

Meeting of  
East Sussex County Council  
on Tuesday, 23 May 2017  
at 10.00 am

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

[www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm](http://www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm)





# 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, 23 May 2017 at 10.00 am** to transact the following business

- 1 To elect a Chairman of the County Council**
- 2 To appoint a Vice Chairman of the County Council**
- 3 Minutes of the meeting held on 21 March 2017** *(Pages 7 - 12)*
- 4 Apologies for absence**
- 5 To receive notice of the Returning Officer certifying the election of County Councillors for the various electoral divisions** *(Pages 13 - 16)*
- 6 Chairman's business**
- 7 To appoint the Leader of the Council (and Chair of the Cabinet)**
- 8 The Cabinet**

The Leader to present to the County Council their written record of delegations of executive functions to Cabinet members including:

- (a) names of the County Councillors appointed to the Cabinet;
- (b) the extent of any authority delegated to cabinet members individually as portfolio holders;
- (c) appointment to the position of Deputy Leader
- (d) the terms of reference and constitution of the Cabinet and any executive committees together with the names of cabinet members appointed to them
- (e) the nature and extent of any delegation of executive functions to local committees
- (f) the nature and extent of any delegation to officers

- 9 Report of the Governance Committee** *(Pages 17 - 20)*
- 10 To allocate places on the following committees to political groups in accordance with the provisions of the Local Government and Housing Act 1989 and to appoint members to those committees in line with the allocations**
  - (a) Scrutiny Committees:
    - Adult Social Care and Community Safety
    - Audit, Best Value and Community Services

Children's Services  
Economy, Transport and Environment  
Health Overview and Scrutiny

- (b) Governance Committee
- (c) Regulatory Committee
- (d) Planning Committee
- (e) Standards Committee
- (f) Pension Committee

*[Note 1: The committee memberships proposed by the political groups will be circulated to members in advance of the meeting]*

*[Note 2: In accordance with the statutory provisions, the proposed allocation of places to political groups is set out in the report of the Governance Committee]*

**11 In the light of the decisions of the Council on the allocation of places to political groups to appoint members to other Committees and Panels as set out below**

- (a) East Sussex Music Service Management Committee (5 members of the County Council)
- (b) County Joint Consultative Committee (5 members of the County Council)
- (c) Governors Panel (7 members of the County Council)
- (d) County Consultative Committee (Governors) (5 members of the County Council)
- (e) Joint Advisory Committee (Schools) (5 members of the County Council)
- (f) Standing Advisory Council for Religious Education (5 members of the County Council)
- (g) Corporate Parenting Panel (7 members of the County Council)

*[The memberships proposed by the political groups will be circulated to members in advance of the meeting]*

**12 To confirm the continuation of the following bodies that have a fixed membership or to which members are appointed by the Chief Executive as the need arises and to agree (with no member voting against) that the political balance provisions shall not apply to the Panels**

Approved Marriage Premises Review Panel  
Employment Appeal Panel  
Recruitment Panel (Chief Executive, Directors and Deputies)  
Commons and Village Green Registration Panel

*[The composition of these bodies is set out in the Constitution]*

**13 To agree (with no member voting against) that the political balance provisions shall not apply to the membership of the Transport and Student Support Panel and the Education Performance Panel and to appoint members to serve for the**

**ensuing year**

- (a) *Transport and Student Support Panel (3 members of the Regulatory Committee)*
- (b) *Education Performance Panel (the Lead Member for Education and Inclusion, Special Educational Needs and Disability, the Chair of the Children's Services Scrutiny Committee and a representative of each of the political and independent groups)*

*[The membership of the Panels, proposed by political groups will be circulated to members in advance of the meeting]*

**14 To appoint:**

- (a) Chair of the Regulatory Committee
- (b) Chairs and Vice-Chairs of the Scrutiny Committees
- (c) Chair of the Governance Committee
- (d) Chair and Vice-Chair of the Planning Committee
- (e) Chair of the Pension Committee
- (f) Chair of the Standards Committee

**15 Questions from members of the public**

**16 Cabinet' priorities for the forthcoming year**


**17 Report of the Leader and Lead Member for Strategic Management and Economic Development (Pages 21 - 22)**

**18 Questions from County Councillors**

- (a) Oral questions to Cabinet Members
- (b) Written Questions of which notice has been given pursuant to Standing Order 44

*Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by the Reverend Steve Daughtery, Rector of Southover Church, Lewes. 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

15 May 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 21 MARCH 2017 at 10.00 am**

**Present** Councillors John Barnes MBE, Colin Belsey, Nick Bennett, Bill Bentley, 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, Laurence Keeley, Carolyn Lambert, Carl Maynard, Peter Pragnell (Vice Chairman), Judy Rogers, Phil Scott, Jim Sheppard, Daniel Shing, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Rosalyn St. Pierre, Bob Standley, Richard Stogdon, Barry Taylor, Sylvia Tidy, David Tutt, John Ungar, Steve Wallis, Trevor Webb, Francis Whetstone and Michael Wincott

#### **49 Minutes of the meeting held on 7 February 2017**

49.1 RESOLVED - to confirm the minutes of the previous meeting of the County Council held on 7 February 2017 as a correct record

#### **50 Apologies for absence**

Apologies for absence were received from Councillors Blanch, Carstairs, O'Keeffe MBE and Pursglove

#### **51 Chairman's business**

##### COUNCILLOR CARSTAIRS

51.1 The Chairman reported that, due to health issues, it was unlikely that Councillor Carstairs would be attending meetings before the County Council elections in May. On behalf of the Council the Chairman and Councillor Howson wished him a speedy recovery.

##### COUNTY COUNCIL ELECTIONS

51.2 The Chairman announced that this is the last full Council meeting before the elections in May. The Chairman wished all councillors every success for their futures whether they were seeking re-election or were retiring and thanked all councillors for their work on behalf of the people of East Sussex. Other members including the six Group Leaders or their representatives also paid tribute to the contribution councillors, particularly those who were retiring, had made during their time on the Council. The Chairman reminded councillors that purdah had come into force and of the need to exercise discretion during the coming weeks.

##### CHAIRMAN'S ACTIVITIES

51.3 The Chairman reported that he had attended a number of engagements since the last meeting of the County Council including: attending a Brighton University graduation ceremony,

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the Mayor of Bexhill's Ball, the Checktrade Exhibition at the Azur, Hastings, the High Sherriff's dinner in Lewes, the licensing of the priest in charge at St Barnabas Church and volunteers tea at Horam village hall and Manor Barn, Bexhill. The Chairman reported that he had also visited the care home at Greenwood, Bexhill. The Vice-Chairman has also attended a number of events.

### PRAYERS

51.4 The Chairman thanked Paul Wenham for leading prayers before the meeting.

### PETITIONS

51.5 The Chairman informed the Council that immediately before the meeting the following petition had been received:

Councillor St Pierre (on behalf of Councillor O'Keeffe)	- calling upon the County Council to provide increased traffic calming measures in the interests of road safety in Priory Street and Southover High Street.
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## 52 Questions from members of the public

52.1 Copies of questions asked by Gabriel Carlyle from St Leonards on Sea, Karl Horton from Hastings and Arnold Simanowitz from Lewes the answers from Councillor Stogdon (Chair of the Pension Committee) are attached to these minutes. Supplementary questions were asked and responded to.

## 53 Reports

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

Cabinet	-	paragraph 1
East Sussex Fire Authority	-	paragraph 1

### NON-RESERVED PARAGRAPHS

53.2 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.

## 54 Report of the Cabinet

54.1 Councillor Glazier moved the reserved paragraph of the report

54.2 The motion was CARRIED after debate

## 55 Questions from County Councillors

### ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Tutt	Councillor Glazier	Local government funding settlement for East Sussex



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<b>Questioner</b>	<b>Respondent</b>	<b>Subject</b>
Councillor St Pierre	Councillor Tidy	Unaccompanied asylum seeking children entering East Sussex
Councillor Field	Councillor Bennett	Possible cuts to school funding arising from changes to the national school funding formula
Councillor Daniel	Councillor Glazier	Local government funding settlement and additional funding for Adult Social Care
Councillor Daniel	Councillor Maynard	Removal of graffiti on bridges on the Bexhill to Hasting Link Road.
Councillor Field	Councillor Glazier	Councillors access to websites
Councillor D Shing	Councillor Maynard	Reinstatement of pavements following works by the utility companies
Councillor Howson	Councillor Maynard	Repairs to collapsed drains on the highway
Councillor S Shing	Councillor Maynard	Reinstatement footways following works to install water meters to homes

### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

55.2 One written question was received from Councillor Stephen Shing for the Lead Member for Community Services. The question and answer are attached to these minutes.

55.3 The Lead Member responded to a supplementary question.

### **56 Report of the East Sussex Fire Authority**

56.1 Members commented on paragraph 1 of the East Sussex Fire Authority's report and in particular thanked Gary Walsh (Chief Fire Officer) for his commitment to the Authority and wished him a happy retirement

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 11.57 am

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The reports referred to are included in the minute book  
\_\_\_\_\_

**QUESTION FROM MEMBERS OF THE PUBLIC**

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

Both Hastings Borough Council and Lewes Town Council have now passed cross-party motions calling on East Sussex County Council to divest the East Sussex Pension Fund of its holdings in fossil fuels. What steps are being taken by the Pension Committee to find out from its investment consultants and fund managers whether the Fund's investments can be restructured so as to meet the Fund's fiduciary duties without investing in fossil fuels?

**Response by Councillor Stogdon, Chair of the Pension Committee**

In accordance with the Local Government Pension Scheme Regulations and associated legislation, the Pension Committee exercises functions and responsibilities for dealing with the East Sussex Pension Fund in conjunction with other bodies. The Committee (rather than the investment consultants and fund managers) make arrangements for the investment, and agree the Investment Strategy/Allocation having regard to the advice of the investment consultants.

**2. Question from Karl Horton, Hastings, East Sussex**

As a pension fund holder with East Sussex Pension Fund, I welcome the recent addition to the Fund's Investment Strategy Statement stating that "The Fund believes that climate change poses material risks to the Fund but that it also presents positive investment opportunities." In the light of this addition, what tangible steps is the Pension Fund going to take to make sure that their Investment Strategy addresses these risks?

**Response by Councillor Stogdon, 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 February 2017 meeting, the Committee and the 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 fully the financial and/or non financial impacts including range of 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 discussion/meeting in July 2017.

**3. Question from Arnold Simanowitz, Lewes, East Sussex**

At its 8 September 2016 meeting, the East Sussex Pension Committee resolved "to agree that the Fund should continue to seek to use its influence as a corporate investor to positively influence companies' behaviour. What steps have Fund managers taken,

over the past five years, to "positively influence" the behaviour of the fossil fuel companies, such as Exxon and Chevron, with whom it currently has millions of pounds of local people's pension monies invested, and what have been the result of these steps.

**Response by Councillor Stogdon, Chair of the Pension Committee**

As long term investors, having a fiduciary duty to 69,000 members and 120 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) can have a material impact on the long term performance of the investments of the Pension Fund.

East Sussex Pension Fund is a member of the Local Authority Pension Fund Forum (LAPFF) which recognises the issue of stranded assets and continued fossil fuel extraction as a collective investment risk for all asset owners. LAPFF engages by meeting with companies and participating in collaborative investor initiatives including filing and supporting relevant shareholder resolutions to companies. For companies engaged in fossil fuel extraction, LAPFF's approach is to undertake robust engagement on aligning their business models with limiting climate change to a 2°C increase in global temperatures and to push for an orderly low carbon transition. For oil and gas companies, an important engagement focus is the restriction of capital expenditure on high cost resource extraction and promotion of the return of any additional cash generated to shareholders.

Monitoring of progress and outcomes includes LAPFF's participation in the Transition Pathway Initiative, which aids understanding of where companies are placed in the transition to a low carbon economy and their competence to manage this transition.

**WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44**

**1. Question by Councillor Stephen Shing to the Lead Member for Community Services**

Would the Lead Member please confirm whether the County Council has purchased any mobile Speed Indication Devices and/or hand-held laser speed guns over the past 8 years. If so please could the Lead Member provide a summary of the number of devices purchased, the expenditure incurred by the Council and the number of times these devices have been used

**Answer by the Lead Member for Community Services**

The County Council has purchased one Speed Indicator Device in the past 8 years (March 2015) at a cost of £2,212 ex VAT. The unit is loaned to various road safety groups (formed under the Community Safety Partnerships) who deploy the equipment on an ad-hoc basis.

The SID is used predominantly for training purposes and has been loaned out to Parish/local community groups 6 times since it was purchased. The use of SIDs has declined with the rise in Community Speed Watch and the public wishing to report antisocial driving through Operation Crackdown rather than educate using SID. The unit remains a tool for the community to use should they wish to take this approach and a number of communities/Parish Councils have invested in their own SID following training and site risk assessments.

The County Council has not purchased any hand-held laser speed guns over the past 8 years.

## LOCAL GOVERNMENT ACT 1972 AND REPRESENTATION OF THE PEOPLE ACT 1983

### ELECTION OF COUNTY COUNCILLORS FOR THE COUNTY OF EAST SUSSEX HELD ON 4 MAY 2017

I, the Returning Officer for elections of Councillors of the County of East Sussex, do hereby certify and return that the names of the persons elected as County Councillors are as follows:-

COUNTY ELECTORAL DIVISION	NAME	ADDRESS
ARLINGTON, EAST HOATHLY AND HELLINGLY	BENNETT, Nick	Quarry Cottage, Royal Oak Lane, High Hurstwood, TN22 4AL
ASHDOWN AND CONQUEST	PRAGNELL, Peter	Flat 1, 4 Castledown Terrace, Hastings, TN34 3RQ
BAIRD AND ORE	LOE, Laurie	6 St Matthew's Drive, St Leonards, TN38 0TR
BATTLE AND CROWHURST	FIELD, Kathryn	Highfield House, 17 Virgins Lane, Battle, TN33 0JH
BEXHILL EAST	CLARK, Charles	7 Kinver Lane, Bexhill, TN40 2SB
BEXHILL NORTH	ENSOR, Michael	5 Cranston Rise, Bexhill-on-Sea, TN39 3NJ
BEXHILL SOUTH	ELFORD, Simon	12 Christine Close, Bexhill on Sea, TN40 2RJ
BEXHILL WEST	EARL, Stuart	37 Terminus Avenue, Bexhill on Sea, TN39 3LY
BRAYBROOKE AND CASTLE	DANIEL, Godfrey	101 Lower Park Road Hastings, TN34 2LE
BREDE VALLEY AND MARSHAM	MAYNARD, Carl	Dines Wood, 22 Baldslow Down, Westfield, TN37 7NH
CENTRAL ST LEONARDS AND GENSING	WEBB, Trevor	Flat 3, 33 Caves Road, St Leonards on Sea, TN38 0BY
CHAILEY	SHEPPARD, Jim	1 Powell Road, Newick, Lewes, BN8 4LS
CROWBOROUGH NORTH AND JARVIS BROOK	STOGDON, Richard	Great Reed, Laurel Tree Farm Boar's Head, TN6 3HD
CROWBOROUGH SOUTH AND ST JOHNS	TIDY, Sylvia	Nordens Green Farm, Royal Oak Lane, High Hurstwood Uckfield, TN22 4AL
DEVONSHIRE	WALLIS, Steve	Caldbec Cottage, 37 The Village, Eastbourne, BN20 7RB
FOREST ROW AND GROOMBRIDGE	WHETSTONE, Francis	Bassetts Manor, Butcherfield Lane, Hartfield, TN7 4LA

<b>COUNTY ELECTORAL DIVISION</b>	<b>NAME</b>	<b>ADDRESS</b>
HAILSHAM MARKET	BOWDLER, Bob	c/o County Hall, St Anne's Crescent, Lewes, BN7 1UE
HAILSHAM NEW TOWN	FOX, Gerard	Hobdens, Wellbrook Hill, Mayfield, TN20 6HH
HAMPDEN PARK	SWANSBOROUGH, Colin	74 Brodrick Road, Eastbourne, BN22 9NS
HEATHFIELD AND MAYFIELD	SIMMONS, Rupert	Beacon View Cottage, Waldron, Heathfield, TN21 0QU
HOLLINGTON AND WISHING TREE	SCOTT, Phil	'Badgers Walk', 38 Normandy Road, Hastings, TN34 2ND
LANGNEY	SHUTTLEWORTH, Alan	14 The Goffs, Eastbourne, BN21 1HD
LEWES	O'KEEFFE, Ruth	12 Dorset Road, Lewes, BN7 1TH
MARESFIELD AND BUXTED	GALLEY, Roy	Fairplace Farm, Chelwood Gate Road, Nutley, TN22 3HE
MAZE HILL AND WEST ST LEONARDS	BEAVER, Matthew	34 St Saviours Road, St Leonards on Sea, TN38 0AP
MEADS	TAYLOR, Barry	Flat 3, 28 Grassington Road, Eastbourne, BN20 7BJ
NEWHAVEN AND BISHOPSTONE	GROVER, Darren	131 Court Farm Road, Newhaven, BN9 9DY
NORTHERN ROTHER	DAVIES, Angharad	Alureds Barn, Northiam, Rye, TN31 6JJ
OLD HASTINGS AND TRESSELL	CHARMAN, Tania	13 Edinburgh Road, St Leonards on Sea, TN38 8HH
OLD TOWN	UNGAR, John	18 Priors Heights, Eastbourne, BN20 8SR
OUSE VALLEY WEST AND DOWNS	OSBORNE, Sarah	Chapel Farmhouse, Wickham Lane, Cooksbridge, BN8 4PT
PEACEHAVEN	ENEVER, Nigel	19 Neville Road, Peacehaven, BN10 8BE
PEVENSEY AND STONE CROSS	LIDDIARD, Tom	2 Branston Road, Eastbourne, BN22 0AL
POLEGATE AND WATERMILL	SHING, Daniel	48 Gilda Crescent, Polegate, BN26 6AW
RATTON	BELSEY, Colin	203 Kings Drive, Eastbourne, BN21 2UJ
RINGMER AND LEWES BRIDGE	DANIEL, Philip	1 Park Road, Lewes, BN7 1BN
ROTHER NORTH WEST	BARNES, John	The Barn, Burgham, Sheepstreet Lane, Etchingam TN19 7AZ
RYE AND EASTERN ROTHER	GLAZIER, Keith	Bramleys, Pett Road, Pett, TN35 4EY
SEAFORD NORTH	BOORMAN, Phil	c/o County Hall, St Anne's Crescent, Lewes, BN7 1UE

<b>COUNTY ELECTORAL DIVISION</b>	<b>NAME</b>	<b>ADDRESS</b>
SEAFORD SOUTH	LAMBERT, Carolyn	5 Chapel Close, Seaford, BN25 2JJ
SOVEREIGN	ELKIN, David	14 Dene Place, 26 St Leonards Road, Eastbourne, BN21 3UX
ST ANTHONY'S	TUTT, David	78 Ringwood Road, Eastbourne, BN22 8TB
ST HELENS AND SILVERHILL	CLARKE, Martin	6 St Kitts Close, St Leonards on Sea, TN37 7TB
TELSCOMBE	SMITH, Andy	The Brambles, 8a Chatsworth Close, Telscombe Cliffs, BN10 7LW
UCKFIELD NORTH	DOWLING, Claire	89 Hunters Way, Uckfield, TN22 2BB
UCKFIELD SOUTH WITH FRAMFIELD	DOWLING, Chris	89 Hunters Way, Uckfield, TN22 2BB
UPPERTON	RODOHAN, Pat	27 Gorrige Road, Eastbourne, BN22 8XL
WEALDEN EAST	BENTLEY, Bill	Swallow Brook House, 15 Sandbanks Close, Hailsham, BN27 3TJ
WEALDEN NORTH EAST	STANDLEY, Bob	Berriedale, Mayfield Lane, Wadhurst, TN5 6JE
WILLINGDON AND SOUTH DOWNS	SHING, Stephen	18 Coppice Avenue, Willingdon Eastbourne, BN20 9PN

Becky Shaw

Returning Officer

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## REPORT OF THE GOVERNANCE COMMITTEE

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The Governance Committee met on 12 May 2017. Attendances:

Councillor Glazier (Chair)  
Councillors Daniel, Elkin and Tutt

### **1. Appointments to committees, sub-committees, panels and other bodies**

1.1 In appointing members to committees, sub-committees, most panels and some outside bodies the Council must comply with section 15 of the Local Government Act 1989 and subsequent Regulations. These provide that places on committees must be allocated to political groups in proportion to the number of seats on the Council held by each group, unless there is agreement, without dissent, that the provisions of the Act should not be applied.

1.2 The allocation of places to party groups must, so far as is reasonably practicable, give effect to the following principles:

- (a) not all of the seats on the body can be allocated to the same political group;
- (b) where more than half the members of the Council belong to one political group, that group shall have a majority on all committees, sub-committees, etc;
- (c) subject to (a) and (b) above, the total number of seats on the ordinary committees (including sub-committees) allocated to a political group reflects that group's proportion of the members of the Council;
- (d) subject to (a), (b) and (c) above, the number of seats on each body allocated to a political group reflects the proportion of the seats on the Council held by the group.

1.3 The rules require seats to be allocated on a proportional basis "so far as practicable" and inevitably there must be some rounding up and rounding down. It is open to the Council to review the size and number of committees and sub-committees at any time.

1.4 Members of the Cabinet may not serve on the Scrutiny Committees or the Regulatory Committee and the Leader and Deputy Leader of the Council may not serve on the Standards Committee.

1.5 The Leader of the Council appoints the Cabinet and allocates portfolios to those Cabinet Members. Political balance provisions do not apply to the Cabinet

1.6 The principle in paragraph 1.2 (c) above applies to appointments to ordinary committees (including sub-committees). Accordingly, before considering the allocation of places to political groups the Committee will need to consider whether it wishes to recommend any changes in committees, including their size. The table in Appendix 1 (circulated separately) outlines proposals in relation to committees, their total membership and the number of seats on each to which the groups will be entitled following the principles set out in paragraph 1.2 above.

1.7 The party group leaders and independent members have been asked to let the Assistant Chief Executive have nominations to fill the places on committees, sub-committees, panels and other bodies covered in this report provisionally allocated to their

## GOVERNANCE

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group. The final list of nominations received will be circulated to members of the County Council on the day of the annual council meeting, for approval by the Council.

### Other Committees and Panels

1.8 There is no obligation in relation to other committees and panels to aggregate the total number of places and to adjust allocations so that the total number of places allocated to each group reflects its proportion of the members of the Council. It is proposed that places should be allocated on a proportionate basis, unless the Council agrees to waive the political balance provisions which has been the custom for certain panels over many years.

1.9 The practical effect of the proportionality rules for a committee, panel or group of members of any given size from 3 to 12 is set out in Appendix 2, together with the list of current committees and panels to which appointments will need to be made and their membership.

### Chairs and Vice Chairs of Committees

1.10 The Council's Constitution provides that the Chairs and Vice Chairs of Scrutiny Committees should be added together and the positions then allocated to groups in accordance to the number of seats they have on the Council. Within this allocation the Chair of the Audit, Best Value and Community Services Scrutiny Committee shall be appointed from the members of the largest Group not represented on the Cabinet. On this basis the allocation of the 10 places would be as follows:

Conservative – 6  
 Liberal Democrat – 2  
 Labour – 1  
 Independent Group - 1  
 Independent Democrat - 0

The proposed list of Chairs and Vice Chairs to be appointed by the County Council is:

<b>Committee</b>	<b>Chair</b>	<b>Vice-Chair</b>
Regulatory	<b>Conservative</b>	
Adult Social Care and Community Safety Scrutiny Committee	<b>Conservative</b>	<b>Labour</b>
Audit, Best Value and Community Services Scrutiny Committee	<b>Liberal Democrat</b>	<b>Conservative</b>
Children's Services Scrutiny Committee	<b>Conservative</b>	<b>Liberal Democrat</b>
Health Overview and Scrutiny Committee	<b>Conservative</b>	<b>Independent Group</b>
Economy, Transport and Environment Scrutiny Committee	<b>Conservative</b>	<b>Conservative</b>
Governance Committee	<b>Conservative</b>	
Planning Committee	<b>Conservative</b>	<b>Conservative</b>

## GOVERNANCE

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Pension Committee	<b>Conservative</b>	
Standards Committee	<b>Conservative</b>	

1.11 Responsibility for the Fire Service in East Sussex rests with East Sussex Fire Authority comprising 12 members of the County Council and 6 members of Brighton & Hove City Council. The political balance provisions apply to appointments to the Authority and the entitlement of each group will be as set out below:

Conservative – 7  
Liberal Democrat – 3  
Labour – 1  
Independent Group - 1  
Independent Democrat - 0

1.12 The Committee recommends the County Council to:

- ☆ (1) allocate to the political and other groups the places on, and membership of, the main committees as set out in Appendix 1;
- (2) allocate places on the other committees and panels as set out in Appendix 2;
- (3) allocate the Chair and Vice Chair positions on committees as set out in the table in paragraph 1.10; and
- (4) allocate places on the East Sussex Fire Authority to the political and other groups in accordance with the figures in paragraph 1.11 and to appoint 12 councillors to serve on the Authority.

## **2. Appointments to outside bodies**

2.1 The County Council is invited to appoint members (in some cases non-county councillors are eligible) to serve on a wide range of outside bodies. Appointments are normally made for the lifetime of the County Council. In the case of appointments being made now the term will be to the date of the annual council meeting in the next County Council full election year unless otherwise indicated, although in most cases it is open to the County Council to change its representation at any time by resolution.

2.2 Most of the appointments to outside organisations will be dealt with by the Governance Committee at its meeting on the 27 June. There are, however, some bodies where a decision cannot wait until then and these are dealt with in this report. Appendix 1 provides details of these organisations, the current appointments and any particular requirements relating to that particular body.

2.3 With regard to the Police and Crime Panel, the Council has one substantive appointment. The Council may be entitled to a second representative to help address any political proportionality imbalance to the composition of the Panel. At this stage, confirmation has not been received as to whether the Council will have a second representative on the Panel.

2.3 The Committee recommends the County Council make the following appointments to serve on the bodies listed below (a full list of nominations will be circulated at the annual Council meeting)

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Local Government Association's General Assembly	Councillor Elkin Councillor Field Councillor Glazier Councillor Webb  Councillor Glazier to have second vote
County Council's Network Council	Councillor Elkin Councillor Glazier Councillor Tutt Councillor Webb
County Councils Network Executive Committee	Councillor Glazier
Coastal Issues Special Interest Group	Councillor Earl
Sussex Inshore Fisheries and Conservation Authority	Two Conservative Members One Liberal Democrat member
South Downs National Park Authority	One Conservative Member
Conservators of Ashdown Forest	Five Conservative Members Two Liberal Democrat Members One Labour Member
Southern Regional Flood and Coastal Committee	One Conservative Member
Joint Waste Committee	One Conservative Member Substitute – Conservative Member
Sussex Police and Crime Panel	One Conservative Member (substantive appointment) A second representative may be required to address any political proportionality issues in relation to the composition of the Panel
ACCESS Joint Governance Committee (Local Government Pension Scheme Investment Pooling)	One Conservative Member

12 May 2017

KEITH GLAZIER  
(Chair)

## REPORT OF THE LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

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The Leader and Lead Member for Strategic Management and Economic Development held a meeting on 7 April 2017. Also present: Councillors Elkin, Field and Keeley.

### 1. Planning Application Fees

1.1 Planning application fees are set nationally through The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012. All fees have remained the same following an approximate 15% increase back in 2012. Current planning application fees start at £195, and depending upon the type and size of the proposal can go up to £250,000. The majority of applications the County Council receives will attract a fee of between £195 and £10,000.

1.2 In February 2017, the Government published the Housing White Paper, entitled 'Fixing our broken housing market'. Part of the White Paper focusses on boosting the capacity and capability of local planning authorities, in order to help facilitate the ability for developers to deliver new homes and businesses, along with the supporting infrastructure and services. Recognising that current planning application fees often do not cover the cost of processing and determining the applications, the White Paper states that the Government "will take steps to secure the financial sustainability of planning departments". In turn, the Paper proposes that "local authorities will be able to increase fees by 20% from July 2017 if they commit to invest the additional fee income in their planning department."

1.3 Following the publication of the Housing White Paper, the Department for Communities and Local Government (DCLG) wrote to all Local Planning Authorities to ask whether or not they would wish to apply the increased planning application fees. DCLG required a reasonable level of assurance on the position of each authority on this matter by early April. This is in order to inform the draft Regulations that will eventually be introduced to bring about the higher fees.

The impact of increased application fees on the County Council

1.4 The amount of income that the County Council's Planning Department receives from planning application fees varies on a year by year basis and depends upon the number and type of planning applications submitted. The income in 2016/17 has been comparatively low (due to a lack of large-scale minerals and waste proposals) at around £75,000. Hence, a 20% increase in fees would result in income of a further £15,000 per annum based on the 2016/17 applications. With some large-scale applications generating an application fee in excess of £25,000, the amount of additional income generated from the higher fees could be considerably higher than £15,000.

1.5 It is recognised that a proportion of this fee income is generated from the County Council's own development proposals. In 2016/17, approximately £30,000 of the fee income has come from applications for County Council development proposals. Based on these figures, a 20% uplift in fees would be an extra burden of £6,000 to those parts of the Council that wish to take forward developments and changes of use. Recognising that budgets for 2017/18 have been set, consideration could be given to maintaining the 2012 fees for County Council applications, even if the higher application fees are agreed. This would be

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on the basis that whatever fee is charged for County Council applications, it will not have a net impact upon the Council's overall budget.

1.6 In deciding whether to increase application fees, consideration needs to be given to whether the higher fees may possibly dissuade developers submitting applications and/or seek to regularise development, and, in turn, lead to an increased need for monitoring and enforcement action. In almost all cases the planning application fee only represents a small part of the cost of preparing and submitting an application. The majority of the costs incurred are through the plans prepared and the supporting evidence (e.g. Transport Assessments, Environmental Impact Assessments, Design and Access Statement, site surveys, etc). Hence the impact on developers, in terms of their overall application costs, will be minimal.

1.7 As recognised in the Housing White Paper, much of the lobbying to Government for higher planning application fees has been made by representatives of the development industry. At a local level, representatives at Developers/Agents Forums have generally expressed support for paying higher planning application fees, provided that the higher income received is reinvested back into planning departments. It is therefore considered unlikely that the development industry will see the increase in fees as an extra burden, or dissuade them from submitting planning applications to the County Council (particularly as almost all planning authorities in the south east have already indicated their intention to apply the higher application fees).

1.8 The proposal to increase planning application fees has been put to all members of the Planning Committee. No views/opinions have been expressed that are opposed to the 20% increase. Both the Chair and Vice-Chair of the Planning Committee have expressed their support for the proposal.

1.9 Taking into consideration the rationale behind the proposed increase in fees, the low level of risk that the increase could give rise to, and the support of the Planning Committee for the proposal, the Lead Member agreed to inform the Department for Communities and Local Government that the County Council welcomes the ability to increase planning application fees by 20%.

1.10 The Leader and Lead Cabinet Member for Strategic Management and Economic Development **recommends** the County Council to –

☆ (1) agree to adopt the increased planning application fees from the date on which they are brought into effect by the relevant Regulations.

7 April 2017

KEITH GLAZIER

Leader and Lead Cabinet Member for Strategic  
Management and Economic Development