

Meeting of  
East Sussex County Council  
on Tuesday, 10 July 2018  
at 10.00 am

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# EAST SUSSEX COUNTY COUNCIL

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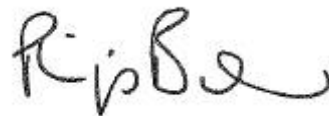
## To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held at Council Chamber - County Hall, Lewes, **on Tuesday, 10 July 2018 at 10.00 am** to transact the following business

- 1      **Minutes of the meeting held on 15 May 2018** (Pages 5 - 36)
- 2      **Apologies for absence**
- 3      **Chairman's business**
- 4      **Questions from members of the public**
- 5      **Petition** (Pages 37 - 38)
- 6      **Report of the Cabinet** (Pages 39 - 42)
- 7      **Report of the Governance Committee** (Pages 43 - 44)
- 8      **Report of the Lead Member for Transport and Environment** (Pages 45 - 50)
- 9      **Questions from County Councillors**
  - (a) Oral questions to Cabinet Members
  - (b) Written Questions of which notice has been given pursuant to Standing Order 44
- 10     **Report of the East Sussex Fire Authority** (Pages 51 - 56)

*Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by the Reverend Peter Clark, Padre to 249 (Hailsham) Squadron RAF Air Cadets. 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

2 July 2018

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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 15 MAY 2018 at 10.00 am**

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

#### **1 To elect a Chairman of the County Council**

*Councillor Ensor (Chairman of the County Council) in the Chair.*

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

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

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

*Councillor Pragnell in the Chair.*

1.3 The Chairman, Leader of the Council and Group Leaders paid tribute to the way in which Councillor Ensor had carried out his duties as Chairman of the County Council over the past two years, acting as an ambassador for the County, hosting and attending a number of engagements and ensuring that the work of the Council was recognised in communities within and outside East Sussex. The Chairman, Leader of the Council and Group Leaders also paid tribute to Mrs Sue Ensor for her role and support as consort. Councillor Ensor responded to the comments made. The Chairman presented Councillor Ensor with the past Chairman's badge and presented Sue Ensor with a consort's badge and bouquet of flowers.

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

#### **2 To appoint a Vice Chairman of the County Council**

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

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

2.2 There being no other nominations, the Chairman put the motion to the vote and declared Councillor Sheppard appointed as Vice Chairman of the County Council for the ensuing year. Councillor Sheppard made a declaration of acceptance of office and took his seat as Vice-Chairman.

### **3 Minutes of the meeting held on 27 March 2018**

3.1 RESOLVED – to confirm as a correct record the minutes of the County Council held on 27 March 2018 as a correct record.

### **4 Apologies for absence**

4.1 Apologies for absence were received from Councillor Daniel Shing.

### **5 Chairman's business**

#### **ELECTIONS**

5.1 On behalf of the Council the Chairman passed on congratulations to those in the Chamber who were elected in the recent Hastings Borough Council elections.

#### **WENDY MEREDITH**

5.2 On behalf of the Council the Chairman welcomed Wendy Meredith, the interim Director of Public Health to her first Council meeting.

#### **PRAYERS**

5.3 The Chairman thanked Councillor Ensor for leading the prayers before the meeting.

#### **PETITIONS**

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

Councillor Barnes	- calling on the County Council to provide a raft of safety measures to address traffic issues in Burwash
Councillor Martin Clarke	- calling on the County Council to introduce a 20mph speed limit at Stonestile Lane, Hastings.
Councillor Godfrey Daniel	- calling on the County Council to install double yellow lines around the entrance to The Coppice and The Spinney where they meet Forest Way, Hastings
Councillor Field	- calling on the County Council to install a pedestrian crossing on Battle Hill
Councillor Grover	- calling on the County Council to stop the cuts to Home Works
Councillor O’Keeffe	- calling on the County Council to address the drainage issues in Western Road, Lewes

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Councillor Standley

- calling on the County Council to save Wadhurst Household Waste Recycling Site

### 6 Declarations of Interest

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

Member	Position giving rise to interest	Agenda item	Whether interest was prejudicial
Councillor Taylor	Runs a care home in Eastbourne	Item 6	No

### 7 Petition

7.1 Stephen Lloyd (representative of the petitioners) addressed the County Council prior to the debate. The Council agreed to vary procedure to enable all councillors who wished to speak to do so.

7.2 The following motion was moved by Councillor Maynard and seconded:

*The County Council welcomes all views. The petition will be taken fully into account when Cabinet considers the outcome of the consultations and impact assessments on all the services affected on 26 June. This will ensure a fair and transparent approach to the difficult choices faced by the County Council*

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

*The County Council welcomes all views. The petition will be taken fully into account when Cabinet considers the outcome of the consultations and impact assessments on all the services affected on 26 June. This will ensure a fair and transparent approach to the difficult choices faced by the County Council. (insert) [The County Council requests the Cabinet to keep the homes open]*

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

#### FOR THE AMENDMENT

Councillors Charman, Charles Clark, Godfrey Daniel, Philip Daniel, Earl, Field, Grover, Lambert, O'Keeffe, Osborne, Rodohan, Scott, Stephen Shing, Shuttleworth, Swansborough, Tutt, Ungar, Wallis and Webb

#### AGAINST THE AMENDMENT

Barnes, Beaver, Belsey, Bennett, Bentley, Boorman, Bowdler, Martin Clarke, Davies, Chris Dowling, Claire Dowling, Elford, Elkin, Enever, Ensor, Fox, Galley, Glazier, Liddiard, Loe, Maynard, Pragnell, Sheppard, Simmons, Smith, Standley, Stogdon, Taylor, Tidy, and Whetstone.

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### ABSTENTIONS

None

- 7.5 A recorded vote was requested on the motion moved by Councillor Maynard as follows:  
*The County Council welcomes all views. The petition will be taken fully into account when Cabinet considers the outcome of the consultations and impact assessments on all the services affected on 26 June. This will ensure a fair and transparent approach to the difficult choices faced by the County Council*

The motion was CARRIED with the votes being cast as follows:

### FOR THE MOTION

Barnes, Beaver, Belsey, Bennett, Bentley, Boorman, Bowdler, Martin Clarke, Philip Daniel, Davies, Chris Dowling, Claire Dowling, Elford, Elkin, Enever, Ensor, Field, Fox, Galley, Glazier, Grover, Lambert, Liddiard, Loe, Maynard, Osborne, Pragnell, Rodohan, Sheppard, Stephen Shing, Shuttleworth, Simmons, Smith, Standley, Stogdon, Swansborough, Taylor, Tidy, Tutt, Ungar, Wallis and Whetstone.

### AGAINST THE MOTION

None

### ABSTENTIONS

Councillors Charman, Charles Clark, Godfrey Daniel, Earl, O'Keeffe, Scott and Webb

## 8 Reports

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

Report of the Leader - item 7

### NON-RESERVED PARAGRAPHS

- 8.2 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 as follows:

Governance Committee report paragraph 1 – Appointments to committees, panels and other bodies

Governance Committee report paragraph 2- Data protection Officer designation

Standards Committee report paragraph 1 – Annual report.

## 9 Record of Delegation of Executive Functions

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



## **10 Appointment to Committees and Sub Committees**

10.1 Councillor Bennett moved, and it was seconded, that appointments be made to the Committees and Sub-committees, listed in item 9 of the agenda, in accordance with the list of nominations from political groups which was circulated in the Council Chamber.

10.2 The motion was CARRIED.

## **11 Appointment of Members to other Committees and Panels**

11.1 Councillor Bennett moved, and it was seconded, that members be appointed to serve on the Committees and Panels listed in item 10 of the agenda, in accordance with the political balance provisions and the list of nominations from political groups which was circulated in the Council Chamber.

11.2 The motion was CARRIED.

## **12 Confirmation of the continuation of other bodies**

12.1 Councillor Bennett moved and it was seconded, that the bodies listed in agenda item 11 be continued, that the political balance provisions shall not apply to these Panels and that members be appointed by the Chief Executive as the need arises.

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

## **13 Appointment to the Discretionary Transport Appeal Panel**

13.1 Councillor Bennett moved, and it was seconded, that the political balance provisions would not apply to the membership of the Discretionary Transport Appeal Panel and that members be appointed to the Panel in accordance with the list of nominations from political groups which was circulated in the Council Chamber.

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

## **14 Appointment of Chairs and Vice Chairs**

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

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

<b>Committee</b>	<b>Chair</b>	<b>Vice-Chair</b>
Regulatory	<b>Stogdon</b>	
Audit Committee	<b>Swansborough</b>	<b>Fox</b>
People Scrutiny Committee	<b>Davies</b>	<b>Field</b>
Place Scrutiny Committee	<b>Stogdon</b>	<b>Godfrey Daniel</b>
Health Overview and Scrutiny Committee	<b>Belsey</b>	<b>Bowdler</b>
Governance Committee	<b>Glazier</b>	
Planning Committee	<b>Claire Dowling</b>	<b>Taylor</b>

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Pension Committee	Stogdon	
Standards Committee	Stogdon	

### 15 Questions from members of the public

15.1 Copies of the questions asked by Patricia Patterson-Vanegas from Forest Row, Fran Witt from Lewes, Gabriel Carlyle from St Leonards on Sea, Marie White from the Stroke Association, Roger Ross from Rodmell, Carol Boydell from the Stroke Association, Hahar Choudhury from Southdown, Lewes, Barry Horsnell from Bexhill, Andrew Price from Newhaven, James Hamilton-Andrews from Wealden, Marcus Maclaine from East Hoathly, Hugh Dunkerley from Brighton, Ariane Hadjilias from Lewes and Arnold Simanowitz from Lewes and the answers from Councillor Stogdon (Chair of the Pension Committee) and Councillor Maynard (Lead Member for Adult Social Care and Health) are attached to these minutes. Supplementary questions were asked and responded to.

### 16 Cabinet's priorities for the forthcoming year

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

### 17 Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Grover	Councillor Simmons	Number of County Council planning applications for the Newhaven area
Councillor Osborne	Councillor Glazier	Examples of consultation on proposed cuts that has resulted in decisions not to cut services
Councillor Field	Councillor Standley	Lobbying of Government for additional funding for East Sussex schools as the County would not benefit from the funding announced for grammar schools
Councillor Webb	Councillor Standley	Strike action by members of the NASUWT
Councillor Loe	Councillor Standley	Exams being taken by students in coming weeks
Councillor Webb	Councillor Maynard	Proposed cuts to the Isabel Blackman Centre, Hastings
Councillor Lambert	Councillor Bennett	Cutting of roadside verges
Councillor Philip Daniel	Councillor Glazier	Representations to ensure that Lewes and surrounding stations are kept open on 5 November after 5.00 pm

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Questioner	Respondent	Subject
Councillor Stephen Shing	Councillor Bennett	The cost of highway licences
Councillor Godfrey Daniel	Councillor Glazier	Press release from Transport for the South East regarding its economic appraisal
Councillor Scott	Councillor Bennett	Use of the additional Government funding for highway repairs
Councillor Tutt	Councillor Bennett	Response to store manager of large retailer regarding works planned for Lismore Road, Eastbourne
Councillor Stephen Shing	Councillor Bennett	Update regarding the Countryside Access Strategy

### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

17.2 Thirteen written questions were received from Councillors Enever, Lambert (2), Stephen Shing (2), Shuttleworth (5) and Ungar (3) for the Lead Member for Adult Social Care and Health (2), the Lead Member for Education and Inclusion, Special Educational Needs and Disability (7), the Lead Member for Strategic Management and Economic Development and the Lead Member for Transport and Environment (3). The questions and answers are attached to these minutes.

17.3 The Lead Members responded to supplementary questions

### 18 Notice of Motion

18.1 The following motion was moved by Councillor Osborne and seconded:

*To reflect ESCC's commitment to inclusion and gender equality it shall use the term Chair and Vice-Chair of the Council when referring to the Chairman or Vice Chairman.*

18.2 The following amendment was moved by Councillor Davies and seconded:

*To reflect ESCC's commitment to inclusion and gender equality (delete) [it shall use the term Chair and Vice-Chair of the Council when referring to the Chairman or Vice Chairman.] (insert) [the Council agrees to modify its Constitution so that the incumbent Chairman and Vice Chairman of the County Council will determine the terms by which they wish to be addressed for their term of office].*

18.3 A recorded vote on the amendment was requested and taken. The amendment was CARRIED, the votes being cast as follows:

#### FOR THE AMENDMENT

Councillors Barnes, Beaver, Belsey, Bennett, Bentley, Boorman, Bowdler, Charles Clark, Martin Clarke, Davies, Chris Dowling, Claire Dowling, Earl, Elford, Elkin, Enever, Ensor, Fox, Galley, Glazier, Liddiard, Loe, Maynard, Pragnell, Sheppard, Simmons, Smith, Standley, Stogdon, Taylor, Tidy, and Whetstone.

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### AGAINST THE AMENDMENT

Councillors Philip Daniel, Field, Grover, Osborne, Shuttleworth, Swansborough, Tutt, Ungar and Webb

### ABSTENTIONS

Councillor Stephen Shing

18.4 The following motion was moved by Councillor Davies and CARRIED:

*To reflect ESCC's commitment to inclusion and gender equality the Council agrees to modify its Constitution so that the incumbent Chairman and Vice Chairman of the County Council will determine the terms by which they wish to be addressed for their term of office.*

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 2.53 pm

The reports referred to are included in the minute book

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### Delegations approved by the Leader of the Council – 15 May 2018

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

The Cabinet comprises the following members

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

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

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

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

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

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Education and Inclusion, Special Educational Needs and Disability	<ul style="list-style-type: none"><li>Any executive function including strategy and policy for all Children's Services (education) matters</li><li>Principal service area responsibilities:<ul style="list-style-type: none"><li>Quality and standards in educational establishments</li><li>Special educational needs</li><li>School admissions and transport</li><li>Early years and childcare</li><li>School organisation and place planning</li><li>Skills (shared with Economy)</li><li>all ancillary activities</li></ul></li></ul>
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(c) *appointment to the position of Deputy Leader*

Councillor Elkin to be appointed Deputy Leader of the County Council

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

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

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

There is no delegation of executive functions to local committees

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

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

[Constitution - Delegations to Officers](#)

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

### Urgent Executive Decisions

There were no executive decisions taken during 2017/18 where the making of the decision was agreed in accordance with Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

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Councillor Keith Glazier  
Leader of the Council



## QUESTION FROM MEMBERS OF THE PUBLIC

### **1. Question from Patricia Patterson-Vanegas, Forest Row, East Sussex**

In answer to questions from members of the public, Cllr Stogdon (in his role as chair of the Pension Committee) has repeatedly pointed to shareholder resolutions at oil company AGMs as evidence of successful engagement with fossil fuel companies. What climate shareholder resolutions is the East Sussex Pension Fund supporting this year, either directly or through bodies such as the Local Authority Pension Fund Forum?

#### **Response by the Chair of the Pension Committee**

The East Sussex Pension Fund (ESPF) uses the Local Authority Pension Fund Forum to engage directly with fossil fuel companies along with its Investment Managers. The ESPF wishes with fossil fuel companies to achieve a positive response, without the requirement for shareholder resolutions. Where this is not forthcoming the ESPF with the advice of LAPFF will support shareholder resolutions

### **2. Question from Fran Witt, Lewes, East Sussex**

Responding on behalf of the Pension Committee, Cllr Fox has stated that 'The Fund believes that it is important that the global economy manages decline of existing production in line with what is necessary to achieve the Paris climate goals.'

Does the Pension Fund accept that a Paris-compliant strategy for a fossil fuel company would require that company to commit to: (a) no new fossil fuel capital expenditure by end 2019; (b) a managed decline in production; and (c) to reduce its overall GHG footprint (scopes 1,2 and 3) to zero by 2050, with compatible interim milestones for 2025, 2030 and 2040?

#### **Response by the Chair of the Pension Committee**

The Pension Committee recognises the issue of stranded assets and continued fossil fuel extraction as a collective investment risk for all asset owners and as an engagement and policy priority. The Committee, in line with LAPFF considers there is an economic and financial justification for moving away from investment in coal, oil and gas, and promotes a managed decline. For oil and gas companies, the focus should be on value at risk, particularly from high cost projects and returning capital to investors where appropriate. For companies with coal operations, no new resources should be exploited. The Forum also considers that in positioning themselves for the required low carbon future, companies should disclose a transition plan.

In 2018, LAPFF attendance at resource company AGMs has focussed questions on 'science-based targets'. These are targets adopted by companies to reduce carbon emissions in line with the level of decarbonisation required to keep global temperature increase below 2°C.

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

In April 2018 the UK Sustainable Investment and Finance Association published a report 'Not Long Now', detailing the responses to their survey of 30 fund managers

operating in the UK, collectively representing organisations with over £13 trillion under management (Not long now: Survey of fund managers' responses to climate-related risks facing fossil fuel companies, <http://uksif.org/wp-content/uploads/2018/04/UPDATED-UKSIF-Not-Long-Now-Survey-report-2018-ilovepdf-compressed.pdf>)

90% of the fund managers surveyed expected at least one of the following risks to significantly impact the valuation of International Oil Companies (IOCs) within the next 2 years: regulation risk, litigation risk, transition risk, reputation risk, peak demand for oil occurring or becoming widely forecast, peak demand for gas occurring or becoming widely forecast.

The report's authors note that 'perceptions of these risks have increased dramatically in the last twelve months' with 'a doubling of investors that see transition risk significantly impacting IOCs in 5 years.'

They conclude that: 'The fund management sector recognises the imminent risks posed to fossil fuel investments from climate change and the transition toward a zero-carbon economy' but that 'this is not reflected in most investment products offered by the firms especially to passive and retail investors which are still in the main based on benchmarks that are heavily tilted towards fossil fuels.' They also note that 'There is also inconsistency in the engagement approaches adopted by firms to manage this risk. Their understanding of the timeframe for risks affecting valuations of companies is not integrated into their plans for engaging with companies or making decisions about whether specific companies are likely to offer good investments in the transition towards a zero- carbon economy.'

What is the Pension Committee's response to these findings?

### **Response by the Chair of the Pension Committee**

The Committee understands that the underlying benchmark they set their investment managers will drive the behavior of the managers and the investment risks they will take. The Committee also recognises that for its passive mandates the manager will only buy the stocks within the benchmark they are tracking. The Committee is aware that to ensure it is investing in the way that meets the needs of the Fund it needs to ensure it provides suitable benchmarks for each investment mandate. Therefore, the choice of benchmark index by the Committee is very important and will continue to explore the potential for using low carbon indices.

### **4. Question from Marie White, Stroke Association, East Sussex**

What plans does the Council have to ensure that the proposed removal of funding for Stroke Association services does not lead to higher additional costs to social care than the savings generated by the proposal?

### **Response by the Lead Member for Adult Social Care and Health**

We are currently consulting on the County Council's Adult Social Care budget proposals with the outcome of this work being reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to understand the effect of the potential reduction of funding for the Stroke Association, and what actions might be taken to

mitigate this, including the provision of alternative support to all those currently assisted by the service. The Cabinet report will address the issue of the risk to Adult Social Care of additional costs arising from the proposal.

#### **5. Question from Roger Ross, Rodmell, East Sussex**

Last year the Local Authority Pension Fund Forum provided LAPFF members with a Climate Change Investment Policy Framework with the aim of helping to 'guide their policy approach to current and future investment risks and opportunities that result from the impacts of climate change' and provide 'LAPFF's current view of suggested best practice guidance' ([http://www.lapfforum.org/wp-content/uploads/2017/11/Climate\\_Change\\_Investment\\_Policy\\_Framework.pdf](http://www.lapfforum.org/wp-content/uploads/2017/11/Climate_Change_Investment_Policy_Framework.pdf)).

One paragraph from this Framework – which, LAPFF recommends that its member funds adopt - reads: 'We will review a variety of research and analytical materials to encourage the use of scenario analysis which provides estimations of relative performances of asset classes and sectors under different scenarios. When we have found scenario analysis that we consider robust and meaningful, we will request such research be utilised where possible in our Asset Allocation decisions and encourage our investment advisers to do likewise.'

Does the ESPF accept this best practice guidance from LAPFF? And what scenarios have the East Sussex Pension Fund and its investment managers and consultants considered to date when assessing the climate risk of the Fund?

#### **Response by the Chair of the Pension Committee**

The Pension Committee will consider any scenario analysis that they consider robust and meaningful. The Pension Committee recently requested a carbon footprint of the Fund and is considering how best to utilize this information.

#### **6. Question from Carol Boydell, Stroke Association Volunteer, East Sussex**

As a stroke survivor, I would like to know what work is the Council undertaking with partners and other strategic stakeholders to ensure its decision to withdraw funding Stroke Association services in East Sussex meets the Council's aims of:

- Driving economic growth
- Keeping vulnerable people safe
- Helping people help themselves
- Making best use of resources

as defined by the Council Plan?

#### **Response by the Lead Member for Adult Social Care and Health**

Our four priority outcomes continue to direct both our activity and budget decisions. As the fourth priority explains we will continue to do the very best we can to support those that need our help by making the best use of the resources available. The hard truth is that we must set a balanced budget and with rising demand and falling funding we do not have enough resource to continue with all our current work. We therefore are having to look at all the services we provide or commission from others and understand which are the most effective at helping us achieve our priority outcomes.

To assist us in this task we have undertaken extensive consultation on a range of proposals to change or reduce the services we offer, including those for Adult Social Care. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding for the Stroke Association is understood together with what mitigating actions might be taken, including the provision of alternative support to all those currently assisted by the service. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Councils aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit.

**7. Question from Nahar Choudhury, Southdown, Lewes, East Sussex**

In response to the consultation about the proposed 50% cut to the Home Works budget there have been over a 1000 responses made to the Council in defence of the service requesting that no cut be made and explaining the devastating impact this would have on local people in crisis and the impact on the public services in turn that would need to pick up the pieces. Can you confirm that this is a genuine consultation where clients and community views will be listened to and can potentially change the proposed cut to the Home Work Service?

**Response by the Lead Member for Adult Social Care and Health**

The County Council is undertaking a genuine consultation. All the responses will be considered by Cabinet on 26 June before decisions are made about the Adult Social Care budget proposals, including the potential reduction in funding to Home Works. It is important to stress that the County Council is fully committed to supporting and protecting vulnerable people and delivering the very best possible services as far as it is able. It is, however, unavoidable that tough choices will be required as we have to manage falling funding and rising demand for services. We are therefore looking at all the services we provide and working out how to deploy the resources we have available to best meet East Sussex residents' needs.

**8. Question from Barry Horsnell, Bexhill, East Sussex**

The Sussex Police and Crime Commissioner herself has said that homelessness is a complex issue, that involves partner organisations working together. How can the community as a whole ever hope to realistically tackle homelessness, in light of the proposed 50% cuts to Home Works, which has so concerned many Eastbourne residents?

**Response by the Lead Member for Adult Social Care and Health**

The County Council is committed to working with all its partner organisations to provide the best possible response to the significant challenges of homelessness across East Sussex. This work includes close working with the Police and the boroughs and districts who are the housing authorities.

The whole public sector is faced with tough choices as demands rise and resources reduce. After several years of budget reductions the County Council has to make a

further £17m of savings in 2018/19. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Council's aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit. To assist us in making these choices we have undertaken extensive consultation, including on the Adult Social Care budget proposals. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding and what mitigation actions might be taken, can be taken into account. We will remain committed to strong partnership working to tackle homelessness using the resources we have available.

#### **9. Question from Andrew Price, Newhaven, East Sussex**

Why does such a large cut have to be taken out of the adult social care budget?

#### **Response by the Lead Member for Adult Social Care and Health**

The County Council's activity and financial planning is driven by its four priority outcomes

- Driving economic growth
- Keeping vulnerable people safe
- Helping people help themselves
- Making best use of resources

The decisions Members take about spending and savings plans are taken within the context of falling resources. The amount of funding the Government provided to the Council this year for services fell by 10% and the demand for our services has risen. Demand has also grown because of increases in the populations we serve. For this reason the Council has to reduce its spending by £17m this year.

We will continue to do the very best we can to support those that need our help with the resources we have and allocate resources in accordingly. Between 2014/15 and 2017/18 the resources available to Adult Social Care rose by 6.45%, more than any other service area. We do not however have enough resource to continue with all our current work and therefore we are having to look at all the services we provide and understand which are the most effective at helping us achieve our priorities. We do this across the council, as One Council, but as the Adult Social Care budget is the largest within the County Council, it is inevitably subject to significant savings. In making the tough choices required, the County Council gives full consideration to the pressures our services face, including in demands for support from the rising numbers of older people and inflation within care services. The scale of the financial challenge means that there are very significant savings required from all the Council's departments. These are described in detail in the Cabinet reports throughout the year, available on our website.

#### **10. Question from James Hamilton-Andrews, Wealden, East Sussex**

Are the council aware that Home Works provide a unique and multi-disciplinary approach to supporting vulnerable people, and how do they propose to plug this gap, if the 50% cuts go ahead?

### **Response by the Lead Member for Adult Social Care and Health**

The County Council understands the important role of Home Works in supporting vulnerable people. After many years of budget reductions the County Council has to make a further £17m of savings in 2018/19. The County Council therefore has to consider how it uses its resources to achieve its four priority outcomes which include keeping vulnerable people safe and helping people help themselves. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Council's aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit. To assist us in making these choices we have undertaken extensive consultation, including on the Adult Social Care budget proposals. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding and what mitigation actions might be taken, can be fully taken into account.

### **11. Question from Marcus MacLaine, West Hoathly, East Sussex**

The fact that the majority of landlords do not accept Universal Credit and ask for huge deposits/guarantor's, plus the high amounts of people in temporary accommodation, means that Home Works play a vital role in housing people and maintaining tenancies. How do you propose to deal with the added pressure on other services that the 50% of cuts to Home Works will cause?

### **Response by the Lead Member for Adult Social Care and Health**

The County Council understands the impact that welfare reform including the roll out of Universal Credit is having and the important role of Home Works in supporting vulnerable people. After several years of budget reductions the County Council has to make a further £17m of savings in 2018/19. The County Council therefore has to consider how it uses its resources to achieve its four priority outcomes which include keeping vulnerable people safe and helping people help themselves. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Council's aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit. To assist us in making these choices we have undertaken extensive consultation on the Adult Social Care budget proposals, including the potential reduction to Home Works funding. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding and what mitigation actions might be taken, can be fully taken into account. The Cabinet report will address the issue of the risk of additional pressures on other services.

### **12. Question from Hugh Dunkerley, Brighton**

In March 2018, in answer to a written question from a member of the public, Cllr Fox stated that the Pension Committee 'has made the decision to have a significant proportion of its passively managed assets to be invested in the UBS Climate Aware fund.'

Can the Pension Committee confirm: (a) what proportion of their passive equity

investments they plan to have invested in the UBS Climate Aware fund and by when; and (b) give its best estimate as to the proportion of the Fund's equity investments that will then be invested in the oil & gas industries once this shift has been completed?

**Response by the Chair of the Pension Committee**

The Pension Committee has committed to putting 11% of the Funds held in their passive investment portfolio into the UBS Climate Aware Fund.

It is anticipated that the investment in the Climate aware fund will reduce the CO<sub>2</sub> emissions of Pension Fund with the portfolio companies contracting at an annual rate of 2.4%, compared to a rate of decline of 0.3% in the benchmark index.

**13. Question from Ariane Hadjilias, Lewes, East Sussex**

How many, if any, of the oil and gas companies in which the East Sussex Pension Fund is invested currently use a <2 degree Celsius trajectory as their central planning scenario?

**Response by the Chair of the Pension Committee**

Companies tend to use a range of scenarios, for example BP has an 'even faster transition' scenario, which follows the IEA 'sustainable development' scenario, with emissions falling by 50% by 2040.

Shell has a net carbon footprint ambition covering not just operational emissions but scopes 2 and 3, i.e. from the use of Shell products. The aim is to cut emissions by 20% by 2035 and by half by 2050. The CEO has stated implementation will be done 'in step with society's drive to align with the Paris goals'.

LAPFF's involvement in collaborative engagement in 2018 has a strong focus on companies supporting the Taskforce on Climate-related Financial Disclosure. One of the Task Force's key recommended disclosures focuses on the resilience of an organisation's strategy, taking into account consideration of different climate-related scenarios, including a 2° Celsius or lower scenario.

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

BP currently has a 19.75% equity interest in the oil company Rosneft, which Carbon Tracker lists as having the third highest unnecessary capital expenditure under the International Energy Agency's 450 scenario, with over \$69 billion committed to projects with break-even prices of over \$80 per barrel (<https://shareaction.org/wp-content/uploads/2017/10/InvestorReport-AimingForA-BP.pdf>).

In Councillor Stogdon's written answer to a question that I submitted to the 21 March 2017 Full Council meeting he noted that, as regards oil and gas companies, 'an important engagement focus [for the East Sussex Pension Fund] is the restriction of capital expenditure on high cost resource extraction'.

What actions have the Pension Committee and its fund managers taken to try and restrict BP's expenditure on the financially and environmentally reckless projects identified by Carbon Tracker? And, if no information is currently available beyond an

assurance 'that all these stocks .... are being specifically looked at', on what date will such information become available?

### **Response by the Chair of the Pension Committee**

The East Sussex Pension Fund, through LAPFF continues to engage with BP as part of a new collaborative initiative called Climate Action 100. Broad objectives of this engagement include, as indicated previously, alignment with the resilience of an organisation's strategy, including a 2° Celsius or lower scenario. Climate 100 is powerful voice, comprising 279 investors with nearly USD \$30 trillion in assets under management.

The LAPFF Annual Reports contain details of all the engagement activities that they undertake on behalf of members. These can be found along with more detailed reports on their activities on their website <http://www.lapfforum.org>.



**WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44**

**1. Question by Councillor Ungar to the Lead Member for Adult Social Care and Health**

The County Council contracts Community Pharmacies to provide certain services under its public health remit. It is a small part of the income of a pharmacy but the services are important.

Currently they have been providing Smoking Cessation, Chlamydia testing, condom distribution to young people, supervised consumption of medicines by those in drug misuse treatment programmes and emergency contraception. They are all done on an annual contract and SLA for each financial year. The old ones expired at 31 March and the new ones, as of 21 April, have still not been issued. I understand Pharmacies have continued providing services in April in anticipation that the contracts will be issued and will be at least similar, but I have been told there is a growing sense of unease that the delay may be caused by an intention to reduce the scope of the services or the payments made (which are already arguably less than the cost of delivering the services in some cases).

- a) Have any Community Pharmacies stopped providing the aforementioned services because the new contracts have not been issued?
- b) What is the explanation as to why the Contracts have not been issued or are being issued late?
- c) If not yet issued will the contracts be issued, and if so by what date?
- d) Will there be a reduction in the scope of the services and/or the payments made to provide these services?
- e) If there is to be a reduction in Community Pharmacy services, as currently provided under last year's contract, what services will be affected? If there is to be a reduction in the funding of these services by the County Council what services will be affected?
- f) Will the County Council pay Community Pharmacies for the services that they have provided so far this year (from the end of the last contract) under the terms of the old contract?

**Answer by the Lead Member for Adult Social Care and Health**

Smoking Cessation, Chlamydia testing, condom distribution to young people, supervised consumption of medicines by those in drug misuse treatment programmes and Emergency Hormonal Contraception are all services that fall under the Public Health Local Service Agreements (PHLSAs). We greatly value the services that Community Pharmacies deliver as part of the Public Health remit.

Usually the contracts for these services run from April of each year until March the following year. Pharmacies were notified in March that there would be a delay in issuing the new contracts.

## MINUTES

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- a) We advised Pharmacies on 27 March that we would roll forward our current (2017/18) PHLSA contracts. We advised that Pharmacies could continue to provide services and claim in the usual way or to notify us if they wished to cease delivery of a service. We have not received any notifications of an intention to cease delivery of a PHLSA.
- b) The delay in issuing the PHLSAs resulted from the additional work required to ensure compliance with best practice guidance, particularly the implications of General Data Protection Regulations (GDPR), due to come into force on 25 May 2018, on our PHLSA contracts and approach.
- c) An e-mail was sent to pharmacies on 4 May advising of the new contract sign up arrangements. Pharmacies have been asked to respond by 15 June in order to claim for services from 1 July 2018 to 31 March 2019. Pharmacies will continue to be paid for claims against 2017/18 PHLSAs until the end of June. Claims from 1 July will only be paid to pharmacies where sign up is in place for 2018/19.
- d) An additional clause was added to the overarching contract to cover the new requirements of GDPR. Other than some wording amendments to improve clarity no changes have been made to the existing contracts. A new addendum to the Smoking Cessation service has been introduced which allows pharmacists to dispense Varencline (trade name Chantix and Champix). This is a prescription medication used to treat nicotine addiction. It both reduces cravings for and decreases the pleasurable effects of cigarettes and other tobacco products. This addition will make it easier for pharmacies to provide stop smoking services by enabling direct supply of this prescription only medicine, rather than referring to a patients' GP.
- e) No reduction is planned to community pharmacy services, with expansion being planned. For example, in commissioning our Integrated Lifestyle Service (ILS) we included an enhanced role for this specialist provider to support community pharmacies to deliver PHLSAs, including helping to increase the number of pharmacies providing key services, such as smoking cessation. We also agreed that our ILS provider could sub-contract provision of some NHS Health Checks to community pharmacies to increase reach to people most at risk of health inequalities.

In addition, work to implement the Healthy Living Pharmacy (HLP) programme is well underway. The HLP is a tiered framework aimed at achieving consistent delivery of a broad range of health improvement interventions through community pharmacies to improve the health and wellbeing of the local population and help to reduce health inequalities. In East Sussex, the programme is being developed in partnership by Public Health and local CCGs. Our Quarter 4 monitoring cites the success of the HLP programme. In 2017/18, 104 of the 108 (96%) community pharmacies were successfully accredited as HLP Level 1, one of the highest rates nationally.

The Portfolio Plan 2018/19 sets out an intention to roll out HLP Level 2 to support pharmacies in priority areas to deliver an enhanced health improvement offer. During 2018/19 we also intend to work with our service providers to review our PHLSA services to ensure that PHLSAs continue to support pharmacies and GPs to offer high quality interventions which meet the needs of local people.

- f) All pharmacies are paid monthly following an activity return. This will continue without interruption.

**2. Question by Councillor Ungar to the Lead Member for Adult Social Care and Health**

It is reported that NHS England wants CCGs to make £855 million of savings on Continuing Health Care projected budgets by 2021. It is further reported that in 2015-16, the number of people that received, or were assessed as eligible for, funding ranged from 28 to 356 people per 50,000 population.

During the last 4 years:

- In East Sussex how many people per 50,000 received, or were assessed as eligible for Continuing Health Care?
- How many people who were receiving Continuing Health Care later had their Continuing Health Care funding cancelled?
- Of these how many then became the responsibility of the County Council to Fund their care and at what cost?
- How many later had their continuing Health Care reinstated?

**Answer by the Lead Member for Adult Social Care and Health**

Continuing Health Care is an NHS responsibility and the County Council does not hold data on how many people in East Sussex per 50,000 received, or were assessed as eligible for Continuing Health Care. The Clinical Commissioning Groups in East Sussex have been asked to provide this information and will respond directly to Councillor Ungar. The response will also include data on how many people have seen their Continuing Health Care funding withdrawn and later re-instated.

The figures below show the number of people reviewed as no longer eligible for Continuing Health Care who were then referred to the County Council:

- 2014/2015: 46
- 2015/2016: 24
- 2016/2017: 41
- 2017/2018: 64

The current known estimated cost to the County Council is an annual £3.5m. This will however be subject to change as reviews of care and procurement arrangements may reduce this cost. Any successful appeals against the decision to withdraw Continuing Health Care funding would also see County Council costs reimbursed by the NHS.

**3. Question by Councillor Shuttleworth to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

What consultation took place with East Sussex Council group Leaders prior to the launch of Music Service consultation?

**Answer by the Lead Member for Education and Inclusion, Special Educational Needs**

All councillors were notified of the agenda for the Lead Member meeting in the normal way. The decision to consult on the closure of the instrumental service was made at the Lead Member meeting and the consultation will be published in June.

**4. Question by Councillor Shuttleworth to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

What consultation took place with senior managers in the Music Service prior to the launch of consultation? What issues and concerns were raised by Managers in the Music Service and how have these been addressed?

**Answer by the Lead Member for Education and Inclusion, Special Educational Needs**

The Head of Service was involved in discussions about options for how to make the required savings and once a way forward was identified worked with HR colleagues on the detail of the proposals. In the 2 years prior to launch, discussions took place with all members of the Music Service Senior Leadership Team (SLT) about different options for reducing the cost of the teaching workforce. The Head of Service worked on the detail of some options with HR and the SLT were updated on progress and the outcome of this work. The Senior Manager and Head of Service undertook some work looking at the different management functions required to effectively run the service, and what structures might deliver these more cost effectively. Discussion of specific structure options took place between the Head of Service, HR and the Assistant Director. It is normal practice for the relevant Head of Service and Assistant Director to draw up proposals for restructuring a service and it would not be normal for managers or staff potentially affected to be involved in the detail of this. The following issues and concerns about the structure that was proposed in the consultation document were raised:

- the removal of a teaching commitment from the Joint Area Manager role and the moving of the role from the school teachers' leadership scale to the Soulbury pay scale
- the number of staff that Joint Area Managers would be line managing
- whether there would be an impact on safeguarding at Area Music Centres
- the retention of the 1.5FTE senior management roles in favour of a flatter management structure and that the 2 senior manager positions had both originally been interim appointments
- the support for schools by the Curriculum Development Manager would be lost if the role was deleted
- the loss of the role of Curriculum Leader role and the support they provide to hourly-paid teaching staff and induction of new staff
- the loss of experienced members of the management team

Some members of the management team and a group of teaching staff put forward several alternative structures for consideration.

The issues and concerns were addressed in the following ways:

- several meetings were held with the SLT, the Curriculum Leaders and staff to discuss issues raised and answer questions
- a Frequently Asked Questions document was produced at the mid-point and end of the consultation process providing written responses to questions and issues raised
- changes were made to the proposals: a small teaching commitment was added to the Area Manager role and it was retained on the leadership scale; the Curriculum Leader roles were retained
- feedback was sought from a Joint Area Manager already in post and his staff

regarding the impact of managing 2 staff teams; feedback was positive

- advice was sought from the Assistant Director of Early Help and Social Care who confirmed that safeguarding arrangements at Area Music Centres were appropriate
- HR confirmed an appropriate process had taken place to confirm the senior managers in their posts in the previous restructure
- the alternative structures were considered and detailed responses were provided as to why the structures were not considered to be as robust and / or cost effective as the proposed structure
- the AD looked in detail at the functions of the 2 senior manager roles and provided an explanation as to why they were required
- it was explained how the new structure provides for support to schools to be delivered in a different way
- it was acknowledged that there would be loss of experience within the management team with the proposal, but this would be the case with the alternatives put forward by staff

### **5. Question by Councillor Shuttleworth to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

What investigations have taken place to learn from best practice from other Councils to inform our approach to the long term sustainability of the Music Service ?

### **Answer by the Lead Member for Education and Inclusion, Special Educational Needs**

- i) A group of music, culture and education experts, including the Head of Hampshire Music Service was brought together to undertake a service delivery model option analysis and develop a music education resilience strategy
- ii) advice has been sought from other Heads of Service around the country and in particular the Heads of Service in the Southern Alliance of Music Services
- iii) research of documents outlining different models for Music Services
- iv) regular discussions with the Arts Council relationship manager
- v) detailed exploration with a neighbouring music service regarding a merger option
- vi) HR discussions with HR colleagues from other LAs about grading and salary structures for music service staff

### **6. Question by Councillor Shuttleworth to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

Why did the Council seek to remove Upper Pay Rate payments from staff knowing that it would face a challenge to the legality of such a move?

### **Answer by the Lead Member for Education and Inclusion, Special Educational Needs**

We were aware that it was likely it would be challenged by Trades Unions, however, it was considered to be the most equitable option for reducing the cost of the teaching workforce , legal advice indicated it would be possible and we wanted to avoid the option of closing the instrumental teaching service if possible

**7. Question by Councillor Shuttleworth to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

The Department for Education have announced that it expects all arts organisations to promote the Governments social mobility agenda. How is taking away opportunities for low income families to access Music opportunities going to support this policy?

**Answer by the Lead Member for Education and Inclusion, Special Educational Needs**

The Music Service has successfully negotiated with the majority of schools in the county that they utilise pupil premium funding to support access to music lessons for FSM pupils, with the Music Service providing a top up. If the instrumental service closed, the intention would be that schools would continue to welcome other providers or private teachers to deliver instrumental lessons in their schools and would continue to provide funding towards lesson fees for FSM pupils. The Music Service as lead organisation of the Hub would use some of the surplus that would be released from closure to provide a bursary scheme to provide additional assistance. The Music Service would still operate a fee remission scheme for its remaining activities such as membership of Area Music Centres and participation in summer schools. The surplus released by closure of the instrumental teaching service could also be used to provide targeted music opportunities for children and young people in challenging circumstances.

**8. Question by Councillor Enever to the Lead Member for Transport and Environment**

At recent events in Peacehaven, including the Lower Hodder Farm planning application meeting and consultations on the Neighbourhood Plan, many members of the public have expressed scepticism that congestion on the A259 can be solved by the provision of more bikes and buses. Does the Highway Authority have a vision for the future of this section of the A259, which might include putting pressure on Brighton & Hove City Council to improve the Rottingdean junction and/or the construction of a relief road, as suggested by our MP Lloyd Russell-Moyle?

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

The introduction of any kind of relief road north of the A259 or a new link to the A27, which has been suggested by Lloyd Russell Moyle MP and others, would be very challenging to deliver as both would cross the protected landscape of the South Downs National Park to the north of Peacehaven and Newhaven. Therefore, this is not a practical solution – both in terms of deliverability or affordability - to addressing congestion on the A259.

Accordingly, in the context of the A259 our approach is to manage and improve the efficiency and effectiveness of the existing network as well as improving travel choices to meet existing and future travel needs arising from planned housing and employment growth in the area. The introduction of the bus lanes in 2008, with the corresponding improved frequency and quality of bus services along the corridor and significant increase in patronage on these services, forms part of that overall approach to meet existing and future demand.

The Lewes District Local Plan sets out the plans for proposed housing and its distribution within the district. The transport interventions required to support the proposed level of housing development in Lewes District, in particular in Newhaven and Peacehaven, were identified through a series of strategic transport studies undertaken by the County Council, Lewes District Council and the South Downs National Park. These tested the transport impacts of development on the local road network and influenced the levels of housing growth in Newhaven, Peacehaven and Telscombe as set out in the Local Plan Core Strategy.

A key influence on the amount of growth that can come forward is the ability of the local road network to accommodate the additional transport demands and the ability to mitigate this. The transport studies identified that the proposed development for the Newhaven and Peacehaven area was contingent on a package of transport measures including capacity improvements to the Newhaven Ring Road and the junctions of the A259 with Sutton Avenue and Telscombe Cliffs Way being delivered to increase capacity of the network.

In addition, the outcomes of the transport studies identified that a robust and co-ordinated package of enhanced bus services along the A259 and serving the residential areas in Peacehaven and Newhaven as well as improvements for pedestrians and cyclists was also required to relieve traffic congestion and support the housing growth in the area.

Over the last five years we have taken forward the outcomes of the strategic transport studies and funded a package of local transport measures which improve travel choices for journeys along the A259 to mitigate the impact of planned development in Newhaven and Peacehaven and help address the air quality issues in Newhaven. This has included:

- improvements for pedestrians and cyclists with a footway/cycleway along the A259 on the northern side of the road as well as providing improvements for cyclists at Bishopstone and along Seaford seafront which means there is a continuous route between Newhaven and Seaford;
- improved bus stop facilities including the upgrading and extending of the real time passenger information system (RTPI) on the corridor; and
- improving the interchange for buses and taxis at Newhaven Town Station;
- revenue based initiatives which encouraged travel behavioural change and promote sustainable transport funded using monies secured from the Government's Local Sustainable Transport Fund as well as the Active Access Fund; and
- Incentives within travel plans for developments in the area which encourage public transport incentives (for example free bus tickets for new residents).

To further support the delivery of the package of transport interventions identified in the strategic transport studies, we have allocated funding within our County Council Capital Programme for Local Transport Improvements from 2018/19 towards:

- the design and delivery of the improvements to the Newhaven Ring Road;

- the design and delivery of the further improvements for pedestrian, cyclists and public transport users on the A259 west of Newhaven; and
- continuing the design process for cycle improvements in Newhaven.

We will continue to develop, design and deliver local transport improvements on the A259 in accordance with the outcomes of the strategic transport studies and, subject to their availability, will seek to fund either using development contributions (s106 or Community Infrastructure Levy), monies secured through external funding bids to Government or the Local Enterprise Partnerships, or the County Council's funding allocation for local transport improvements.

In addition, following a bid from the developer of the Lower Hoddern Farm development in Peacehaven, Lewes District Council recently allocated £300,000 of its Community Infrastructure Levy monies to the A259 junction improvements at Sutton Avenue and Telscombe Cliffs Way. These improvements will now be taken forward and delivered by the Lower Hoddern Farm developer.

That said, at a recent meeting with the Peacehaven Focus Group, we have committed to undertaking a further transport study in 2019/20 which will be funded through our capital programme of local transport improvements. The study will identify the current issues and challenges on the A259 corridor, both in East Sussex and Brighton & Hove, and consider what additional transport improvements are required to address these issues and challenges now and in the future. Depending on what the study identifies, there will be potential to bid for funds to undertake any works through the anticipated Major Route Network fund.

### **9. Question by Councillor Stephen Shing to the Lead Member for Transport and Environment**

How many claims were made to ESCC in relation to damage by potholes between April 2016 to April 2017 and April 2017 to April 2018. With that, how many of those cases were successful against ESCC and what was the amount paid out in those 2 years?

What was the associated human resources cost to our council? Such as officer time, legal costs etc?

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

All claims are handled by the County Council's highways contractor.

In 2016/2017:

- Total number of pothole related claims received by East Sussex was 239
- Number of pothole claims paid out was 14
- Amount paid out was £3,618.34

In 2017/2018:

- Total number of pothole related claims received by East Sussex was 345
- Number of pothole claims paid out was 4
- Amount paid out was £1,069.20



There was no associated human resources cost to the County Council as the highways contractor is paid to manage all matters relating to highways claims and insurance.

**10. Question by Councillor Stephen Shing to the Lead Member for Transport and Environment**

How many claims were made to ESCC about Kerbing and Grass Verge damage between April 2016 to April 2017 and April 2017 to April 2018. With that, how many of those cases were successful against ESCC and what was the amount paid out in those 2 years?

What is the associated human resources cost to our council? Such as officer time, legal costs etc?

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

We don't keep separate records of damage caused due to kerbs/ verges, but estimate receiving no more than ten claims relating to kerbs and two claims relating to verges in the past two years.

**11. Question by Councillor Ungar to the Leader and Lead Member for Strategic Management and Economic Development**

Bearing in mind the chronic underfunding of Adult Social Care here in East Sussex which means that there are unacceptable cuts in Social Care Service budgets causing so much distress to East Sussex residents and those who depend on Adult Social Care funded services, will the leader of the Council answer the question below?

With reference to the £1.6 million the Council has, as a one off grant from Central Government for Adult Social Care, which has not yet been allocated, will the £1.6 million allocation be agreed by full Council or the Cabinet?

**Answer by the Leader and Lead Member for Strategic Management and Economic Development**

On 6 February 2018, the Secretary of State for Housing, Communities and Local Government announced an additional national allocation of £150m to support Adult Social Care for 2018/19. The allocation to East Sussex County Council was subsequently confirmed at £1,616,032. Options for how this one off funding will be used to support Adult Social Care are being considered and will be presented to Cabinet on 26 June 2018.

**12. Question by Councillor Lambert to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

Proposals to cut the East Sussex Music Service have appalled thousands of residents who are protesting across the county.

The Schools Minister recently acknowledged the impact of music education and has earmarked £75 million for the government to spend in this sector. In the light of this funding, why is East Sussex County Council choosing to cut this service?

**Answer by the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

The £75m announced by Nick Gibb was not additional funding for music education but a confirmation of a renewal of the same level of funding, up to 2020, that is allocated to Music Education Hubs. The funding is distributed to each Hub according to a formula based on the number of school age children and a deprivation factor. East Sussex has seen small reductions to its allocation in the last 2 years.

The Music Service with its current costs, particularly the high cost of its teaching workforce, is not able to operate within the income received from the Hub and income from fees. The Director of Children's Services is not able to prioritise funding for the Music Service over other frontline services, to meet the budget shortfall. The service has been supported by County Council reserves while exploring a long-term financially sustainable solution. A proposal was presented to staff and unions in October 2017 which would have met the funding shortfall and provided some additional funding to support access to music opportunities for vulnerable children and young people. While some elements of the proposal are being implemented, unions have objected to a proposed change in terms and conditions of teaching staff and this proposal has been withdrawn, leaving a budget shortfall. Closing the instrumental service would enable the service to balance its budget and target more funding towards opportunities for vulnerable groups. This part of the service, though a significant proportion of the Music Service delivery, has been selected for possible closure, because young people would still have access to instrumental teaching through the private sector. Some of the funding released from closure could be used to support access to lessons for those with Special Educational Needs and Disability, those on low incomes and those in rural areas.

**13. Question by Councillor Lambert to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

We are facing more strikes and disruption to education because of the failure to implement the recommendations of the School Teachers Pay Review Body on teachers' pay. In addition, East Sussex is a low wage, high cost of living area. For teachers, this means that staff will be attracted to other neighbouring local authorities, such as Brighton & Hove where wages are higher. Recruitment of teachers to key posts, including heads of department, is already suffering.

- a) Why is East Sussex County Council not following these recommendations in their model pay policy?
- b) What steps are they taking to encourage governors to implement the recommendations of the Pay Review Body so that teachers are properly rewarded and the education of our children protected?
- c) What further impact will this decision by the County Council have on the recruitment and retention of teachers?
- d) What risk assessment has the County Council carried out on the impact of the recruitment and retention of teachers on the wider wellbeing of pupils?

**Answer by the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

(a) It has been stated in the press that *“the dispute is over the failure of East Sussex to ask schools that the newer and lower paid teachers get a 2 per cent pay rise as recommended by the National School Teachers’ Pay Review Body (STRB)”*. To the best of our knowledge, we are not aware that the STRB have made this recommendation and we have asked a representative of the National Education Union (NEU) to refer us to where this is set out in the STRB report.

The School Teachers’ Pay and Conditions Document 2017 states the following based on the recommendations of the 27<sup>th</sup> Report of the School Teachers’ Pay and Review Body (STRB):

*a 2 % uplift has been applied to the statutory minimum and maximum of the main pay range, a 1 % uplift has been applied to the minima and maxima of all other pay ranges in the national framework (including headteacher groups) and all allowances across all pay ranges. Except for teachers and leaders on the minima of their respective ranges or group range, schools must determine, in accordance with their own pay policy, how to take account of the uplift to the national framework in making individual pay decisions.*

The Model Pay Policy for East Sussex exceeds the recommendations outlined by the STRB and the STPCD. In particular, the nominal reference points for all pay ranges and allowances, which the Council and schools have chosen to retain, despite these no longer being published in the School Teachers’ Pay and Conditions Document (STPCD), have been uplifted by 1 % other than MPR 1 and MPR 6 (b) which have been uplifted by 2%.

We have shared our correspondence on this matter with Brendan Ryan, Schools HR Manager for the London Borough of Wandsworth who is also the Industrial Relations Advisor for the Department for Education (DfE) and he has endorsed our challenge to the information published by NEU.

(b) The Model Pay Policy was issued to all governing bodies for East Sussex maintained schools in October 2017, following the conclusion of the consultation process with the Council, Headteachers and local regional representatives of the trade unions and professional associations.

The East Sussex Model Pay Policy provides governing bodies with detailed information for determining teachers’ pay for the 2017 – 18 academic year. The Policy has been developed to comply with the STRB and the STPCD, and exceeds the recommendations of both documents. Alongside the Model Pay Policy, a further guidance document is provided to governing bodies, as well as DfE statutory guidance.

Where schools request advice on the implementation of the national teachers’ pay award and the performance management process for teachers where they are awarded pay progression following their successful completion of annual performance management targets, linked directly to standards of teaching, learning and pupil progress, this is provided by colleagues in our HR Advisory Team.

## MINUTES

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It is a matter for individual school governing bodies on whether, or not, to adopt the East Sussex Model Pay Policy, or to adopt a different pay policy and request that a different rate of pay, within the national framework, be applied to staff in a school. Should a Governing Body wish to apply 2 % to entire main pay range, back dated to 1 September 2017, they have been asked by HR to confirm that the request has been formally recorded in the Governing Body minutes and for their request to be processed. Governing Bodies wishing to take this approach have been advised to forecast the likely impact of the cost of this decision on the school's three year budget plan to ensure that the cost of implementing this change to the main pay range in their schools is within the means of the budget as there has been no central funding from the government to pay for this year's pay award for teachers.

(c) Schools continue to recruit teachers to vacant posts. Nationally and locally there are issues with recruitment and retention of teachers for a range of reasons. Schools can use their Pay Policy flexibly and continue to remain within the national pay framework to reward and retain existing teachers for high performance, as well as attracting high quality calibre candidates for their vacancies.

Recruitment and retention of teachers is the responsibility of the Governing Body of each maintained school supported by a range of policies and procedures provided by HR. It would be a matter for the Governing Body to risk assess the impact of the recruitment and retention of teachers on the wider wellbeing of pupils, and where necessary seek appropriate advice.

### PETITION

The County Council has received the following petition:

#### *Save East Sussex Music Service*

*We the undersigned petition the council to oppose the closure of East Sussex Music Instrumental Service. To avoid the dramatic impact this would have for the thousands of children concerned, we believe that East Sussex County Council should provide the funding or implement alternative changes to keep the service open.*

*East Sussex County Council have announced that plans are being made to close the music instrumental service by 2019 because of a funding shortfall of £80,000. This will result in loss of valued music provision for thousands of children across the county and job losses for teachers and administrative staff.*

*East Sussex Music Service, celebrating its 84th year, delivers music lessons to around 7000 children in schools. Nearly 1000 children aged between 4 and 18 attend area music centres each week.*

*Staff at the music service believe that the funding can be found or alternatively there are viable structures that the council can implement that would allow the service to continue.*

When submitted the petition contained 12,359 signatures. As the number of signatures exceeds 5000 the Council's Petition Scheme allows for the petition to be presented to, and debated by, the Full Council. A representative of the petitioners will be given five minutes to present the petition at the meeting prior to the debate. The relevant extract of the Petition Scheme is set out below

#### **Full Council debates**

If a petition has more than 5000 signatures it will be debated by the full council, unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend.

The Council will try to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue

## **PETITION**

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is one on which the Council's Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision.

### REPORT OF THE CABINET

The Cabinet met on 26 June 2018. Attendance:-

Councillor Glazier (Chair)

Councillors Bennett, Bentley, Elkin, Maynard, Simmons, Standley and Tidy

#### 1. Council Monitoring – Quarter Four 2017/18

1.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for 2017/18. Broad progress against the Council's four strategic priority outcomes is summarised below and an overview of performance and finance data is provided in the Corporate Summary at Appendix 1. Strategic risks are reported at Appendix 7 and a detailed report for each department is provided in Appendices 2 to 6.

##### Overview of Council Outturns 2017/18

1.2 2017/18 was the second year of a three year Reconciling Policy, Performance and Resources (RPPR) medium term planning period covering service provision, demand management and savings (£13.5m including those carried forward from previous years) to continue to deliver balanced budgets, while maintaining a clear focus on our four priority outcomes.

1.3 50 (77%) of the 65 Council Plan targets were achieved and 8 (12%) were not achieved. 7 (11%) are carried over for reporting in quarter 1 of 2018/19. The carry overs are measures where action has been completed, but the year-end outturn data is not yet available to report against the target.

1.4 Of the 65 targets the outturns for 9 (14%) are not comparable with the outturns from 2016/17; of the remaining 56 measures which can be compared, the performance improved or was at the maximum (i.e. the most that can be achieved) in 32 (49%); 1 (2%) remained the same; 16 (25%) deteriorated; and 7 (11%) are carried over for reporting at quarter 1 2018/19. Although 16 measures are showing a lower outturn when compared to 2016/17, 12 (75%) of these have met their target for 2017/18 so are meeting our objectives. For a number of these targets changes in priorities and the reduction in the level of resources available to the Council made matching the outturns from 2016/17 impossible.

1.5 At end of year the financial position within service departments is a £0.6m (0.2%) overspend, an improvement compared to the £1.1m (0.3%) overspend forecast at quarter 3, primarily due to the early achievement of 2018/19 savings within Orbis and lower than anticipated service spend within Communities, Economy and Transport. The overall position continues to reflect pressures on service budgets within Adult Social Care and Health and Children's Services and, as shown in Appendix 1, the achieved savings of £11.7m (which represents 87% of planned savings of £13.5m including those carried forward from previous years). The majority of the remaining savings are still considered achievable but delayed, and have therefore slipped to 2018/19. In summary the key variances by service are:

- Adult Social Care £0.6m overspend (previously £0.5m). There was continued pressure on independent sector services in 2017/18, in-year mitigation of this pressure has partly come from the new Improved Better Care Fund and the effective use of other funding, some of which is one-off. The overspend on Directly Provided Services and Assessment and Care Management reflects slippage of savings to 2018/19.
- £1.6m (previously £1.5m) overspend in Children's Services. The overspend was mainly due to ongoing pressures particularly within Looked after Children agency costs and increased demand on ISEND agency placements. These were partly offset by a reduction in Home to School Transport costs generated in part by a reduction in demand and adverse weather conditions in quarter 4.

- Business Services / Orbis £0.9m underspend (previously £0.4m). The majority of the full year variance and a large part of the movement since quarter 3 is from the Council's contribution to Orbis, where additional part year savings have been made in 2017/18 in order to achieve full year savings in 2018/19.
- £0.7m underspend in Communities, Economy & Transport (previously £0.4m). The main areas of underspend are from: Waste, due to lower tonnage collected and reduced net leachate costs; Concessionary Fares, the result of reduced passenger numbers and an operator contract price not increasing for inflation; Customer and Libraries, primarily due to lower than expected utility costs and the decision not to allocate funds to The Keep sinking fund; and Management and Support, as the result of funding earmarked for in year pressures that did not materialise and one off projects that were unable to be completed during the year.

1.6 Treasury Management has a reduced charge to revenue of £1.2m (previously £1.1m). This is the result of no additional interest charges on new borrowing and a lower Minimum Revenue Provision (MRP) charge due to delayed capital expenditure totalling £0.6m, and no opportunity to restructure of the Council's debt portfolio due to high repayment rates of £0.6m. As agreed previously this will be used in the first instance to fund the service overspend of £0.6m. Practice is to offset any reduced charge to Treasury Management for bad debt provision and unfunded pensions. This year these have underspent (see paragraph 1.9 for more detail on debt), increasing the balance available from £0.6m to £0.9m. This will be used to fund the capital programme by offsetting borrowing.

1.7 Efforts to manage within the overall budget have once again meant that the general contingency of £3.4m can be used to top up reserves in line with Reserves Policy. As previously agreed the unused general contingency provision will be used in the first instance to mitigate £1.748m of savings from 2018/19, with the balance remaining in the Financing Reserve to enable the effective management of the medium-term financial strategy and investment strategy.

1.8 The quarter 4 capital programme is monitored against the revised programme submitted to the Council in February together with some minor net nil approved variations. The expenditure for the year was £81.7m against a budget of £87.5m, a variation to the gross budget of £5.8m (previously £4.7m). This is an improvement of the equivalent variation to the 2016/17 outturn of £13.7m. The variation is largely attributed to slippage of £10.2m, offset by £4.4m spend in advance mainly on Highways Structural Maintenance (ref. xviii appendix 5) and Broadband (ref. ix appendix 5). The main areas of slippage are:-

- £2.8m on East Sussex Strategic Growth Package (ref. xiii appendix 5)
- £2.6m on School Basic Need (ref. viii appendix 3)
- £1.3m on Capital Building Improvements (ref. vii appendix 3),
- £0.6m on Parking Machine renewal (ref. xvii appendix 5)

The Capital Strategic Asset Management Board continues to review forecasting and profiling processes in order to improve management of the overall capital programme and reduce the extent of slippage.

1.9 The value of debt over 5 months at the end of the year has risen slightly by £0.047m to £2.323m when compared to the 2016/17 outturn of £2.276m. However, as a proportion of total debt raised during the year the percentage has reduced from 2.71% in 2016/17 to 2.55% in 2017/18, indicating the impact of continuous improvement in debt collection.

1.10 The Strategic Risk Register, Appendix 7, has been reviewed and updated to reflect the Council's risk profile. A new risk, Risk 13 'Dedicated Schools Grant', has been added to the register; and the 'Ordinary Residence' risk (formally Risk 2) has been deleted. The Government provided almost £1.2m in extra funding for potholes in March 2018 but the RAG score for Risk 1 'Roads' remains unchanged.



## Progress against Council Priorities

### Driving sustainable economic growth

1.11 We have made good progress in areas contributing to the East Sussex Growth Strategy during 2017/18. 5,806 premises are now able to be connected to superfast broadband as part of our second contract of works. Over £3m of external funding was secured to provide improved business support and inward investment services through the Growth Hub and Locate East Sussex (LES). LES has helped a number of businesses start up or relocate in the county in 2017/18 creating 35 jobs. East Sussex Invest 5 provided over £700,000 in grants and loans to 15 businesses which will see 98 jobs either created or protected in the county. £1m in funding was secured to deliver a Culture Coasting programme in the county to boost tourism, the programme is currently being developed (Appendix 5).

1.12 All targets for road maintenance have been well met with the focus on unclassified roads resulting in a 5% fall in those roads requiring maintenance. Although the percentage of non-principal roads requiring maintenance has increased slightly, to 7%, when compared to the 2016/17 outturn this is still well below the target for 2017/18 of 9%. In March construction work began on the pedestrian improvement scheme for Terminus Road, Eastbourne (Appendix 5).

1.13 The percentage of Council procurement spend with local suppliers for 2017/18 was 59.4%, up from 50% last year, this equates to £245.1m spend (Appendix 3).

1.14 In academic year 2016/17, 76.5% of pupils achieved a 'good level of development at the Early Years Foundation Stage, 5.8% above the national average of 70.7%. The achievement gap between the lowest achieving 20% in the Early Years Foundation stage and the rest was 28% which is lower than the national gap of 31.7%. The average Progress 8 score for state funded schools in East Sussex is 0.00 which is higher than the national average of -0.03 (Appendix 4).

### Keeping vulnerable people safe

1.15 Through Multi Agency Criminal Exploitation we have seen a broadening of the focus for children who are vulnerable to sexual exploitation to develop our response to wider criminal exploitation and County Lines (Appendix 4).

1.16 The proportion of people surveyed who use services who say that those services have made them feel safe and secure was 82.4%. An analysis of feedback will be undertaken to identify any issues raised by respondents (Appendix 2).

1.17 Trading Standards made 125 positive interventions in 2017/18, to help protect vulnerable people who have become the target of rogue trading or financial abuse. Interventions included visiting victims and installing call blockers to prevent fraudulent telephone calls; and the Rapid Action Team stepping in to prevent rogue traders from exploiting people (Appendix 5).

### Helping people help themselves

1.18 Health and Social Care Integration continues; a new service for people living with mental health conditions will provide access to earlier support and focus on prevention and support. There is considerable variation in diabetes prevalence and care in East Sussex; a whole system review of diabetes care plans is in place to develop a collaborative approach to improving diabetes care to achieve better patient outcomes and experiences across East Sussex. NHS 111 is being enhanced so that patients access urgent care services that have been fully integrated (Appendix 2).

1.19 The Improved Better Care Fund for 2017/18 has been allocated along with Adult Social Care core budgets to ensure funding for social care for all the placements required; with £3.239m made available to support pathway and service investments to ensure systems sustainability. Delayed transfers of Care (delayed days) from hospital per 100,000 population (aged 18+) has improved from 24.3 in April 2017 to 9.5 in January 2018 (Appendix 2).

1.20 Behavioural change initiatives developed as part of the Council's £1m Road Safety Programme focus on reducing the levels of re-offending and increasing the take up of educational interventions for offenders. A social media campaign will be aimed at young male drivers to increase their awareness of road safety educational messages. There were 370 people Killed or

Seriously Injured (KSI) on county roads in 2017; this is a 2.9% decrease in the number of KSI compared to 2016 (Appendix 5).

1.21 Since 2015 2,624 families have received, or are receiving, a Troubled Families intervention (Appendix 4).

Making best use of resources

1.22 East Sussex and Surrey County Councils and Brighton & Hove City Council have been working together to improve the way Orbis delivers services to customers. Successful initiatives include: launching an Orbis external website, procurement of an integrated e-recruitment system across the three partners and development of a performance management framework that will demonstrate the value and effectiveness of the partnership moving forward. Orbis has been successful in delivering the savings target of £3.9m for the financial year 2017/18. Orbis has also achieved additional one off savings in year through the early delivery of 2018/19 savings (Appendix 3).

1.23 Contracts in scope of the Social Value (SV) Measurement Charter amounted to £0.96m in quarter 4. The associated SV commitment based on these contracts was £109,000, which equates to 11%. Since the launch of the SV Charter in quarter 1 2017/18, it has been applied to 15 contracts that totalled over £2m, of which £223,000 or 11% has been committed in SV (Appendix 3).

1.24 There is potential for Local Authorities to support Health Services in developing their estate to enable effective service delivery. Discussions have commenced to understand the type of model that could be applied to ensure all parties gain benefits from the approach. It is expected that there could be significant benefits from this approach in the coming years (Appendix 3).

## **2. Ashdown Forest Trust Fund**

2.1 The Cabinet has considered a report regarding the Ashdown Forest Trust's Income and Expenditure Account for 2017/18 and Balance Sheet as at 31 March 2018. The Ashdown Forest Trust, a registered charity, was set out by declaration of Trust in 1988. East Sussex County Council is the trustee and agrees grants made to the Ashdown Forest Conservators, from the Ashdown Forest Trust Fund.

2.2 Subsequent to the 2016/17 accounts being approved, the independent Examination process has now been completed in accordance with Section 145 of the Charities Act 2011. The Examiner's report does not identify any issues that require any further action by the Council as the trustees.

2.3 The Trust's Income and Expenditure Account shows an annual deficit in 2017/18 of £3,332 due to additional legal cost for wayleaves and encroachment issues.

2.4 The main source of income to the Trust relates to the rent from the Royal Ashdown Golf Club at £70,000 per annum. A new lease was signed with the Club in 2014.

2.5 The majority of expenditure relates to the £65,100 grant paid to the Ashdown Forest Conservators. The accumulative General Reserve totalled £153,935 at 31 March 2018.

2.6 A formal annual report and statement of accounts will be compiled in accordance with the Charity Commission's Statement of Recommended Practice by the end of January 2019, once the Independent Examiner report has been received.

26 June 2018

KEITH GLAZIER  
(Chair)

### REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 26 June 2018. Attendances:

Councillor Glazier (Chair)  
Councillors Godfrey Daniel, Elkin, Simmons and Tutt

#### **1. Lewes Public Library and Museum Charitable Trust and delegations for Charitable Trusts where the County Council is Trustee**

1.1. The Charitable Trust was established by the Conveyance dated 21 June 1872. This originally related to the old library and museum at Albion Street, Lewes (the 'Original Library') when that property was conveyed '*on trust to permit the same premises and all buildings to be erected thereon to be and forever hereafter appropriated and used as and for a school of children and adults in drawing, painting, modelling, designing for architecture, manufactures and decorations and for no other purpose*'. This created a permanent endowment of the Original Library which became known as the Lewes School of Science and Art. By Orders made by the Board of Education in 1934 and 1956 the scheme was modified and extended to include 'Public library' and 'museum'. The County Council became the owner of the Original Library and museum by virtue of a transfer of functions under the Local Government Act 1972.

1.2. In 2008 the Council signed a Declaration of Trust ("2008 Declaration") after detailed consultation with the Charity Commission regarding the disposal of the Original Library. By the 2008 Declaration, the Council confirmed the current name of the charity as the Lewes Public Library and Museum (the "Charity"). East Sussex County Council also declared that the current Lewes Library at Styles Field ("Lewes Library") would be held on trust and used for the Charity in place of the Original Library.

1.3. The charitable use of the Library is 'use as a public library and museum for the safe custody exhibition and study of objects of educational artistic or scientific interest and such other collections and objects of a similar nature as the ...council may think fit'. This constitutes the charitable objects of the Charity. The original charitable objects were contained in the 1872 Conveyance and amended by the Board of Education Orders, then confirmed in the 2008 Deed.

1.4. An agreement has been entered into whereby from 1 July 2018, the back office staff employed by NSL Limited (the Council's parking enforcement contractor) will use non-public office space at Lewes Library, while Civil Enforcement Officers will use welfare facilities such as the staff kitchen, toilet and changing room. This arrangement will generate £22,000 per year in rent for the Charity over a lease term of seven years. As the gross income of the Charity will exceed the statutory threshold for registration (£5,000 per annum) there is a requirement to formally register the Charity with the Charity Commission.

1.5. For administrative efficiency it is proposed that whilst the decision to proceed with the new lease has been reached solely and exclusively on behalf of the Charity, for any ongoing work involving the Charity, governance arrangements be established to ensure the independence of the Charity and to ensure that there is no risk of any conflict of interest with the Council's other business.

1.6. The proposal is that:

- (a) the Council's Scheme of Delegations to Officers should apply to the Charity;
- (b) the day to day management and operation of the Charity be delegated to the Director of Communities, Economy and Transport ('Director of CET'); and

(c) where any conflict of interest arises between the role of the Director of CET and the interests of the Charity, the decision will be taken by the Chief Executive.

1.7. The authority delegated to the Director of CET would be for the day to day management and operation of the Charity, and decisions in relation to the Charity must be taken in the best interests of the Charity, and not the County Council. Whilst the County Council as corporate trustee retains ultimate responsibility, the Director of CET's role would include (but not be limited to):

- (a) ensuring that all decisions on the property specifically and on the Charity generally are taken solely and exclusively in the best interests of the Charity;
- (b) ensuring that the Council as custodian trustee complies with its fiduciary duties and that there is no conflict of interest with other Council business or functions;
- (c) monitoring the receipt of all rental received by the Charity and ensuring that this is used solely for the charitable objects; and
- (d) taking any steps necessary to ensure that the Charity complies with all its legal and regulatory obligations including the preparation of annual accounts and (where required) an annual report/return.

1.8. To ensure transparency of decision making and administrative efficiency it is proposed that the Council's decision making arrangements set out in its Constitution applies to its role as Charitable Trustee as it does in relation to the exercise of its other functions.

1.9. There will be a requirement to prepare and file annual accounts, and it is proposed that these are reported annually to Cabinet in line with the current practice where the County Council is a Corporate Trustee.

1.10 The Committee recommends the County Council to:

☆ (1) approve the registration of Lewes Public Library and Museum Charity with the Charity Commission;

(2) approve the proposed governance and decision making arrangements for the Charity as set out in the report; and

(3) approve that the delegations for decision making set out in the Constitution (including those set out in Part 3 Responsibility of Functions, which includes delegations to members and officers) apply to decisions relating to the Charitable Trusts for which the County Council is Trustee as they do to other County Council functions

26 June 2018

KEITH GLAZIER  
(Chair)

### **REPORT OF THE LEAD CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT**

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The Lead Cabinet Member for Transport and Environment met on 18 June 2018.

Also present: Councillor Godfrey Daniel

#### **1. Notice of Motion: Air Quality and Reducing pollution from diesel vehicles**

1.1 The following Notice of Motion has been submitted by Councillor Grover:

“Air pollution from fine particles alone results in 294 premature deaths in East Sussex and causes many more to suffer ill health [1]. Children and people with respiratory problems such as asthma are particularly vulnerable. Road traffic is the biggest problem and diesels are the dirtiest vehicles. The public have been shockingly misled by the car industry cheating on emissions standards.

Therefore, East Sussex County Council calls upon the UK Government to:

1. Develop and deliver a strategy and action plan to phase out the use of diesel by 2025, including measures to help the owners of these vehicles switch to clean vehicles and alternatives to driving
2. Ensure that air pollution standards for new diesel vehicles are adhered to.
3. Ensure local authorities have the powers and resources necessary to reduce pollution from diesel vehicles, including the power to ban diesel vehicles and new powers to control emissions from buses

As there is no known safe limit for some pollutants, The Council will - working with others as necessary, including the Health & Wellbeing Board and the public, particularly those most affected by air pollution - continue to take action to further reduce pollution levels to at least recommended World Health Organisation levels, particularly in locations where there is a concentration of vulnerable people (e.g. around schools).”

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

1.3 The Notice of Motion identifies three elements, which outline the need for the Government to take forward and address the issues associated with air pollution

[1] Public Health England, 2014, Estimating local mortality burdens associated with particulate air pollution, <https://www.gov.uk/government/publications/estimating-local-mortality-burdens-associated-with-particulate-air-pollution>

from vehicle emissions, specifically particulate matter, and the impact on health. The evidence outlining the actions that are currently being taken by the Government, the County Council and the District and Borough Councils to reduce air pollution from vehicle emissions are discussed in more detail below.

1.4 Current evidence suggests that people living in urban areas near congested roads are often exposed to poor air quality. This can particularly impact on people who have pre-existing cardiovascular and respiratory conditions, including reducing life expectancy.

1.5 The action to manage and improve air quality is largely underpinned by European Union (EU) legislation. The 2008 ambient air quality directive (2008/50/EC) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) and nitrogen dioxide (NO<sub>2</sub>). This directive replaced all the previous EU air quality legislation, and was made law in England through the Air Quality Standards Regulations in 2010. The commitment to meet these legally binding targets will not be affected by the UK's departure from the EU.

1.6 In addition, the UK is a signatory to four multilateral environmental agreements (MEAs), which are used to manage and monitor worldwide air pollution.

### A) *Develop and deliver a strategy and action plan to phase out the use of diesel by 2025*

1.7 There are a number of government policy documents, which include actions which will be taken to phase out the sale of diesel vehicles by 2040, reflecting that an appropriate period of time is required for the significant cultural, industry and infrastructure changes needed to achieve this. These include:-

#### UK Air Quality Plan 2017

1.8 The Department for Environment, Food & Rural Affairs (DEFRA), and the Department for Transport (DfT) published the UK Air Quality Plan for nitrogen dioxide NO<sub>2</sub> in 2017. The plan sets out how the UK will look to reduce roadside nitrogen dioxide concentration and how the government plans to meet the legal requirements, as set out in the Air Quality Standard Regulations 2010 (England, Scotland, Northern Ireland & Wales).

#### Clean Growth Strategy 2017

1.9 The Government's Clean Growth Strategy outlines policies and actions associated with the opportunities to grow a sustainable economy. It further reinforces the Government target for almost every car and van needing to be zero emission by 2050, and an end to the sale of all new conventional petrol and diesel cars and vans by 2040.

#### A Green Future: Our 25 Year Plan to Improve the Environment 2018

1.10 The Government's strategy 'A Green Future: Our 25 Year Plan to Improve the Environment', identifies the need to increase resource efficiency and reduce pollution

and waste. This also reinforces the governments proposed ban on the sale of new diesel or petrol vehicles by 2040, and the need to provide alternative modes of travel.

### Draft Clean Air Strategy – published May 2018

1.11 The Government launched its consultation on a draft Clean Air Strategy in May 2018, which outlines the Government's ambitions relating to reducing air pollution with a focus on the most major pollutants.

### East Sussex Local Transport Plan 2011 - 2026

1.12 From a local perspective, the phasing out of diesel vehicles will support the objectives of the ESCC Local Transport Plan 2011 – 2026, and the accompanying Implementation Plan 2016 – 2021. Through the Local Transport Plan Capital Programme we will continue to deliver a range of local transport infrastructure improvements that provide local people with a wide range of sustainable travel choices, along with developing an approach to delivering Electric Vehicle Charging Infrastructure.

1.13 Additional details on these policies are outlined in Appendix 1 which has been circulated separately.

1.14 As outlined above the Government is committed to the end to the sale of diesel vehicles by 2040, and there are numerous measures in place to achieve this at both a national and local level. The ability to do this by 2025 would be challenging, with significant changes required culturally and within the car industry. In addition to there being major financial costs in delivering the infrastructure for an expected increase in the number of electric/hybrid vehicles, and incentivising the purchase of these vehicles. Therefore, the Government's time horizon of 2040 is more realistic.

### *B) Ensure that air pollution standards for new diesel vehicles are adhered to.*

1.15 The pollution standards for new vehicles are regulated by the European Union and are referred to as 'emission standards'. The aim of Euro emissions standards is to reduce the levels of harmful exhaust emissions, primarily, Nitrogen oxides (NOx), Carbon monoxide (CO), Hydrocarbons (HC) and Particulate matter (PM).

1.16 These have been imposed on the manufacturing industry developing new vehicles since 1992, with the first standard referred to as Euro 1, and the current standard referred to as Euro 6.

1.17 The standards are used by government and local authorities to influence vehicle tax, introduce charging regimes to enter cities and towns or fines on older vehicles, especially diesel vehicles. Therefore, there is an approach in place by Government to ensure that air pollution standards for new diesel vehicles are adhered to.

C) Ensure local authorities have the powers and resources necessary to reduce pollution from diesel vehicles, including the power to ban diesel vehicles and new powers to control emissions from buses

1.18 The monitoring of air pollution at a local level is determined by the Environment Act 1995, which requires local authorities to monitor air pollution against national targets. Where areas exceed the national pollutant levels, local authorities must declare these areas as Air Quality Management Areas (AQMAs), and develop a 'Local Air Quality Action Plan', with identified measures over a prescribed timescale.

1.19 In East Sussex there are two AQMA's, one in Lewes and one in Newhaven. The County Council has worked proactively with Lewes and Eastbourne Councils to identify and deliver transport infrastructure and initiatives to reduce air pollution in the two AQMAs in the county.

1.20 The County Council is also a key partner of Sussex Air, which is collaboration between local authorities across Sussex to manage air pollution. A key service which Sussex Air promotes is Sussex Air Alert, which sends free messages to vulnerable people informing them about air pollution levels in their areas.

1.21 There are already existing powers in place enabling local authorities to have the powers to ban diesel vehicles or to control bus emissions. In 2017 DEFRA and the DfT published a joint framework on how specified regions within the Country, are required to develop 'Clean Air Zones'. (Further detail is outlined in Appendix 1.)

1.22 In September 2017, the County Council and Wealden District Council submitted an expression of interest for £32m from the Housing Infrastructure Fund to support housing delivery in the Wealden area. Part of the funding being sought was for monies to mitigate the impacts of nitrogen deposition on Ashdown Forest, which could include the introduction on an Emission Zone or Clean Air Zone. In March 2018, it was confirmed that the Expression of Interest had been successful, and that a full bid and business case would need to be developed over the next 9 months for submission, at the latest, by March 2019.

1.23 There are currently no areas in East Sussex which are reported as exceeding the statutory PM<sub>10</sub> thresholds, and no area has been reported as exceeding these levels since 2006. Details of the PM levels measured and modelled in East Sussex can be found in the most recent reports on local air quality, by District and Borough, available on the Sussex Air website.

1.24 Although levels of PM in East Sussex currently meet statutory thresholds, the County Council recognises that there are health effects at levels of air pollution below EU and UK thresholds. The County Council is taking a number of steps to reduce air pollution and the exposure of those people living and working in East Sussex who are most at risk from the effects of poor air quality. (The details of the statutory air quality thresholds for particulate matter that the UK must comply with, and the measures that the County Council are taking are outlined in Appendix 1.)

1.25 The Government is driving a strategy for improving air quality, alongside sustainable growth through a number of different strategies and approaches as set



out in paragraphs 1.3 to 1.24 above. Whilst the majority of this is underpinned by European legislation, there is a commitment that this will remain following the UK's departure from the EU.

1.26 The principles of the three elements of the Notice of Motion are supported with the exception of the ban on diesel vehicles by 2025, which would be challenging to deliver due to the cultural, industry and infrastructure issues described in paragraph 1.14 above. Therefore the Government's time horizon for banning the sale of diesel vehicles by 2040 is more realistic. The County Council is actively contributing to these three elements by exploring the opportunities to develop measures which support cleaner, cheaper and easier travel, through the use of smart technology, the delivery of the improved travel choices which encourage public transport, walking and cycling and the development of a framework for the delivery of electric vehicle charging infrastructure.

1.27 Therefore it is recommended that the County Council commits to continuing to embrace Government policy to tackle local air pollution to support healthier communities as the Government already has existing strategies in place to tackle the three elements set out in the Notice of Motion.

1.28 The Lead Cabinet Member recommends that the County Council –

☆ (1) notes the Government's actions to:

1. Develop and deliver a strategy and action plan to phase out the use of diesel by 2040, including measures to help the owners of these vehicles switch to clean vehicles and alternatives to driving,
2. Ensure that air pollution standards for new diesel vehicles are adhered to,
3. Ensure local authorities have the powers and resources necessary to reduce pollution from diesel vehicles, including the power to ban diesel vehicles and new powers to control emissions from buses; and

(2) As there is no known safe limit for some pollutants, the Council will - working with others as necessary, including the Health & Wellbeing Board and the public, particularly those most affected by air pollution - continue to take action to further reduce pollution levels to at least recommended World Health Organisation levels, particularly in locations where there is a concentration of vulnerable people (e.g. around schools).

18 June 2018

NICK BENNETT

Lead Cabinet Member for  
Transport and Environment

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### EAST SUSSEX FIRE AUTHORITY

**Report of a meeting of the East Sussex Fire Authority held at County Hall, St. Anne's Crescent, Lewes BN7 1UE at 10:30 hours on Thursday, 14 June 2018.**

Present: Councillors Barnes (Chairman), Deane, Dowling, Earl, Elford, Field, Galley, Lambert, Morris, O'Quinn, Osborne, Peltzer Dunn, Penn, Sheppard, Smith, Theobald (Vice-Chairman) and Tutt.

N.B. Apologies were received from Councillor Scott.

The agenda and non-confidential reports can be read on the East Sussex Fire & Rescue Service's website at <http://www.esfrs.org/about-us/east-sussex-fire-authority/fire-authority-meetings/> A brief synopsis and the decisions relating to key items is set out below.

#### **1 ELECTION OF CHAIRMAN**

- 1.1 Members resolved to appoint Councillor John Barnes as Chairman of the Fire Authority for the year 2018-2019.

#### **2 ELECTION OF VICE-CHAIRMAN**

- 2.1 Members resolved to appoint Councillor Carol Theobald as Vice-Chairman of the Fire Authority for the year 2018-2019.

#### **3 URGENT ITEMS AND CHAIRMAN'S BUSINESS**

- 3.1 The Chairman reminded the Authority that it was the first anniversary of the tragic fire at Grenfell Tower. The Authority would join the rest of the nation in marking the anniversary with a 72 second silence at midday to remember the 72 lives lost and to think of our Fire Service colleagues who had attended the scene.
- 3.2 The Chairman informed the Authority that he wished to take an oral update on the Sussex Control Centre as an urgent item at the conclusion of the published agenda.

#### **4 PAY POLICY STATEMENT FOR 2018/2019**

- 4.1 The Authority received a report seeking to secure political balance on its Panels in accordance with the Local Government (Committees and Political Groups) Regulations 1990 and agree to the resultant Membership to the Panels of the Fire Authority.
- 4.2 The Authority was required to keep under review the allocation of seats on Committees and other bodies to ensure, so far as practicable, that the reflected the political groups on the Authority. The rules governing this representation were outlined in the report.

- 4.3 The Authority confirmed the Panel arrangements and political representation as set out in the report. They agreed that the political balance provisions shall not apply to the membership of the Principal Officer Appointments Panel and, as had been the practice in the past, to leave the appointment of Chairman and Vice-Chairman of the Panels to the Panels at their first meeting.

## **5 FIRE AUTHORITY AND PANEL MEETINGS 2018/19**

- 5.1 The Fire Authority received and noted the dates of meetings of the Fire Authority and Panels for the remainder of 2018 and 2019.

## **6 SAFER COMMUNITIES STRATEGY 2018-2021**

- 6.1 The Fire Authority were presented with the Safer Communities Strategy 2018-21 for approval and adoption. The report supported East Sussex Fire and Rescue Service's purpose to make our communities safer. The strategy outlined the future delivery design of ESFRS Prevention services over the next three years supporting the delivery of interventions under five themed prevention strands.
- 6.2 Members supported the strategy, they deemed it comprehensive and supportive of the existing good work promoting community safety. Members were impressed by the dedication of staff and the events that they organised particularly Biker Down and Safe Drive, Stay Alive
- 6.3 The CFO advised that both the Service's intervention and prevention work saves lives. In terms of response to emergencies our staff were well equipped, well trained and enabled to make early interventions which save lives, helped by the Authority maintaining budget commitments which supported rapid attendance. The Authority resolved to approve and adopt the Safer Communities Strategy 2018-2021 subject to minor textual amendments.

## **7 COMMUNICATIONS & CONSULTATION STRATEGY 2018-2021**

- 7.1 The Fire Authority considered a report presenting the revised Communications and Consultation Strategy 2018-2021 for approval and adoption. The Communications and Consultation Strategy had been revised to support the delivery of the Service's other strategies. Members thought that the Strategy was a positive document, but felt that there could be more attention paid to Social Media.
- 7.2 Members were advised that the Service was exploring the plethora of Social Media platforms to ensure that we made the best use of what was available to us. The Service currently has some core sites, including Facebook, Twitter and a soon to be launched Instagram account, and would introduce others as appropriate. The Service sought to continuously improve its communications and all ideas were welcomed.

- 7.3 The strongest communication available was face to face, the Service would continue to use this as much as possible through roadshows, station open days and attending events hosted by other services or authorities. The Safety in Action week at Newhaven Fort enabled the Service to engage with approximately 800 children from many schools. The safety messages these children learned would be passed on to many more people including their friends and families.
- 7.4 Members thanked the Communications staff for the work that they do and extended this to those other staff involved in updating social media and for the great work achieved by on station staff who do so much for community engagement. The Fire Authority resolved to approve and adopt the revised Communications & Consultation Strategy 2018-2021.

## **8 TREASURY MANAGEMENT – STEWARDSHIP REPORT FOR 2017/18**

- 8.1 The Fire Authority received a report presenting the Annual Treasury Management Stewardship Report 2017/18. The report was an annual requirement and informed Members of Treasury Management performance for 2017/18 and compliance with Prudential Indicators. Compliance with the Authority's approved Treasury Management Strategy and Prudential Indicators for the year was confirmed.
- 8.2 In challenging economic conditions the average rate of interest received through the Services Treasury Management Activity was 0.50% reflecting the Fire Authority's continuing prioritisation of security and liquidity over yield.
- 8.3 No new borrowing had been undertaken in 2017/18 with total loan debt outstanding of £10.773m at 31 March 2018 with an average interest rate of 4.60%. There had been no beneficial opportunities to reschedule debt during the year. The outturn of the Fire Authority's Capital Financing Requirement (CFR), a measure of the underlying need to borrow, is £10.773m.
- 8.4 Members queried whether it would be possible to reduce the current rate of interest on debts and whether improved interests rates on savings could be found.
- 8.5 Opportunities to reschedule debt were regularly reviewed but none had arisen at present. The Public Works Loan Board (PWLb) increased all of its lending rates in October 2010 by 1% but not the rate of interest used for repaying debt. Meaning the cost of future borrowing had increased and the opportunity to restructure debt had been significantly reduced. The Service had not taken out any new borrowing since 2008, but the Estates Strategy may change this stance on long-term borrowing.
- 8.6 Members were reminded that the Authority had set its Treasury Management approach in February 2018, the new policy meant it had opted to remain prudent, whilst allowing more flexibility and permitting the use of higher risk options. There would be an opportunity to review an investment with NatWest when it matured in August 2018.

- 8.7 Whilst the Service currently held historically high levels of reserves, the strategies agreed in February 2018 would work to drop these to £5m in 5 years. This remaining reserve would be a 'rainy day' fund that needed to be accessible at short notice, therefore not committed to a long term investment. The Fire Authority noted the Treasury Management Performance for 2017/18.

**9 INTEGRATED RISK MANAGEMENT PLAN (IRMP) REVIEW OF ATTENDANCE STANDARDS – CONSULTATION RESULTS**

- 9.1 The Fire Authority were presented with the outcomes of the 8 week consultation exercise undertaken in relation to the review of attendance standards as detailed in the Fire Authority's Integrated Risk Management Plan (IRMP) 2017/20. The report detailed the views of staff partners and communities to enable the Fire Authority to consider their views before it made its final decision.
- 9.2 The consultation had a broad reach, staff had held roadshow events across the 6 local authority areas, and a quantitative open consultation questionnaire had been available online and as a hard copy. The response was the highest in any IRMP consultation exercise to date.
- 9.3 The majority of respondents agreed that the 'call-handling time' be included as part of ESFRS's attendance standard and that the standards should be variable and report separately for on station and on call responses. The responses also showed that the second engine should not be measured as a public standard, but only for internal use.
- 9.4 Members sought clarification on the recommendation that the second engine be measured for internal purposes only and not reportable, they were interested in how internal monitoring helped to ensure there were sufficient resources available.
- 9.5 It was essential for Officers to know the speed and weight of attack required to resolve any incident, including how fast all resources attending got there to provide a response, this additional data was used to help with planning. It was obtained automatically from the mobilising system and detailed the exact speed, time and weight of response, it was used on a daily basis to inform immediate cover moves. It was also essential that this information was available for the purposes of dynamic resource management and in case of a coroner or police enquiry.
- 9.6 The Fire Authority resolved to agree to adopt the outcomes of the consultation which proposed to include the call handling time as part of the new attendance standards, to set an attendance standard for the 1<sup>st</sup> fire appliance with an 'on-station- response of 10 minutes 70% of the time, to set an attendance standard for the 1<sup>st</sup> fire appliance with an 'on-call' response of 15 minutes 70% of the time and not to set a standard for attendance of the second appliance but to monitor it for internal reporting.

*The Meeting of the Fire Authority then ceased for the duration of the 72 seconds silence to pay its respects to those 72 people who lost their lives in the fire at Grenfell Tower on 14 June 2017.*

**10      URGENT ITEM: UPDATE ON SUSSEX CONTROL CENTRE**

- 10.1    The Fire Authority were provided with and oral update on the current situation at the Sussex Control Centre. For some years now ESFRS had been involved with WSFRS in a project to replace the legacy mobilising systems used by each Service with one shared software system, Remsdaq 4i, to be based on a shared site at Haywards Heath.
- 10.2    Members were reminded that ESFRS had gone live with the 4i system on 20 March 2018. The final decision to go live, and the timetable for doing so, had been made on 19 March 2018 by the CFOs of both ESFRS and WSFRS following comprehensive testing. The agreement had been for WSFRS to follow and go live between 4-6 weeks later.
- 10.3    There were complex links required between different bits of software and hardware, whilst some issues with delivery of the new system had been encountered, this was not unexpected with the integration of any new software, but as it was fundamental to Service provision, there had always been layers of support in place to mitigate for any issues. Since go live, there had been over 1860 incidents and during this period, 158 reports of issues had been made. The majority of these were not related to incidents, some had been technical, some operator error which had highlighted a need for further training. The issues that had arisen were being dealt with, all had been diagnosed and a solution was either in place or being worked on. A joint investigation with the FBU into these issues was underway.
- 10.3    Immediately following go live the project team ensured engineers were on site to resolve any issues quickly, monitoring of these continued. The issues had been with the communication between 4i and systems which send signals to hardware alerting the crews. The issues encountered were not with the mobilising software itself.
- 10.4    Members enquired whether the software, hardware and Wi-Fi issues had been pre-existing. Officers had been aware of some legacy issues and there had been plans in place to address them and the new 4i system had made these issues more visible. The ongoing IT strategy had made some improvements, and other planned solutions were being brought forward. Wi-Fi was a particular local issue, and not service specific, but it was imperative that the improvements that had already begun were carried out across weak signal areas.
- 10.5    The Fire Authority were grateful for the update received, both at the meeting and throughout the process. They appreciated how well the complex set of issues had been handled and felt reassured as to the safety and compliance of the new system. They proposed that consideration be given to establishing a scrutiny board to look in-depth at the project.

**COUNCILLOR JOHN BARNES**  
**CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**

14 June 2018

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