

MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 23 MAY 2017 at 10.00 am

Present Councillors John Barnes MBE, Matthew Beaver, Colin Belsey, Nick Bennett, Bill Bentley, Phil Boorman, Bob Bowdler, Tania Charman, Charles Clark, Martin Clarke, Godfrey Daniel, Philip Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Stuart Earl, Simon Elford, David Elkin, Nigel Enever, Michael Ensor (Chairman), Kathryn Field, Gerard Fox, Roy Galley, Keith Glazier, Darren Grover, Carolyn Lambert, Tom Liddiard, Laurie Loe, Carl Maynard, Ruth O'Keeffe MBE, Sarah Osborne, Pat Rodohan, Phil Scott, Jim Sheppard, Daniel Shing, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Andy Smith, Bob Standley, Richard Stogdon, Colin Swansborough, Barry Taylor, Sylvia Tidy, David Tutt, John Ungar, Steve Wallis, Trevor Webb and Francis Whetstone

1 To elect a Chairman of the County Council

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

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

1.2 There being no other nominations, the Assistant Chief Executive put the motion to the vote and declared Councillor Ensor elected as Chairman of the County Council for the ensuing year. Councillor Ensor made a declaration of acceptance of office and took the Chair.

Councillor Ensor in the Chair

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

2 To appoint a Vice Chairman of the County Council

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

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

2.2 There being no other nominations, the Chairman put the motion to the vote and declared Councillor Pragnell appointed as Vice Chairman of the County Council for the ensuing year. The Chairman reported that Councillor Pragnell had been unwell and was unable to attend the meeting but would sign his declaration of acceptance of office, witnessed by the Chief Executive, when he was next at County Hall.

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3 Minutes of the meeting held on 21 March 2017

3.1 RESOLVED – to confirm the minutes of the meeting of the County Council held on 21 March 2017 as a correct record

4 Apologies for absence

4.1 Apologies for absence were received from Councillor Pragnell

5 Notice of the Returning Officer certifying the election of County Councillors for the various electoral divisions

5.1 The Council agreed to receive the Notice of the Returning Officer certifying the election, on 4 May 2017, of County Councillors for the various electoral divisions in East Sussex.

6 Chairman's business

WELCOME

6.1 The Chairman congratulated and welcomed all members to the first meeting of the County Council following the elections.

CHAIRMAN'S BUSINESS

6.2 The Chairman reported that he had attended a number of engagements since the last meeting including: the Conquest MRI scanner appeal reception, the Unsung heroes celebration, the Wayfinder Women's Conference, a show by the East Sussex School of Performing Arts and was present at the Royal visit to St Mary's school. He has attended a number of Mayor making ceremonies including: Winchelsea, Rye, Telscombe, Bexhill and Lewes, had attended the Mayor of Newhaven's Charity dinner, the High Sheriff's summer reception, a service at Chichester Cathedral to mark the 50th anniversary of the modern Hospice movement and had hosted a tea for Ashdown Forest staff and volunteers. The Vice Chairman has also attended a number of events.

PRAYERS

6.3 The Chairman thanked the Reverend Steve Daughtery for leading the prayers this morning.

PETITIONS

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

Councillor Enever	- calling on the County Council to address congestion on the A259 South Coast .
Councillor O'Keeffe	- calling on the County Council to divest the East Sussex Pension Fund from investment in fossil fuels
Councillor Stephen Shing	- calling on the County Council to progress its traffic calming proposal in Alfriston beyond the design stage and instead to work with local residents on proposals presented at the exhibition weekend in April

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7 To appoint the Leader of the Council (and Chair of the Cabinet)

7.1 The following motion was moved by Councillor Tidy and SECONDED –

‘to nominate Councillor Glazier as Leader of the Council (and Chair of the Cabinet) for a four year period up to the post election annual meeting.’

7.2 There being no other nominations, the Chairman put the motion to the vote and declared Councillor Glazier elected as Leader of the Council (and Chair of the Cabinet) for a four year period up to the post election annual meeting.

8 The Cabinet

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

9 Reports

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

Governance Committee - paragraphs 1 and 2

NON-RESERVED PARAGRAPHS

9.2 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.

10 Report of the Governance Committee

10.1 Councillor Glazier moved the reserved paragraphs of the report.

10.2 The motions were CARRIED after debate

11 Appointments to Committees and Sub Committees

11.1 Councillor Bennett moved, and it was seconded, that appointments be made to the Committees and Sub-committees, listed in item 10 of the agenda, in accordance with the list of nominations from political groups which was circulated in the Council Chamber.

11.2 The motion was CARRIED

12 Appointment of Members to other Committees and Panels

12.1 Councillor Bennett moved, and it was seconded, that members be appointed to serve on the Committees and Panels listed in item 11 of the agenda, in accordance with the political balance provisions and the list of nominations from political groups which was circulated in the Council Chamber.

12.2 The motion was CARRIED.

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13 Confirmation of the continuation of other bodies

13.1 Councillor Bennett moved and it was seconded, that the bodies listed in agenda item 12 be continued, that the political balance provisions shall not apply to these Panels and that members be appointed by the Chief Executive as the need arises.

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

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

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

14.2 The motion was CARRIED (with no member voting against)

15 Appointment of Chairs and Vice Chairs of Committees

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

‘To appoint the following members to positions listed below’:

Committee	Chair	Vice-Chair
Regulatory	Stogdon	
Adult Social Care and Community Safety Scrutiny Committee	Davies	Webb
Audit, Best Value and Community Services Scrutiny Committee	Swansborough	Barnes
Children’s Services Scrutiny Committee	Galley	Shuttleworth
Health Overview and Scrutiny Committee	Belsey	O’Keeffe
Economy, Transport and Environment Scrutiny Committee	Stogdon	Claire Dowling
Governance Committee	Glazier	
Planning Committee	Claire Dowling	Taylor
Pension Committee	Stogdon	
Standards Committee	Stogdon	

16 Questions from members of the public

16.1 Copies of questions asked by Gabriel Carlyle from St Leonards on Sea, Andrea Needham from Hastings and Vivian Carrick from Peacehaven and the answers from Councillor Stogdon (Chair of the Pension Committee) and Councillor Bennett (Lead Member for Transport

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and Environment) are attached to these minutes. Supplementary questions were asked and responded to.

17 Cabinet' priorities for the forthcoming year

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

18 Questions from County Councillors

ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Field	Councillor Bennett	Coordination of roadworks commissioned by Highways England and the County Council.
Councillor Ungar	Councillor Maynard	The recruitment, training and retention of care workers in the independent sector
Councillor Wallis	Councillor Bennett	Turnover of Highway Stewards
Councillor Godfrey Daniel	Councillor Bennett	The lack of schemes in Hastings in the footway programme of works for 2017/18
Councillor Stephen Shing	Councillor Bennett	Policy in relation to repair of potholes
Councillor Scott	Councillor Bennett	Cost and number of claims arising from damage to vehicles resulting from potholes on the highway

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

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

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 11.57 am

The reports referred to are included in the minute book

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Delegations approved by the Leader of the Council – 23 May 2017

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

The Cabinet comprises the following members

Portfolio	Appointment
Strategic Management and Economic Development	Councillor Keith Glazier
Resources	Councillor David Elkin
Communities and Safety	Councillor Bill Bentley
Economy	Councillor Rupert Simmons
Transport and Environment	Councillor Nick Bennett
Adult Social Care and Health	Councillor Carl Maynard
Children and Families (designated statutory Lead Member for Children's Services)	Councillor Sylvia Tidy
Education and Inclusion, Special Educational Needs and Disability	Councillor Bob Standley

(b) *the extent of any authority delegated to cabinet members individually as portfolio holders will remain as set out in the Constitution of the County Council eastsussex.gov.uk/constitution or alternatively hard copies are available at County Hall, Lewes (please contact Andy Cottell – 01273 481955) and below.*

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

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Portfolio	Scope
Strategic Management and Economic Development	<ul style="list-style-type: none"> • Chairing and managing the executive and its work • Any executive function including overall strategy and policy for the Council • Principal service area responsibilities: Communications Local Enterprise Partnership Policy and Performance East Sussex Better Together/Health and Wellbeing Board Equalities South East Seven Partnership Transport for South East (SNTB) Democratic Services all ancillary activities
Resources	<ul style="list-style-type: none"> • Any executive function including strategy and policy for all corporate resources matters • Principal service area responsibilities: Financial Management Property asset management Risk management Procurement Internal audit ICT Personnel and Training Legal Orbis all ancillary activities
Communities and Safety	<ul style="list-style-type: none"> • Any executive function including strategy and policy for all Communities and Community Safety matters • Principal service area responsibilities: Archives and records Community Safety Coroner services Customer Services Emergency Planning Gypsies and travellers Libraries Registration Services Road Safety Trading Standards Voluntary Sector all ancillary activities

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Economy	<ul style="list-style-type: none"> Any executive function including strategy and policy for all economic development and regeneration and all ancillary activities Principal service area responsibilities Economic Development Culture Skills (shared with Education) all ancillary activities
Transport and Environment	<ul style="list-style-type: none"> Any executive function including strategy and policy for all Transport and Environmental matters Principal service area responsibilities: Operational services Planning and developmental control Transport strategy Environmental and waste strategy all ancillary activities
Adult Social Care and Health	<ul style="list-style-type: none"> Any executive function including strategy and policy for all Adult Social Care and Public Health matters Principal service area responsibilities: Services for vulnerable adults including older people, learning disability, physical disability, mental health, public health and all ancillary activities
Children and Families	<ul style="list-style-type: none"> Any executive function including overall strategy and policy for all Children's Services (social care) matters Principal service area responsibilities: Child protection and family support Fostering and adoption for children Residential care for children Other aspects of social care for children Youth justice Youth service all ancillary activities

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Education and Inclusion, Special Educational Needs and Disability	<ul style="list-style-type: none">Any executive function including strategy and policy for all Children's Services (education) mattersPrincipal service area responsibilities:<ul style="list-style-type: none">Quality and standards in educational establishmentsSpecial educational needsSchool admissions and transportEarly years and childcareSchool organisation and place planningSkills (shared with Economy)all ancillary activities
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(c) appointment to the position of Deputy Leader

Councillor Elkin to be appointed Deputy Leader of the County Council

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

The terms of reference and constitution of the Cabinet and any executive committees will remain as currently set out in the Constitution of the Council

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

There is no delegation of executive functions to local committees

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

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

[Constitution - Delegations to Officers](#)

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

Councillor Keith Glazier
Leader of the Council

QUESTION FROM MEMBERS OF THE PUBLIC

1. Question from Gabriel Carlyle, St Leonards on Sea, East Sussex

The West Yorkshire Pension Fund has recently adopted an Investment Strategy Statement that not only 'recognises the risks and opportunities [to the Fund] associated with climate change' but also commits the Fund to 'seek to measure carbon exposure within [its] equity portfolio and reduce that exposure over time.' Given the well known risks associated with investments in fossil fuels – future regulation to limit carbon emissions, the increasing competitiveness of renewables, and the growth of new technologies – what steps is the East Sussex Pension Committee taking to measure the carbon exposure within the East Sussex Pension Fund's equity portfolio?

Response by the Chair of the Pension Committee

Following a detailed discussion regarding fossil fuel investments including wider Environmental, Social and Corporate Governance (ESG) responsibilities, and the approval of the Fund Investment Strategy Statement by the Pension Committee at its in February 2017, the Committee and the Pension Board have scheduled 13 June 2017 for a joint training session focusing on ESG responsibilities. This session will be facilitated in conjunction with the investment managers, advisers and industry experts, to explore ESG (including Carbon and Fossil fuel) and the financial and/or non-financial impacts including options open to the Fund in relation to ESG investments.

The Pension Committee is committed to an ongoing development of its ESG knowledge with particular emphasis on obtaining further information on the long term financial return in regard to fossil fuel investment, which will further be considered at the fund investment strategy day in July 2017.

2. Question from Andrea Needham, Hastings, East Sussex

According to a recent assessment by the specialist asset manager Impax Asset Management, 'an analysis of the historical data shows that the financial risks involved in fossil-fuel divestment are minimal, and can be largely offset by substituting oil, gas and coal stocks with portfolios of more environmentally attractive alternatives. That these more environmentally attractive alternatives can also mitigate the large and growing financial risks of fossil fuel energy is the compelling win-win most investors seek in discharging their fiduciary duties.' Does the Pension Committee accept that it is possible for it divest the East Sussex Pension Fund from fossil fuels while still fulfilling its fiduciary duties?

Response by the Chair of the Pension Committee

As long term investors, having a fiduciary duty to over 70,000 members and 131 employers within the East Sussex Pension Fund (ESPF), the Pension Committee takes its role of safeguarding the investment assets of the Fund very seriously. As part of its responsibility, the Committee recognises that Environmental, Social and Corporate Governance (ESG) issues can have a material impact on the long term performance of the investments of the Pension Fund.

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The Pension Committee is committed to an ongoing development of its ESG knowledge with particular emphasis on obtaining further information on the long term financial risks/return in regard to fossil fuel investment, which will further be considered at the fund investment strategy day in July 2017.

3. Question from Vivian Carrick, Peacehaven, East Sussex

I understand that East Sussex County Council submitted a bid named the ' Newhaven Movement, Access & Resilience Package' through South East Local Enterprise Partnership in July 2016, which included 'Rushey Hill Embankment Stabilisation' on the A259 South Coast Road. Please can you clarify the current status of this bid and whether this proposed project has been granted the appropriate funding?

Response by the Lead Member for Transport and Environment

The County Council submitted a bid to Government in July last year for Local Growth Fund monies via both the South East and Coast to Capital Local Enterprise Partnerships (LEPs) to deliver movement, access and network resilience schemes in the Newhaven, Seaford and Peacehaven area.

The £12.96m bid for Local Growth Fund monies included seeking £6.2m towards the Rushey Hill embankment stabilisation and drainage enhancement scheme on the A259. These stabilisation works are required at Rushey Hill as the road was built on unstable ground, lacks suitable drainage and as a consequence the road is frequently in need of repair.

Government announced the Local Growth Fund allocations for both LEPs earlier this year. Unfortunately, the A259 movement, access and resilience package, which included the Rushey Hill scheme, was not successful in securing Local Growth Fund monies via either LEP.

As a consequence, we are continuing to explore other funding options that may become available in order to deliver the Rushey Hill scheme on the A259.

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

Following recent discussion which showed a disagreement as to the exact position, could the Lead Member clarify as to whether there is a specific budget for the installation of dropped kerbs? If there is no such budget how are the installation of dropped kerbs to be funded?

Answer by the Lead Member for Transport and Environment

The County Council has not had a dedicated budget for the installation of dropped kerbs for a number of years now. However there are several ways in which new dropped kerbs can be funded:

Dropped kerbs required as part of a wider highway scheme would be funded from the capital programme for local transport improvements.

Dropped kerbs requested for safety reasons would be prioritised against other demands and if of sufficient priority would be funded from the road safety budget.

If the installation of dropped kerbs is either not part of a wider highway scheme, or is not of sufficient safety priority to be funded from the road safety budget, but remains a priority for the local community, then an application may be made through the Community Match Initiative. In such cases the local community would need to commit to provide at least half of the funding required. Applications for dropped kerbs under the Community Match Initiative would have to be prioritised against all other requests for community match funding, and if successful the County Council contribution would come from the Community Match funding allocation.