



Meeting of  
East Sussex County Council  
on Tuesday, 21 March 2017  
at 10.00 am

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# EAST SUSSEX COUNTY COUNCIL

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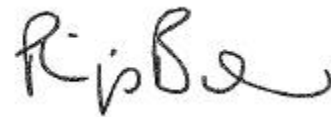
## To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held at Council Chamber, County Hall, Lewes, **on Tuesday, 21 March 2017 at 10.00 am** to transact the following business

- 1 **Minutes of the meeting held on 7 February 2017** (Pages 5 - 16)
- 2 **Apologies for absence**
- 3 **Chairman's business**
- 4 **Questions from members of the public**
- 5 **Report of the Cabinet** (Pages 17 - 20)
- 6 **Report of the Governance Committee** (Pages 21 - 24)
- 7 **Report of the Pension Committee** (Pages 25 - 30)
- 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 31 - 36)

*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 Paul Wenham, the Chief Executive of the Ashburnham Christian Conference Centre, Ashburnham. 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

13 March 2017

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## MINUTES

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### EAST SUSSEX COUNTY COUNCIL

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**MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 7 FEBRUARY 2017 at 10.00 am**

**Present** Councillors John Barnes MBE, Colin Belsey, Nick Bennett, Bill Bentley, Mike Blanch, Ian Buchanan, Carla Butler, Peter Charlton, Tania Charman, Charles Clark, Godfrey Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Stuart Earl, David Elkin, Michael Ensor (Chairman), Kathryn Field, Kim Forward, Roy Galley, Keith Glazier, Philip Howson, Carolyn Lambert, Carl Maynard, Ruth O'Keeffe MBE, Peter Pragnell (Vice Chairman), Pat Rodohan, Judy Rogers, Jim Sheppard, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Rosalyn St. Pierre, Bob Standley, Richard Stogdon, Barry Taylor, Sylvia Tidy, David Tutt, John Ungar, Trevor Webb, Francis Whetstone and Michael Wincott

#### **41 Minutes of the meeting held on 18 October 2016**

41.1 RESOLVED – to confirm the minutes of the previous meeting of the County Council held on 18 October 2016 as a correct record.

#### **42 Apologies for absence**

42.1 Apologies for absence were received from Councillors Keeley, Phillips, Pursglove, Scott, D Shing and Wallis

#### **43 Chairman's business**

##### NEW YEAR'S HONOURS

43.1 On behalf of the Council the Chairman congratulated all those who lived or worked in East Sussex who had been recognised in the New Year's Honours List. In particular, the Chairman congratulated Councillor John Barnes who had been awarded an MBE for voluntary services to the community.

##### CHAIRMAN'S ACTIVITIES

43.2 The Chairman reported that he had attended a number of engagements since the last meeting of the County Council including: the presentation of awards ceremony for the South East Reserve Forces and Cadets Association, the Cuckmere Buses 40<sup>th</sup> Anniversary tea, the Pestalozzi founders day, the All Saints church dinner, the Lewes Bonfire celebrations and the Eastbourne Silver Band's 5<sup>th</sup> Annual Remembrance Concert. I have also attended an East Sussex Prayer Breakfast, a RNLI Service, the BBC South East Awards, the Christmas Pontifical Sung Vespers and the Heathfield Works Graduation Evening. I attended carol concerts at Newhaven, St John's Ambulance, the Mayor of Lewes' concert, the West Sussex Fire and Rescue Service, Hastings Sea Cadets and the County Council carol concert. I have also attended a Christmas reception at Surrey County Council, 2 Citizenship Ceremonies and the Eastbourne and the Lewes Holocaust memorial events. I have also visited the

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refurbished Grangemead care home. I have hosted a Christmas reception and a carol concert in Lewes. The Vice Chairman has also attended a number of events.

### CHINESE NEW YEAR

43.3 The Chairman indicated that the Chinese New Year began on 28 January. The Chairman wished all present a very happy Chinese New Year.

### PRAYERS

43.4 The Chairman thanked Reverend Steve Daughtery for leading prayers before the meeting

### PETITIONS

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

- |   |   |
|---|---|
| Councillor Barnes                                 | - calling upon the County Council to support traffic calming measures in Etchingham.  |
| Councillors Charman and Daniel                    | - calling on the County Council to stop Castledown School, Hastings becoming part of the ARK Academy Group  |
| Councillor Elkin                                  | - calling on the County Council to address traffic calming at 10 Brisbane Quay, Sovereign Harbour North, Eastbourne   |
| Councillor O'Keeffe                               | - calling on the County Council to support the provision of a school crossing patrol person to assist children and families crossing Prince Edwards Road, Lewes |
| Councillor Rogers                                 | - calling on the County Council to provide traffic wardens outside Hastings schools as often as possible.   |
| Councillor Ungar (on behalf of Councillor Wallis) | - calling on the County Council to urgently review the traffic situation in and around Bourne School, Eastbourne  |

### **44 Questions from members of the public**

44.1 There were no questions from the public.

### **45 Declarations of Interest**

45.1 There were no declarations of interest.

### **46 Reports**

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

- |         |   |             |
|---------|---|-------------|
| Cabinet | - | paragraph 1 |
|---------|---|-------------|

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### NON-RESERVED PARAGRAPHS

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

### 47 Report of the Cabinet

Paragraph 1 –Reconciling Policy, Performance and Resources

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

47.2 Councillor Elkin moved the adoption of paragraph 1 of the Cabinet's report.

47.3 The following amendment was moved by Councillor Tutt and seconded:

*Delete paragraph 1.78 of the Cabinet's report and replace with:-*

*(1) approve, in principle, the draft Council Plan at Appendix 1 and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*

*(2) approve the net Revenue Budget estimates for 2017/18 as set out in Appendix 2 with the following amendments*

- 1. Reinstate early help savings in 2017/18 - £0.610m*
- 2. Reinstate Standards and Learning Effectiveness Service savings in 2017/18 - £0.122m*
- 3. Reinstate East Sussex Better Together savings by investing to support the establishment of integrated locality teams to reduce the call on acute care- £1.957m*
- 4. Reinstate Connecting 4 You savings (for carers, substance misuse, working age adult care, directly provided services and older people community care) totalling £0.581m*
- 5. Reinstate core funding for SPARK - £0.045m*
- 6. Provide additional investment into village maintenance support - £0.050m*

*Total of proposed revenue amendments - £3.365m*

*To be funded by:*

- 7. Reduce the Revenue Contribution to Capital by a further £1.0m to £3.0m - £1.0m*
- 8. Transfer in part the New Homes Bonus contribution to capital to revenue - £1.175m*
- 9. Capitalise investment into highways drainage - £1.0m*
- 10. Recognising that items 7-9 have an associated cost relating to increased borrowing reducing the sums available by – (£0.700m)*
- 11. Reduce the budget for communications - £0.500m*
- 12. Use parking surplus for existing transport services - £0.150m*
- 13. Increase target savings for BSD/Orbis - £0.200m*
- 14. Delete post for Culture Strategy - £0.040m (part year) in 2017/18*

*Total of proposed revenue funding amendments - £3.365m*

- (3) in accordance with the Local Government Finance Act 1992 to agree that:*
- (i) the net budget requirement is £365.0m and the amount calculated by East Sussex County Council as its council tax requirement (see Appendix 7) for the year 2017/18 is £257.4m;*
  - (ii) the amount calculated by East Sussex County Council as the basic amount of its council tax (i.e. for a band D property) for the year 2017/18 is £1,314.36 and represents a 4.99% (3% of which relates to the Adult Social Care precept) increase on the previous year;*

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(4) advise the District and Borough Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 7

(5) authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader, to make adjustments to the presentation of the budget to reflect the final settlement and budget decisions;

(6) approve the fees and charges set out in Appendix 6 and delegate authority to the Chief Finance Officer to approve an increase to all other fees and charges by up to 2%;

(7) approve the Capital Programme for 2016 – 2023, including a commitment to a 5 year Highways maintenance programme of £91.3m as set out at Appendices 2 and 8; with the following amendments:

1. Additional capital investment in highways maintenance - £1m in 2017/18
2. Capital allocation of £10m for Property Investment Strategy to fund primary care and sheltered accommodation, to produce revenue surplus of £200K in due course

(8) Without binding future budget setting decisions of the Council, make the following amendments to the planning assumptions within the Medium Term Financial Plan forecast for the period 2018/19 to 2020/21 as set out in Appendix 3:

in 2018/19:-

1. Delete ISEND savings - £0.332m
2. Delete locality social worker savings - £0.304m

Total of proposed revenue amendments in 2018/19 - £0.636m

To be funded by:

3. Additional use of New Homes Bonus - £0.325m
4. Use of Transformation & Delivery Risk provision - £0.127m
5. Savings to be realised from moving to a full highways client function - £0.170m
6. To reflect the full-year savings of Culture Strategy Post - £0.014m

Total of proposed revenue funding amendments in 2018/19 - £0.636m

(9) note the comments of the Chief Finance Officer on budget risks and robustness as set out in Appendix 9;

(10) note the draft Strategic Investment Plan for East Sussex Better Together as set out in Appendix 5; and

(11) note the comments from the engagement exercises as set out in Appendix 10

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

### FOR THE AMENDMENT

Councillors Blanch, Butler, Charman, Daniel, Field, Forward, Lambert, O'Keeffe, Rodohan, Rogers, Shuttleworth, St Pierre, Tutt, Ungar, Webb, and Wincott

### AGAINST THE AMENDMENT

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

### ABSTENTIONS

Councillor S Shing

47.5 The following amendment was moved by Councillor Webb and seconded

*Delete paragraph 1.78 of the Cabinet's report and replace with:-*



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(1) approve, in principle, the draft Council Plan at Appendix 1 and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;

(2) approve the net Revenue Budget estimates for 2017/18 as set out in Appendix 2 with the following amendments

1. East Sussex Better Together Strategic Investment Plan reinstatement of savings - £1.232m
2. Adult Social care – Connecting 4 You reinstatement of savings:
  - Older People Independent Sector Budget – review of older people service funding: delete proposed saving £0.093m
  - Older People Independent Sector Budget – review of older people mental health service funding: delete proposed saving £0.011m
  - Working Age Adult Independent Sector Budget – review of mental health service funding: delete proposed saving of £0.010m
  - Working Age Adult Independent Sector Budget – review of learning disability service funding: delete proposed saving of £0.067m
  - Carers – Adult Social Care contribution to the Better Care Fund: delete proposed saving of £0.173m
  - Supporting People – review of Home Works and Steps services: reduce proposed savings by £0.014m
3. Children’s Services reinstatement of savings; Standards and Learning Effectiveness Service £0.122m, Safeguarding unit £0.023m, SWIFT Specialist Family Service and Youth Offending Team posts £0.180m and early help £0.098m - £0.423m

Total of proposed amendments - £2.023m

To be funded by:

1. Remove Transformation and Delivery Risk provision (2017/18 only) - £0.127m
2. Remove Economic Development Grants (2017/18 only) - £1.0m
3. Reduce Revenue Contribution to Capital by a further £1.0m to £3.0m (£0.175 of which will support additional borrowing) - £0.825
4. Remove budget for Your County - £0.071m

(3) in accordance with the Local Government Finance Act 1992 to agree that:

- (i) the net budget requirement is £365.0m and the amount calculated by East Sussex County Council as its council tax requirement (see Appendix 7) for the year 2017/18 is £257.4m;
- (ii) the amount calculated by East Sussex County Council as the basic amount of its council tax (i.e. for a band D property) for the year 2017/18 is £1,314.36 and represents a 4.99% (3% of which relates to the Adult Social Care precept) increase on the previous year;

(4) advise the District and Borough Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 7

(5) authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader, to make adjustments to the presentation of the budget to reflect the final settlement and budget decisions;

(6) approve the fees and charges set out in Appendix 6 and delegate authority to the Chief Finance Officer to approve an increase to all other fees and charges by up to 2%;

(7) approve the Capital Programme for 2016 – 2023, including a commitment to a 5 year Highways maintenance programme of £91.3m as set out at Appendices 2 and 8;

(8) note the Medium Term Financial Plan forecast for the period 2018/19 to 2020/21 as set out in Appendix 3; and

(9) note the comments of the Chief Finance Officer on budget risks and robustness as set out in Appendix 9;

(10) note the draft Strategic Investment Plan for East Sussex Better Together as set out in Appendix 5; and

(11) note the comments from the engagement exercises as set out in Appendix 10

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

### FOR THE AMENDMENT

Councillors Buchanan, Charman, Daniel, Forward, O'Keeffe, Rogers, S Shing, Webb, and Wincott

### AGAINST THE AMENDMENT

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

### ABSTENTIONS

Councillors Blanch, Butler, Field, Lambert, Rodohan, Shuttleworth, St Pierre, Tutt and Ungar

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

- (1) approve, in principle, the draft Council Plan at Appendix 1 and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*
- (2) approve the net Revenue Budget estimates for 2017/18 as set out in Appendix 2;*
- (3) in accordance with the Local Government Finance Act 1992 to agree that:*
  - (i) the net budget requirement is £365.0m and the amount calculated by East Sussex County Council as its council tax requirement (see Appendix 7) for the year 2017/18 is £257.4m;*
  - (ii) the amount calculated by East Sussex County Council as the basic amount of its council tax (i.e. for a band D property) for the year 2017/18 is £1,314.36 and represents a 4.99% (3% of which relates to the Adult Social Care precept) increase on the previous year;*
- (4) advise the District and Borough Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 7*
- (5) authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader, to make adjustments to the presentation of the budget to reflect the final settlement and budget decisions;*
- (6) approve the fees and charges set out in Appendix 6 and delegate authority to the Chief Finance Officer to approve an increase to all other fees and charges by up to 2%;*
- (7) approve the Capital Programme for 2016 – 2023, including a commitment to a 5 year Highways maintenance programme of £91.3m as set out at Appendices 2 and 8;*
- (8) note the Medium Term Financial Plan forecast for the period 2018/19 to 2020/21 as set out in Appendix 3; and*
- (9) note the comments of the Chief Finance Officer on budget risks and robustness as set out in Appendix 9;*
- (10) note the draft Strategic Investment Plan for East Sussex Better Together as set out in Appendix 5; and*
- (11) note the comments from the engagement exercises as set out in Appendix 10*

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

### FOR THE MOTION

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

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### AGAINST THE MOTION

Councillors Blanch, Butler, Charman, Daniel, Field, Forward, Lambert, Rodohan, Rogers, Shuttleworth, St Pierre, Tutt, Ungar, Webb, and Wincott

### ABSTENTIONS

Councillors O'Keeffe and S Shing

## 48 Questions from County Councillors

### ORAL QUESTIONS TO CABINET MEMBERS

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

<b>Questioner</b>	<b>Respondent</b>	<b>Subject</b>
Councillor St Pierre	Councillor Simmons	Report from Department of Transport regarding possible development of a Brighton to Uckfield railway line
Councillor Rodohan	Councillor Maynard	Highway maintenance, pothole repair and monitoring of contract. I vehicles
Councillor Tutt	Councillor Glazier	Opportunity for the Council to take maximum advantage of the apprenticeship levy.
Councillor Charman	Councillor Bennett	Consultation regarding possibility of Castledown School, Hastings becoming an academy and ESCC involvement in the process
Councillor Daniel	Councillor Glazier	Implication of budget cuts in relation to domestic abuse on the Council's White Ribbon status.
Councillor S Shing	Councillor Glazier	Use of electronic voting in Council meetings
Councillor Ungar	Councillor Simmons	Possibility of requesting compensation from the Government to reflect the impact on the local economy of the industrial action on Southern Rail
Councillor Charman	Councillor Maynard	Response to Hastings Borough Council regarding the possibility of Hastings having representation on a Transport Action Group.



**WEITTEN QUESTIONS PURSUANT TO STANDING ORDER 44**

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

I previously asked a written question about parking permits for residents which is becoming an increasing problem in our towns.

I would like clarification on whether or not a written policy exists which clearly sets out the criteria for parking permit schemes. It is important to have this clarification so that councillors and members of the public are clear that the assessment of requests is carried out in a transparent and equitable manner in accordance with an agreed procedure.

**Answer by the Lead Member for Transport and Environment**

There is no formal County Council Policy for the installation of new resident permit parking schemes, applications for resident permits schemes are assessed on an operational basis and on a site by site basis. When assessing requests for residents permit parking schemes, County Council Officers look at the number of requests or complaints received and generally would expect at least 40% of local addresses to support the installation of a permit scheme. This saves any abortive costs to the County Council when final proposals are consulted and do not meet widespread support. It is not usual to introduce a resident permit scheme in a single road and we would look for support from a wider area so that the perceived problem is not simply transferred to adjacent residential areas.

Resident permit parking schemes are designed to provide a reasonable chance for car-owning residents to park near to, although not necessarily directly outside, their houses as often the demand for permits exceeds the number of parking bays available.

In assessing applications for new resident permit schemes or extensions to existing schemes, Officers are guided by the level of local support and also take into consideration local conditions such as proximity to railway stations, shopping areas, hospitals, schools and each application needs to be considered on its own merit. All requests for a permit parking scheme are processed in a fair and consistent way.

More and more households now own more than one vehicle, placing a greater strain on the available kerb-space, and often generating complaints from other residents.

The times of operation of resident permits also need to be considered as well as prospective enforcement. It may be that a request for a permit scheme is not the most appropriate option, for example if most residents have suitable off-road parking. Equally there may be other remedies to combating commuter parking and school drop-off problems, such as time limited parking restrictions at certain times of the day.

It must also be noted that there is a cost to introduce resident permits to cover the cost of introduction, installation, maintenance, and enforcement.

For these reasons it is felt that the assessment of, and potential introduction of, resident permit parking schemes should not be policy driven, but instead remain managed on an operational basis, with due consideration to the circumstances surrounding each application. However every application is assessed in a consistent and fair approach.

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

Residents frequently raise concerns about parking on grass verges and pavements. It would appear that no action is taken to prevent people from parking on these spaces which annoys

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residents, damages the infrastructure and is dangerous for those with sight and mobility issues and parents with pushchairs.

Will the County Council take action to prevent people parking on verges and pavements including considering placing bollards on key problem sites if residents are prepared to contribute to the cost?

### **Answer by the Lead Member for Transport and Environment**

There is no national legislation, outside London, to prevent parking on verges and pavements. However, where there are existing yellow lines these extend to verge and pavement and in Lewes District our parking enforcement contractor NSL is able to enforce those existing lines and signs.

The County Council introduced a trial scheme that was approved by the Lead Member for Transport and Environment in October 2014 following requests to ban vehicles from parking on pavements and verges. A prioritisation process was developed to enable Officers to assess requests for a verge-parking ban. Various criteria are used to assess a particular location, such as whether it is close to schools, shops, hospitals, or if it is on a bus route etc. It also takes into account the duration and frequency of the problem, whether damage is being caused to footways and verges, and if such a ban would cause congestion.

Footways are designed for use by pedestrians and as you have witnessed, vehicles parking on the footway can cause damage, breaking paving slabs and leaving the footway unsightly and potentially unsafe for pedestrians. Verges can also be damaged by vehicles parking on them. A footway and verge parking ban helps prevent damage to paving caused by vehicles parking on the footways and verges in identified areas.

Banning vehicles from parking on the pavement is not always appropriate and could lead to congestion in narrow or heavily trafficked roads. This could have a detrimental effect, especially in town centre areas where commercial vehicles would have no option but to frequently load and unload in the road. Any such ban in a busy town centre area should not be introduced on its own, but instead should be assessed as part of a wider assessment and consideration given to alternative arrangements for loading and unloading.

At locations where it is not considered appropriate to implement traffic regulation orders to enable enforcement to take place, consideration will be given to installing bollards to prevent inconsiderate parking. Clearly, with limited budgets the County Council has to prioritise what it does on the highway and therefore contributions may be sought from local communities.

Any requests for new or changes to existing parking controls where we operate civil parking enforcement (CPE) should be directed to Parking Services. Our current CPE areas are Eastbourne borough, Hastings borough, and Lewes district. Requests outside the CPE areas should be forwarded to the Highways Contact Centre.

### **3. Question by Councillor Lambert to the Lead Member for Transport and Environment**

Seaford is the biggest town in Lewes District and has a high percentage of older people with complex and chronic healthcare needs. These older people struggle to access healthcare services provided by local hospitals, particularly those provided by Eastbourne District General Hospital. It is not possible to take a bus direct to the hospital – people have to travel first to Eastbourne town centre and then get a further bus out to the hospital. This is unsuitable and difficult for those with mobility issues, particularly in bad weather and in the dark winter evenings. Taxis are extremely costly: the average cost of a single fare is £20 - £25 from Seaford to the hospital and this is simply unaffordable for those on fixed incomes.

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Will the County Council address these health inequalities by funding an enhanced service so that the Community Transport for the Lewes Area (CTLA) or a similar organisation could offer low cost or free travel to hospital appointments for older people in Seaford and other vulnerable and disadvantaged groups?

### **Answer by the Lead Member for Transport and Environment**

Whilst I understand the concerns raised, the County Council cannot take on the additional commitment to provide communities and individual residents with subsidised transport to medical appointments.

Councillor Lambert refers to the need for Seaford residents to change buses in Eastbourne town centre so as to access the District General Hospital. I would add that buses run every 10 minutes between Seaford and Eastbourne town centre, with a similar frequency from there to the Hospital. The change of bus in Eastbourne involves crossing the road in the buses only Terminus Road precinct.

Hospital appointments by their nature require the transport provision to be appropriate to the patient's individual appointment times. This is why the East Sussex Community Transport Operators Forum, which includes CTLA, have said to the County Council that it is not usually appropriate to look to community transport minibuses, with paid drivers and therefore higher costs of provision, to provide a cost-effective solution for these patients.

Some communities have gone some way to addressing the problems of transport access to medical appointments through setting up their own volunteer car scheme. This community self-help is a practical and rewarding way of helping those who have these transport issues. I am however not aware that such a scheme exists in Seaford. Information on how to go about setting up such a scheme, which was developed with the help of our community voluntary action partners, is available on the County Council's website. The toolkit can be found on our Community Transport page.

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## REPORT OF THE CABINET

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The Cabinet met on 7 March 2017. Attendance:-

Councillor Glazier (Chair)

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

### 1. Council Monitoring – Quarter Three 2016/17

1.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for the third quarter of 2016/17 and end of year projections. 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. Strategic risks were reported at Appendix 7 and a detailed report for each department was provided is provided in Appendices 2 to 6.

#### Overview of 2016/17 Council Plan

1.2 More detail of progress against each of our priority outcomes for 2016/17 is set out in paragraphs 1.14 to 1.37 below. Of the 67 Council Plan targets, 44 (66%) are rated green, 14 (21%) are rated amber and 9 (13%) are rated red.

1.3 Work within services to reduce or mitigate the overall overspend has been ongoing. At quarter 3, the gross projected year-end overspend within service departments is £6.9m a reduction from the £8.3m overspend reported at quarter 2. The main areas of overspend are:-

- £4.7m in Adult Social Care (£6.1m at quarter 2), mainly the result of ongoing pressures on Independent Sector Care. The reduction of £1.4m between quarter 2 and quarter 3 reflects revisions in modelled demand and attrition, together with small reductions in service activity in the period. The position continues to be monitored and is included within the development of the East Sussex Better Together (ESBT) Strategic Investment Plan and ongoing discussions with Clinical Commissioning Groups.
- £3.0m in Children's Services (£2.8m at quarter 2). This is within Education and ISEND, Looked after Children and Home to School Transport, and is the result of demand led pressures (detail of pressures identified in quarter 3 is provided in Appendix 4). Children's Services have sought to mitigate some of the service pressure through reductions in expenditure in other areas of the service. Measures include keeping vacancies open and a reduction in forecast legal costs, offsetting reduced trading income with schools and increased Early Years Education Entitlement costs due to children accessing the service earlier and for more hours.

1.4 There are budget pressures across all departments, within Communities, Economy and Transport; Business Services; and Governance; these are being successfully contained and there is a small underspend of £0.8m being reported across these services.

1.5 Within centrally held budgets there is a pressure of £0.3m for the Council's share of the East Sussex Business Rates Pool and Business Rates Cap Compensation and there continues to be a pressure of £0.2m for the Education Services Grant (ESG).

1.6 Provision was made across 2016/17 and 2017/18 for the cost of the National Living Wage. Confirmation of the 2017/18 rate in the Autumn Statement in November 2016 has resulted in an underspend of £0.3m as this amount is no longer required to be set aside. The overall overspend on centrally held budgets is therefore currently forecast at £0.2m in 2016/17. Giving a total overspend of £7.1m.

1.7 Following the review of our Minimum Revenue Provision (MRP) Policy and the Treasury Management budgets, there will be a reduced charge to revenue in 2016/17 of £8.2m. Normal practice is to transfer any net treasury management underspend to the Capital Programme to reduce borrowing, but this could be used to mitigate a net overspending on the General Fund if required.

1.8 The general contingency of £3.4m is also available to offset this overspend. Should the position remain unchanged there will therefore be a general fund surplus of £4.5m (the projected overspend at paragraph 1.6 of £7.1m less the MRP and Treasury Management underspend of £8.2m and the general contingency of £3.4m = £4.5m). It is proposed that this balance be held to manage the ongoing financial risks identified as part of the budget setting process. These include the impact of the Business Rate Revaluation on Business Rates, savings realisation, the proposed financial arrangements for ESBT or to manage down borrowing. Work will continue within services to reduce or mitigate the overall overspend where possible.

1.9 As part of budget setting, the current Capital Programme has been adjusted to reflect the updated forecast position at quarter 2 including any further approved variations. The quarter 3 Capital Programme is monitored against the revised programme submitted to the Council in February in addition to any further approved variations. The forecast spending for the year is projected at £85.7m against a budget of £91.9m, a variation of £6.2m. The variation comprises slippage of £6.5m offset by spend in advance of £0.3m.

1.10 The additional Capital slippage at quarter 3 mainly comprises:

- £1.5m on Integrated Transport, due to significant delays in receiving target costs from the contractor. The full impact of the target costs has not yet been fully assessed and therefore the resulting slippage could increase.
- £1.4m on Capital Building improvements as a result of extended tender processes and longer re-evaluations of building usage.
- A review of Property Agile works has re-profiled £1.2m into future years due to the consultation period for the Property Agile programme at St Mark's and parking at County Hall being longer than anticipated, the latter due to needing to seek advice towards the end of 2016, from planners and the South Downs National Park Authority, about use of surrounding sites, e.g. St Anne's, and entering discussions with other bodies, such as blue light organisations, about the impact of using the site, which was not planned.
- Queensway Gateway Road has slipped £1m due to delays in the planning process and discharging of the planning conditions.
- ICT Strategy Implementation has slipped £0.4m, mainly due to the LAN Replacement project, due to receiving advice that more competitive prices could be achieved by entering procurement negotiations in quarter 1 of 2017/18, rather than the current year.
- Libraries refurbishment has slipped £0.3m due to work to refurbish Battle library starting later than planned as it was being considered as part of a bigger development plan which has not materialised.

1.11 The spend in advance of £0.3m relates mainly to Meridian School within the Schools Basic Need Programme

1.12 The Strategic Risk Register, Appendix 7, has been reviewed. Risk 5 (Reconciling Policy, Performance and Resource), Risk 6 (Local Economic Growth), Risk 8 (Capital Programme) and Risk 9 (Workforce) all have updated Risk Control measures. One new risk (Apprenticeship Levy) has been added to the Strategic Risk Register for this review, and no existing risks have been removed. Risk 8 (Capital Programme) has reduced from a 'Red' to an 'Amber' risk rating. All other risk ratings remain unchanged.

1.13 The final local government settlement was announced on 20 February 2017 and is consistent with the Council's financial position that was set out in the RPPR report on 7 February 2017.

#### Progress against Council Priorities

##### Driving economic growth

1.14 Work continues to establish a Sub-National Transport Body for the South East, and all SE7 Authorities have now agreed to the establishment of a Shadow Body. Work in quarter 4 will focus on developing a constitution and draft Transport Strategy (Appendix 6).

1.15 37 businesses have been supported with grants and loans so far in 2016/17. These businesses are projecting to create 122 jobs and safeguard a further 40 (Appendix 5).

1.16 70 apprentices have been recruited in 2016/17: 21 with the Council, with a further two progressing on to a further apprenticeship; nine with Costain CH2M; and 38 with schools. Of the 93 apprentices who are due to be taking part in the programme in quarter 3, seven finished their apprenticeship and moved on to a positive outcome, 10 others left their apprenticeship in quarter 3 with six moving on to a positive outcome. The rate of retention and/or positive outcomes stands at 95% (Appendix 5).

1.17 82 online learning courses were completed in our libraries in quarter 3, on topics including English, maths and IT. 249 courses have been completed so far in 2016/17 (Appendix 5).

1.18 Figures from the Department of Education show the achievement gap between the lowest achieving 20% of pupils and the median at the Early Years Foundation Stage in East Sussex, in academic year 2015/16, is 28.1%, 3.3 percentage points better than the national average of 31.4% (Appendix 4).

1.19 71% of Council spend in quarter 3 was with local suppliers, over the last 12 months the Council has spent £195m with over 7,000 local suppliers (Appendix 3).

1.20 Locate East Sussex has helped 35 companies start up, relocate or expand in East Sussex during 2016/17 (Appendix 5).

1.21 The road condition statistics for 2016/17 have been published, the percentage of principal and non-principal roads which require maintenance have remained the same as in 2015/16, 5% and 6% respectively, while the percentage of unclassified roads requiring maintenance has improved from 22% in 2015/16 to 19% in 2016/17 (Appendix 5).

#### Keeping vulnerable people safe

1.22 Legal Services advised and represented Trading Standards in two successful prosecutions, one for a rogue trader who preyed on elderly vulnerable people, and the second for a company director who duped investors into paying thousands of pounds for worthless franchises (Appendix 6).

1.23 Recent changes to case law reducing the amount of time a child can be looked after by a local authority without a Care Order, and a general increase in referrals, have seen a sustained increase in child care proceedings in court in 2016/17. There were 30 cases in quarter 3 compared to 21 for the same period last year. The average case duration was 26.8 weeks, just above the Government's target of 26 weeks (Appendix 6).

1.24 Where possible, we seek to enable families to keep their children within the family, rather than undertaking legal care proceedings, and this may lead to a child being placed on a Child Protection (CP) plan. The rate of children with a CP plan has increased from 42.7 children per 10,000 at quarter 2 to 46.3 in quarter 3 against a target rate of 41 (Appendix 4).

1.25 78% of people affected by domestic violence and abuse who have exited the specialist domestic abuse and sexual violence service (Portal) in 2016/17 say they are better able to cope and/or have improved self-esteem. The figure for those affected by rape, sexual violence and abuse who are more in control of their lives and/or more optimistic about the future after exiting the service is 81% (Appendix 2).

1.26 We supported the 16 Days of Action for the Elimination of Violence Against Women campaign, which ran from 25 November to 10 December 2016. Over the 16 days a range of agencies, groups and individuals came together to work towards ending all forms of violence against women. The Council has also been reaccredited as a White Ribbon authority, recognising the Council's commitment to work to end violence and abuse and ensure survivors can access help and support (Appendix 2).

1.27 35 victims of financial abuse were visited by Trading Standards; amongst these victims officers identified four chronic victims of financial abuse who were helped by interventions from Adult Social Care or befriending services provided by Age Concern (Appendix 5).

Helping people help themselves

1.28 The ESBT Strategic Investment Plan sets out how pooled health and social care budgets will be spent. The Plan identifies a range of schemes which will mitigate increasing demands on services and will be reflected in budgets through the Reconciling Policy, Performance and Resources (RPPR) process. Progress continues across all areas of ESBT, including the delivery of integrated teams, Health and Social Care Connect, crisis response, re-ablement and community resilience. Plans are also being implemented to put in place a transition year for accountable care in 2017/18 prior to the move to fully integrated health and social care (Appendix 2).

1.29 The £1m Road Safety programme is progressing well, a timetabled programme of work has been agreed and we are finalising the involvement of behavioural change experts to help define and focus the project. We will continue to work with the Sussex Safer Roads Partnership and the local Road Safety Partnerships to ensure we target our resources effectively to ensure the maximum outcome from the investment. Provisional data shows there were 113 people Killed or Seriously Injured (KSI) on our roads between July and September 2016, with 10 of these being fatalities. Of these, 21 KSI and one fatality occurred on Trunk Roads, which are the responsibility of Highways England (Appendix 5).

1.30 From 5 to 9 December 2016 Ofsted and the Care Quality Commission (CQC) jointly inspected the local area's effectiveness in identifying and meeting the needs of children and young people who have special educational needs and/or disabilities (SEND). A summary is provided in Appendix 4 and a full report was considered by the Cabinet.

1.31 98.2% of Adult Social Care clients who have received a short-term service in 2016/17 have made no further request for support (Appendix 2).

1.32 2,872 people have been supported by STEPS, which helps people maintain independence within their own homes, in 2016/17. This included 1,605 supported with Housing Support, 1,083 supported by the Navigator Service and 184 supported through the gateway service (Appendix 2).

1.33 Public Health led a programme of work across the county in quarter 3 to tackle the health effects of cold homes. Work included training frontline professionals to enable them to identify people living in cold homes and refer them on to services such as the Winter Home Check (WHC). Public Health also developed a Stay Well This Winter campaign and helped to develop a Locally Enhanced Service for GP staff to help them identify patients at risk of fuel poverty. As a result of this activity 374 referrals to the WHC service were received in quarter 3 (Appendix 2).

1.34 33.7% of adults and older people receiving a service are receiving a Direct Payment. We have implemented improvements to the referral process to ensure clients receive core support throughout their Direct Payment, with further improvements planned for 2017/18. These improvements should make the process easier for clients and increase the number of people receiving a Direct Payment (Appendix 2).

1.35 10 new members were approved by the Support with Confidence service in quarter 3, increasing the total numbers of members to 160 (Appendix 2).

1.36 Café North, a social enterprise in Eastbourne staffed by people who are in recovery from substance misuse addiction, officially opened on 18 November 2016. The opening was attended by service users, partners, Caroline Ansell MP and the Mayor of Eastbourne (Appendix 2).

Making best use of resources

1.37 Following work as part of the RPPR process, including consultation and engagement on savings plans, the Council agreed the budget for 2017/18 and the draft Council Plan on 7 February 2017 (Appendix 6).

7 March 2017

KEITH GLAZIER  
(Chair)

## REPORT OF THE GOVERNANCE COMMITTEE

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The Governance Committee met on 7 March 2017. Attendances:

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

### 1. Pay Policy Statement 2017/18

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

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

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

1.4 The Hutton report of Fair Pay in the Public Sector recommended the publication of an organisation's pay multiple as a means of illustrating the relationship between the remuneration arrangements for Chief Officers in comparison with the rest of the non-schools workforce in the form of a ratio. The ratio is currently (December 2016) 7.14 to 1, the same as the ratio in March 2016. The pay multiple is published on our website with the Pay Policy Statement.

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

1.6 The Government has undertaken a number of consultations over the last 18 months in relation to reforming public sector exit payment terms. In particular:

- (i) Recovery of exit payments - the Small Business, Enterprise and Employment Act 2015 includes provisions to enable the recovery of exit payments made to individuals who return to the public sector within 12 months of receiving an exit payment. The intention is for this to come into force in 2017;
- (ii) Exit payment cap – the Government intends to introduce a cap of £95,000 on public sector exit payments (including pension strain costs etc.) to implement its manifesto

commitment to cap six-figure exit pay-outs. The intention is for this to come into force in 2017, and,

(iii) Exit payment terms (compensation) – the Government are considering further reforms to the calculation of compensation terms and to employer funded early retirement in circumstances of redundancy, including the introduction of a maximum salary on which an exit payment can be based and the tapering of a lump sum compensation as they get closer to their normal retirement age. The maximum salary is currently proposed to be £80,000. Further information is awaited, including indicative timeframes for implementation.

1.7 Whilst the existing pay policy statement remains a valid statement of the County Council's remuneration arrangements at present, it will need to be updated to reflect the outcome of the above consultations once known. Attached at Appendix 1 is a copy of the pay policy statement for 2017/18.

1.8 The Committee recommends the County Council:

✧ to agree the updated pay policy statement for 2017/18 as set out in Appendix 1.

## **2. Amendment to Constitution – Joint Arrangements**

2.1 The Council's Constitution provides for the Council to establish joint arrangements with other local authorities and/or their executives to exercise executive or non executive functions. In view of the continuing collaboration with health, it is proposed that the Article regarding Joint Arrangements in the Constitution be amended to provide for such arrangements to be established with bodies other than local authorities eg Health bodies.

2.2 It is proposed that Articles 11.02 and 11.04 of the Constitution be amended as follows:

### **Article 11 - Joint Arrangements**

#### **11.01 Arrangements to promote well being**

The Council and/or the Cabinet, in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

#### **11.02 Joint arrangements**

(a) The Council may establish joint arrangements with one or more local authorities and/or their executives, or other organisations such as (but not limited to) NHS bodies, to exercise functions which are not executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities bodies.

## GOVERNANCE

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(b) The Leader may establish joint arrangements with one or more local authorities or other organisations such as (but not limited to) NHS bodies, to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other ~~local authorities~~ bodies.

(c) Except as set out below, the Leader may only appoint Cabinet members to a joint committee and those members need not reflect the political composition of the local authority as a whole.

(d) The Leader may appoint members to a joint committee from outside the executive in the following circumstances:

- the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Leader may appoint to the joint committee any councillor who is a member for an electoral division which is wholly or partly contained within the area;

- the joint committee is with a single district or borough council and relates to executive functions of the County Council. In such cases, the Leader may appoint to the joint committee any councillor who is a member for an electoral division which is wholly or partly contained within the area.

- where the joint committee is established under the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (as amended) or such superceding legislation

In both each of these cases the political balance requirements do not apply to such appointments.

(e) Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Part 3 of this Constitution.

### 11.03 Access to information

(a) The Access to Information Rules in Part 4 of this Constitution apply.

(b) If all the members of a joint committee are members of the executive in each of the participating authorities then its access to information regime is the same as that applied to the executive.

(c) If the joint committee contains members who are not on the executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

### 11.04 Delegation to and from other local authorities

(a) The Council may delegate non-executive functions to another local authority or body or, in certain circumstances, the executive of another local authority or body.

(b) The Leader may delegate executive functions to another local authority or body or the Executive of another local authority or body in certain circumstances.

(c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the full Council.

2.3 The Committee recommends the County Council:

☆ (1) to agree to the Constitution being amended as set out in paragraph 2.2 above.

7 March 2017

KEITH GLAZIER  
(Chair)



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## REPORT OF THE PENSION COMMITTEE

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The Pension Committee met on 27 February 2017. Attendances:

Councillor Stogdon (Chair)

Councillors Carstairs, Daniel, Standley and Tutt

### 1. Local Government Pension Scheme (LGPS) Investment Pooling – Inter Authority Agreement

1.1 In the summer 2015 budget the Chancellor announced the Government's intention to invite Administering Authorities to make proposals for pooling LGPS investments. Following the Autumn Statement on 25 November 2015 the Department for Communities and Local Government (DCLG) published its criteria for pooling investments focusing on 4 elements:

1. Scale – it is the Government's desire that pools of assets are created with at least £25bn of assets per pool.
2. Strong Governance – authorities are charged with defining the mechanisms by which they can hold the pool to account.
3. Reduced costs – including estimated savings over the next 15 years.
4. Improved capacity to invest in infrastructure through pooling.

1.2 Subsequently the Government published revised LGPS Management and Investment of Funds Regulations that came into force on 1 November 2016. The Regulations include the power for the Secretary of State to direct a fund to change its investment strategy or direct that a fund's investment function is undertaken by another organisation if the Secretary of State determines that a fund is failing to act in accordance with guidance issued, including the guidance to pool investments according to the criteria above.

1.3 The Pension Committee has previously agreed that East Sussex Pension Fund join the ACCESS pool, which made a submission to the Government for pooling in July 2016, which was reported to the Committee. East Sussex Pension Fund has already signed a Memorandum of Understanding (MOU) with the 10 other authorities in the pool to underpin the initial work of establishing the pool. ACCESS contains the following other funds:

- |                   |                     |                   |
|-------------------|---------------------|-------------------|
| 1. Cambridgeshire | 5. Norfolk          | 8. Hertfordshire  |
| 2. Kent           | 6. Essex            | 9. Suffolk        |
| 3. Hampshire      | 7. Northamptonshire | 10. Isle of Wight |
| 4. West Sussex    |                     |                   |

1.4 ACCESS's July 2016 submission was based on pooling investments via a Collective Investment Vehicle (CIV) that would be administered and maintained by a third party Operator, which it was believed at that time to be the Government's preferred means of investment pooling. Following an initial letter from the Pension Committee Chair to the Secretary of State for Communities and Local Government in September 2016 all of the ACCESS funds agreed that the Government's pooling criteria could be better met without the cost and complexity of a CIV Operator, through Collaborative Joint Procurement. ACCESS has put forward an amendment to its July 2016 submission in December 2016 to base the pool on Collaborative Joint Procurement instead of a CIV Operator.

1.5 Regardless of which version of investment pooling ACCESS pursues, a legally binding Inter Authority Agreement (IAA) will be required in order to define the governance and cost sharing arrangements for the future operation of the pool.

### **Summary of pooling proposals**

1.6 Investment pooling is intended to create the scale that will enable access to lower Investment Manager Fees and deliver cost savings to LGPS funds. In the pooled investment structure individual funds, like East Sussex, will still be responsible for own investment strategy and asset allocation decisions. The pool will be responsible for selecting a suitable number of Investment Managers in order to meet the requirements of all of the funds' investment strategies. If ACCESS is required to use a CIV Operator, on the pool's instruction, the CIV will create sub-funds and contract with the investment managers selected by the pool. Individual funds will then be able to choose which investment managers their fund uses, from those that have been selected by the pool either by investing in the relevant sub-fund units or directly with the investment manager, depending on the form the pool takes.

1.7 In either of the pooling options (a CIV Operator or Collaborative Joint Procurement) there will be initial setup costs for the project to create the pool, agree the relevant legal documents and appoint the necessary suppliers. It was agreed as part of the MOU that the cost of establishing the pool would be shared equally between the 11 ACCESS funds. Savings will be delivered by both options but are greater through Collaborative Joint Procurement than a CIV Operator, which is the basis of ACCESS's case made to Government in December 2016 to pursue pooling through Collaborative Joint Procurement.

### **Inter-Authority Agreement**

1.8 The ACCESS funds have jointly commissioned the external legal firm Eversheds to provide assistance in drafting a legally binding IAA for the pooling of investments. It is not intended that the ACCESS funds will sign an IAA until a decision is made on the form of the pool (either a CIV Operator or Collaborative Joint Procurement) following the conclusion of negotiation with the Government.

1.9 The IAA will be based on the governing principles that were agreed by the ACCESS pension funds at the outset of their collaboration in February 2016, including:

- working collaboratively;
- all Councils having an equitable voice in governance;
- avoiding unnecessary complexity; and
- running economically and applying value-for-money considerations.

1.10 The most significant principles that will be reflected in the IAA are as follows:

### **Governance**

1.11 The ACCESS Pool will be governed by a Joint Committee constituted under s101 of the Local Government Act 1972 and made up of one elected councillor chosen by each authority from their pension committee. The Joint Committee (or Joint Governance Committee as it will be known) will be "hosted" by one of the ACCESS local authorities. The host authority will undertake the secretariat function for the Joint Governance Committee. It is proposed that Kent County Council will be the initial host authority. A Chair and Vice-Chair of the Joint Governance Committee will be appointed by the members of the Joint Governance Committee. Each elected member will have one vote in any decision requiring a vote, and decisions will be carried by a simple majority with the Chairman having a casting vote if necessary. The full draft constitution of the Joint Governance Committee is attached at Appendix 1.

1.12 The specific functions that would be delegated to the Joint Governance Committee will depend on the form that the pool takes which is currently being negotiated with the Government;

- If the Pool is based on a CIV Operator the functions delegated to the Joint Governance Committee are specified in Appendix 2.
- If the Pool is based on Collaborative Joint Procurement the functions delegated to the Joint Governance Committee are specified in Appendix 3.

### **Procurement**

1.13 If the Pool is based on a CIV Operator, then the Joint Governance Committee will oversee the procurement of an Operator. The procurement itself would be undertaken by a “Lead Authority” (one of the ACCESS authorities) on behalf of all of the group. Whilst the Joint Governance Committee will oversee the procurement process and make a recommendation on the preferred supplier, each of the 11 ACCESS local authorities will make their own decision to enter into a contract with the Operator.

1.14 If the Pool is based on a Collaborative Joint Procurement Model, then the Joint Governance Committee will oversee the procurement and maintenance of a framework which each of the ACCESS local authorities will be able to use to call off investment managers as required.

### **Cost Sharing**

1.15 It is the aim of the ACCESS Pool that costs are shared equitably between the member funds. Some costs will be shared equally between the member funds, or costs will be shared according to the value of investments by each fund as follows:

1.16 Costs to be shared equally between the member funds:

- The pool establishment costs including strategic and technical advice, legal advice, project management costs and the costs associated with running either the procurement process to appoint a CIV Operator or to set up a collaboratively procured framework of investment managers.
- Under the CIV Operator pool model, any set-up costs charged by the Operator for the overall creation of the sub-fund structure.
- The ongoing costs of managing and governing the pool including the host authorities’ costs of hosting the Joint Governance Committee and providing the secretariat function, the cost of any external advice commissioned by the Joint Governance Committee and any re-procurement processes for either the CIV Operator or investment manager framework.

1.17 Costs in relation to funds’ investments will be shared according to the value of each fund’s investments, either:

- As charged by the CIV Operator for the sub-funds that each fund is invested in; or
- Charged directly to the funds by Investment Managers they have invested with through Collaborative Joint Procurement.

1.18 Other costs will not be shared and will be borne by the fund that they are incurred by, which includes:

- Each fund’s costs of participating in the pool, such as attendance at meetings.
- Any transition costs of moving assets to or within the pool.

### **Withdrawal and termination**

1.19 Any fund can withdraw from the IAA and therefore the ACCESS Pool by giving 12 months notice. Following the signing of the IAA, any fund that wishes to withdraw from the pool will be liable for its share of the costs (not relating directly to investments) for the remainder of the contract period of the CIV Operator or in the case of Collaborative Joint Procurement a period to be agreed after the exit date that could extend to the period of commitment for any open frameworks.

### **Other Provisions**

1.20 The IAA will cover a number of other standard areas including dispute resolution, information and confidentiality, data protection, freedom of information, equal opportunities, and change in identity of Administering Authorities.

### **Timescales**

1.21 Government requires LGPS funds to begin transferring their investments into pools by no later than April 2018. In order for the ACCESS Pool to meet this deadline, the procurement processes for either a CIV Operator or Investment Manager Frameworks will need to commence in or around April 2017. Government has not yet approved either of the ACCESS Pools' proposals. However the ACCESS Pool has committed to move forward in a way that will enable either proposal to meet the Government's April 2018 deadline.

1.22 It is therefore necessary to seek decisions now to enable establishment of the Joint Governance Committee and commence the procurement processes for either proposal. To achieve this, it is necessary for all of the ACCESS Authorities to make decisions at Council meetings in February/March 2017. It is possible that Government will not give approval for one or other of the options by February/March 2017 and therefore, at the time of writing this report, it is necessary to make decisions that will enable either approach to be pursued, subject to Government's response to the proposals.

1.23 In the circumstances, agreement is sought to delegate authority to the Assistant Chief Executive, in consultation with the Chair of the Pension Committee, to agree the final approach the County Council will take, based on Government's responses to the two proposals and to agree the wording of the IAA with the other ACCESS local authorities accordingly.

1.24 The Committee recommends the County Council to :

☆ (1) delegate authority to the Assistant Chief Executive, in consultation with the Chair of the Pension Committee to agree the approach to pooling that East Sussex County Council will take, based upon the Government's responses to the two options put forward by the ACCESS Pool and the views of the local authorities that make up the ACCESS Pool;

(2) if the Assistant Chief Executive, in consultation with the Chair of the Pension Committee agrees to adopt pooling based on the use of a CIV Operator, to delegate authority to the Assistant Chief Executive, in consultation with the Chair of the Pension Committee to finalise and agree the terms of an IAA to implement this model, and to agree to establish and delegate the functions to the joint committee as specified in Appendix 2 with effect from the date of execution of the IAA; or

(3) if the Assistant Chief Executive, in consultation with the Chair of the Pension Committee agrees to adopt pooling based on Collaborative Joint Procurement, to delegate authority to the Assistant Chief Executive, in consultation with the Chair of the Pension Committee to finalise and agree the terms of an IAA to implement this model and to agree to establish and delegate the functions to the joint committee as specified in Appendix 3 with effect from the date of execution of the IAA; and

## **PENSION**

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(4) delegate authority to the Monitoring Officer to make consequential amendments to the County Council's Constitution to reflect the agreed approach to pooling and the creation of the Joint Governance Committee. Any amendments to the Constitution will be reported to a future meeting of the County Council.

27 February 2017

RICHARD STOGDON  
(Chair)

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## EAST SUSSEX FIRE AUTHORITY

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### Report of a meeting of the East Sussex Fire Authority held at Fire & Rescue Service Headquarters at 10.30 hours on Tuesday 14 February 2017.

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

#### 1. URGENT ITEMS AND CHAIRMAN'S BUSINESS

##### 1.1 Councillor John Barnes MBE

The Chairman congratulated Councillor Barnes on receiving an MBE from Her Majesty the Queen in her New Year's Honours in recognition of his voluntary services to the community of Etchingham.

##### 1.2 Sue Klein

The Chairman informed Members that this would be Sue's last meeting of the Fire Authority. After more than 40 years of public service, and nearly 14 years looking after the Fire Authority, she had decided not to go to Lewes but to take early retirement. The Chairman presented Sue with gifts from the Members and the CFO presented her with a Certificate of Service.

##### 1.3 CFO Gary Walsh

This was Gary's last meeting as Chief Fire Officer and a presentation was made to him by the Chairman on behalf of Members. Group Leaders and Members were sorry to see Gary leave and spoke of his strong sense of public service and strong moral compass. Members thanked Gary for his commitment to the Fire Authority and his support and understanding and wished him a long and happy retirement.

##### 1.4 Sussex Control Centre

ACFO Andrews updated Members on the Factory Acceptance Tests which had taken place during the previous week. Four low level issues had been identified, but there were no concerns and progress could now be made to Systems Acceptance Testing, scheduled from 3 to 14 April; Bluelightworks were still evaluating governance and progress and it was anticipated that the go-live date of 21 June 2017 would be met.

##### 1.5 HQ Relocation

The Treasurer updated Members on the relocation of Service HQ to Lewes. This had now been put back by two weeks, to 3 April 2017, to provide additional time to manage network connectivity at the new HQ site, ensure that staff were in receipt of excess mileage payments before having to incur additional travel costs and to ensure the safety and security of the removals process.

The Clerk confirmed that rooms had been booked at County Hall for Panel meetings in April, and at Hove Town Hall for the Annual Fire Authority meeting in June.

**2. FIRE AUTHORITY SERVICE PLANNING PROCESSES FOR 2017/18 AND BEYOND, REVENUE BUDGET 2017/18 AND CAPITAL STRATEGY 2017/18 TO 2021/22**

- 2.1 Members considered report that sought their approval of the Fire Authority's Revenue Budget 2017/18, Capital Strategy 2017/18 to 2021/22 and Medium Term Finance Plan for 2017/18 to 2021/22.
- 2.2 The Authority's draft budget proposals for 2017/18 had been considered by the Policy & Resources Panel on 19 January 2017. Since that meeting the report had been updated to reflect final council tax and business rates information, collection fund positions and the dissolving of the business rate pool. The Local Government Finance Settlement (LGFS) would not be finalised until the Local Government Finance Report (England) 2017/18 had been approved by Parliament and this was expected on 22 February.
- 2.3 Members noted that the Authority had continued to make good progress in delivering agreed savings proposals over the last 12 months. The latest version of the MTFP showed that the Authority had already identified £1.350m of savings in 2017/18 and a total of £1.937m savings in total over the life of the MTFP. Officers would continue to explore the potential for further savings as part of the integrated business planning and budget setting process and through collaboration with partners.
- 2.4 The budget had been developed to facilitate the delivery of the Authority's purpose and commitments and the priorities set out in the Integrated Risk Management Plan (IRMP) 2017-20, which was consulted upon during 2016. As the IRMP priorities were further developed the financial implications would be built into future budget plans.
- 2.5 The report outlined proposals for setting a balanced revenue budget for 2017/18, including commitments and growth bids, which would be subject to the Authority agreeing a 1.94% increase in its council tax in line with its existing budget strategy. The MTFP set out how the Authority planned to achieve a balanced budget over the medium term.
- 2.6 The Capital Strategy reflected the Authority's identified capital investment requirements for the next five years which could be financed from existing resources without the need to incur additional borrowing. This included new schemes for the refurbishment of Preston Circus and building of a new workshop facility with emergency services partners. A further review of both the Capital Strategy and arrangements for the future funding of its delivery would be undertaken during 2017/18 to reflect the investment proposals in the revised IMD and Estates Strategies.



- 2.7 The Treasurer informed Members that the Authority had acted prudently in establishing reserves and balances to meet its assessed risks and to provide one off funding for specific priorities. This continued to provide the funding necessary to support the Authority's transformation programme and meet its capital investment priorities over the next five years.
- 2.8 Following a question from Councillor Galley, the Treasurer clarified the relationship between the Capital Program Reserve and Capital Receipts Reserve. He also confirmed that the Capital Receipts Reserve included the original estimated value of the HQ building, and not the final selling price, as the sale had not yet been concluded.
- 2.9 Councillor Theobald was pleased to note the plans to redevelop Preston Circus and continue to operate it as a fire station. She asked about the new Service pressures which included the FBU representative being a budgeted post and the CFO explained that this was currently needed on a full time basis, but could revert to a part time secondment when the staff consultation requirements had eased off.
- 2.10 Councillor Theobald also queried the requirement for a temporary Estates Project Support Officer and Senior Estates Surveyor and the Treasurer explained that the first post was needed for three months to support the development of the Travel Plan (for the HQ move to Lewes) and the second post was needed for 2017/18 due to the increasing number of capital projects currently being progressed and to allow capacity to develop a new Estates Strategy.
- 2.11 Councillor Barnes supported the recommendations and agreed with the need for a cautious approach. He was comfortable with the reserves policy and agreed with Councillor Theobald that the redevelopment of Preston Circus was to be welcomed. He also welcomed the estates review scheduled for the summer, with the increasing number of housing projects, particularly in the Wealden area.
- 2.12 Members resolved that:
- i) an increase in council tax of 1.94% be approved and, as a result:
    - (i) the budget proposals set out in the report and the net budget requirement of £37.403m for 2017/18 be approved;
    - (ii) the council tax requirement of £25.036m be approved; and
    - (iii) the council tax and precepts as set out in Appendix F to the report (and set out in the attached Appendix A), be approved.
  - ii) the capital programme for the next five years and the capital budget of £4.677m for 2017/18 and the plans to use capital grant, capital receipts and revenue contributions to finance capital expenditure be approved;
  - iii) the maintenance of the General Reserve at a minimum of 8% of the net revenue budget over the medium term be approved;

- iv) the fees and charges set out in the report be approved; and
- v) the Chief Fire Officer, in consultation with the Chairman and Treasurer, be authorised to make any adjustments to the presentation of the budget to reflect the final Local Government Finance Settlement.

### **3. TREASURY MANAGEMENT STRATEGY FOR 2017/18**

- 3.1 Members considered a report that contained recommendations about the borrowing limits, the prudential indicators and limits, the investment strategy and policy as required by Section 3 (1) of the Local Government Act 2003 and the Prudential Code for Capital Finance 2004.
- 3.2 Councillor Galley asked the Treasurer to clarify the difference between the Capital Financing Requirement (CFR) and the Capital Asset Strategy (CAS). The Treasurer explained that the CFR set out the underlying need to borrow, whereas the CAS set out the planned financing of the capital programme from all sources. The Treasurer confirmed that there were no plans to finance any projects through borrowing over the lifetime of the CAS.
- 3.3 Councillor Barnes considered that the Authority had been very conservative in its treasury management, with very low income from reserves. He suggested that improved revenue could be obtained from better use of the estate, such as Preston Circus, and partnership working, and that the Authority should not be afraid of borrowing if increased revenue could be obtained.
- 3.4 Members resolved that:
  - i) the Treasury Management Strategy and Policy Statement for 2017/18 be approved (and adopted for the remainder of 2016/17);
  - ii) for 2017/18, the Authorised Limit for borrowing shall be £13.83m;
  - iii) the prudential indicators be adopted as set out in the attached Appendix 2 of the report; and
  - iv) the Minimum Revenue Provision (MRP) Statement for 2017/18 be approved as set out in Appendix 3 of the report.

### **4. APPOINTMENT OF EXTERNAL AUDITORS**

- 4.1 Members received a report that set out the Scrutiny & Audit Panel's preferred option for the appointment of external auditors from 1 April 2018, and accepted the Public Sector Audit Appointments (PSAA) invitation to opt-in to the sector-led option for the appointment of external auditors from 1 April 2018.

### **5. PAY POLICY STATEMENT FOR 2017/18**

- 5.1 Members considered a report that sought their approval of the Fire Authority's Pay Policy Statement for the period 1 April 2017 to 31 March 2018 and approved the Statement.

6. **HEALTH, SAFETY & WELL-BEING STRATEGY 2017-2020**

- 6.1 Members considered a report that sought their approval of the revised Health, Safety & Well-being Strategy for the period 2017-2020 and approved the Strategy for adoption.

The meeting concluded at 12:20 hours.

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

27 February 2017

**EAST SUSSEX FIRE AUTHORITY: PRECEPT FOR 2017/18**  
**REF: S43 LOCAL GOVERNMENT FINANCE ACT 1992**

	£	£
<b>NET BUDGET REQUIREMENT</b>		<b>37,403,000.00</b>
Forecast Business Rates retained	2,392,000.00	
Top Up grant	4,821,000.00	
Total Base Line funding	<u>7,213,000.00</u>	
Add Revenue Support Grant	4,524,000.00	
Total Grant funding (excluding transitional/freeze grant)	<u>11,737,000.00</u>	
Transition Grant	122,000.00	
Section 31 Grant Business Rates adjustment	258,000.00	
Previous Year's Surpluses/(Deficits)	250,000.00	
<b>Total Council Tax required</b>		<b><u>25,036,000.00</u></b>
<b>Tax base</b>	<b>283,210.67</b>	
<b>Basic Council Tax (Band D equivalent)</b>		<b>88.40</b>
<b>Basic Council Tax from above calculation</b>		<b><u>Council Tax</u></b>
<b>Band A</b>	<b>6/9</b>	<b>58.93</b>
<b>Band B</b>	<b>7/9</b>	<b>68.76</b>
<b>Band C</b>	<b>8/9</b>	<b>78.58</b>
<b>Band D</b>	<b>9/9</b>	<b>88.40</b>
<b>Band E</b>	<b>11/9</b>	<b>108.04</b>
<b>Band F</b>	<b>13/9</b>	<b>127.69</b>
<b>Band G</b>	<b>15/9</b>	<b>147.33</b>
<b>Band H</b>	<b>18/9</b>	<b>176.80</b>
	<b><u>Tax Base</u></b>	<b><u>Precept</u></b>
<b>Brighton and Hove</b>	<b>87,388.80</b>	<b>7,725,170</b>
<b>Eastbourne</b>	<b>33,923.70</b>	<b>2,998,855</b>
<b>Hastings</b>	<b>25,095.00</b>	<b>2,218,398</b>
<b>Lewes</b>	<b>36,345.60</b>	<b>3,212,951</b>
<b>Rother</b>	<b>37,260.97</b>	<b>3,293,870</b>
<b>Wealden</b>	<b>63,196.60</b>	<b>5,586,579</b>
	<b>283,210.67</b>	<b>25,035,823</b>