



Meeting of
East Sussex County Council
on Tuesday, 22 March 2016
at 10.00 am

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



EAST SUSSEX COUNTY COUNCIL

To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held at Council Chamber, County Hall, Lewes, **on Tuesday, 22 March 2016 at 10.00 am** to transact the following business

- 1 **Minutes of the meeting held on 9 February 2016** (Pages 5 - 28)
- 2 **Apologies for absence**
- 3 **Chairman's business**
- 4 **Questions from members of the public**
- 5 **Report of the Cabinet** (Pages 29 - 34)
- 6 **Report of the Governance Committee** (Pages 35 - 38)
- 7 **Report of the Lead Member for Transport and Environment** (Pages 39 - 40)
- 8 **Questions from County Councillors**
 - (a) Oral questions to Cabinet Members
 - (b) Written Questions of which notice has been given pursuant to Standing Order
- 9 **Report of the East Sussex Fire Authority** (Pages 41 - 42)

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 Senior Minister Ian White at Victoria Baptist Church, Eastbourne. 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

14 March 2016

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MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 9 FEBRUARY 2016 at 10.00 am

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

50 Minutes of the meeting held on 1 December 2015

50.1 RESOLVED – to confirm the minutes of the meeting of the County Council held on 1 December 2015 as a correct record

51 Apologies for absence

51.1 Apologies for absence were received from Councillors John Hodges, Mike Pursglove and Rosalyn St Pierre

52 Chairman's business

NEW YEAR'S HONOURS

52.1 On behalf of the Council, the Chairman congratulated all those who lived or worked in East Sussex who were recognised in the New Year's Honours. In particular the Chairman congratulated Councillor Ruth O'Keeffe who had been awarded an MBE for services to the community

OFSTED INSPECTION

52.2 On 11 January, Ofsted published its report following the inspection of the council's arrangements for supporting school improvement. The report gives us a lot to celebrate in our work with schools and recognises the impact of improvement activity and the difference this is making to the performance of schools and the outcomes for children and young people. The narrative recognises the significant progress we have made and Ofsted has indicated that they do not need to re-inspect the service. The inspectors noted 'the commitment of Members, officers and school leaders to improving the quality of education provision and outcomes. Inspectors also noted the improvement in standards for young children; improving inspection outcomes in primary schools; increased participation of the youngest and oldest students; and

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that support for pupils in local authority care and vulnerable 16-17 year olds continues to be a strength.

52.3 Inspectors were clear about the impact of Excellence for All our strategy for improvement and the five areas for improvement identified in the report have been incorporated into the updated version of Excellence for All that was published in January.

CHAIRMAN'S ACTIVITIES

52.4 The Chairman reported that he had attended a number of engagements since the last meeting of the County Council including: a concert in aid of the Friends of Sussex Hospices, the Books Beyond Words first anniversary celebration, carol services at Lewes Prison and Chichester Cathedral, the Johnny Spice Swing Orchestra Christmas Ball, a private viewing of Combe Valley Way, the Sussex Downs College Student Awards and the licensing of Chris Styles at St Wilfred's, Eastbourne. I also hosted a delegation of officials from China and discussed the role of county councillors and presented awards at the Christmas Card Competition. The Vice Chairman also attended a number of events.

CHINESE NEW YEAR

52.5 The Chairman indicated that the Chinese New Year began on 8 February. The Chairman wished all present a very happy Chinese New Year.

PRAYERS

52.6 The Chairman thanked Reverend Chris Styles Curate in Charge of St Wilfred's, Lower Willingdon for leading the prayers before the Council meeting

PETITIONS

52.7 The Chairman informed the Council that immediately before the meeting he had received the following petition from members as follows:

Councillor Belsey	- calling on the County Council to introduce No Waiting between 10.00 am and 11.00 am in Rutland Close, Eastbourne
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53 Questions from members of the public

53.1 Copies of questions asked by Ian Turner from Eastbourne, Rita Ellis from Lewes, Emma Richardson from Polegate, Mark Thornborough from St Leonards on Sea and Jane Caygill from Eastbourne and the answers from Councillors Bentley (Lead Member for Adult Social Care), Elkin (Lead Member for Resources) and Tidy (Lead Member for Children and Families) are attached to these minutes. Supplementary questions were asked and responded to.

54 Declarations of Interest

54.1 The following members declared personal interests in items on the agenda as follows:

<i>Member</i>	<i>Position giving rise to interest</i>	<i>Agenda item</i>	<i>Whether interest was prejudicial</i>
Councillor Bentley	Carer for a stroke victim	Cabinet report, paragraph 1	No

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<i>Member</i>	<i>Position giving rise to interest</i>	<i>Agenda item</i>	<i>Whether interest was prejudicial</i>
Councillor Chris Dowling	Trustee of East Sussex Association for the Blind	Cabinet report, paragraph 1	No
Councillor Ensor	Family member was employed on a temporary contract (until 31 March 2016) by a contractor mentioned in report	Cabinet report, paragraph 1	No

55 Reports

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

Cabinet	-	paragraphs 1 and 4
Children's Services Scrutiny Committee	-	paragraph 1

NON-RESERVED PARAGRAPHS

55.2 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.

56 Report of the Cabinet

Paragraph 1 –Reconciling Policy, Performance and Resources

56.1 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.

56.2 In moving this paragraph of the Cabinet's report, Councillor Elkin also moved the following amendment which was duly seconded:

Delete paragraph 1.46 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 2016/17 set out in Appendix 2a with the following amendments;*
 - 1. Business Rates and S31 Grants to be increased by £0.497m in 2016/17 and increases of £0.374m in 2017/18 and £0.383m in 2018/19 as a result of information provided by Districts and Boroughs*
 - 2. Estimated council tax surplus for the collection fund to be paid in 2016/17 to be increased by £0.381m as notified by Districts and Boroughs*
 - 3. General Contingency to be increased by £0.040m in 2016/17 and £0.030m 2017/18 as a result of changes in Business Rates and Council Tax*
 - 4. Delete the savings proposal of £0.093m for the Zest social enterprise car valet service*
 - 5. Transition grant, as advised at final settlement on 8th February 2016 of £2.704m in 2016/17 and further transition grant of £2.696m in 2017/18*

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6. *Reduced New Homes Bonus grant of £0.008m 2016/17, £0.008m 2017/18 and £0.005m offset by a reduction in the contribution to capital programme*
7. *The total net increased income of £3.449m in 2016/17 be transferred to a Contingency and used in 2017/18 to reduce the projected deficit*
8. *The additional income of £3.070m for 2017/18 and £0.383m for 2018/19 be used to offset the deficit remaining, reducing the budget gap to £4.142m in 2017/18 and £5.523m (£1.474m in year) for 2018/19*
- (3) *in accordance with the Local Government Finance Act 1992 to agree that:*
 - i) *The net budget requirement is £369.3m and the amount calculated by East Sussex County Council as its requirements for the year 2016/17 is £242.6m*
 - 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 2016/17 is £1251.90 and represents a 3.99% (2% 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 5*
- (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;*
- (6) *approve the fees and charges set out in Appendix 4 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 including further investment in essential programme need 2016/17 to 2017/18 as set out at Appendix 2a;*
- (8) *note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 2a; and*
- (9) *note the comments from the engagement exercises as set out in Appendix*

56.3 The following amendment was moved by Councillor Blanch and seconded:

Delete Councillor Elkin's proposed motion, with the exception of (2)4 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 2016/17 as set out in Appendix 2a with the following amendments for 2016/17 only

Remove the following from ASC Budget proposals 2016/17

1. *Supporting People: Reverse the proposed cut in funding in sheltered housing £1.234m*
2. *Supporting People: Reverse the proposed cut in funding in Extra Care schemes £0.103m*
3. *Commissioning Grant Prospectus (CGP) - Reverse the proposed cut in ASC voluntary sector grants – Autism Sussex, Pepenbury, Railway Land Wildlife Trust Lewes, Southdown Housing, Stay up Late, and Action for Blind of £0.209m*
4. *CGP Joint Funded – reverse the cut for Stroke Association £0.080m*
5. *CGP Joint Funded Special contingency £0.300m*
6. *Home Works. (Reverse the proposed) reduction in support for homeless people £0.300m*

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Amend the following proposed reductions in Children Services

7. *With regard the reduction in Looked after Children (LAC) numbers (£167k) and cuts to adoption and fostering services (£717k) totals for 2016/7 £884k - reinstate adoption and fostering reductions of £0.717m*
8. *With regard the reduction in Early Help - effect on Open Access for families with support needs e.g. mental health (Total cut 2016/17 £2.1m) - reinstate 10 nursery nurse and early year practitioner posts (£168K), Troubled Families service (£222k), and reduce savings required of voluntary sector (£102k) = £0.492m*

TOTAL AMENDMENT TO ADMINISTRATION REDUCTIONS: £3.435m

To be funded by the budget reductions of £0.650m from Communities Economy and Transport, £0.727m Governance, £0.260m Business Services and £1.891m Corporate funds, comprising:-

- 9 *Further Waste Contract Savings DEFRA refinancing and/or new initiatives (DEFRA still outstanding. 45 other lesser initiatives under review) £0.100m*
- 10 *Culture - Delete budget provision (East Sussex cultural offer is part of our wider economic growth programme and is linked into growth activities supported by the Local Economic Partnership (LEP). A number of projects are being developed to secure LEP funding, and the removal of the cultural and arts post would see no work undertaken to embed the cultural offer and its links to growth, jobs and economic prosperity) £0.050m*
- 11 *Gypsies and Travellers - Move towards self-funding (Significant risk of more unauthorised encampments and subsequent impact on local communities. Deterioration of Bridlies Tan Subject to consultation with partners Gross budget £263k, Net budget £62.3k) £0.030m*
- 12 *Removal of 1.5FTE Rangers (This service is currently undergoing a Strategic Commissioning Strategy to determine future service provision. Officers have already identified £100k in the MTFP as a possible outcome of this work) £0.050m*
- 13 *Parking Surplus (available from current exercise. This would otherwise be committed to Local Transport Improvements) £0.150m*
- 14 *Trading Standards - Removal of Rapid Action Team (Deterioration in rapid service response) £0.100m*
- 15 *Highways Client - Move to full Executive Client by 2017/18 (Reduction in client officers and move to full Executive Client by 2017/18; Chief Officer planned from later year 2018/19) £0.170m*
- 16 *Member Services - reduction in external spend for Appeal Panel (supported in house), move towards paperless reports, increase income (Significant reduction in capacity, reduction in support to Scrutiny. Statutory requirement in relation to School Appeals; Predicated on increase in income from Academies in relation to school appeals; and more than 50% of Members agreeing to move away from paper reports). £0.015m*
- 17 *Members - Remove member catering (in hand). £0.012m*
- 18 *Reduce Member ICT support, including equipment replacement costs Reduce Member ICT support (reduction in support), include equipment replacement costs (reduction in ICT support). Reduce Member training budget (Member attendance at LGA CNN conference)£0.020m*
- 19 *3rd Sector - renegotiate Healthwatch contract; Cease Action in Rural Sussex funding (Change in service specification on re-tendering) £0.025m*
- 20 *Senior Management and Organisational Development - Reduce spend on supporting Council developments, innovation, service improvements, resilience (Reduction in funding of innovation or service infrastructure development, appropriate governance/M.O. support in relation to Council issues (Balance no longer available to fund unprovided contribution to CSD counsel fees (£120k 15/16), resulting in additional cost to CSD) £0.115m*
- 21 *Legal Services - Efficiency through Orbis public law (This is ambition of a wide local authority partnership (pending decision by Lead Members of partner authorities) - reduction in cost and increase in income – no stress testing has taken place of proposal) £0.040m*

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- 22 *Communications Team - Reduction of centrally funded Team to basic service (Significantly reduced communication service at basic level recommended by ABVCS Scrutiny Board) £0.500m*
- 23 *Finance - remove vacant post 1 FTE Service Finance (Less insight and support to managers and potentially, less due diligence on budget monitoring) £0.050m*
- 24 *ICT - Business Change, 10% reduction in support (It would be proposed that the portfolio manager (senior project management) roles are reduced from 2 to 1. These roles both deliver projects and line manage two teams of project managers that have different focuses: and would require a merger of the teams into a single team. The impact would be the loss of available capacity both in terms of management and with respect to the remaining post holder being able to undertake project work. £0.048m*
- 25 *0.5 FTE reduction in management capacity to support Health and Safety (H&S) Advisers, along with a reduction in specialist advice and input at a strategic level (Council may be vulnerable in terms of statutory H&S responsibilities and HSE inspections/audits. Response times in provision of advice likely to be increased.) £0.027m*
- 26 *Procurement - reduce 1 FTE (Removal of 1 FTE will be difficult to achieve from within an integrated service model. The impact will be an overall reduction in the procurement service to both Surrey CC and East Sussex CC.) £0.030m*
- 27 *Property - remove £0.025m from maintenance consultancy of £400k (The corporate property budget is under significant pressures. Further savings targets would reduce detailed survey work over the next 12 months to inform long term maintenance planning)*
- 28 *Delete vacant 1 FTE Surveyor SS12 role (Material impact in reducing flexibility within Orbis to design operational model to drive savings through service transformation and development of strategic asset management) £0.040m*
- 29 *Reduce AMEY Contract (Reduced standard of workplace environment in Corporate buildings which would be amplified as buildings are brought into more intensive use through the Agile programme. Some additional risk of having to consider security arrangements or Controller of Premises service and specification cuts) £0.040m*
- 30 *Use £10m from previous waste reserve being applied to the future capital programme £0.500m*
- 31 *Reduce provision for General Contingency currently £3.500m (Increased risk of drawing on balances in-year) by £1.103m*
- 32 *Reduce spend on venue hire (Procurement review so far saved £145k in – year. Further controls planned including procured single supplier) £0.195m*

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

- (i) *the net budget requirement is £369.3m and the amount calculated by East Sussex County Council as its requirements for the year 2016/17 is £242.6m;*
- (ii) *the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the year 2016/17 is £1,251.90 and represents a 3.99% (2% 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 5*

(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;*

(6) *approve the fees and charges set out in Appendix 4 and delegate authority to the Chief Finance Officer to approve an increase to all other fees and charges by up to 2%;*

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(7) approve the Capital Programme including further investment in essential programme need 2016/17 to 2017/18 as set out at Appendix 2a;

(8) note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 2a; and

(9) note the comments from the engagement exercises as set out in Appendix 7

56.4 The following amendment was moved by Councillor Webb and seconded:

Delete Councillor Elkin's proposed motion, with the exception of (2)4 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 2016/17 as set out in Appendix 2a with the following amendments for 2016/17 only

1. Reverse the proposed Supporting People saving for Funding in Sheltered Housing of £1.234m
2. Reverse the proposed Supporting People saving for Funding Extra Care of £0.103m
3. Reverse the proposed Voluntary Sector Cuts funded solely by ASC of £0.209m, comprising:-
 - a. Autism Sussex £0.020m
 - b. Pevenbury £0.033m
 - c. Railway Land Trust £0.048m
 - d. Southdown Quality Check £0.026m
 - e. Stay up late Lil Buddies £0.015m
 - f. Routeways to work £0.067m
4. Reverse the proposed jointly funded Voluntary Sector Cuts by £0.191m, comprising:-
 - a. Stroke Association £0.080m
 - b. Seaview £0.048m
 - c. Marsham Older People's Project £0.004m
 - d. Sussex Deaf Association £0.029m
 - e. SHED Eastbourne £0.030m
5. Create Special CGP Contingency of £0.189m
6. Reverse the proposed Home Works saving of £0.300m
7. Reverse the proposed reductions in Adoption and Fostering of £0.717m
8. Reverse the proposed reduction in Early Help by £0.546m
9. Reverse the proposed savings to YOT of £0.124m
10. Reverse the proposed ISEND savings of £0.123m
11. Reverse the proposed SLES savings of £0.171m

To be funded by the following budget reductions:-

12. Reduce Member ICT support and training £0.020m
13. Reduce spend on supporting Council developments £0.115m
14. Finance – removal of vacant post £0.050m
15. ICT – 10% reduction in support £0.048m
16. Legal Services – efficiencies £0.040m
17. Communications – Reduction in service £0.500m
18. Procurement - reduced support £0.030m
19. Property £0.004m
20. Surveyor – delete vacant post £0.040m
21. Reduce AMEY Contract £0.040m
22. Use of waste reserve £0.500m
23. Use Transitional Grant £2.325m

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24. Reduce Venue Hire £0.195m

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

- (iii) *the net budget requirement is £369.3m and the amount calculated by East Sussex County Council as its requirements for the year 2016/17 is £242.6m;*
- (iv) *the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the year 2016/17 is £1,251.90 and represents a 3.99% (2% 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 5;*

(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;*

(6) *approve the fees and charges set out in Appendix 4 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 including further investment in essential programme need 2016/17 to 2017/18 as set out at Appendix 2a;*

(8) *note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 2a; and*

(9) *note the comments from the engagement exercises as set out in Appendix 7*

56.5 The following amendment was moved by Councillor S Shing and seconded:

Add the following to (2) in Councillor Elkin's proposed amended motion (see minute number 56.2):-

Reverse the proposed jointly funded Voluntary Sector Cuts relating to the Stroke Association of £0.080m

To be funded by the following budget reductions:-

*Communications – Reduction in service £0.040m
Senior Management and Organisational Development - Reduce spend on supporting Council developments, innovation, service improvements, resilience £0.040m*

56.6 A recorded vote on Councillor S Shing's amendment was taken. The amendment was CARRIED, the votes being cast as follows:

FOR THE AMENDMENT

Councillors Barnes, Belsey, Bennett, Bentley, Blanch, Buchanan, Butler, Carstairs, Charlton, Charman, Clark, Daniel, Davies, Chris Dowling, Claire Dowling, Earl, Elkin, Ensor, Field, Forward, Galley, Glazier, Howson, Keeley, Lambert, Maynard, O'Keeffe, Phillips, Pragnell, Rodohan, Scott, Sheppard, D Shing, S Shing, Shuttleworth, Simmons, Standley, Stogdon, Taylor, Tidy, Tutt, Ungar, Wallis, Webb, Whetstone and Wincott

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AGAINST THE AMENDMENT

None

ABSTENTIONS

None

56.7 As Councillor S Shing's amendment had been carried the Chairman stated that the earlier amendments had been superceded by the new substantive motion.

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

Delete the substantive motion, with the exception of (2) 4 and 5 (see minute number 56.12) 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 2016/17 as set out in Appendix 2a with the following amendments for 2016/17 only

Remove the following from ASC Budget proposals 2016/17

- 1 *Supporting People: Reverse the proposed cut in funding in sheltered housing £1.234m*
- 2 *Supporting People: Reverse the proposed cut in funding in Extra Care schemes £0.103m*
- 3 *Commissioning Grant Prospectus (CGP) - Reverse the proposed cut in ASC voluntary sector grants – Autism Sussex, Pepenbury, Railway Land Wildlife Trust Lewes, Southdown Housing, Stay up Late and Action for Blind of £0.209m*
- 4 *CGP Joint Funded Special contingency £0.300m*
- 5 *Home Works. (Reverse the proposed) reduction in support for homeless people £0.300m*

Amend the following proposed reductions in Children Services

- 6 *With regard the reduction in Looked after Children (LAC) numbers (£167k) and cuts to adoption and fostering services (£717k) totals for 2016/7 £884k - reinstate adoption and fostering reductions of £0.717m*
- 7 *With regard the reduction in Early Help - effect on Open Access for families with support needs e.g. mental health (Total cut 2016/17 £2.1m) - reinstate 10 nursery nurse and early year practitioner posts (£168K), Troubled Families service (£222k), and reduce savings required of voluntary sector (£102k) = £0.492m*

TOTAL AMENDMENT TO ADMINISTRATION REDUCTIONS: £3.355m

To be funded by the budget reductions of £0.650m from Communities Economy and Transport, £0.647m Governance, £0.260m Business Services and £1.798m Corporate funds, comprising:-

- 8 *Further Waste Contract Savings DEFRA refinancing and/or new initiatives (DEFRA still outstanding. 45 other lesser initiatives under review) £0.100m*
- 9 *Culture - Delete budget provision (East Sussex cultural offer is part of our wider economic growth programme and is linked into growth activities supported by the Local Economic Partnership (LEP). A number of projects are being developed to secure LEP*

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- funding, and the removal of the cultural and arts post would see no work undertaken to embed the cultural offer and its links to growth, jobs and economic prosperity) £0.050m
- 10 Gypsies and Travellers - Move towards self-funding (Significant risk of more unauthorised encampments and subsequent impact on local communities. Deterioration of Bridies Tan Subject to consultation with partners Gross budget £263k, Net budget £62.3k) £0.030m
 - 11 Removal of 1.5FTE Rangers (This service is currently undergoing a Strategic Commissioning Strategy to determine future service provision. Officers have already identified £100k in the MTFP as a possible outcome of this work) £0.050m
 - 12 Parking Surplus (available from current exercise. This would otherwise be committed to Local Transport Improvements) £0.150m
 - 13 Trading Standards - Removal of Rapid Action Team (Deterioration in rapid service response) £0.100m
 - 14 Highways Client - Move to full Executive Client by 2017/18 (Reduction in client officers and move to full Executive Client by 2017/18; Chief Officer planned from later year 2018/19) £0.170m
 - 15 Member Services - reduction in external spend for Appeal Panel (supported in house), move towards paperless reports, increase income (Significant reduction in capacity, reduction in support to Scrutiny. Statutory requirement in relation to School Appeals; Predicated on increase in income from Academies in relation to school appeals; and more than 50% of Members agreeing to move away from paper reports). £0.015m
 - 16 Members - Remove member catering (in hand). £0.012m
 - 17 Reduce Member ICT support, including equipment replacement costs Reduce Member ICT support (reduction in support), include equipment replacement costs (reduction in ICT support). Reduce Member training budget (Member attendance at LGA CNN conference)£0.020m
 - 18 3rd Sector - renegotiate Healthwatch contract; Cease Action in Rural Sussex funding (Change in service specification on re-tendering) £0.025m
 - 19 Senior Management and Organisational Development - Reduce spend on supporting Council developments, innovation, service improvements, resilience (Reduction in funding of innovation or service infrastructure development, appropriate governance/M.O. support in relation to Council issues (Balance no longer available to fund unprovided contribution to CSD counsel fees (£120k 15/16), resulting in additional cost to CSD) £0.075m
 - 20 Legal Services - Efficiency through Orbis public law (This is ambition of a wide local authority partnership (pending decision by Lead Members of partner authorities) - reduction in cost and increase in income – no stress testing has taken place of proposal) £0.040m
 - 21 Communications Team - Reduction of centrally funded Team to basic service (Significantly reduced communication service at basic level recommended by ABVCS Scrutiny Board) £0.460m
 - 22 Finance - remove vacant post 1 FTE Service Finance (Less insight and support to managers and potentially, less due diligence on budget monitoring) £0.050m
 - 23 ICT - Business Change, 10% reduction in support (It would be proposed that the portfolio manager (senior project management) roles are reduced from 2 to 1. These roles both deliver projects and line manage two teams of project managers that have different focuses: and would require a merger of the teams into a single team. The impact would be the loss of available capacity both in terms of management and with respect to the remaining post holder being able to undertake project work. £0.048m
 - 24 0.5 FTE reduction in management capacity to support Health and Safety (H&S) Advisers, along with a reduction in specialist advice and input at a strategic level (Council may be vulnerable in terms of statutory H&S responsibilities and HSE inspections/audits. Response times in provision of advice likely to be increased.) £0.027m
 - 25 Procurement - reduce 1 FTE (Removal of 1 FTE will be difficult to achieve from within an integrated service model. The impact will be an overall reduction in the procurement service to both Surrey CC and East Sussex CC.) £0.030m

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- 26 *Property - remove £0.025m from maintenance consultancy of £400k (The corporate property budget is under significant pressures. Further savings targets would reduce detailed survey work over the next 12 months to inform long term maintenance planning)*
- 27 *Delete vacant 1 FTE Surveyor SS12 role (Material impact in reducing flexibility within Orbis to design operational model to drive savings through service transformation and development of strategic asset management) £0.040m*
- 28 *Reduce AMEY Contract (Reduced standard of workplace environment in Corporate buildings which would be amplified as buildings are brought into more intensive use through the Agile programme. Some additional risk of having to consider security arrangements or Controller of Premises service and specification cuts) £0.040m*
- 29 *Use £10m from previous waste reserve being applied to the future capital programme £0.500m*
- 30 *Reduce provision for General Contingency currently £3.500m (Increased risk of drawing on balances in-year) by £1.103m*
- 31 *Reduce spend on venue hire (Procurement review so far saved £145k in – year. Further controls planned including procured single supplier) £0.195m*

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

- (v) the net budget requirement is £369.3m and the amount calculated by East Sussex County Council as its requirements for the year 2016/17 is £242.6m;*
- (vi) the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the year 2016/17 is £1,251.90 and represents a 3.99% (2% 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 5

(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;

(6) approve the fees and charges set out in Appendix 4 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 including further investment in essential programme need 2016/17 to 2017/18 as set out at Appendix 2a;

(8) note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 2a; and

(9) note the comments from the engagement exercises as set out in Appendix 7

56.9 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, Carstairs, Charman, Daniel, Field, Forward, Lambert, Rodohan, Scott, Shuttleworth, Tutt, Ungar, Wallis, Webb, and Wincott

MINUTES

AGAINST THE AMENDMENT

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

ABSTENTIONS

Councillors Charlton, O'Keeffe, D Shing and S Shing

56.10 The following amendment was moved by Councillor Daniel and seconded:

Delete the substantive motion after paragraph 1 with the exception of (2)4 (see minute number 56.12) and replace with:-

(2) approve the net Revenue Budget estimates for 2016/17 as set out in Appendix 2a with the following amendments for 2016/17 only

- 1 *Reverse the proposed Supporting People saving for Funding in Sheltered Housing of £1.234m*
- 2 *Reverse the proposed Supporting People saving for Funding Extra Care of £0.103m*
- 3 *Reverse the proposed Voluntary Sector Cuts funded solely by ASC of £0.209m, comprising:-*
 - a. *Autism Sussex £0.020m*
 - b. *Pepenbury £0.033m*
 - c. *Railway Land Trust £0.048m*
 - d. *Southdown Quality Check £0.026m*
 - e. *Stay up late Lil Buddies £0.015m*
 - f. *Routeways to work £0.067m*
- 4 *Reverse the proposed jointly funded Voluntary Sector Cuts by £0.191m, comprising:-*
 - a. *Stroke Association £0.080m*
 - b. *Seaview £0.048m*
 - c. *Marsham Older People's Project £0.004m*
 - d. *Sussex Deaf Association £0.029m*
 - e. *SHED Eastbourne £0.030m*
- 5 *Create Special CGP Contingency of £0.189m*
- 6 *Reverse the proposed Home Works saving of £0.300m*
- 7 *Reverse the proposed reductions in Adoption and Fostering of £0.717m*
- 8 *Reverse the proposed reduction in Early Help by £0.546m*
- 9 *Reverse the proposed savings to YOT of £0.124m*
- 10 *Reverse the proposed ISEND savings of £0.123m*
- 11 *Reverse the proposed SLES savings of £0.171m*

To be funded by the following budget reductions:-

- 12 *Reduce Member ICT support and training £0.020m*
- 13 *Reduce spend on supporting Council developments £0.115m*
- 14 *Finance – removal of vacant post £0.050m*
- 15 *ICT – 10% reduction in support £0.048m*
- 16 *Legal Services – efficiencies £0.040m*
- 17 *Communications – Reduction in service £0.500m*
- 18 *Procurement - reduced support £0.030m*
- 19 *Property £0.004m*
- 20 *Surveyor – delete vacant post £0.040m*
- 21 *Reduce AMEY Contract £0.040m*

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- 22 Use of waste reserve £0.500m
- 23 Use Transitional Grant £2.325m
- 24 Reduce Venue Hire £0.195m

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

- (vii) the net budget requirement is £369.3m and the amount calculated by East Sussex County Council as its requirements for the year 2016/17 is £242.6m;
- (viii) the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the year 2016/17 is £1,251.90 and represents a 3.99% (2% 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 5;

(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;

(6) approve the fees and charges set out in Appendix 4 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 including further investment in essential programme need 2016/17 to 2017/18 as set out at Appendix 2a;

(8) note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 2a; and

(9) note the comments from the engagement exercises as set out in Appendix 7

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

FOR THE AMENDMENT

Councillors Blanch, Buchanan, Butler, Carstairs, Charman, Daniel, Field, Forward, Lambert, O'Keeffe, Rodohan, Scott, Shuttleworth, Tutt, Ungar, Wallis, Webb, and Wincott

AGAINST THE AMENDMENT

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

ABSTENTIONS

Councillors Charlton, Keeley, D Shing and S Shing

56.12 The following motion moved by Councillor Elkin was CARRIED:

- (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;

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- (2) *approve the net Revenue Budget estimates for 2016/17 set out in Appendix 2a with the following amendments;*
 1. *Business Rates and S31 Grants to be increased by £0.497m in 2016/17 and increases of £0.374m in 2017/18 and £0.383m in 2018/19 as a result of information provided by Districts and Boroughs*
 2. *Estimated council tax surplus for the collection fund to be paid in 2016/17 to be increased by £0.381m as notified by Districts and Boroughs*
 3. *General Contingency to be increased by £0.040m in 2016/17 and £0.030m 2017/18 as a result of changes in Business Rates and Council Tax*
 4. *Delete the savings proposal of £0.093m for the Zest social enterprise car valet service*
 5. *Delete the savings proposal of £0.08m for the Stroke Association, to be funded by a £0.04m reduction in the Communications budget and a £0.04m reduction in spend on senior management and organisational development*
 6. *Transition grant, as advised at final settlement on 8th February 2016 of £2.704m in 2016/17 and further transition grant of £2.696m in 2017/18*
 7. *Reduced New Homes Bonus grant of £0.008m 2016/17, £0.008m 2017/18 and £0.005m offset by a reduction in the contribution to capital programme*
 8. *The total net increased income of £3.449m in 2016/17 be transferred to a Contingency and used in 2017/18 to reduce the projected deficit*
 9. *The additional income of £3.070m for 2017/18 and £0.383m for 2018/19 be used to offset the deficit remaining, reducing the budget gap to £4.142m in 2017/18 and £5.523m (£1.474m in year) for 2018/19*
- (3) *in accordance with the Local Government Finance Act 1992 to agree that:*
 - i) *The net budget requirement is £369.3m and the amount calculated by East Sussex County Council as its requirements for the year 2016/17 is £242.6m*
 - 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 2016/17 is £1251.90 and represents a 3.99% (2% 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 5*
- (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;*
- (6) *approve the fees and charges set out in Appendix 4 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 including further investment in essential programme need 2016/17 to 2017/18 as set out at Appendix 2a;*
- (8) *note the Medium Term Financial Plan forecast for the period 2016/17 to 2018/19 as set out in Appendix 2a; and*
- (9) *note the comments from the engagement exercises as set out in Appendix 7*

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

MINUTES

FOR THE MOTION

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

AGAINST THE MOTION

Councillors Charman, Daniel, Forward, Rodohan, Scott, Webb, and Wincott

ABSTENTIONS

Councillors Blanch, Butler, Field, Lambert, O’Keeffe, Shuttleworth, Tutt, Ungar and Wallis

Cabinet Reports – Other Reserved Paragraphs

56.14 The Chairman reminded the Council that he was taking paragraph 4 of the Cabinet report with the report of the Children’s Services Scrutiny Committee.

57 Report of the Children's Services Scrutiny Committee

SCRUTINY REVIEW OF RAISING THE PARTICIPATION AGE

57.1 The Chairman reminded the Council that he was taking paragraph 1 of this report with paragraph 4 of the Cabinet’s report

57.2 Councillor Field moved the adoption of paragraph 1 of the Scrutiny Committee report.

57.3 Councillor Glazier moved the adoption of paragraph 1 of the Cabinet’s report. The motion, including the recommendations, was CARRIED after debate.

57.4 The motion to adopt paragraph 1 of the Scrutiny Committee’s report, including the recommendations, was CARRIED after debate on the basis that implementation would be in accordance with the recommendations of the Cabinet.

58 Questions from County Councillors

ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Tutt	Councillor Elkin	Signing of formal Agreement between the County Council and Surrey County Council in relation to Orbis
Councillor Lambert	Councillor Elkin	Exchange of contract for the former St Anne’s school site, Lewes
Councillor Field	Councillor Glazier	Determination of planning applications in relation to fracking

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Questioner	Respondent	Subject
Councillor Scott	Councillor Maynard	Consideration of planning applications for fracking
Councillor Wincott	Councillor Glazier	Future of the University of Brighton campus in Hastings
Councillor O’Keeffe	Councillor Maynard	Possible Motion regarding determination of fracking applications in order that the County Council could consider matter
Councillor Whetstone	Councillor Glazier	One Council approach
Councillor Ungar	Councillor Glazier	Transfer of control of attendance allowance to local authorities and funding of the service
Councillor Whetstone	Councillor Bennett	School improvement and educational attainment at schools in East Sussex
Councillor Shuttleworth	Councillor Glazier	Timing of announcement of the final settlement
Councillor Whetstone	Councillor Maynard	Responsibility for clearing ditches
Councillor Barnes	Councillor Maynard	Discussions with landowners and appropriate associations in relation to ditch clearance
Councillor Butler	Councillor Glazier	Response to consultation in relation to apprenticeship levels in the workforce and possible scrutiny review
Councillor Standley	Councillor Simmons	Update in relation to flightpaths into Gatwick

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

58.2 One written question was received from Councillor St Pierre for the Lead Member for Resources. The question and answer are attached to these minutes.

58.3 The Lead Member responded to a supplementary question from Councillor Lambert.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 2.15 pm

The reports referred to are included in the minute book

QUESTION FROM MEMBERS OF THE PUBLIC

1. Question from Ian Turner, Eastbourne, East Sussex

Having been to meetings in Lewes and Uckfield about the proposed cuts in Adult Social Care I am disappointed that one proposal is to cut funding to services supporting vulnerable adults such as the Zest Car Wash. Services such as this provide service users with a purpose and raise their self-esteem. I am particularly disappointed that the Lead Member for Adult Social Care, who initially supported the Zest Car Wash service, may now support a cut to this valuable service.

Please can the Lead Member state whether he supports a cut to this service, indicate what impact he believes cutting such services will have on service users and what action he proposes to take to mitigate the impact of any cuts to this service?

Response by Councillor Bentley, Lead Member for Adult Social Care

Over many years the County Council has developed services to enhance the quality of life for vulnerable adults in East Sussex. We are however in a very challenging position due to reductions in Government funding we receive. The County Council has provided as much protection as it possibly can, including today's recommendation from the Cabinet that the Council agree to add the Social Care levy to the Council Tax increase. Adult Social Care has had to manage with a £27.8m reduction in its budget in the three years to March 2016. Looking forward Adult Social Care has needed to consult on further budget savings of £40m in the three years from April 2016, whilst demand for services also continues to increase due to demographic pressures. We therefore have to make very difficult decisions about what services we can continue to fund. The support provided by Zest is valued but the County Council can no longer afford to fund this service if we are to meet the critical and substantial needs of vulnerable who have a statutory right to our help.

The impacts and mitigations of withdrawing funding from Zest are set out in the 'Commissioning Grants Prospectus De-commissioning Learning Disability and Autism Outcomes' Equality Impact Assessment which was published alongside the Cabinet papers and is publicly available.

Each impact assessment contains an action plan which is how impacts and the effectiveness of mitigations are monitored, if the proposals are implemented. The impact of all the cuts proposals have been carefully assessed. The mitigations for the Zest proposal include that:

- We will continue to deal with any issues that arise. Options for addressing negative impact on individuals will include identifying alternative services and/ or supporting clients to access these, providing information and advice and arrange independent advocacy if required.
- Support and guidance will be provided to support the communication needs of people with autism and learning disabilities during all the above stages.

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- Individuals who are eligible for Adult Social Care services will be able to access advice and information from their care manager/ social worker to explore alternative services.
- Alternative models of delivery being discussed, such as the possibility of a membership model that could be self-financing, however this would take time to establish as this is at a preliminary stage.

2. Question from Rita Ellis, Lewes, East Sussex

In view of the magnitude of the cuts proposed by East Sussex County Council and the inordinate length of time taken in still not reaching a conclusion in relation to the proposed sale of the former St Anne's School site, Lewes to Subud Britain, would it be reasonable to revisit the original agreement made in July 2013 to ensure it reflected the increase in land values since that time?

Response by Councillor Elkin, Lead Member for Resources

We maintain a commercial oversight of land values and in this context conclude that the sale is still compliant.

3. Question from Emma Richardson, Polegate, East Sussex

- a) What consideration has been made of the comparable outcomes of different organisations included in the Voluntary and Community funding stream and how this equates to the needs of stroke survivors, many of whom are living with the most complex disability in the UK as identified in the Equality Impact Assessment?
- b) What discussion and talks have the Council had with the 3 Clinical Commissioning Groups (CCGs) who jointly fund this service regarding the service provision in the light of the recommendation that all East Sussex County Council (ESCC) funding is withdrawn?
- c) How does ESCC envisage the residual amount of funding that the CCGs will provide being able to offer a realistic service to stroke survivors and their families in the county?
- d). How will stroke survivors and their families be supported post-May in East Sussex?
- e) Why has the Stroke Association's service been funded from Voluntary and Community funding stream and not the Adult Social Care funding stream, when these services have delivered adult social care and health outcomes, and reported to Adult Social Care managers?
- f) Why has the Stroke Association not been put forward to benefit from the additional monies from the adult social care levy?

Response by Councillor Bentley, Lead Member for Adult Social Care

a) Equality Impact Assessments have been completed and have identified impacts on individuals who use the services listed in the savings proposals. The risks and impacts identified in the assessments and feedback received through the public consultation process directly informed the savings proposals considered by Cabinet on 26 January 2016.

In addition, consideration has been given to the impact on organisations commissioned to deliver the services set out in the savings proposals. It is acknowledged that the outcomes will be different for different organisations, depending on their funding arrangements and proportion of their overall funding given through the Commissioning Grants Prospectus. For some organisations, this funding represents a relatively small proportion of their overall budget and the savings would result in a revised service offer, with minimal impact on the organisation. For other organisations, the savings would mean that both the service and provider organisation would cease to exist. We do not consider that the Stroke Association would be at risk of closing.

b) The County Council and the three Clinical Commissioning Groups have discussed the proposals and will work together to consider how best to deploy the remaining funding with the Stroke Association.

c) The County Council will work closely with the Clinical Commissioning Groups and Stroke Association to identify how to use the remaining £79k of funding to achieve the best possible outcomes. The reduction in funding will impact on the overall level of service available but every effort will be made through working in partnership to minimise the impact, this will include considering how information and advice can best be provided in the future. Existing clients of the Stroke Association will also receive information about other services that will be able to provide support.

d) Stroke survivors and their families will continue to access NHS and County Council commissioned and directly provided services. No cuts are being proposed to County Council or NHS services that support survivors of stroke and their carers. The Stroke Association will continue to receive NHS funding in East Sussex.

e) The Adult Social Care funding for the Commissioning Grants Prospectus is part of the overall Adult Social Care budget. This budget is deployed to achieve the best possible outcomes across directly provided services, independent sector and voluntary and community groups.

f) Adult Social Care needs to save £10m in 2016/17 as well as meet pressures on the budget due to increased demand for care. The Adult Social Care Levy will provide the County Council with £4.57m funding so there has been a need to prioritise proposals about how this is deployed. Therefore the Cabinet is recommending a significant additional investment in community care, which funds services for those with critical and substantial needs. Other savings mitigation have focused on those areas which will create the most risk for individuals and are most likely to immediately increase demand for care.

4. Question from Mark Thornborough, St Leonards on Sea, East Sussex

In light of the proposed budget cuts and the increasing number of children coming into Local Authority Care, can the Council identify what positive steps it has taken to support the Fostering Service and its Carers to best meet the needs of those highly vulnerable children and also fulfil its responsibilities as their Corporate Parent.

Response by Councillor Tidy, Lead Member for Children and Families

East Sussex County Council (ESCC) has over the last 18 months seen a steady decline in looked after children numbers with a current figure of 542 looked after children as of 31 January 2016 from a high of 620 three years ago . There has also been a significant fall in the use of agency foster carers. In comparison with an agency usage in 2013/14 of approximately 120 children placed with agency foster carers; this figure has now reduced to 81, with increased numbers placed with our in house foster carers. This increase can be attributed to two significant factors. Firstly, East Sussex Fostering Service has been successful in transferring foster carers from other agencies to East Sussex; and secondly, to the successful recruitment and retention of foster carers by East Sussex Fostering Service. There is clear evidence when evaluating the success of our transfer and recruitment record that the expectation and delivery of good support to foster carers is a major factor. We recognise that it is therefore vital that we continue to provide this support if we are to meet the continuing and increasing needs of our most vulnerable children and fulfil our responsibilities as Corporate Parents.

Even after these proposed budget reductions we will still be spending 92% of the current fostering budget and outcomes for our children remain good.

Our Fostering Service currently provides a comprehensive support provision to our foster carers and this will continue. This includes:

Social work support and supervision

All foster carers have their own social worker (called a supervising social worker under fostering regulations, to distinguish them from the foster child's social worker) who will offer advice, support and supervision. The supervising social worker is there to help with any difficulties a foster carer may encounter while fostering.

Membership of the East Sussex Foster Care Association (ESFCA)

The East Sussex Foster Care Association was formed in 1993. It is an entirely independent, voluntary organisation run by East Sussex's foster carers for the benefit of looked after children and their care families. ESCC contributes to the ESFCA budget and provides other support in kind such as office space.

There is also independently commissioned support available to carers in the event of any allegation against them.

Support groups

These groups give foster carers the opportunity to share their experiences of fostering and discuss common issues. Information on venues and frequency of meetings can be obtained from supervising social workers. Both the Special Placement Team and the Supported Lodging Scheme run specialist support groups for their foster carers.

Social activities and events

Whilst the Fostering Service agrees with its foster carers that for most of the time fostering can be satisfying and enjoyable with some challenging moments, it also agrees with foster carers that there should be a fun dimension to caring, and regularly arranges social events where foster carers themselves and their own children can get together with staff to support each other.

The Placement Support Service

The Placement Support Service is an integral part of East Sussex Fostering Service, with a focus on ensuring stability of foster placements. The service provides a range of support packages for individual foster children and their foster carers including:

- day care (in emergencies)
- access to therapeutic consultation for a foster child or foster carer
- group activities for looked after children
- support to volunteering activities for looked after children

Looked After Children's Mental Health Service (LACAMHS)

LACAMHS is a multidisciplinary child and adolescent mental health service managed by the Sussex Partnership Foundation Trust and based with the Fostering Service at St Mark's House. It provides a specialist service for looked after children for whom there is a plan for permanence, by:

- meeting the mental health, emotional and behavioural needs of the looked after child
- promoting positive attachments with new foster carers or adopters
- providing consultation and therapeutic input in relation to a specific foster child's needs or
to support placement stability
- providing therapeutic parenting groups for foster carers.

Out of hours service

The fostering teams offer an out of hours 'on call' telephone advice and support service to all foster carers. The advice line number is available from supervising social workers. This means that in the evenings, at night and at weekends foster carers are not left to struggle with problems on their own, as professional help is available.

Respite care

Foster carers can have access to respite care when the need arises. If the foster carer or their supervising social worker considers that a break from caring from a particular foster child or children is required, or a situation such as sickness or bereavement has arisen which means that the foster carer cannot care for a foster child placed with them for a particular period, then respite care can be arranged.

Communications with foster carers

- A quarterly newsletter which is sent to all foster carers from the fostering and permanence teams. Contributions from foster carers are most welcome
- From time to time senior managers will write to foster carers to inform them about service developments and invite carers to be part of any development changes to the service.

Training of foster carers

The department provides a comprehensive annual training programme to help foster carers develop skills and knowledge. The programme is divided into four categories:

- Pre-Approval Course – “Skills to Foster”
- Foundation / Post Approval Courses – these courses are the core of the training framework and new foster carers are required to attend these courses within two years of initial approval
- General courses – available to all foster carers
 - Specific courses – which focus on thematic learning and development eg promoting e safety.

The content of the training programme reflects the appropriate National Vocational Qualification competences, and the CWDC National Standards for Foster Carers (see more on these below at section 21.4). In addition, foster carers can enrol with the “in-house” National Vocational Qualification programme to achieve the Health and Social Care NVQ Level 3: Children and Young People (soon changing to the QCF: Qualifications and Credit Framework).

The Virtual School

The school works alongside our carers to ensure that good decisions are made about the educational provision for our children. It will advise carers and staff to match children to schools appropriately and will advocate on behalf of children to challenge exclusions, reduced timetables etc. In some circumstances the VS will directly provide education if a child is not in school. It used £855,000 of Pupil Premium in 2015 – 2016 to provide additional tuition, revision groups etc to achieve the best possible educational outcomes for our children.

Conclusion

ESCC will continue to fulfil its statutory role in relation to its corporate parenting responsibilities and does not intend to cut social work posts to children in care. Each looked after child will continue to have an allocated social worker and an allocated Independent Reviewing Officer.

All of the above support provisions are necessary if we are to continue to meet the needs of our most vulnerable children. Many of our children and foster carers benefit and succeed by having a bespoke package of support which may include some or all of these things. The service will continue to review the support currently been given to carers and prioritise those placements where the removal of such support would have the most potential to destabilise children and fostering households. So far, the Fostering Service has been very successful in creating opportunities to generate other sources of income and we will continue to look for those opportunities to minimise budget reductions.

Please also be assured that going forward, the Fostering Service is committed to ensuring that any budget reductions are managed sensitively and in open dialogue with our carers as we value our present very positive partnership.

5. Question from Jane Caygill, Eastbourne, East Sussex

How will the Council ensure that it is fully accountable for outcomes resulting from any cuts to adult social care services and will members take an active role in mitigation?

Response by Councillor Bentley, Lead Member for Adult Social Care

The County Council each year sets its budget and publishes its Council Plan, which describes the outcomes it is seeking to achieve. Adult Social Care, like each County Council department, has had to manage with reduced resources with a £27.8m reduction in its budget in the three years to March 2016. Looking forward Adult Social Care has needed to consult on further budget savings of £40m in the three years from April 2016, whilst demand for services also continues to increase due to demographic pressures. We therefore have to make very difficult decisions about how we spend our reducing money and what outcomes we can achieve for this investment.

The County Council will at its meeting on 9 February 2016 decide on the budget, including mitigations, and also will agree the Council Plan which will set out its priorities and this will include outcomes. Members monitor the Council Plan through quarterly reports.

WRITTEN QUESTION PURSUANT TO STANDING ORDER 44

1. Question by Councillor St Pierre to the Lead Member for Resources

In October 2014, the County Council awarded the Subud organization, as the successful bidder in the Community Asset Transfer (CAT) of the St Anne's School site, Lewes (formerly a school for local children with special needs) which lies within the Lewes Town boundary. Subud has the stated aim of developing this site as the national and international headquarters for their movement.

As of 23 January 2016, this transfer has not been finalised.

- 1 Will the Lead Member outline the reasons for the extremely lengthy delay?
- 2 Given the shortage of brownfield sites for affordable housing, and the sites for the provision of small artisan workshops as identified in the planning enquiry of North Street Lewes, will the Lead Member now re-open the CAT so that bidders who might offer such a provision can be considered?

Answer by the Lead Member for Resources

1. The CAT process is complex in that the agreement between both parties needs to capture both the essence of the successful bid as well as ensure the on-going use of the site benefits the community. Considering the lease is proposed to be for 999 years, we are keen to ensure accuracy in this process from day 1, compromising this would risk encountering problems later in the process. Furthermore, there have been additional delays with changing personnel on both sides, issues around dilapidated structures, and the Scrutiny review in 2014.
2. There are no grounds to support the re-opening of the bid. This possibility of re-opening the bid was discussed during the Scrutiny review and it was concluded that this would not be recommended.

REPORT OF THE CABINET

The Cabinet met on 8 March 2016. Attendance:-

Councillor Glazier (Chair)

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

1. Three Southern Counties Devolution

1.1 A progress report on the Three Southern Counties (3SC) devolution work was considered by Cabinet at its December 2015 meeting. This report provides an update on the activity that has taken place since that date.

1.2 The Strategic Oversight Group, the officer group responsible for providing oversight and day-to-day leadership of the 3SC devolution activity, met for the first time on 7 January 2016. The group brings together all of the officers leading the work on the 3SC devolution focus areas to ensure a consistent and coherent direction of travel for the development of the devolution proposals and to advise the 3SC Leaders' Group and the "pitch team" (the team who represented the 3SC at the Ministerial Challenge meeting).

1.3 The 3SC pitch team met with Baroness Williams, Parliamentary Under-Secretary of State for Communities and Local Government, on Thursday 14 January 2016 as part of the initial Ministerial Challenge meeting which takes place as devolution talks progress. The team was made up of the Leaders from the three County Councils, a Borough and District Leader representative from each county area and Tim Wates, Chair of Coast to Capital Local Enterprise Partnership (LEP). East Sussex was represented at the meeting by Councillor Glazier, Leader of East Sussex County Council and Councillor Standley, Leader of Wealden District Council. Baroness Williams was impressed by the progress that has been made over recent months and gave a very positive response to the 3SC proposal. Baroness Williams was particularly pleased with how well the numerous authorities across the 3SC area involved in the proposal are working together.

1.4 The 3SC has adopted a phased approach to negotiating proposals with Government. As such, the focus areas prioritised for discussion at the meeting were housing and planning, infrastructure and skills. The Minister recognised the importance of maximising the potential of brownfield sites in public ownership and was interested in the proposed delivery of at least 34,000 new homes across the 3SC by 2020. The Minister was keen that work should now commence with the Homes and Communities Agency to develop a register of brownfield land available for development and to firm up delivery numbers for a second Ministerial Challenge meeting. The Department of Communities and Local Government (DCLG) is also keen to work with the LEPs to consider how early delivery of infrastructure will release growth.

1.5 As a "gateway meeting" which would determine whether the 3SC proposition would progress further or whether some of the fundamental tenets of the proposals would need revisions, the positive response to the "asks and offers" allows the next phase of more detailed discussions to take place with partners and Government.

1.6 The Governance arrangements were also discussed and it was agreed that progress will take place as part of the Governance Review.

1.7 Baroness Williams and DCLG encouraged the 3SC to get started on delivery in areas that do not require devolved funding or powers, and to provide an update on progress at a second

Ministerial Challenge meeting (a date for a second meeting has not yet been arranged). A letter following the meeting was sent from Baroness Williams to Councillor Goldsmith, Leader, West Sussex County Council and main 3SC spokesperson, reaffirming Government's endorsement for the 3SC devolution bid and encouraging the 3SC to begin delivery as soon as possible (a copy of the letter was attached as Appendix 1 of the report to the Cabinet).

1.8 A meeting of all workstream lead officers took place on 19 January 2016 to plan the next phase of work following the Ministerial Challenge meeting. Philip Carr, Relationship Manager, Department for Business, Innovation and Skills, provided an update on the next stage of negotiations with Government (Philip Carr advised Baroness Williams during the Ministerial Challenge meeting).

1.9 A Communications Group, chaired by Becky Shaw and supported by Heads of Communications, has been formed to oversee and steer the communications and engagement activity requirements for the coming weeks and months. The Group has developed a Communications and Engagement Strategy, created a 3SC Devolution Newsletter (which is sent to all Members) and developed a standard presentation which can be used by all partners in sharing the latest position on the 3SC devolution deal.

1.10 Detailed work with partners and Government will continue with a view to finalising a 3SC devolution deal at the first possible opportunity. The progress of other devolution deals signed and being developed across the country indicates that there is still considerable work to be done before the 3SC deal can be finalised. As such, the provisional target date for signing the 3SC deal in March 2016 will need to be revised with advice from Government. An update to Members will be confirmed as soon as possible.

1.11 Members and officers from the East Sussex Borough and District Councils and representatives from East Sussex Fire and Rescue Service, South Downs National Park and the South East Local Enterprise Partnership have engaged with, and contributed to, the development of the 3SC proposal, which will continue as the detailed discussions phase of the work commence.

1.12 Close work is continuing with the Greater Brighton Economic Board (GBEB) and, to a lesser extent, with Hampshire and the Isle of Wight as they develop their devolution proposals. At GBEB's Ministerial Challenge meeting, Baroness Williams was supportive of the 3SC and GBEB developing joint proposals in relation to transport and infrastructure. Collaboration with GBEB on joint areas will take place as appropriate.

Next Steps

1.13 Detailed discussions with Government and relevant partners will commence to deliver the best possible devolution deal for residents, businesses and communities. Networks will be accessed to ensure the 3SC can learn any lessons from other areas that are further advanced in their devolution negotiations with Government. Regular updates will be provided to Cabinet as this work progresses.

2. Council Monitoring – Quarter Three 2015/16

2.1 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 2015/16. Broad

progress against the Council's four strategic priority outcomes is summarised below and an overview of performance and finance data was provided in the Corporate Summary at Appendix 1 of the report to the Cabinet, previously circulated to all members. Strategic risks were reported at Appendix 7 of the report to the Cabinet and a detailed report for each department was provided was provided in Appendices 2 to 6 of the Cabinet report.

Overview

2.2 The Bexhill Hastings Link Road (Combe Valley Way) opened on 17 December 2015. Planning permission for the Queensway Gateway Road was granted on 15 December 2015, with construction due to start in quarter 4. An Ofsted letter about their inspection of Council support for schools improvement highlighted the progress made since the last inspection and the positive impact this is having on the performance of schools and outcomes for children and young people; Ofsted also gave five areas for further improvement. Between April and November 2015, 100% (4,588) of working age adults and older people receiving our support received self-directed support. 91% of new clients who received short-term services to increase their independence made no further request for support. 91% of Looked After Children at academic age 16 (year 12) and 78% at academic age 17 (year 13) are participating in education, training or employment with training. The rate per 10,000 children (aged 0-17) with a Child Protection Plan has reduced to 42.3. The 2015/16 quarter 1-3 sickness absence outturn for the whole authority (excluding schools) is 6.33 days lost per Full Time Equivalent (FTE) employee, which represents a decrease of 15.3% since the same period last year.

2.3 More detail of progress against each of our priority outcomes is set out at paragraphs 2.10 to 2.21 below. Of the 68 Council Plan targets, 52 (77%) are rated green, 5 (7%) are rated amber, and 11 (16%) are rated red.

2.4 At quarter 3, the projected year-end overspend for net departmental budgets is £0.3m, compared to £5.1m reported at quarter 2. The main areas of overspend are: Adult Social Care £5.7m, mainly on Independent Sector Care. This will now be mitigated by the deployment of the Better Care Fund contingency (as outlined in Appendix 2 of the report to the Cabinet); therefore overall, Adult Social Care will break even, compared to £4.3m overspend reported at quarter 2, and a Children's Services overspend of £0.3m mainly for Looked After Children, a reduction from £0.4m reported at quarter 2. Communities, Economy and Transport are projected to break even compared to a projected overspend of £0.3m at quarter 2 mainly as a result of changes in the use of reserves as detailed in Appendix 5 of the report to the Cabinet.

2.5 In addition, there is a projected reduction in income for the Council's share of the East Sussex Business Rates Pool of £0.4m. This is based on quarter 2 projections that show a reduction of £5.4m in collectable rates across East Sussex; mainly due to a significant increase in appeals provisions at all billing authorities. There is also a projected underspend of £4.5m comprising unused general contingency and inflation provision; there is therefore an overall net projected underspend of £3.8m for the Council. The Cabinet has agreed that the net underspend be transferred to the Capital Programme.

2.6 The total savings target for 2015/16 is £20.2m including unachieved savings carried forward from previous years. At this stage, £10.2m of savings will not be achieved. Permanent mitigations of £0.8m and temporary mitigations of £3.1m have been identified.

2.7 The fees and charges for both the Music Service and After School Clubs & Holiday Playscheme have been reviewed and new rates have been agreed by the Cabinet, these include retrospective amendments from quarter 2. Further information is available in Appendix 4 of the report to the Cabinet.

2.8 The quarter 3 Capital programme is monitored against the revised programme submitted to the Council in February. The forecast spending for the year is projected at £145.9m against a budget of £150.1m, a variation of £4.2m. Most of the variation is attributed to slippage of just over £4.5m on a number of projects. A recent programme update for the Bexhill Hastings Link Road has re-profiled £1.4m of the remaining payments into 2016/17 to acknowledge that landscaping works cannot be completed now until May 2016. There is also slippage of £0.7m on the refurbishment of the Registration Office at Southover Grange where the scheme has responded to the requirements of the Listed Building Consent. Within Adult Services the timeline

for the redevelopment of Grangemead, Hailsham has slipped by £0.5m and there is another £0.5m attributable to the implementation of the Learning Disability rationalisation programme and the demand led budgets for house adaptations. The slower than expected take up of grants and loans by businesses within the Economic Growth budget had led to slippage of £0.5m into 2016/17. There are a number of overspendings amounting in total to £0.4m that will either be met by corresponding increases in income or by savings elsewhere within the programme. In total savings and underspendings also total £0.4m. The schools basic need programme shows a £0.4m spend in advance where the budget has been re-phased to reflect the changed timing of some of the programme.

2.9 The Strategic Risk Register, Appendix 7 of the report to the Cabinet, has been reviewed. Risk 1 (Roads), risk 6 (Local Economic Growth), risk 9 (Workforce), and risk 10 (Welfare Reform) all have amended risk control responses. Risk 4 (Health) has been updated and the risk control amended. No risk scores have been amended for this review and no risks have been removed from the register.

Progress against Council Priorities

Driving economic growth

2.10 Ofsted reported on the inspection of the Council's arrangements for supporting school improvement. Ofsted recognise the positive impact of Council improvement activity and the difference this is making to the performance of schools and the outcomes for children and young people. Ofsted identified five areas for further improvement (Appendix 4 of the report to the Cabinet).

2.11 91% of Looked After Children at academic age 16 (year 12) are participating in education, training or employment with training, against a target of 84% and 78% of Looked After Children at academic age 17 (year 13) are participating against a target of 70% (Appendix 4 of the report to the Cabinet).

2.12 The Bexhill Hastings Link Road (Combe Valley Way) opened to traffic on 17 December 2015. There is evidence of reduced journey times for those using the Link Road to access the Conquest Hospital; while Park Holidays UK have taken the lease for the whole of Glovers House, the first building on the new Bexhill Enterprise Park (Appendix 5 of the report to the Cabinet).

2.13 Grants and loans approved, as part of East Sussex Invest 4, included over £93,000 to Skinners of Rye to move their car sales and repair business and expand a convenience store; which is projected to create 10 new jobs. The pilot round of funding from the Catalysing Stalled Sites fund has approved £300,000 of grants and loans, including a £200,000 loan to Hayland Developments to help with the costs of pre-development work on Ivyhouse Lane Industrial Estate in Hastings which will create 45,000 sq. feet of new commercial premises (Appendix 5 of the report to the Cabinet).

2.14 We have made good progress in areas contributing to the East Sussex Growth Strategy. At the end of November, over 62,000 premises had access to improved broadband speeds, with around 49,000 premises receiving speeds of 24 mbps or above. The Business East Sussex service and website is now fully implemented. The Council has appointed 18 apprentices during the first three quarters of 2015/16, with a further 30 appointed in schools. The Council is aiming to recruit another 10 apprentices before the end of the year (Appendix 5 of the report to the Cabinet).

Keeping vulnerable people safe

2.15 Stakeholder events for the new Specialist Domestic and Sexual Abuse Service led by

RISE (Refuge, Information, Support and Education) in partnership with Survivors Network and the Crime Reduction Partnership were held in November and December. The mobilisation of the service has been completed and it was formally launched in January (Appendix 2 of the report to the Cabinet).

2.16 Safe Place Schemes in Rother and Wealden have gone live, they provide vulnerable people, particularly those with a learning disability or older people, with a safe place to go where help can be summoned if they are feeling scared or upset while out on their own in the community (Appendix 2 of the report to the Cabinet).

Helping people help themselves

2.17 Halfway through the year 11.1% of the eligible population were offered a healthcheck indicating that we are on course to meet the annual target of 20%. We continue to perform above the national and regional averages both for those offered a health check (11.1% compared with 9.9% and 9.8% respectively) and for people taking up the opportunity to have a health check (5.8% compared with 4.5% and 4.4% respectively) (Appendix 2 of the report to the Cabinet).

Making best use of resources

2.18 Following considerable work under the Council's Reconciling Policy Performance and Resources process including consultation and engagement on savings plans, on 9 February 2016 the County Council agreed the budget for 2016/17 and draft Council Plan and Medium Term Financial Plan 2016/17 to 2018/19 (Appendix 6 of the report to the Cabinet).

2.19 The East Sussex Better Together (ESBT) Programme Board has agreed the deployment of £5.985m from the Better Care Fund (BCF) contingency to help fund the impact of the increase in demand and complexity of cases requiring Adult Social Care support in 2015/16. The allocation from the BCF acknowledges pressure across the whole system and the need for social care to reduce pressure on health care by increasing diversion from hospital care, supporting more complex cases in the community and enabling higher levels of discharge from hospital. The longer term implications of this approach will be addressed through the ESBT Programme and future use of the BCF. High Weald Lewes Havens CCG withdrew from the ESBT in December 2015. Discussions are ongoing between the Council and the CCG about how health and social care integration will be achieved in this area of the county (Appendix 2 of the report to the Cabinet).

2.20 Three partner based projects have been delivered under the SPACES programme. The Let's Do Business group moved into St Mary's House in Eastbourne. An agreement has been reached to provide drop in space at all 14 libraries in Brighton and Hove for the Collaborative Workspace workstream user group and all Council staff who live or work in the Brighton area. Finally, a joint procurement between the Council, East Sussex Fire & Rescue Service and Sussex Police for a storage audit was completed this year (Appendix 3 of the report to the Cabinet).

2.21 The whole authority sickness absence outturn (excluding schools) for April to December 2015 is 6.33 days lost per FTE employee. The projected year end outturn is 8.66 days which would see us meet our target of 9.24 days; as such the measure is now marked green. Stress remains the main cause of absence across the Council so a new 'Managers Managing Stress' training course has been introduced which will teach managers techniques and give them confidence to effectively support employees who are suffering from stress (Appendix 3 of the report to the Cabinet).

8 March 2016

KEITH GLAZIER
(Chair)

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REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 8 March 2016. Attendance:

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

1. Appointments to Committees, Sub-Committees, Panels and other bodies

1.1 In appointing members to committees 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.

1.7 The tables in Appendix 1, circulated separately to all members, show the proposed allocation of seats for the remainder of 2015/16. The only changes from the allocation agreed by the County Council in July 2015 are the vacancies on the Standards Committee and Regulatory Committee reflecting the current vacancy on the Council. The proposals in relation to the committees, their total membership and the number of seats on each to which

the groups will be entitled follows the principles set out in paragraph 1.2 above. The position will be reviewed following the outcome of the by election.

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

✧ agree the allocation of places on each committee to each group as set out in Appendix 1

2. Pay Policy Statement

2.1 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.

2.2 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.

2.3 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.

2.4 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 2015) 7.14 to 1, which is an improvement on the March 2015 ratio of 7.33 to 1. The pay multiple is published on our website with the Pay Policy Statement.

2.5 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.

2.6 Since the previous Pay Policy Statement was considered by the Council at its meeting in March 2015, the Government has announced a number of consultations 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 from April 2016;

(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, and

GOVERNANCE

(iii) Spending Review 2015 – as part of the Autumn Statement 2015 the government announced that it would consult on further cross-public sector action on exit payment terms to reduce the costs of redundancy pay-outs and ensure greater consistency between workforces eg NHS, Local Government, Civil Service etc.

2.7 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. A copy of the pay policy statement for 2016/17 has been circulated separately as Appendix 2.

2.8 The Committee recommends the County Council:

✧ to agree the Pay Policy Statement for 2016/17 as set out in Appendix 2.

8 March 2016

KEITH GLAZIER
(Chair)

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REPORT OF THE LEAD CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT

The Lead Cabinet Member for Transport and Environment, Councillor Maynard, met on 14 March 2016.

Attendance: Councillor Maynard (Lead Cabinet Member for Transport and Environment)

Also present: Councillors Field, O’Keeffe, St Pierre, Standley, Stogdon and Whetstone

1. Notice of Motion: Determination of planning applications within East Sussex

1.1 The following Notice of Motion has been submitted by Councillors Field and Tutt:

“This Council believes that Local Government is an autonomous body and as such has full responsibility for determining planning applications within its boundaries. This Council requests its Leader:

i) to take all possible measures to lobby Central Government to ensure that local accountability is maintained

ii) enlist the help of the Local Government Association and the County Councils' Network to pursue this aim.”

1.2 In line with the Council’s practice, the matter was referred by the Chairman to the Lead Cabinet Member for Transport and Environment for consideration to provide information and inform debate on the motion.

1.3 In the context described in the Notion of Motion, it is considered that the County Council is not an autonomous body, and as such does not have full responsibility for determining planning applications within its boundaries.

1.4 The County Council needs to operate in accordance with legislation. With regard to planning matters, if it was to adopt policy or determine planning applications in an unlawful way it would be liable to a legal challenge, and, in consequence could be liable for payment of costs.

1.5 The County Council does not have full responsibility for determining planning applications within its boundaries. The County Council is not the planning authority for the area covered by the South Downs National Park which constitutes about one third of the County – this is the South Downs National Park Authority. Also, the County Council can only appraise planning applications relating to waste and minerals, and its own development. All other types of development which require planning applications are considered by the Borough and District Councils.

1.6 Section 77 of the Town and Country Planning Act 1990 allows the Secretary of State to give directions requiring applications for planning permission to be referred to him instead of being dealt with by the local planning authority. This can be done at any time during the planning application process prior to determination. If a planning application is called in,

there would be a Public Inquiry. The power to call in planning applications is very general, and the Secretary of State can call in an application for any reason.

1.7 The Government also has powers to “designate” or take away the determination of planning applications by those Councils considered to be underperforming. The Growth and Infrastructure Act 2013 inserted into the Town and Country Planning Act a new section whereby planning applications can be made directly to the Secretary of State where a local planning authority has been designated for this purpose. The Government’s current minimum performance threshold is 50% of major development decisions being within the statutory determination period measured over 2 years. The Government in February 2016 has published a technical consultation on implementing planning changes. This includes setting new thresholds for non-major development for both speed and quality of decisions. Where authorities fail to determine at least 60-70% of non-major development on time, they would be at risk of designation and thereby applications could be made direct to the Secretary of State or Planning Inspectorate.

1.8 The County Council has to operate, as a County Planning Authority, within the legislative requirements for planning authorities in determining relevant planning applications within its boundaries, including where the Secretary of State has resolved to determine the application himself. The County Council is under a legal duty to determine each application having ‘regard to the provisions of the development plan, so far as material to the application, and to any other material considerations’. The County Council is not in a position where it can fetter future decisions on any type of applications, which must be determined on their merits.

1.9 It is considered therefore that the Notice of Motion as written does not fully reflect the statutory position affecting the County Council in determining planning applications. It is considered that the Notice of Motion as submitted by Councillor Field should therefore be rejected as it does not identify the correct statutory powers of the County Council.

1.10 The Lead Member recommends an amended Motion, as set out below:

“This Council believes that Local Government should maintain the responsibility that it currently enjoys in respect of determining planning applications within its boundaries. This Council requests its Leader:

i) to take all possible measures to lobby Central Government to ensure that local responsibility is maintained

ii) enlist the help of the Local Government Association and the County Councils' Network to pursue this aim.”

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

☆ (1) agree the amended Notice of Motion as set out in paragraph 1.10

14 March 2016

CARL MAYNARD
Lead Cabinet Member for
Transport and Environment

EAST SUSSEX FIRE AUTHORITY

Report of a meeting of the East Sussex Fire Authority held at Fire & Rescue Service Headquarters at 10.30 hours on Thursday 11 February 2016.

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

1. FIRE AUTHORITY SERVICE PLANNING PROCESSES FOR 2016/17 AND BEYOND – REVENUE BUDGET 2016/17 AND CAPITAL STRATEGY 2016/17 TO 2020/21

1.1 The Fire Authority has considered a joint report of the Chief Fire Officer and the Treasurer that set out the Fire Authority's Revenue Budget 2016/17, Capital Strategy 2016/17–2020/21 and Medium Term Finance Plan for 2016/17–2020/21.

1.2 The Fire Authority has agreed:

a) an increase in council tax of 1.94% and as a result has agreed:

- the budget proposals as set out in the report
- a net budget requirement of £38.432m for 2016/17;
- a council tax requirement of £24.280m; and
- the council tax and precepts as set out in Appendix G to the report.

b) the capital programme for the next five years and the capital budget of £4.566m for 2016/17 and the plans to use capital grant, capital receipts and revenue contributions to finance that expenditure;

c) the maintenance of the General Reserve at a minimum of 8% of the net revenue budget over the medium term;

d) the establishment of an IMD Transformation Reserve using resources totalling £2.0m transferred from other reserves as set out in Appendix F to the report;

e) the transfer of the Transitional Grant £0.097m to the Improvement & Efficiency Reserve to fund the outcomes of the IRMP;

f) the fees and charges set out in Appendix D to the report; and

g) the Chief Fire Officer, in consultation with the Chairman and Treasurer, has been authorised to make adjustments to the presentation of the budget to reflect the final Local Government Finance Settlement.

It has been formally recorded that Councillor Deane voted against the proposed budget.

2. DRAFT ANNUAL PLAN 2016-17

2.1 The Fire Authority has considered a report of the Chief Fire Officer which summarised outstanding actions required to complete the Draft Annual Plan 2015/16 for their approval and final completion by the publication date of 30 June 2016.

2.2 The Fire Authority has approved, subject to any final amendments, the Revenue Budget. The draft Annual Plan will be rolled forward for publication by 30 June 2016 and final approval is delegated to the Chief Fire Officer in consultation with the Chairman.

3. SENIOR MANAGEMENT RESTRUCTURE

3.1 The Fire Authority has considered a report of the Chief Fire Officer which advised Members on the outcome of the individual staff consultations and trade union feedback on the proposed Senior Management restructure.

3.2 Members noted the feedback and equality impact assessment action plan, which was to be monitored by the Scrutiny & Audit Panel.

4. PAY POLICY STATEMENT 2016-17

4.1 The Fire Authority considered a report of the Monitoring Officer that sought approval of the Fire Authority's Pay Policy statement for the period 1 April 2016 to 31 March 2017.

4.2 The Pay Policy Statement set out in Appendix 1 to the report was approved.

5. DATES OF FUTURE MEETINGS

5.1 Members noted the dates of future meetings.

26 May 2016	Scrutiny & Audit and Policy & Resources Panels
16 June 2016	Fire Authority
7 July 2016	Scrutiny & Audit and Policy & Resources Panels
8 September 2016	Fire Authority
15 September 2016	Scrutiny & Audit Panel
3 November 2016	Scrutiny & Audit and Policy & Resources Panels
8 December 2016	Fire Authority

All Fire Authority meetings to commence at 10:30 hours

All Panel meetings to commence at 10:00 hours

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

9 March 2016