of trips and falls in this area, with the resultant broken bones that not only affect an elderly population physiologically, but psychologically as well.

My question is in the form of a request to instigate a programme of paving flag replacement with black top, which does not present the same level of trip hazard to the elderly and the infirm. This programme can stretch over an extended period, geared against both need and the availability of capital investment. The immediate problems can continue to be rectified by the Highway Steward on an ad hoc basis, whilst the longer term plan is implemented. The use of black top in this area will be regarded by the utility companies as a definite advantage, and the need for constant calls upon the Highway Steward time will be all but eliminated. Such that you may have the opportunity to gauge the support for this request, it is the intention of the Borough Councillor to petition ESCC along these lines.

Answer by the Lead Member for Transport and Environment

Responsibility for determining the maintenance requirements for all local roads rests with your local Highway Steward in accordance with our agreed policies for maintenance. As Lead Member for Transport and Environment I do not get involved in operational matters, but importantly I leave these matters to the local Highway Stewards and to the Asset Management Team who are best placed to look after local roads and determine maintenance priorities.

With regard to Ashford Road itself, I am aware that it is a concrete road and I am advised it is in a serviceable condition. As such applying a thin layer of asphalt to reduce the level of road noise would not be a priority for the County Council with all of the other competing calls upon the highways budget. Your local Highway Steward will however continue to monitor the condition of this road until such time as it reaches sufficient priority in the Highways Asset Plan for resurfacing.

The matter of the pavements in Ashford Road is something that was considered by the Economy, Transport and Environment Scrutiny Committee last year and you will recall it was agreed that the Highways Maintenance Policy relating to pavements and the intervention levels would not be altered. It is not a question of being too difficult to manage, simply a matter of maintaining a consistent approach across the county and ensuring maintenance priorities are determined objectively from the Highways Asset Plan. The Highway Steward will continue to keep an eye on these pavements and has agreed for you to accompany him on an inspection. As and when the condition of these pavements warrants whole scale replacement, an appropriate solution will be identified.

REPORT OF THE CABINET

The Cabinet met on 22 September 2015. Attendance:-

Councillor Glazier (Chair)

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

1. Council Monitoring – Quarter One 2015/16

1.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for the first quarter of 2015/16. 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.

Carry over report for 2014/15 Council Plan

1.2 Four measures were carried over from quarter 4 reporting for the Council Plan 2014/15; three were achieved and one was not. Measures are carried over where action has been completed but the outturn data is not available for reporting at year-end. They are:

- Percentage of domestic abuse victims reporting improved safety following the delivery of a Multi-Agency Risk Assessment Conference action plan. Final outturn green, 82% (target 80%)
- The proportion of clients of the Independent Domestic Violence Advisor Service completing user evaluations who state they have benefited from that service. Final outturn green, 97% (target 80%)
- Percentage of people completing a health trainer intervention who achieve their primary or secondary goal. Final outturn green, 77% (target 75%)
- Household waste re-used, recycled or composted or used beneficially. Final outturn red, 539kg/hh (target 544kg/hh). Total household waste increased last year to 998kg/hh.

1.3 All 76 performance target outturns for 2014/15 are now known: 54 (71%) were achieved, 22 (29%) were not achieved. 45 measures can be compared to previous years, of these 32 (71%) improved, 4 (9%) showed no change and 9 (20%) deteriorated. A summary of these can be found at Appendix 1 of the report to the Cabinet.

Overview of 2015/16 Council Plan

1.4 Following year-end the Council Plan and Portfolio Plans 2015/16 – 2017/18 have been refreshed with completed outturns, and considering these, some changes have been made to the performance measures and targets. The updated plans are available on our website.

1.5 The Bexhill to Hastings Link Road is now due to open in the autumn of 2015 and an extended commentary on progress is included at Appendix 5 of the report to the Cabinet. The latest data shows that 48,309 premises now have access to improved broadband. Locate East Sussex have helped to create 13 jobs in quarter 1, these supplement the 235 confirmed jobs created over the course of the Regional Growth Fund 4 (RGF4), which ran from July 2013 to June 2015. The Business East Sussex tender was awarded to the Lets Do Business Group in May 2015 and launched on 2 July 2015. We completed 157 resurfacing schemes to around 87 kilometres of road. 76% of eligible 2 year olds have taken up a place with a preschool provider. The Department for Education data collated from January 2015 places East Sussex top of its statistical neighbours and second to our geographical neighbours in terms of preschool take up. Our dedicated First World War website has been viewed 54,000 times since launch in August 2014.

1.6 More detail of progress against each of our priority outcomes is set out at paragraphs 1.14 to 1.31 below. Of the 70 Council Plan targets, 62 (89%) are rated green and 8 (11%) are rated amber. Appendix 1 of the report to the Cabinet gives a breakdown of the measures rated amber by priority and department.

1.7 At quarter 1, the gross projected year-end overspend within service departments is £6.0m. The main areas of overspend are: Adult Social Care £3.0m overspend mainly on Independent Sector Care; Children's Services £1.2m overspend mainly for Looked After Children; Business Services £1.1m overspend due to structural pressures in the Link and commissioning cycle savings not yet allocated or being achieved; Communities Economy and Transport £0.7m overspend mainly as a result of unachieved waste savings. Departments are currently looking at ways to manage and mitigate these overspends.

1.8 If the departmental mitigations do not eliminate the projected overspend, the general contingency of £3.5m and the unallocated inflation provision of £0.976m are available if needed to achieve a break-even position.

1.9 The total savings target for 2015/16 is £19.9m including unachieved savings carried forward from previous years. At this stage, £4.2m of savings will not be achieved. Permanent mitigations of £0.5m and temporary mitigations of £1.9m have been identified.

1.10 The forecast expenditure on the capital programme is £153.3m against a budget of £177.1m. This represents a variation of £23.8m.

1.11 The most significant slippage of £12.7m relates to the Newhaven Port Access Road which has been awaiting Department for Transport approval following re-design of the scheme. The phase 1 Broadband project, which is delivering efficiencies due to new technology, has identified £6.7m slippage that may help to deliver Broadband to the remaining hard to reach areas of the county. Hasting library will also slip by £6.1m following a scheme re-design.

1.12 The total cost of the Bexhill Hastings Link Road is projected to be £120.8m (Appendix 5 of the report to the Cabinet). The latest estimates reflect a scheme overspending of £4.4m. The profile and funding of the remaining expenditure between the financial years is still to be resolved.

1.13 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 a revised risk description and risk control response. Risk 1 (Roads), risk 5 (Resource), 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. The risk score for risk 7 (Schools) was amended from Amber to Red and the score for risk 3 (Care Act) was amended from Red to Amber. No new strategic risks have been added and no risks have been removed from the register.

Progress against Council Priorities

Driving economic growth

1.14 At the end of quarter 1, 85% of early years providers (preschools and childminders) were judged good or better, an improvement of 8% since June 2014 and in line with the national average. Since the introduction of an Early Years Foundation Stage (EYFS) judgement in schools in September 2014, 35 schools have been inspected and 88% have been judged good or better for EYFS. As at 14 July 2015, 77% of primary schools are judged good or better. This compares to 68% in July 2014 (Appendix 4 of the report to the Cabinet).

1.15 Early indications are that attainment is improving across the board. Members have already been made aware of the provisional GCSE results provided directly by East Sussex schools, and Department of Education (DfE) unvalidated results will be reported at quarter 2. The DfE will validate data and publish revised results in January 2016 allowing our comparative performance to be reported at quarter 3.

1.16 The National Development Team for Inclusion was commissioned to review our practices to help formulate a programme for identifying relevant opportunities for supporting learning/physically disabled adults in the work place. Consultation interviews and workshops

have been completed. The final version of the report has been received and an update will be provided in quarter 2 (Appendix 5 of the report to the Cabinet).

1.17 The Bexhill to Hastings Link Road is now due to open in the autumn of 2015 and an extended commentary on progress is included for this report. All concrete bridges and structures except one are complete. Highway drainage work is nearing completion and work to form the carriageway and lay tarmac has begun. In August the Planning Committee approved an amendment that allows for the formal opening of the road ahead of completing Greenways (routes for use by people on foot, bike or horseback) and landscape planting.

1.18 Planning permission for the Queensway Gateway Road, Hastings, had been granted in February 2015, but this has been challenged and the application will be reconsidered on 23 September 2015. Subject to approval of the plans and the tendering process, construction is now planned to begin in September 2015 and be completed by autumn 2016 (Appendix 5 of the report to the Cabinet).

1.19 The Regional Growth Fund 4 (RGF4) ran from July 2013 to June 2015, 235 verified jobs have been created against the 573 which are contracted. We have launched East Sussex Invest 4 (ESI4) to continue the work started under RGF4. A number of grants and loans were approved, including a £100,000 loan to Global Tailor Holdings Ltd allowing them to expand to new premises in Eastbourne which will create 14 new jobs.

1.20 Locate East Sussex helped four businesses open or relocate to East Sussex in quarter 1, creating 13 jobs. Companies supported included dukaPC, a Danish IT company specialising in friendly computers (with features such as big buttons etc.) for those struggling with a standard computer, who began operating in Eastbourne. This addresses three of the Council's four main priorities; driving economic growth, keeping vulnerable people safe and helping people help themselves (Appendix 5 of the report to the Cabinet).

1.21 A target has been set to increase the percentage of new Council contracts that include an Employability and Skills Plan (ESP). The ESP aims to increase the number of apprentices and work placements that a supplier is committed to deliver as part of any contract. Three active ESPs have been secured in quarter 1 for property maintenance term contracts worth £1.5m. In total these suppliers have committed to 20 work experience places for 14 to 18 year olds, 20 work experience places for 19+ year olds, and 10 apprenticeship programmes (Appendix 3 of the report to the Cabinet).

Keeping vulnerable people safe

1.22 Eight contacts to the Rapid Action Team (RAT) were made in quarter 1; all were responded to within the two hour target response time by trading standards officers. Two additional visits were made to victims as a result of a relative discovering that their family member had fallen prey to rogue traders. These positive interventions by the RAT saved a total of £24,900 for the 10 consumers (Appendix 5 of the report to the Cabinet).

1.23 We have started to pilot a Multi Agency Safeguarding Hub (MASH). In the first phase this has provided enhanced multi-agency information sharing and decision making practice for children most in need. The primary objective of the MASH is to ensure there is an infrastructure in place to equip and support all staff to fulfil their responsibilities for safeguarding and promoting the welfare of children confidently, safely and effectively. These responsibilities include minimising risks of harm to children by taking appropriate action and sharing this information with our partners. The pilot was rolled out to the east of the county in September and has been extended to ensure a coherent response to missing children and children at risk of sexual exploitation (Appendix 4 of the report to the Cabinet).

1.24 The Prime Minister has announced his intention that Britain should resettle up to 20,000 Syrian refugees over the rest of this Parliament. We do not yet have full details of how the announcement will affect East Sussex but will work with the Government and local partners including other councils, health and voluntary and community partners to ensure that any refugees are properly supported in and by the local community. The potential number of refugees for most areas across the country is likely to be limited and it is likely to be some time until there are arrivals.

Helping people help themselves

1.25 The latest provisional data for January to March 2015, which is reported in arrears, shows that there were 61 people Killed or Seriously Injured (KSI) on our roads, with three of these being fatalities. This is a 30% decrease from the same period in 2014, when there were 87 (updated) KSI's, but a 17% increase on the 2013 total of 52 (Appendix 5 of the report to the Council).

1.26 NHS Health Check data is reported a quarter in arrears. GP providers have successfully increased their NHS Health Check offers to patients in 2014/15, exceeding the 20% annual target for the first time. The latest data available shows that at the end of 2014/15 26.2% (43,717) of the eligible population have been offered a Health Check (including 9.9% (16,438) achieved during quarter 4). This is an increase of 52.4% (28,684) on 2013/14 (Appendix 2 of the report to the Cabinet).

1.27 Currently 40% (1,794) of adults and older people with a service are receiving direct payments. Performance has declined slightly from 42% in 2014/15. 2015/16 performance is likely to see a fall as Supported Accommodation Independent Living Service Direct Payments are reduced and as some clients who moved to Direct Payments under the Community Service Tender are likely to now move back to commissioned services. In these cases clients will still control their personal budget, but we will commission the services. A piece of work is being undertaken to look at those clients who are currently not receiving Direct Payments who may benefit from receiving their support in this way (Appendix 2 of the report to the Cabinet).

Making best use of resources

1.28 We are expanding and embedding our partnership working with Surrey County Council (SCC) in relation to all Business Services. On 15 April, the partnership officially launched Orbis. Work is well underway to improve joint working between partners and develop the detailed business plan for approval by both ESCC and SCC Cabinets in October 2015 (Appendix 3 of the report to the Cabinet).

1.29 Five SPACES projects have been delivered in quarter 1. This included: two co-location projects, the procurement of training for customer contact teams, use of partner premises for training and consolidated locations. In addition, one off activities were completed with charitable organisations to recycle unwanted furniture and stationery items, saving the charities in the region of £20,000 (Appendix 3 of the report to the Cabinet).

1.30 CO² emissions in quarter 1 have fallen by 7% on the same period last year. A third of the reduction is due to lower street lighting consumption, with a major project in progress to upgrade Hastings to LED lanterns. Other projects that contributed included cavity wall and loft insulation (e.g. Linden Court, St Nicholas Centre, Mark Cross School and the lighting upgrade in County Hall) (Appendix 3 of the report to the Cabinet).

1.31 The performance measure relating to sickness absence now focuses on reporting on non-schools absence. Sickness absence for the whole authority (excluding schools) for quarter 1 is 2.01 days lost per Full Time Equivalent (FTE) employee. The latest end of year forecast is 8.98 days lost per FTE employee, against an annual target of 9.24. If this performance were to continue for the full year, we would reach or exceed the current target of 9.24 days for the year. It should, however, be recognised that in light of seasonal fluctuations, the level of sickness absence will likely rise over the next few quarters, which will in turn, impact on the year end outturn (Appendix 3 of the report to the Cabinet).

2. Devolution – Three Southern Counties Prospectus

2.1 The Queen's speech in June contained an announcement that the Government would bring forward a Devolution Bill which would open up devolution deals similar to that agreed for the Greater Manchester area across the country. Within the SE7 area discussions took place about making an initial expression of interest on behalf of any areas which were interested in working together on a possible bid covering their areas.

2.2 Following these discussions and consultation with our borough and district colleagues, the leaders of East and West Sussex and Surrey County Council submitted a joint letter to Government in June asking for discussions with Government about a devolution bid. In late summer the Government announced that devolution bids needed to be submitted by 4 September 2015.

Prospectus

2.3 The prospectus was submitted to Government on 4 September was attached as Appendix 1 of the report to the Cabinet. It was put together on behalf of all principle local authorities in the three Counties and sets out high level ambitions in two key areas: economic development and skills and public sector transformation. The prospectus aims to help the area to cope with the cost of its current success, ensure all areas can benefit from the prosperity that exists in the south east and has the infrastructure and skills to remain successful in the future.

2.4 In relation to Adult Social Care and Health integration our devolution proposals and plans will not override our commitment to East Sussex Better Together.

2.5 The prospectus was developed in consultation with a wide range of stakeholders including all local authorities, Sussex Association of Local Councils, the universities, the Local Enterprise Partnerships, the Fire Authority, the Clinical Commissioning Groups, the national park authority and the police.

Next Steps

2.6 The prospectus will form the basis of further discussion with Government and more detailed work with our partners within the 3SC area and in neighbouring authorities. Any issues which affect the future operation of the County Council will be brought back into the authority for decision by members through our normal democratic processes.

3. East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan – Regulation 19 Consultation

3.1 The Waste and Minerals Plan (WMP) was adopted by the County Council, Brighton & Hove City Council (BHCC) and the South Downs National Park Authority (SDNPA) in February 2013. The Plan set out the Authorities' planning policy for waste and minerals development in the Plan Area. It included ambitious targets for diverting 98% of all waste from landfill by 2020/21 and proposed that the Plan be net self-sufficient in waste management capacity. In order to achieve this, additional recycling and recovery facilities are required for the Plan period up to 2026. The WMP did not identify any specific sites but saved certain previous site allocations.

3.2 The Waste and Minerals Sites Plan (WMSP) has been prepared to provide spatial guidance on locations that would satisfy the requirements for waste facilities identified in the WMP. A 'Call for Sites' was carried out in Summer/Autumn 2013, whereby waste operators, agents, landowners and other individuals were invited to propose sites for consideration as part of the site selection process. This was carried out simultaneously with an open invitation for comments on what the WMSP ought to include. Detailed appraisal work was then undertaken on the location possibilities for waste facilities and other matters.

3.3 Public consultation on a draft WMSP was carried out over nine weeks in the summer of 2014. Following this, the proposed site allocations were reviewed and a Proposed Submission Draft Version has been prepared. The main consultation document for The Proposed Submission Draft Waste and Minerals Sites Plan has been circulated to all members separately as Appendix 1. The Proposed Submission Draft will now be subject to further public consultation under Regulation 19, before formal submission of the Proposed Submission WMSP to Government and Public Examination, prior to its adoption. A proposed Communications Strategy is enclosed as

Appendix 2 of the report considered by the Cabinet. The public consultation will be for a minimum period of eight weeks following approval by all three Authorities.

3.4 The consultation on the Draft Waste and Minerals Sites Plan received a total of 120 comments from 108 consultees. These comments were considered and, where appropriate, the Plan was altered to accommodate the views submitted.

3.5 Site appraisals of possible locations have been undertaken which considered the effects of waste management development on environmental and historic designations and residential amenity, as well as transport and flood risk issues. Consideration of 'opportunities' such as the possibility of co-locating with existing facilities to reduce transport of waste and the possibility of avoiding the use of greenfield sites, also formed part of the appraisal. A multi-faceted approach has been developed to give a range of guidance to potential developers. The sites assessed are outside the National Park and the High Weald Area of Outstanding Natural Beauty, save for one on the northern edge of Hastings. The approach identifies sites for allocation, areas of opportunity on previously developed or allocated land, areas of search for new mixed development, physical extensions of existing sites, and, existing industrial estates suitable for waste development. Discussions with Borough and District Councils about the proposed sites have been held. A Sustainability Appraisal has been prepared as well as a Policies Map. It is considered that sufficient allocations/guidance is included in the WMSP to satisfy the capacity gap for recycling and recovery waste facilities.

3.6 The WMSP will also safeguard waste and minerals resources. In accordance with Policy WMP6 of the WMP, the WMSP will identify waste consultation areas which are intended to ensure that the capacity to recycle and recover waste within the Plan Area can be maintained. In accordance with Policies WMP14 and WMP15, the WMSP also identifies mineral resources and wharves to be safeguarded including reinforcing the need for potential greater capacity at Shoreham Harbour. All this will help ensure a steady supply of aggregates to support the construction of new development and economic growth across the whole Plan Area.

3.7 There are waste water treatment capacity issues related to potential new development within the Plan Area. The Authorities have continued to have discussions with Southern Water about this matter. Southern Water issued a Position Statement in June 2015, which indicated that it is no longer seeking a new location for waste water treatment works in the South Wealden or Eastbourne areas, and instead it is proposed that additional capacity will be found within existing waste water treatment plants (Hailsham North and Hailsham South); the WMSP has been updated to reflect this.

3.8 Local Members directly affected by any specific site allocation will be briefed prior to the publication of any reports. The WMSP is a joint plan between the three authorities, each of which have their own Member processes to agree the public consultation document.

3.9 The costs of preparing for the public consultation on the Proposed Submission Waste and Minerals Sites Plan (WMSP) document are already included in the Department's budgets for this project. Total costs for the public consultation exercise are estimated to be about £12,000 but as the WMSP is being prepared jointly with BHCC and the SDNPA, costs on the WMSP will be shared.

3.10 The County Council is **recommended** to:

☆ (1) note progress on the Waste and Minerals Sites Plan;

(2) agree, subject to the endorsement of Brighton & Hove City Council and the South Downs National Park Authority, that the Draft Proposed Submission Waste and Minerals Sites Plan, circulated as Appendix 1, is published for 8 weeks public consultation and subsequent submission to the Secretary of State in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012; and

(3) authorise the Director of Communities, Economy and Transport to make, if necessary, minor changes to the document arising from any views of the City Council and National Park Authority.

22 September 2015

KEITH GLAZIER
(Chair)

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REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 22 September 2015. Attendance:

Councillor Glazier (Chair)
Councillors Daniel, Elkin, Howson and Tutt

1. Amendments to Constitution – Summons to Council meetings and Scheme of Delegation to officers

1.1 Summons to meetings: The Local Government (Electronic Communications) Order 2015 has come into force expressly permitting the use of electronic communication in sending meeting summonses to councillors, where Members consent to it being transmitted by this method.

1.2 In light of the recent Order it is proposed to amend the Constitution to specifically refer to electronic summons as set out below.

Summons

*The Assistant Chief Executive shall send to members a summons, **agendas and related papers, either by post or electronic mail**, setting out the business to be transacted together with the minutes of the preceding meeting (where appropriate).*

1.3 The scheme of delegation to officers: The County Council's scheme of delegation delegates to officers particular powers. Those officers authorise other officers to act on their behalf. With greater partnership working this will include authorising officers who are employed by other councils. The Committee is recommended to amend the Constitution as set out below, and to make clear and confirm the existing authorisation for officers to whom powers have been delegated to authorise other officers who may be employed by other Councils to exercise those powers on their behalf. It is therefore recommended that Part 3 Table 6 Paragraph 1 (General Delegation) of the Constitution be amended to include:

*To the extent permissible by law, the functions delegated to the Chief Executive, Directors, Chief Finance Officer, Assistant Chief Executive and Director of Public Health may be carried out by other officers employed by **this and other Councils** or by external contractors either fully or under the general supervision and control of the officer with delegated responsibility and authorised by the Chief Executive or any Director, the Chief Finance Officer, Assistant Chief Executive or Director of Public Health according to the authorisation in the departmental internal scheme.*

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

☆ 1) to agree to the Constitution being amended as set out in paragraphs 1.2 and 1.3 above

22 September 2015

KEITH GLAZIER
(Chair)

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REPORT OF THE LEAD CABINET MEMBER FOR RESOURCES

The Lead Cabinet Member for Resources, Councillor Elkin, met on 24 September 2015.

Attendance: Councillor Elkin (Lead Cabinet Member for Resources)

Also present: Councillors Lambert, Hodges and Keeley

1. Notice of Motion: Meanwhile use of assets for community benefit

1.1 The following Notice of Motion has been submitted by Councillors Lambert and Hodges:

East Sussex County Council has a substantial asset portfolio. In common with other local authorities, as austerity bites and services are delivered in different ways, this portfolio is inevitably shrinking. However this does not have to mean a shrinking of ambition or energy. The meanwhile use of assets for community benefit can unlock and use the resilience and commitment of local communities to help people help themselves.

This Notice of Motion calls on East Sussex County Council to develop a meanwhile policy for all its redundant assets to enable these to be used productively by the local community to stimulate the local economy, energize and channel local ambition and prevent decline in the built environment.

1.2 In line with the County Council's practice, the matter has been referred by the Chairman to the Lead Cabinet Member for Resources for consideration to provide information and inform debate on the Motion.

1.3 Vacant property can incur costs through empty business rates, maintenance and ensuring insurance policy compliance. In addition, vacant properties offer little to local economies and present a risk through vandalism. A condition of any meanwhile use of a Council property will be that occupation will not be at the Council's cost.

1.4 Meanwhile use is a recognised method of enabling best use of resources while reducing costs for both the building landlord and the community or voluntary group using it. The Council's existing Disposal Policy (circulated as Appendix 1 of the report to the Lead Member meeting) does enable meanwhile use; however, there is no specific mention to interim uses of property which would assist in cost reduction, stimulate local economies and make best use of resources. If the County Council agrees the motion, it will be necessary to update the Disposal Policy to reflect the criteria set out in paragraphs 1.5 to 1.8 below.

1.5 The meanwhile use of Council property will be limited to vacant sites where the occupation does not interfere with the Council's Property Strategy.

1.6 Any meanwhile use of Council property will still be subject to the Council's Disposal Policy and scheme of delegated authorities.

1.7 Any meanwhile use will compliment and not hinder the SPACES Programme.

1.8 It will be the responsibility of any interested Voluntary and Community Sector (VCS) organisation to produce a business case for a specified building. The Council will not

RESOURCES

prepare business cases and will not offer up premises under this policy.

1.9 If the Council agrees the motion, the Disposal Policy would be updated to include wording to the effect:

“consider interim uses where this does not conflict with longer term disposal plans, is at nil cost to the council, in order to ensure best use of resources, reduce costs and where possible stimulate local economies”.

This would be an additional pledge under ‘Principle 4 – Work in Partnership & empower our communities’.

1.10 The Lead Cabinet Member **recommends** the County Council to –

☆ (1) agree the Notice of Motion as set out in paragraph 1.1

24 September 2015

DAVID ELKIN
Lead Cabinet Member
for Resources

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 10 September 2015.

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

1. CHIEF FIRE OFFICER & CHIEF EXECUTIVE

1.1 The Fire Authority congratulated DCFO Gary Walsh on his appointment as Chief Fire Officer & Chief Executive, to take effect from 1 October 2015.

1.2 This was Des Prichard's last meeting as Chief Fire Officer & Chief Executive and a presentation was made to him by Members at the conclusion of the meeting, during which Group Leaders said a few words and thanked him, on behalf of their Groups, for his commitment to the Fire Authority.

2. STRATEGIC SERVICE PLANNING AND MEDIUM TERM FINANCIAL PLAN 2016/17

2.1 The Fire Authority has considered a joint report of the Chief Fire Officer & Chief Executive and Treasurer that set out the Fire Authority's medium term service planning strategy and medium term financial plan for 2016/17-2020/21. The Treasurer clarified a number of points regarding business rates and confirmed that, if the small business rate relief was renewed after March 2016, it was expected that compensation would still be paid to local authorities through a Section 31 grant.

2.2 The CFO&CE explained that the government's £75m fire transformation fund for 2015/16 had all been allocated, with ESFRS being part of a collective bid for transforming the transport functions of Surrey and Sussex emergency services. There was no information as to whether further transformation funding would be made available for future years.

2.3 The Fire Authority has agreed that:

- i) the updated Medium Term Financial Plan for 2016/17 – 2020/21 and its underlying assumptions be approved; and
- ii) the continuing work under the Changing the Service, Shaping our Future programme to identify savings options to meet required savings targets set out in the report be noted.

3. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2015/16

3.1 The Fire Authority has considered a joint report of the Chief Fire Officer & Chief Executive and Treasurer on issues arising from the monitoring of the 2015/16 Revenue Budget and Capital Programme as at 31 July 2015.

3.2 The Treasurer confirmed that the current year's forecast shortfall in savings was being managed by making savings elsewhere. The Treasurer explained that the savings approved in the Medium Term Financial Plan reflected both revised values and phasing of approved savings and would be reviewed in 2016/17. The savings in the MTFP included the implementation of Day Crewed Plus but from 1 January 2017, a year later than originally planned. A further report on Day Crewed Plus would be brought to the next meeting of the Policy & Resources Panel in November 2015. It was also noted that not all the savings from the Sussex Control Centre had yet been delivered, but there were robust balances which would offset any delays in the delivery of these savings beyond 1 April 2016.

3.3 DFCO Walsh gave details of the changes made to the system operating at Day Crewed Stations, and explained that, following consultation with staff, an amended two-watch system rather than a one-watch, self-rostered duty system was implemented. This was being kept under review.

3.4 The Fire Authority has agreed:

- i) the projected 2015/16 Revenue Budget outturn;
- ii) the projected Capital Programme outturn;
- iii) the current use of reserves;
- iv) the monitoring of savings taken in 2015/16; and
- v) the current year investments.

4. REVISION TO CONTRACT STANDING ORDERS

4.1 The Fire Authority has considered a report of the Chief Fire Officer & Chief Executive that updated the Authority's Contract Standing Orders, in particular the financial thresholds that dictate the required procurement process and officer authorisation.

4.2 Councillor Wincott agreed with most of the recommendations in the report but voiced concerns about past problems with procurement, and the importance of having democratic accountability. He therefore proposed that, in Contract Standing Orders, Section C, Part B para 7.2 'and the relevant Member of the Authority' should **not** be deleted. This would also protect officers when waiving any provisions in Contract Standing Orders. Councillor Galley seconded the proposal and, following Members' agreement, it was agreed that it was also necessary to retain para 1.26 in Appendix 1 to Section C, Part B, which defined 'Relevant Member of the Authority'.

4.3 Councillor Galley also suggested that under para 13.6 (c) (where ... there is only one contractor who can properly provide the Supplies, Services or Works required ...) there should be a provision to protect the officer taking the decision by, either having a

Member authorise the decision, or bringing a report to the next meeting of the Scrutiny & Audit Panel.

4.4 The Treasurer agreed with Councillor Galley's proposal to bring a report to the next meeting of the Scrutiny & Audit Panel, following such a decision being taken. The Treasurer also explained that the officers' thresholds were set in line with EU legislation and confirmed that these were reviewed on 1 January each year, in line with the euro exchange rate.

4.5 The Fire Authority agreed that a revision of the current Contract Standing Order thresholds and authorisations, as set out in the report and its appendices and as amended in paragraphs 4.2 and 4.3 above, be approved, to take effect from 1 February 2016.

5. ANNUAL PERFORMANCE OUTCOME REPORT 2014-15

5.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive that presented the annual performance results for 2014/15. The CFO&CE confirmed that, although the direction of travel for performance at Life Threatening Incidents was declining, the targets were still being met. As each Service set out its own attendance standards it was not possible to make any national comparisons, although Members could make the targets more sophisticated if they so wished.

5.2 Councillor Theobald was concerned at the high number of injuries and incidents being reported, compared to other Services and the CFO&CE explained that employees were being encouraged to report all accidents, however minor. A further report would be brought to a future meeting of the Scrutiny & Audit Panel which would include benchmarking data.

5.3 Councillor Scott asked about the decline in the number of Home Safety Visits being carried out and the inspections of high risk premises completed. The CFO&CE put some of this decline down to a reduction of Community Safety staff, but reassured Members that he was looking to see how these services could be delivered better or differently in the future, including making more use of Health & Well-being visits carried out by volunteers through 3VA; all staff who carry out these visits are trained in who to report any concerns to. The DCFO explained, that while the number of Community Safety Advisers had been reduced, they had been brought into a central control, from where they could be deployed more effectively to any area. Councillor Scott commended officers carrying out this work and noted that ESFRS was the only agency to attend a recent community event in Hastings, with staff working effectively with local residents.

5.4 Councillor Galley was concerned about the increase in primary fires in Rother and Wealden, while there were decreases in the urban areas, together with a decrease in Home Safety Visits, and he sought assurances that the rural areas were not being neglected. The CFO&CE reminded Members that no fire stations had been closed and that RDS recruitment was a key priority and was being actively pursued. The DCFO explained that it would always be harder to achieve reductions in accidental dwelling fires in isolated areas due to the very low numbers of incidents, but there had been considerable success in reducing deliberate fires in a number of areas. Borough

Commanders were now tasked with examining risks in their areas and targeting their resources to the areas needing most support, with accidental dwelling fires high on the list.

5.5 Councillor Deane asked about the gender differences for injuries sustained in primary fires, and it was noted that a report giving more detail was going to the next meeting of the Scrutiny & Audit Panel on 17 September 2015. The DCFO also pointed to the differences in living habits, such as smoking, drinking and health issues, and the work being undertaken with health providers. Councillor Deane noted that the majority of accidental dwelling fires occurred in the early evening, during the traditional 'cooking time', and asked whether there was any evidence to indicate why a higher number of men were injured in these fires. The CFO&CE informed Members of the work being undertaken by Kent FRS into how people behave in fires; this would ultimately help staff educate the public more effectively, and reduce the number of injuries suffered in accidental dwelling fires.

5.6 The Fire Authority noted the report.

6. DATES OF FUTURE MEETINGS

6.1 Members noted the dates of future meetings, especially the revised dates for Panel meetings in January, February, May and November 2016*.

17 September 2015	Scrutiny & Audit Panel
5 November 2015	Scrutiny & Audit and Policy & Resources Panels
10 December 2015	Fire Authority
*21 January 2016	Policy & Resources Panel
*4 February 2016	Scrutiny & Audit Panel
11 February 2016	Fire Authority
*26 May 2016	Scrutiny & Audit and Policy & Resources Panels
16 June 2016	Fire Authority
7 July 2016	Scrutiny & Audit and Policy & Resources Panels
8 September 2016	Fire Authority
15 September 2016	Scrutiny & Audit Panel
*3 November 2016	Scrutiny & Audit and Policy & Resources Panels
8 December 2016	Fire Authority

All Fire Authority meetings to commence at 10:30 hours
All Panel meetings to commence at 10:00 hours

COUNCILLOR PHILIP HOWSON
CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY

11 September 2015