

Meeting of  
East Sussex County Council  
on Tuesday, 7 July 2020  
at 10.00 am

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# EAST SUSSEX COUNTY COUNCIL

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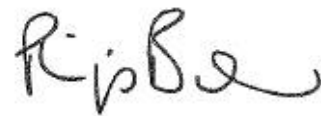
## To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held at Council Chamber - County Hall, Lewes, **on Tuesday, 7 July 2020 at 10.00 am** to transact the following business

Note: County Councillors will be joining the meeting remotely

- 1 **Minutes of the meeting held on 12 May 2020** *(Pages 5 - 8)*
- 2 **Apologies for absence**
- 3 **Chairman's business**
- 4 **Questions from members of the public**
- 5 **Report of the Cabinet** *(Pages 9 - 30)*
- 6 **Report of the Governance Committee** *(Pages 31 - 36)*
- 7 **Report of the Standards Committee** *(Pages 37 - 40)*
- 8 **Questions from County Councillors**
  - (a) Oral questions to Cabinet Members
  - (b) Written Questions of which notice has been given pursuant to Standing Order 44
- 9 **Reports of the East Sussex Fire Authority** *(Pages 41 - 56)*

County Hall  
St Anne's Crescent  
LEWES  
East Sussex BN7 1UE



PHILIP BAKER  
Assistant Chief Executive

29 June 2020

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## MINUTES

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### EAST SUSSEX COUNTY COUNCIL

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**MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber - County Hall, Lewes on 12 MAY 2020 at 10.00 am**

**Present** Councillors John Barnes MBE, Matthew Beaver, Colin Belsey, Nick Bennett, Bill Bentley, Phil Boorman, Bob Bowdler, Tania Charman, Martin Clarke, Godfrey Daniel, Philip Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Deirdre Earl-Williams, Simon Elford, David Elkin (Chairman), 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, Pat Rodohan, Phil Scott, Jim Sheppard (Vice Chairman), Daniel Shing, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Andy Smith, Bob Standley, Richard Stogdon, Colin Swansborough, Barry Taylor, Sylvia Tidy, David Tutt, Steve Wallis, Trevor Webb and Francis Whetstone

#### **1 Minutes of the meeting held on 11 February 2020**

1.1 RESOLVED – to confirm as a correct record the minutes of the County Council meeting held on 11 February 2020 as a correct record.

#### **2 Apologies for absence**

2.1 Apologies for absence were received on behalf of Councillors Charles Clark and Ungar. On behalf of the Council the Chairman sent Councillor Ungar his best wishes

#### **3 Chairman's business**

3.1 The Chairman reminded all attending the meeting that holding remote meetings is a learning process and that the Council was endeavouring to ensure that there is continued councillor involvement in meetings.

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

4.1 There were no questions from members of the public.

#### **5 Declarations of Interest**

5.1 There were no declarations of interest

#### **6 Reports**

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

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Governance Committee report - paragraph 1 (Constituting panels as part of Adoption South East) and paragraph 3 (Amendments to the Constitution)

### NON-RESERVED PARAGRAPHS

6.2 On the motion of the Chairman of the County Council, the Council ADOPTED those paragraphs in the reports that had not been reserved for discussion as follows:

Governance Committee report - paragraph 2 (Pay Policy Statement) and paragraph 4 (Coronavirus (Covid 19) temporary arrangements)

## 7 Report of the Governance Committee

Paragraph 1 (Constituting panels as part of Adoption South East) and paragraph 3 (Amendments to the Constitution)

7.1 Councillor Glazier moved the reserved paragraphs of the Governance Committee's report.

7.2 The motions were CARRIED after debate

## 8 Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Field	Councillor Standley	Support available for families whose financial circumstances do not allow them to provide a broadband connection to enable children to undertake distance learning
Councillor Osborne	Councillor Standley	Provision of home to school transport and ensuring social distancing
Councillor Grover	Councillor Maynard	Supply of PPE for frontline staff
Councillor Tutt	Councillor Simmons	Support available for organisations looking to support and kick start local businesses
Councillor Philip Daniel	Councillor Bennett	Funding received from the Government for Covid 19 related expenditure and the costs incurred to date by the Council
Councillor Stephen Shing	Councillor Claire Dowling	Opportunities to widen footpaths and cycle lanes to allow for social distancing
Councillor Ensor	Councillor Claire Dowling	Disposal of waste collected in the County
Councillor Ensor	Councillor Tidy	Consultation regarding changes to early help and implementation dates

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Questioner	Respondent	Subject
Councillor Stephen Shing	Councillor Maynard	Covid 19 related deaths in East Sussex

### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

8.2 There were no written questions from Councillors.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 11.08 am

The reports referred to are included in the minute book

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### REPORT OF THE CABINET

The Cabinet met on 3 March, 2 and 23 June 2020. Attendance:-

Councillor Glazier (Chair) (3)  
Councillors Bennett (3), Bentley (3), Claire Dowling (3), Maynard (3), Simmons (3),  
Standley (3) and Tidy (3)

#### 1. Council Monitoring - Quarter 3 2019/20

1.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for quarter 3 2019/20. Broad progress against the Council's four strategic priority outcomes is summarised below and an overview of finance and performance data is provided in the Corporate Summary at Appendix 1. Strategic risks are reported at Appendix 7.

Council Plan 2019/20 amendments and variations

1.2 There are no proposed amendments or variations to Council Plan performance measures or targets; the Corporate Summary (Appendix 1) contains a forecast of performance against targets.

1.3 The details of over and underspends in each department are set out in the relevant appendices, and show a total forecast overspend of £6.1m (no overall change from quarter 2). The main headlines are:

- No significant movement on the quarter 2 forecast overspend for Adult Social Care. The Independent Sector budget continues to face risk on expenditure for working age adults due to the ongoing impact of high cost packages of care transferring from the NHS from Continuing Healthcare (CHC) and the national Transforming Care Programme (TCP).
- Children's Services is projected to overspend by £5.9m; whilst there is no change overall from last quarter, there continues to be pressures in residential facilities and disability agency placements and with several unplanned complex high need pupils requiring placements with additional support.

1.4 The general contingency of £3.6m will, in the first instance, offset the deficit after applying underspends from Treasury Management (TM), a small potential underspend on other centrally held budgets of £0.3m and Business Rates; as is normal practice the remaining £0.2m will be transferred to reserves for use in future years.

1.5 Within TM, the strategy to maximise income and minimise the cost of debt where possible continues. No additional short or long term borrowing was undertaken in quarter 3 and no further cost effective opportunities have arisen to restructure the existing PWLB or wider debt portfolio. There is currently an estimated £2.0m underspend that will be used to offset service overspend; the increase of £0.8m from quarter 2 reflects that the Council continues to be unlikely to borrow this year, plus the release of a provision for expected credit losses on other investments, loans and debtors – an accounting adjustment under IFRS9. There is continued uncertainty around the impact of Brexit, and other TM considerations, meaning there could be fluctuations in these forecasts over the coming months.

1.6 There is £0.4m of additional Business Rates income in the Corporate Funding budget after the final forecast information was received from the Districts & Boroughs.

1.7 The Capital Programme expenditure for the year is projected to be £96.6m against a budget of £99.6m, a variation of £3.0m (£9.6m in quarter 2); being £5.1m of slippage offset by £2.1m of spend in advance. It should be noted £2.0m of the slippage is in schemes being delivered by, or in partnership with, others, where those organisations control the timetable.

The main variances within the Council's control are:

*Spend in Advance*

- IT&D have spent in advance due to an opportunity to purchase laptops early at a discounted rate this also allows for mitigation against expected future price rises (-£1.1m); and
- Reef Way Special School, Hailsham – the contractor has been able to manage groundwork complexities quicker than previously anticipated (-£0.5m);

*Slippage*

- Lansdowne Secure Unit – a small slippage into 2020/21 (£0.6m) due to the very wet winter impacting on when work can be undertaken;
- Schools Maintenance – delays in getting condition survey information has meant that planned works will commence later than expected (£0.9m); and
- Bexhill Hastings Link Road - delays to the settlement of compensation claims (£0.8m);

Variances outside the Council's direct control are:

- Skills for Rural Business – construction work at Plumpton College has been delayed due to the unexpectedly wet weather (£0.8m); and
- Queensway Gateway Road – the issue of the relocation of the car dealership continues to impact the timetable for delivery (£0.6m).

1.8 The Strategic Risk Register, Appendix 7, was reviewed and updated to reflect the Council's risk profile. Risk 4 (Health), Risk 5 (Reconciling Policy, Performance and Resources), Risk 6 (Local Economic Growth), Risk 8 (Capital Programme), Risk 9 (Workforce), Risk 10 (Recruitment), Risk 12 (Cyber Attack), and Risk 15 (Climate) all have updated risk controls. No new risks have been added for this review. Risk 14 (No-deal Brexit) has been deleted but will be kept under review and re-added to the register later in the year if appropriate.

Progress against Council Priorities

Driving sustainable economic growth

1.9 The improvement works in Terminus Road in Eastbourne, to modernise the town centre and improve the pedestrian environment, complementing the redeveloped Beacon shopping centre, were completed in January 2020 (Appendix 5).

1.10 20 carriageway asset improvement schemes were completed in quarter 3, to maintain and improve the condition of the Council's roads (Appendix 5).

1.11 Businesses were assisted to create 15 jobs in quarter 3, through business support programmes; Locate East Sussex also assisted nine businesses to move into, or relocate within, the county (Appendix 5).

1.12 34 Industry Champions, businesses and individuals who represent an array of jobs and career paths from industries in the county, took part in the Open Doors event between October and November 2019, offering work place visits to over 1,000 students (Appendix 5).

1.13 Progress 8 and Attainment 8 scores (Appendix 4).

- The provisional 2018/19 academic year Progress 8 score for Look After Children is -1.35 compared to a national average of -1.25. The East Sussex score is an improvement on last year's score of -1.49.

- The provisional Attainment 8 score for disadvantaged pupils for academic year 2018/19 is 33.6 compared to a national average of 36.6. The gap of 3.0 points to the national average is less than last year, when it was 3.6 points.

1.14 The East Sussex Social Value Marketplace was publicly launched in November 2019. There are 20 organisations and 32 users now registered and requests and offers for help have begun to be made through the system (Appendix 3).

#### Keeping vulnerable people safe

1.15 Trading Standards made 51 positive interventions to protect vulnerable people in quarter 3; including visiting 41 victims of rogue trading or financial abuse and installing 10 call blockers to protect people from telephone scams (Appendix 5).

1.16 In October 2019 over 180 professionals, residents and college students attended an award winning production of 'My Mind is Free' at Bexhill College. The production focuses on the experiences of modern slavery and human trafficking. Marking the start of Anti-Slavery week, it included staff from the Safer East Sussex Team, Stop the Traffik and Sussex Police Discovery sharing further information on the local picture (Appendix 2).

#### Helping people help themselves

1.17 The Children's Takeover Day and the Children and Young People's Trust annual event were combined into one successful day on 18 November 2019. Over 50 young people were involved in the event, alongside 70 leaders and practitioners from a range of partnership organisations (Appendix 4).

1.18 Services for adults to help them live independently and delay the need for residential or nursing care resulted in 91.1% of older people still being at home 91 days after discharge from hospital into reablement/rehabilitation services, while 92.2% of people who received short-term services to increase their independence made no further request for ongoing support (Appendix 2).

1.19 1,032 people were supported in quarter 3 through STEPS to Stay Independent, to maintain their independence and provide advice and support. 994 people were supported through the Home Works service to find and keep safe and affordable accommodation, and to improve their health, wellbeing and independence (Appendix 2).

#### Making best use of resources

1.20 The Provisional Local Government Finance Settlement was announced on 20 December 2019. The lobbying of Government by the Council, and partners, proved to be successful, with additional funding announced for East Sussex including £10.2m for adults and children's social care and £5.8m for the Special Educational Needs and Disabilities high needs block. Whilst additional funding is welcome, it isn't sufficient to prevent further savings from having to be made in the future, due to rising demand for, and the cost of, social care. As such we will continue to lobby for a long-term sustainable funding settlement (Appendix 6).

## **2. Council Monitoring – Quarter Four 2019/20**

2.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for 2019/20. 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 8. Strategic risks are reported at Appendix 14 and a detailed report for each department is provided in Appendices 9 to 13.

2.2 The period covered by the report excludes most of the impact of Covid 19. The service and financial implications of the pandemic will need to be taken into account for 2020/21 and beyond and will be considered as part of the State of the County report in July.

#### Overview of Council Plan outturns 2019/20

2.3 Good progress has been made, especially given the continuing uncertainties in national policy and pressure on resources.

2.4 46 (76%) of the 61 Council Plan targets were achieved and 10 (16%) were not achieved. 5 (8%) are carried over for reporting in quarter 1 of 2020/21. 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.

2.5 Of the 61 targets, the outturns for 3 (5%) are not comparable with the outturns from 2018/19; of the remaining 58 measures which can be compared, 30 (49%) improved or were at the maximum (i.e. the most that can be achieved); 2 (3%) remained the same; 21 (35%) deteriorated; and 5 (8%) are carried over for reporting at quarter 1 2020/21. Although 21 measures are showing a lower outturn compared to 2018/19, 13 (62%) of these have met their target for 2019/20.

2.6 The year-end revenue outturn is an underspend of £0.9m. Within this position, there is an overspend on service budgets of £5.8m which has been mitigated by using the General Contingency budget, set at £3.6m and underspend within Treasury Management of £2.2m. Additionally there have then been small underspends on other centrally held budgets of £0.2m, together with additional Business Rates income and levy redistribution of £0.7m. Given the significant uncertainty around future funding levels for the authority, it is vital that every opportunity is taken to bolster the funding we hold to fund future activity and mitigate risks. It is therefore proposed that the underspend is allocated to reserves.

2.7 The detailed reasons for the service budget variations are set out in the relevant appendices, summarised below as:

- An overspend of £0.7m in Adult Social Care in the Independent Sector due to increased demand and costs for services for older people and working age adults; mitigated in part by the use of one-off funding from the Better Care Fund (BCF), a constructive review of the process for Continuing Healthcare assessments and cost-sharing agreements for clients discharged under Section 117 with NHS partners.
- An overspend in Children's Services of £5.8m in two main areas: Early Help and Social Care where there have been continuing pressures on care placements and difficulties in sourcing accommodation for families in need; and Education and ISEND where the pressures have continued in residential facilities and disability agency placements.
- An underspend in Business Services of £0.1m. This is due to an overspend in budgets managed on behalf of ESCC by Orbis, offset by an underspend on the contribution to the jointly funded Orbis budget.
- An underspend in Communities, Economy and Transport of £0.5m. The most significant variances are in Transport where the late introduction of parking charge increases has resulted in the income target not being achieved this year; the resultant shortfall is offset by an underspend in Waste, mainly due to reduced household waste volumes.

2.8 Within Treasury Management, the strategy is to maximise income and minimise the cost of debt where possible. During the year interest rates increased marginally on the funds that were invested, whilst opportunities were taken to repay debts where advantageous to do so. As part of the strategy, in March, the opportunity was taken to secure £20.0m of longer-term investments with other Local Authorities at attractive rates. This will also help underpin the Council's investment performance going forward. Additionally, slippage on the capital programme meant that we had no need to increase borrowing. Combined resulting in a £2.1m underspend. Within Corporate Funding, an increase in Business Rate income and an additional one-off from the surplus on the national Business Rates Levy provided for increased income of £0.7m, a number of small underspends amounted to £0.2m.

2.9 The quarter 4 capital programme is monitored against the revised programme submitted to the Council in February 2019, together with some minor net nil approved variations. The capital programme expenditure for 2019/20 was £94.5m against a budget of £101.1m, a variation of £6.6m. This comprises £10.0m slippage, offset by £3.4m; the net position of spend in advance and a small amount of underspend.

2.10 The main movements are:

- Within Communities, Economy and Transport, of the £6.4m variation £2.2m is on schemes that are not managed by the Council, such as Skills for Rural Businesses - Post Brexit. There has been smaller scale slippage on a number of other projects, including on Newhaven Port Access as a result of storm delay and Bexhill Link Road the result of delays to part 1 compensation claims.
- A minor net variation within Business Services reflects the management of the slippage; mainly within the Schools Basic Need programme as a result of delays due to bad weather and at the Lansdown Unit, as a result of a more detailed profile of delivery following the contractors being on-site. Being able to be offset in part by spend in advance on other areas of the Basic Need programme. Further spend in advance on IT&D is due to the accelerated procurement of core IT&D infrastructure and laptops to mitigate against expected future price increases.

2.11 The Strategic Risk Register, Appendix 14, was reviewed and updated to reflect the Council's risk profile. Risk 1 (Roads) has been amended to reflect the impact of Covid-19 and also has updated risk controls. Risk 4 (Health), Risk 5 (Reconciling Policy, Performance and Resources), Risk 6 (Local Economic Growth), Risk 8 (Capital Programme), Risk 9 (Workforce), Risk 10 (Recruitment) and Risk 15 (Climate) all have updated risk controls, a majority of which also relate to Covid-19. No risk scores have been amended as part of this review and no risks have been removed.

2.12 A new risk (Covid-19) has been added to the Strategic Risk Register for this review. This risk refers to the Corporate impact on services and planning of the Covid-19 pandemic. This strategic level risk is underpinned by additional Covid-19 specific risks at an operational level.

#### Progress against Council Priorities

##### Driving sustainable economic growth

2.13 We have made good progress in areas contributing to the East Sussex Growth Strategy during 2019/20. Business support programmes have assisted businesses to create 141 jobs and Locate East Sussex have assisted 36 businesses to move into, or relocate within, the county. 34 Industry Champions took part in the Open Doors event in between October and December 2019, with over 1,000 students from schools and colleges in the county going on workplace visits. The Council was the only local authority to be awarded funding to improve careers education in primary schools, with £145,000 being used to provide a primary careers pilot. East Sussex was assigned almost £2.5m from the Local Growth Fund, including almost £1m to create new jobs and workspaces in Bexhill; and £1.5m for the replacement Exceat bridge (Appendix 12).

2.14 The improvements to Terminus Road in Eastbourne; to modernise the town centre, improve the pedestrian environment, and complement the redevelopment of The Beacon shopping centre; were completed in January 2020 (Appendix 12).

2.15 Road condition results (where a lower outturn indicates a better performance) for 2019/20 show that the percentage of Principal roads requiring maintenance remains the same as in 2018/19, 5%, exceeding the target for the year. The percentage of Non Principal roads requiring maintenance decreased, from 7% in 2018/19 to 5%, again exceeding the target. The percentage of unclassified roads requiring maintenance increased, from 9% in 2018/19 to 14%, however this was still within the target. 154 carriageway asset improvement schemes were completed in 2019/20, to maintain and improve the condition of the county's roads (Appendix 12).

2.16 In academic year 2018/19, 76% of pupils achieved a good level of development at the Early Years Foundation Stage, above the national average of 72%; the achievement gap between the lowest achieving 20% and the rest was 30%, which is lower than the national gap of 32%. Outcomes at Key Stage 1 in reading, writing and mathematics at the expected and greater depth standards were all above the national average. The outcomes for pupils with Special Educational Needs and Disabilities in all three subjects, at the expected and greater depth standards, were also above those seen for the same groups nationally (Appendix 11).

2.17 The East Sussex Social Value Marketplace; which allows Voluntary, Community and Social Enterprise organisations working in communities to post requests for help on an online platform, which can then be considered by businesses and organisations; was publicly launched

in November 2019. The Marketplace went on to win Social Innovation of the year at the National Social Value Awards in January 2020. During 2019/20 £4.9m (10.5%) of social value benefits was secured, including apprenticeships, placements for young carers and support for charities (Appendix 10).

#### Keeping vulnerable people safe

2.18 Health and Social Care projects for 2019/20 have delivered significant benefits to the people of East Sussex and these are highlighted later in this report, they include a new Care Home Call Line service, provided by GPs that enables care homes to seek advice about unwell residents preventing unnecessary trips to hospital. Since the Covid-19 Pandemic this has been expanded to further homes and realigned so all residents in a care home are under one GP practice improving the standardisation and responsiveness of care (Appendix 9).

2.19 The East Sussex Safer Communities Partnership Business Plan 2020/23 has been finalised, priorities include:

- prevent and protect vulnerable adults, young people and our communities from being exploited by serious and organised criminals in relation to county lines, modern slavery & human trafficking, and fraud-related harm;
- prevent and protect individuals from becoming victims of serious violent crime, including knife crime;
- prevent and protect individuals from the serious harm of domestic violence & abuse; rape and sexual violence and abuse; stalking and harassment; and harmful practices.

Further details are provided under Adult Social Care and Health (Appendix 9).

2.20 Trading Standards made 127 positive interventions to protect vulnerable people in 2019/20, including visiting victims of rogue trading or financial abuse and installing call blockers to protect people from telephone scams (Appendix 12).

#### Helping people help themselves

2.21 East Sussex Clinical Commissioning Groups (CCGs) and the Council were successful in a bid to become a trailblazer in the implementation of new Mental Health Support Teams (MHSTs) in schools. This additional resource will build capacity to support children with mental health and emotional wellbeing needs. As the new teams will be in schools it provides the opportunity to build on the whole-school work on mental health and align it with existing support pathways for children (Appendix 11).

2.22 We published our updated Excellence for All 2019 – 2021 strategy in 2019/20. The new strategy outlines the shared vision, values and ambitions the Council and our partners have for creating an excellent education system in the county, where no pupil or educational establishment is left behind. There is a sharper focus on the most disadvantaged and how we will deliver improvement through the partnership structures in the county (Appendix 11).

2.23 The 2020/21 East Sussex Health and Social Care transformation plans for urgent, planned and community care have been completed. Children and Young People and Mental Health programmes will be included in the transformation plan governance framework overseen by the East Sussex Health and Care Partnership. Benefits from the projects include: changes to primary care processes and pathways to deliver efficiencies and patient care at the right time and in the right place; community care progressing with the integration of health and social care to provide seamless care; and urgent care initiatives to reduce demand from our emergency services, ensuring the right care first time (Appendix 9).

#### Making best use of resources

2.24 The Council reduced the amount of CO2 from its operations in 2019/20 by 4.8%, exceeding the target of 3%. Annual targets from 2020/21 have been revised to ensure they align with the Council's Climate Emergency Plan. In Q2 Orbis also delivered a new contract which will see all of the electricity used by the Council come from renewable sources in April 2020, this will also deliver savings in the region of £100k a year (Appendix 10).

2.25 Sickness absence has reduced by 2.9% compared to 2018/19 to 8.48 days per FTE. This is the lowest level of since records formally started in 2006 (Appendix 10).

### 3. Coronavirus update

3.1 Since the pandemic began, staff across the Council have been, and continue to be, involved in a huge amount of work to support the nation's response. We have worked closely with partners to launch new services to protect and support the most medically vulnerable (the shielded group) and vulnerable, changed and adapted services to meet the current situation and offered other options when this wasn't possible. Saving lives and looking after the most vulnerable people in our community have been our priorities during the crisis.

3.2 Over the next few weeks the Council will need to respond to Government's plans for the gradual loosening of lockdown arrangements in two phases, depending on the progress of the pandemic. We are planning our service delivery in the new context. Some of the new services we have begun will need to be continued for the foreseeable future. Changes will need to be made to others either temporarily as lockdown is eased or more fundamentally to build on the lessons learnt during the first two months of the Covid-19 response.

3.3. The changes we have made will have profound and sometimes permanent impacts on our services and finances. We are keeping a careful record of all the additional costs we have incurred as result of the decisions we have made in order to tackle the pandemic. Whilst the Government has partially recognised the additional costs to local government and has made additional funding available, it is insufficient to meet all the pressures we face, particularly in relation to adult social care. We will need to consider the effects of these changes on our future service offer and financial plans for the remainder of this year and the future as part of the Reconciling Policy, Performance and Resources (RPPR) process. We will also need to continue to lobby strongly for continuing funding to meet residents' needs.

3.4 Members have received regular briefings on the work the Council is undertaking to help tackle the Covid-19 outbreak. The report considered by the Cabinet at its meeting on 2 June provided an update on the latest position to the week ending 22 May. Full details of the changes to our services are on our website. This report covers:

2. Deaths due to Covid-19	11. Highways and Transport
3. Adult Social Care	12. Reallocating Road Space
4. Children's Services	13. Parking Charges
5. PPE	14. Business Services
6. Testing and Tracking	15. Member Meetings
7. Shielded Cohort	16. Communications
8. Trading Standards	17. Financial Implications
9. Libraries	18. Economy
10. Waste Recycling Sites	19. Recovery

#### Deaths due to Covid-19 in East Sussex

3.5 The ONS publishes weekly provisional counts of the number of deaths registered involving the coronavirus (COVID-19), by local authority of residence. The latest figures for the week ending 8 May are shown below and include any mention of COVID-19 on the death certificate.

	Home	Hospital	Care home	Hospice	Other communal establishment	Elsewhere	Total
<b>Eastbourne</b>	0	22	23	1	0	0	46
<b>Hastings</b>	0	6	0	1	0	0	7
<b>Lewes</b>	1	38	39	3	2	0	83
<b>Rother</b>	0	22	9	1	0	1	33
<b>Wealden</b>	0	46	27	3	0	0	76
<b>East Sussex</b>	1	134	98	9	2	1	245

3.6 The ONS has also carried out work on death rates from Covid-19 at local authority level and by socioeconomic deprivation. For the period covered by the data (1 March to 17 April), rates in East Sussex are relatively low.

**Age-standardised mortality rates for all causes and deaths involving the coronavirus (COVID-19),**

	COVID death rates/100,000 people	Rank (1 = highest rate 317 = lowest rate)
England	37	
South East Region	27	
East Sussex	15	
Eastbourne	16	264
Hastings	6	308
Lewes	24	193
Rother	8	303
Wealden	16	262

3.7 London had the highest age-standardised mortality rate, with 86 deaths per 100,000 persons involving COVID-19. The South West saw the lowest age-standardised mortality rate of 16 deaths per 100,000 population. This was statistically significantly lower than any other region or country.

**Adult Social Care**

3.8 Supply of social care provision remains under real pressure in East Sussex and on 21 May, 88 of 313 East Sussex care homes were closed to all admissions. We now have in place an integrated health and social care plan in East Sussex which delivers the objectives set in the DHSC Action Plan. This includes testing all patients before admission to a care home. Patients testing positive are supported through a period of isolation at either Bexhill Care Centre or in a community health unit before moving, when clear, to a care home. This helps give care homes the reassurance they require to accept discharges and maintain the required flow of patients from hospital.

3.9 In terms of provider support, we send care homes a daily bulletin and have regular web-based provider forums. We also have a specific email address for questions and issues to which we respond. We have a specific email address for PPE enquiries and if providers are identifying shortages, we have a standard form for them to complete and we then prioritise allocation.

3.10 The Government has issued guidance requiring ASC authorities to produce care home resilience plans. This requires councils to take on oversight of a range of functions that it has not had previously, for example in relation to the supply of PPE, testing and workforce issues in private providers. This will have long term funding and management implications for the Council, as the funding allocated by Government to support this is unlikely to cover ongoing costs. It



should be noted that there is not equality of accountability on health to take responsibility for outcomes and finances.

3.11 Government has announced a £600m Infection Control Fund to support this work. The fund will support adult social care providers to reduce the rate of transmission in and between care homes and support wider workforce resilience. This will be allocated to local authorities. ESCC will receive £10.7m from this fund. Allocations were calculated on the number of care home beds in an area, with an area cost adjustment to reflect differences in wages and prices in different councils. The funding will be paid in 2 equal instalments. 75% of the initial funding will be required to go straight to care homes for use on infection control measures, including to care homes with whom we do not have existing contracts. The second payment will be contingent on the first being used for infection control. The remaining 25% must also be used for infection control measures, however local authorities are able to allocate based on need.

## Children's Services

### Schools

3.12 As of 22 May, we have seen daily pupil numbers of approximately:

- 1000 pupils per day across all schools before the Easter holidays
- About 800 per day over the Easter holidays
- 100 per day over the two bank holidays
- Since the Easter holidays about 1800 per day (50% vulnerable children).

3.13 We have been working with schools to implement the Government guidance for the phased reopening of schools from the 1 June. For primary schools this involves the return of reception, years 1 and Years 6, alongside the continued provision of teaching for vulnerable children and the children of Keyworkers. Schools have been asked to continue to provide remote learning for those who are not scheduled to return. Inevitably this is a complicated exercise that needs to take account of the availability of staff and the nature of the building to ensure this expansion of numbers can be managed safely for pupils and staff. Therefore, whilst it is likely that some schools will be able to meet the Government's ask from the 1 June, others will inevitably need to employ a phased approach. The Government has asked that where there are capacity issues, vulnerable and key worker children are prioritised. As the economy opens up, we anticipate greater demand from key workers who have previously been able to rely on a household member to look after their child rather than send them to school. Council officers have worked with individual schools and school clusters to help prepare for a return. All schools are required to ensure a risk assessment is in place prior to opening.

3.14 Secondary Schools have been asked to continue to provide a service to vulnerable pupils and the children of keyworks and identify how they can increase contact with Year 10 pupils. Special schools are undertaking individual reviews of their pupils to identify how best to plan a return.

3.15 We have secured some additional capacity from HMI to undertake support for:

- Special school re-integration
- Primary school re-integration, with the Primary Board, linking with ISEND and with also a focus on transition and digital disadvantage
- EYS providers' reintegration.

### Early Years Sector (EYS) Providers

3.16 In April, 710 children attended an early year's provider. To support sustainability, East Sussex has paid an additional £177,500 to support those nurseries, pre-schools and childminders who remained open. There are 98 settings open, caring for 467 children.

### Digital Devices for Disadvantaged Children to access Remote Education

3.17 In April, the Department for Education (DfE) announced a major package of support for vulnerable and disadvantaged children and young people across England. It will provide digital

devices (laptops and tablets) and internet access for some disadvantaged children and young people who do not currently have access to them. Eligible children and young people include care leavers, children and young people aged 0 to 19 with a social worker and disadvantaged year 10 pupils. East Sussex has been given 129 devices and 56 routers for disadvantaged year 10 pupils within maintained schools (academies receive directly from the DfE). A further 1,187 devices and 170 4G dongles will be allocated to vulnerable children in social care. East Sussex County Council was the first authority to identify their children and complete the return to the DfE, thereby securing an early release of equipment to our vulnerable children.

3.18 The allocation of 129 laptops and tablets is insufficient to meet all the demand from our eleven secondary and special schools. To address this critical issue, we are working with partner organisations such as the Hastings Opportunity Area (HOA) and the National Collaborative Outreach Programme (NCOP) to deliver a package of funding to purchase additional devices to reach as many of our disadvantaged year 10 pupils as possible. Additional funding of £65,500 has already been approved to facilitate this and we have been able to order 200 additional devices.

#### Vulnerable Groups

3.19 As part of our duty for safeguarding children and supporting schools to safeguard vulnerable children and young people (0-25), a database of vulnerable children was compiled, and each school was sent the list of children in their school and asked to respond to a series of questions including whether the child was attending school, what contact the school has had with the child/family and whether any risks have been highlighted. Support has been provided to schools to manage remote safeguarding arrangements, but for some children, where social care determine that they would be safer in school or college, we are supporting schools to offer appropriate provision.

3.20 The vulnerable children risk assessment process has been completed in two cohorts. Cohort 1 was every child and young person in East Sussex with a social worker, with an EHCP and/or who is a Young Carer. Around 6,300 children and young people have moved through the Cohort 1 risk assessment process. In East Sussex, 7.2% of vulnerable children across all phases are attending (the national is about 5%).

3.21 Cohort 2 began in the week beginning 4 May. This includes: high risk Cohort 1 cases (identified by the Steering Group); new Child in Need and Child Protection cases and newly issued EHCPs since Cohort 1; children open to ISEND where ISEND have concerns regarding increased risk due to lockdown and children and young people where the LA has agreed to issue an EHCP. Schools, settings and colleges have also been invited to add children and young people to their Cohort 2 list who do not have an EHCP and have a diagnosis (or are on the pathway for diagnosis) of neurodevelopmental issues, such as Autism or ADHD, sensory processing or attachment; where lockdown could escalate difficulties and impact on wellbeing.

3.22 Learning from the vulnerable children risk assessment process and Keeping Schools Open process will feed into the planning to support schools, settings and colleges with preparing for re-opening.

#### Children's Social Care

3.23 A suite of performance indicators is reviewed weekly to keep an overview of key performance information.

#### *Front Door contacts*

3.24 We have seen a reduction in activity in the front door teams but now we are beginning to see referral rates picking up again. The social work teams have RAG rated all the vulnerable young children working with colleagues in schools and SLES to maintain oversight.

#### *Children on Child Protection (CP) Plans*

3.25 The number of children on CP plans has increased from 544 week commencing 16 March to 581 week ending 22 May. This is in part due to CP plans not ceasing as it is difficult to step down safely at this time.

Residential Units

3.26 Keeping residential units open remains a priority and we are working to ensure this happens.

## Personal Protective Equipment (PPE)

3.27 Supply of PPE is improving, although drops via the Local Resilience Forum don't have regular frequency. Maintaining an adequate supply and flow of PPE for our staff, the care sector and other key workers in East Sussex will therefore remain a concern until the central online system is up and running. We will continue to source what we need through all routes available to us in the meantime, and our procurement team is making progress on building a supply chain.

3.28 In response to the Government's request for data on our local requirements, we have submitted the below Sussex-wide weekly PPE requirement.

	<b>Masks</b>	<b>Aprons</b>	<b>Gloves</b>	<b>Hand Sanitiser</b>	<b>Eye protection</b>
35% of East & West Sussex Demand	373,156	2,386,985	5,020,399	230,602	95,433

## Testing and Tracking

3.29 The Government has increased testing capacity and expanded the offer of testing. Now anyone in England over the age of 5 with symptoms can ask for a test; and social care workers or residents of care homes can be tested whether or not they have symptoms. We are encouraging staff to arrange their tests through ESCC as tests booked via ESCC referral can be prioritised if the Government's system is over-subscribed. We can also support staff through the process, and we have an overview of how testing is working across the organisation.

3.30 Testing can be done by appointment at four centres in Sussex - in Bexhill, at Brighton's Amex Stadium, at Gatwick Airport, and Bognor. The Government has also rolled out mobile units staffed by military personnel for testing in places where there is significant demand, including care homes, police stations and prisons. A mobile unit was deployed in Eastbourne between Monday 18 and Wednesday 20 May for testing ESCC staff and staff from care homes.

3.31 The Government has established a care home testing portal to support residents and staff of care homes whose primary clients are older people or those with dementia. This digital portal is intended to improve the process of arranging tests for care homes by enabling them to register for the delivery and collection of test kits directly. There remains, however, significant challenges with capacity and co-ordination of the testing regime.

3.32 A local outbreak plan is expected to be published shortly which will set out how track and trace arrangements are anticipated to work

## Shielded Cohort

3.33 We continue to support a large and growing number of people through the Government's shielding system. By 19 May, 11,500 calls had been made up to those on the shielded list and 1,600 letters sent to those not contactable by phone. We are now making follow-up calls to those called before 1 May and follow up letters are to be sent to everyone who has been called. Over 3000 food boxes have been delivered by ESCC. We are heavily reliant on volunteers, including from other council services, for these activities and if they return to their jobs shortly, while we are required to maintain the system, we will need to establish an alternative workforce. We are thinking about how we can maintain this work and manage its costs as part our recovery and restoration planning.

## Trading Standards

3.34 Both District and Borough Councils (via Environmental Health) and ESCC (via Trading Standards) have been designated by the Secretary of State to enforce emergency regulations regarding business premise closures within their areas. As part of local planning, Trading Standards and Environmental Health across East and West Sussex have put in place a separation of roles based upon premises type to avoid any unnecessary duplication of effort. A Single Point of Contact within each Service has been established to ensure that wherever complaints are received they are quickly routed to the correct service without needing to re-signpost the person making the complaint. There is speculation that the Government may see a role for environmental health and trading standards staff in enforcing any new workplace social distancing requirements as lockdown is eased. We will need to be clear that Councils are not resourced to fulfil this role.

3.35 In the four weeks to 23 April Trading Standards received and dealt with over 180 enquiries concerning Covid-19 related issues, including issues relating to click and collect being offered by closed businesses. Our view at present is that delivery and other remote sales are permitted but not ones that allow (and encourage) people to travel to the businesses themselves. This may change if Government issue further advice. We have not needed to resort to formal action at the moment, which is encouraging. The following activities are continuing:

- Animal Health – in accordance with our Business Continuity Plan we prioritise this area of work, continuing to intervene in welfare and movement issues relating to farmed animals. One of the changes to the Covid-19 Regulations clarified that Livestock Markets could open but Hailsham Market has continued during this pandemic as our view was that they were allowed to open.
- Rogue Traders – We continue with a number of complex investigations, interviewing suspects by post and obtaining statements remotely to progress cases where movement restrictions and health and safety prevent personal contact. We will respond to any allegations of illegal activity in this area in accordance with our Business Continuity Plan.
- Food Monitoring & Compliance – Whilst not undertaking routine sampling or visits, we are still responding remotely to complaints and concerns, even though many of these have reduced as a result of the business closures. The Food Standards Agency have issued advice around the contacting and inspections of high-risk food and feed manufacturers which we are following.

## Libraries

3.36 The eLibrary (our online offer) has been providing services while our buildings are closed. Staff are developing the offer further and providing promotional updates, 'how to' guides and telephone support to people unfamiliar with the eLibrary. We have seen a significant increase in eBook loans, usage of online newspapers and magazines - roughly double the pre-Covid levels and there has been a large spike in new members joining online since we closed. We are exploring where there have been gaps left in provision (e.g. Learning Services exams, Home Library Service) and how these could be met remotely/virtually.

## Household Waste Recycling Sites

3.37 Having received further guidance from Government, household waste recycling sites reopened on 18 May. To ensure safe-distancing and the safety of staff and public on site some restrictions are in place. Residents are being urged to consider whether it is essential for them to go to a household waste recycling site at this time, and if they do, to expect queues. The number of cars entering each site is restricted and operating on a one-in, one-out basis. Trailers and over-sized vehicles are not allowed, and chargeable waste (rubble, soils, plasterboard, asbestos or tyres) is not being accepted for the time being.

## Highways and Transport

3.38 Work is continuing on highways maintenance and the Highways Service has been able to provide a near normal service, whilst maintaining safe-distancing and ensuring the safety of the workforce and public. In the first few weeks staff were subject to criticism from some members of the public for working during the current situation, but this has largely ceased. The workforce has been supported with a briefing to use if challenged and public FAQs and signage explaining why vital work needs to continue.

3.39 The roads patching programme has progressed as normal, and a jet patcher unit has been working in the county for six weeks now, and a second unit will be joining in the summer. The resurfacing programme is progressing to plan, and a programme of major resurfacing has taken place in Wivelsfield and has now started in Crowborough. Full details of this year's programme have been published on the East Sussex Highways website. Work on the Newhaven Port Access Road project has continued throughout the lock-down period and the contractor has made good progress with the construction of the bridge deck, and at time of writing the tarmac base course is being laid. The project remains on track for completion in the autumn.

## Reallocating Road Space

3.40 Following publication of the Government's roadmap to recovery, the Department for Transport have produced statutory guidance for Local Authorities to reallocate road space to support walking and cycling. The Government's expectation is for local authorities to make significant changes to their road layouts to give more space to cyclists and pedestrians with the aim of embedding the changes to travel behaviour and demonstrate the positive effects of active travel.

3.41 We have established a technical working group comprising officers from a number of teams, including the Strategic Economic Infrastructure Team, Traffic & Road Safety, Network Management, Highways Asset Management and ESCC Communications, as well as officers from the Borough and District Councils to work through proposals.

3.42 Initially the working group will draw up terms of reference, in consultation with the Lead Member, that will set out the priority interventions for this authority. The Government guidance includes a large number of initiatives, from the creation of pop-up cycleways, pedestrian and cycle zones, widening of pavements, cycle parking facilities, junction improvements and the introduction of 20mph speed restrictions. There will be competing priorities from different user groups and we will not be able to meet all of these demands. The working group will also consider whether it is possible to bring forward medium- and longer-term plans to address more immediate priorities. Importantly, the Government Guidance points to the importance of whole-route approaches to create corridors for buses, cycles and access only on key routes into town and city centres, as well as identifying and bringing forward permanent schemes already planned, for example under Local Cycling and Walking Infrastructure Plans, and that can be constructed relatively quickly.

## Parking Charges

3.43 The decision made by the Lead Member for Transport and Environment in January to increase parking charges following public consultation in autumn 2019, was deferred until 1 July when lockdown arrangements are expected to be further eased.

## Business Services

3.44 Since the last update, businesses services have:

- Increased vigilance on the Council's IT systems in recognition of significantly increased Cyber Security risks;
- Begun preparing plans for the management of core buildings in line with Government guidance to support some return of services from remote working. We continue to support and direct staff to work from home where they are able and any plans to move services

and teams back towards corporate buildings will be done on a managed and transitioned basis; and

- Made contingency arrangements through the Capital Programme for slippage in plans due to construction industry contraction

### Member Meetings

3.45 Arrangements to hold Member meetings remotely under the new regulations have been put in place. A guide to remote meetings has been developed and circulated to all Members, and included on the Members' Intranet page, supported by a training session held via Skype. Further guidance and training will be provided specifically for Chairs. Additional support has been given to individual Members on an ad hoc basis as required.

3.46 Preparations are being made to move meetings onto Microsoft Teams which will provide some enhancements to the video conferencing functionality. Support will be provided to Members to make the transition.

3.47 Public access to remote meetings has been arranged via our existing webcasting site and agendas for remote meetings are being published as normal.

3.48 A remote County Council meeting was held on 12 May. Two Cabinet meetings are scheduled to take place on 2 and 23 June, plus an ongoing programme of Lead Member meetings as set out in the updated Forward Plan.

3.49 Virtual committee meetings will also be arranged where required to enable core business to continue.

3.50 Scrutiny and Audit Committee work programmes have largely been suspended since the Covid-19 restrictions on meetings came into force. It is proposed that, with the agreement of Chairs, the June People and Place committee meetings are cancelled, given the need for departments to prioritise the Covid-19 response. The People and Place scrutiny committees can then provisionally plan to resume meetings in September. Scrutiny Committees could, if Members wish, hold informal meetings to review and reprioritise their existing work programmes, particularly to agree provisional agendas for September and November meetings. Any informal meetings would be supported by Member Services.

3.51 Scrutiny Committees are currently continuing a low level of Scrutiny Review or Reference Group work where this can be supported by departments and/or be progressed by scrutiny independently. Work that is currently underway includes:

#### People Scrutiny

- Background research is continuing where possible in relation to reviews of school exclusions and loneliness and resilience which were in their early stages.

#### Place Scrutiny

- The Committee has established a Highways Contract Re-procurement Reference Group in conjunction with CET to support work on the Highway Services Re-procurement Project. It is planned to hold an initial meeting at the end of May and another in July.
- The Review Board working on the Scrutiny Review of Becoming a Carbon Neutral Council has suspended Board meetings until June when it will review the position, but some work is continuing on background research and meeting preparation where officer capacity permits.

#### HOSC

- HOSC has received notification of a number of temporary NHS service changes which are exempt from formal consultation but in some cases have required clarification and additional information.

- HOSC is also mid-way through a review of CCG proposals to close Eastbourne Walk-in Centre and will need to resume this work alongside the resumption of the NHS consultation when this is confirmed.

3.52 An informal meeting of the Audit Committee was held on 13 May 2020 to allow the Committee in their advisory role to comment on the External Audit Plan for 2019/20 and the Internal Audit Strategy and Plan 2020/21 prior to the reports being considered by Cabinet in June. It is proposed to hold the next scheduled Audit Committee meeting on the 10 July 2020 to consider the annual review of the Corporate Governance framework and the remaining reports rescheduled from the cancelled March meeting.

#### Communicating with partners and residents

3.53 We have built dedicated pages on our website and kept them updated to help businesses, residents and partners get the latest information on the position in East Sussex. We have made extensive use of social media, video and traditional media to keep people informed and have introduced email bulletins for residents, members, MPs, partners and staff which are received by more than 40,000 people. We have distributed information leaflets to 25,000 of the most vulnerable households in the county and worked with District and Borough Councils to get this information to many more. We have also translated this key information into 28 other languages.

#### Financial Implications of Covid-19

3.54 The Government has provided two tranches of Covid-19 response funding for councils. Each tranche was £1.6bn nationally. The first tranche of funding announced on 19 March was primarily to meet the increased demand for, and enable additional support across, adult social care; meet the additional costs of providing children's social care; provide additional support for the homeless and rough sleepers; support those at higher risk of severe illness from Covid-19; and meet pressures across other services. It was split into £210m for general support and £1,390m for Social Care. The £210m was allocated by 2013/14 Settlement Funding Assessment (SFA) and the £1,390m was allocated using the current Relative Needs Formula for Adult Social Care.

3.56 The second tranche was aimed at getting rough sleepers off the streets, supporting clinically vulnerable people and providing assistance for the public health workforce. It was also to reflect financial pressure being felt by councils resulting from lower use of fee-paying services (e.g. car parks and leisure facilities). The split in two tier areas between county and district authorities was therefore 65:35. The funding has now been received. Allocations for East Sussex authorities are:

Local Authority	First Tranche of Covid-19 Funding	Second Tranche of Covid-19 Funding	Total Covid-19 Additional Funding
TOTAL England	£1,600,000,000	£1,594,000,000	£3,194,000,000
East Sussex	£16,297,243	£9,810,215	£26,107,458
East Sussex Fire	£136,730	£633,138	£769,868
Eastbourne	£64,321	£1,026,186	£1,090,507
Hastings	£67,268	£918,693	£985,961
Lewes	£39,501	£1,026,785	£1,066,286
Rother	£41,835	£961,373	£1,003,208
Wealden	£52,005	£1,604,988	£1,656,993

3.57 In addition, on 9 May the Government announced £2bn funding (from the £5bn announced in the Budget) for walking and cycling, with £250m being made for an emergency active travel fund. The details of how this funding will be made available has yet to be issued.

3.58 Our latest projections, which we submitted to MHCLG as part of a national return, show that we face additional pressures of around £49m this year, so with the additional funding (£26m) we are facing an estimated shortfall of £23m. This is modelled on the assumption that lockdown ends at the end of July and includes the anticipated costs such as providing adult social care support for more people, block booking of beds and purchase of food supplies and PPE, along with expected reduced income from services which are closed.

3.59 The additional pressures arising in departments are estimated as follows, shown as a top 3 by department:

Top 3 by Department (£m)	Additional Costs	Loss of Income	Total
Purchase of Personal Protective Equipment	16.6		16.6
Supporting the market, including 10% per month additional support to care providers in line with gov't guidelines	7.9		7.9
Additional demand for services from hospital leavers, net of NHS contribution	3.4		3.4
Other	1.9	0.5	2.4
Subtotal Adult Social Care	29.8	0.5	30.3
IT&D primarily to enable remote working	0.7		0.7
Slippage in the completion of capital projects	0.7		0.7
Loss of income from training and development		0.3	0.3
Other	0.4		0.4
Subtotal Business Services	1.8	0.3	2.1
Primarily highways and lost income from parking charges	2.2	4.0	6.2
Household Waste: increased due to lockdown	1.6		1.6
Loss of income: Registration Services	0.1	1.3	1.4
Other	0.7	0.3	1.0
Subtotal Communities, Economy & Transport and Governance	4.6	5.6	10.2
Residential care	3.6	0.2	3.8
Early Years: including provider payments and purchase of laptops	0.7		0.7
Children's Social Care workforce: agency staff	0.2		0.2
Other	0.2	0.6	0.8
Subtotal Children's Services	4.7	0.8	5.5
Business Services/Orbis	0.4		0.4
Treasury Management: projected reduction in investment income		0.6	0.6
TOTAL	41.3	7.8	49.1

3.60 The MHCLG return focuses on current pressures and estimates for 2020/21. However, there are significant financial risks of Covid-19 that will be felt into 2021/22 and beyond, that add to the funding uncertainty:



- Impact on our residents and on Council Tax collection rates\*;
- Impact of slowdown in house building and the reduction in the Council Tax base on income\*;
- Impact on businesses and on Business Rates collection rates; and
- The confirmed delay to the Spending Review, Fair Funding Review and 75% business rates retention.

\*The estimated forecasts for loss of Business Rates and Council Tax are not included in our Risk Log as per MHCLG instructions. However, based on the available District & Borough Councils' returns an estimated total loss of £7m will impact this council via the Collection Fund in 2021/22.

## Economy

3.61 The impacts of the Covid-19 outbreak on East Sussex businesses have been significant and will be ongoing. Whilst much financial support has been provided by Government, it is unclear how long the restrictions will last, and in turn how long financial support will be available. We have a good understanding of where the stress areas are, based on the intelligence we garner through Business East Sussex (an in-house business advice service) and various other mechanisms and have started work on developing an Economy Recovery Plan (ERP) for the county.

3.62 The ERP will be developed in partnership through Team East Sussex and the sub-boards, to ensure it is comprehensive and contains measures that will enable our economy to recover. Once complete, it will perform a number of functions. It will:

- Co-ordinate all economy recovery activity of partners;
- Become a bidding document that we will use to secure anticipated financial support from Government;
- Provide a means through which the East Sussex business community (which in addition to traditional private enterprise, also includes cultural institutions, social enterprises, voluntary and community sectors) can galvanise its efforts in recovery; and
- Provides a lobbying document for use particularly with Government and the South East Local Enterprise Partnership (SELEP) to articulate our needs.

3.63 We are currently working with SELEP, particularly in developing a case for utilising funding they hold for additional business support, and the East Sussex College Group on how their Adult Education Budget can be used for training/re-training needs of our employment base. They are likely to feature prominently in the ERP, as will the local recovery plans that colleagues in the District and Borough Councils are developing. The first draft of the ERP will be available in early June, and it will be considered by TES soon after.

## Recovery

3.64 Planning for and work on recovery will be carried out nationally, regionally and within local areas across all tiers of national and local government. We need to ensure our plans feed into and take account of the planning at all these levels.

3.65 The Government published on 11 May a cautious roadmap to 'return life to as close to normal as possible, for as many people as possible, as fast and fairly as possible, in a way that avoids a new epidemic, minimises lives lost and maximises health, economic and social outcomes.' The roadmap moves the national response from phase 1 'contain, delay, research, mitigate', to phase 2 'smarter controls' with steps to reduce controls on individuals and businesses over the next two months. Phase 3 is 'reliable treatment' and will be entered when there is a viable vaccine or treatment to reduce loss of life. The Government's plan provides a national framework and timeline that will guide our local planning.

3.66 Locally, recovery needs to be considered in a number of timeframes:

- Immediate: preparatory work that, subject to resource, be undertaken during the response phase in preparation for recovery;

- Medium: First weeks and months: living with the virus and social distancing and making sure our services are able to operate in this new context; and
- Longer term: first year and beyond, the world postvaccine or reliable treatment.

3.67 Recovery will not be linear – we are likely to see waves of infection in the future which may necessitate moving in and out of some measures of emergency provision. Nor will it be even across services. ASC for example will be dealing with the consequences of the current rate of infection and the decisions which were made, whilst trying to maintain services required, as the health service begins to move towards business as usual and needing to react to any further waves of infection.

3.68 The emergency has necessitated new ways of working and has given rise to new partnerships and possibilities. These may offer opportunities to create a positive legacy for the future as we develop our recovery plans. As we move into our recovery we need to think about:

- What did we stop doing that should remain stopped?
- What did we stop doing that we should bring back?
- What have we started doing that we need to stop?
- What have we started that should continue?
- Are there totally new things that we might need?

3.69 We need to use our existing political and business planning processes to develop our plans. Covid-19 is now a reality to be taken into account in our plans, not an episode from which we will move on. The following principles will guide the planning of Covid-19 recovery for East Sussex County Council services and the Council's wider support for residents and businesses:

1. Our usual business planning process (RPPR), led by Cabinet and CMT, will be used to develop a short-term recovery plan 2020/21 and medium/long-term full planning from 2021/22
2. The Council's Core Offer, Priority Outcomes and subsidiary Delivery Outcomes will be reviewed and revised as needed to ensure they are the right for recovery plans – recognising the fundamental changes that have taken place in society and the way it works and building on the positive lessons we have learnt. Some services we set up in response to the pandemic will need to continue into the foreseeable future (for example help for the shielded cohort) and the impact of decisions we have taken could have long lasting service and financial consequences (for example in ASC)
3. The Council's financial resource allocations for current and future years will be reviewed and revised to take account of changes in availability and priorities
4. Learning from what has worked well and what has not during the crisis will be fully considered in recovery planning and long-term planning for services and partnerships

3.70 This work will lead to a revised Council Plan and targets and MTFP for this year and the future. We need to recognise that we need a flexible approach to planning and delivery as we move through the pandemic. Our integrated monitoring and risk processes provide a vehicle to allow us to do that.

3.71 Our plans for future years will also need to take into account the broader context in which we are working: the impact of the pandemic on the national economy and our funding prospects; the changed needs of our residents and businesses and the impact of exiting the EU in 2021 on both the economy and our services.

#### **4. East Sussex Environment Strategy and corporate Climate Emergency Plan**

4.1 The Cabinet has considered a report regarding the East Sussex Environment Strategy and corporate Climate Emergency Plan. In March 2018 the Corporate Management Team agreed that

the 2011 Environment Strategy for East Sussex should be updated and that an Environment Board to Team East Sussex (TES) should be set up to enable the economic development and environmental agendas to be brought together more effectively. The Board was established in November 2018 and has produced the draft Environment Strategy set out in appendix 15 of this report. The Cabinet has agreed the Strategy on behalf of the County Council.

4.2 In October 2019 the County Council declared a climate emergency. This included a commitment to become carbon neutral from its own activities as soon as possible, and by 2050 at the latest, to set out a clear plan of action and to report annually at the July County Council meeting on its progress towards the target. The action plan agreed by the Cabinet is set out in appendix 16.

4.3 Together, the corporate Climate Emergency Plan and the Environment Strategy comprise a package of measures that the County Council is proposing to take forward to improve the environment of East Sussex. The Climate Emergency Plan illustrates where the Council has direct control, whilst the Strategy illustrates areas where the Council is working with a range of partner organisations to effect change. Both of these are underpinned by an outline communications strategy, set out in appendix 17, through which the Council and partners will seek to influence positive behavioural change within the wider community.

4.4 The East Sussex Environment Strategy. The East Sussex Strategic Partnership (ESSP) adopted the first Environment Strategy for East Sussex in July 2011. The strategy has been updated to reflect a number of changes to national, regional and local policies and targets, for instance the national 25 Year Environment Plan and climate change emergencies declared by a number of local organisations. The Strategy provides a consistent local evidence base for decision-making and a mechanism for partnership working to address new challenges, such as net zero carbon targets.

4.5 The Environment Board which produced the current Strategy includes the national environmental regulators, businesses and business representative organisations, the two universities, District and Borough Council representatives and the County Council. The Environment Strategy focuses on 5 key environmental themes, namely climate change, natural capital, air quality, water and resource efficiency. This reflects the environmental priorities identified in the United Nations' Sustainable Development Goals, national strategies and the priorities of the organisations that make up the Environment Board.

4.6 The actions in the Strategy have been selected on the basis that they meet a clearly identified need, provide county-wide benefits, and can be delivered in 1-2 years. The County Council will take a lead on some of the proposed actions, where these are most relevant to the Council, for instance developing a Walking and Cycling Infrastructure Plan for the county. The Environment Board will provide regular updates on progress to TES and the ESSP.

4.7 A significant amount of environmental work is already being delivered through other partnerships and strategies, which the Environment Strategy signposts to in order to help manage expectations as to the scale of change that the Environment Strategy is able to deliver. For example, many environmental aspects of transport are addressed by the Transport for the South East's Transport Strategy and the County Council's Local Transport Plan.

4.8 Investing in improvements in the environment is part of the recovery from Covid-19, in terms of jobs, health and wellbeing (e.g. there is a need to significantly increase the number of tradespeople required to deliver domestic retrofit requirements to help reach net zero, whilst Covid-19 has emphasised the need and value of our green spaces as part of physical and mental health resilience).

4.9 The Environment Strategy has been reviewed and endorsed by the organisations represented on the Environment Board and on TES.

4.10 The corporate Climate Emergency Plan. The Plan in appendix 16 sets out the County Council's current carbon footprint, recommends a carbon reduction target, and identifies a clear set of actions to be taken towards becoming carbon neutral. The key points from the Plan 2 are:

- 1) The Council's emissions in 2018-19 were about 3% of total emissions from East Sussex;
- 2) The Council has reduced its emissions by over 50% during the last 10 years, including through projects that have generated annual savings of £770,000;
- 3) The largest part of the Council's carbon footprint is from the goods, works and services that are procured. The Council has only limited understanding of these emissions and no direct control over them, so it is recommended that they are omitted from the corporate carbon reduction target until a better understanding of these emissions has been gathered. This is the approach taken by other local authorities, for instance Adur-Worthing Council and Wealden District Council;
- 4) It is recommended that the Council commits to increasing its carbon reduction target from 3% per year to 13% per year, as this aligns with the UN Paris climate change agreement to hold the increase in global average temperatures to well below 2<sup>0</sup>C above pre-industrialisation levels. This approach has been adopted by a number of private and public sector organisations;
- 5) A 13% reduction target is likely to become increasingly difficult to achieve, once the simpler and more cost-effective measures have been implemented;
- 6) It is recommended that an initial 5 year carbon target, with annual milestones, is adopted, and supported by a 2 year action plan. This will enable short-term adjustment in light of changing legislation, technology and levels of resources available.

4.11 We also have an opportunity to lock in key changes that we will need to make anyway to address climate change, notably flexible working and more walking and cycling. A critical aspect will be how and when to involve and engage the public on climate change again, in view of the current need to prioritise jobs, and support businesses as they restart.

4.12 Councillors will be aware that the Place Scrutiny Committee is also undertaking a Scrutiny Review of Becoming a Carbon Neutral Council, which has considered the draft Climate Emergency Plan and reviewed the Council's baseline carbon footprint. The Review Board is examining the actions necessary for the Council to reduce greenhouse gas emissions and achieve the aim of becoming carbon neutral.

4.13 The Cabinet has agreed the East Sussex Environment Strategy and the corporate Climate Emergency Action Plan.

## **5. Ashdown Forest Trust Fund**

5.1 The Cabinet has considered a report regarding the Ashdown Forest Trust's Income and Expenditure Account for 2019/20 and Balance Sheet as at 31 March 2020. 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.

5.2 Subsequent to the 2018/19 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.

5.3 The Trust's Income and Expenditure Account shows an annual surplus in 2019/20 of £4,872 as a result of no legal costs being incurred during the year.

5.4 The main source of income to the Trust relates to the rent from the Royal Ashdown Golf Club at £70,000 per annum. The only other income during the year was from bank interest.

5.5 The majority of expenditure relates to the £65,100 grant paid to the Ashdown Forest Conservators. The accumulative General Reserve totalled £158,202 at 31 March 2020.

5.6 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 2021, once the Independent Examiner report has been received.

23 June 2020

KEITH GLAZIER  
(Chair)

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### REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 23 June 2020. Attendances:

Councillor Glazier (Chair)

Councillors Bennett, Godfrey Daniel, Simmons and Tutt

#### **1. Amendment to Constitution – Pension Board and Pension Committee Terms of Reference and Scheme of Delegations to Officers**

1.1. East Sussex County Council is the administering authority for the East Sussex Pension Fund (ESPF or “the Fund”). The Council’s Pension Committee is established as the Fund’s scheme manager and is responsible for arrangements for the investment, administration and management of the Fund. The Council has also established a Pension Board, as required under the Public Services Pension Act 2013, to assist the scheme manager. Some decisions relating to the Fund are also delegated to Chief Officers and other officers of the Council under the Scheme of Delegations, including the Chief Operating Officer and Chief Finance Officer.

1.2. In November 2019, the Pension Committee approved the undertaking of a governance review of the ESPF involving the Chief Operating Officer, Chair of the Pension Committee, Independent Advisor to the Committee and Aon.

1.3. The governance review has been very comprehensive and has produced revised terms of reference of the Pension Board and Pension Committee and a revised Scheme of Delegations of Pension Fund management roles to the Chief Operating Officer, Chief Finance Officer and Assistant Chief Executive.

1.4 The purpose of the governance review has been to identify areas of the governance framework of the ESPF that needed to be amended in order to align with anticipated recommendations of the Scheme Advisory Board Good Governance Project; the Chartered Institute of Public Finance and Accountancy’s (CIPFA) Knowledge and Skills Framework and Code of Practice and other guidance; and best practice from other Local Government Pension Schemes (LGPS).

1.5 The governance review working group has so far produced several draft documents including:

- i) Pension Committee Terms of Reference (appendix 1)
- ii) Pension Board Terms of Reference (appendix 2)
- iii) Revised Officer Scheme of Delegations to incorporate Pension Fund management (appendix 3)

1.6 The three documents were considered by the Pension Board and Pension Committees in June.

1.7 It is recommended that the proposed Pension Board and Pension Committee Terms of Reference set out in Appendices 1 and 2 will replace the existing terms of reference. key changes of the documents include:

Pension Committee terms of reference

- Clarification of the roles and responsibilities of the Pension Committee including in relation to the ACCESS pension fund pool; Making decisions relating to employers joining and leaving the Fund; agreeing the policy for exit credits and terms on which employers may leave the Fund; selection, appointment and dismissal of the Fund's

advisers and suppliers; and ensuring robust risk management arrangements are in place.

- Inclusion of an expectation that Committee members will regularly attend training sessions.

### Pension Board terms of reference

- Greater detail on the objectives and role of the Pension Board, including assisting the Pension Committee by undertaking other tasks such as reviewing aspects of the performance of the ESPF; and reviewing administration standards or performance or review efficacy of ESPF member and employer communications.
- Confirmation that appointments to the Pension Board shall be managed, wherever possible, so that appointment and termination dates are staggered such that there remains continuity for one meeting to the next.
- A requirement for Pension Board members to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date.
- A procedure for the escalation of matters to the Monitoring Officer where not satisfactorily acted on or resolved by the Pension Committee

### Scheme of delegation to Officer

- Addition of a power to take action or decide any other Pension Fund related matter on behalf of the Administering Authority in special or emergency situations, in consultation with the Chair of the Pension Committee, including but not limited to where delay in the purchase or sale of investments might be detrimental to the interests of the ESPF.

1.8 The revised terms of reference for the Pension Board and Pension Committee and the revised scheme of delegations for officers align with anticipated recommendations of the Scheme Advisory Board Good Governance Project, Chartered Institute of Public Finance and Accountancy (CIPFA) guidance, and best practice from other LGPS. 3.2 The Governance Committee is recommended to approve the proposed changes to the Constitution as set out in appendices 1-3; and agree to amend the Constitution accordingly.

1.9 The Committee recommends the County Council to:

☆ 1) approve the:

- i) Pension Committee Terms of Reference set out in Appendix 1
  - ii) Pension Board Terms of Reference set out in Appendix 2
  - iii) the Changes to the Officers Scheme of Delegation set out in Appendix 3; and
- 2) agree to amend the Constitution accordingly

## 2. Review of Members' Allowances Scheme

2.1 The Independent Remuneration Panel is required, by the Local Authorities (Members' Allowances) (England) Regulations 2003, to make recommendations to the Council on allowances paid to Councillors. In 2017, the Council agreed that the Panel be asked to review the Scheme every four years in accordance with the Regulations unless a request is received from a Group Leader.



2.2 The Independent Remuneration Panel was appointed by the Governance Committee in April 2019 and consists of three members, Daphne Bagshawe, Duncan Keir and Fiona Leathers.

2.3 A number of Group Leaders expressed support for the Panel to consider whether a special responsibility allowance (SRA) should be payable to the Chair of the Pension Committee, and a request was formerly received in March 2020. As part of their review in response to this request the Independent Remuneration Panel considered a range of information provided including comparative information from other County Authorities.

2.4 A copy of the Independent Remuneration Panel report is attached at Appendix 4 The Panel noted that most of the other County Authorities considered for comparative purposes paid an SRA to the Chair of the Pension Committee, the exceptions being where the Chair of the Committee was a member of the Cabinet and therefore receiving an RSA for that role.

2.5 The other Council committees that meet on a regular basis are the Audit Committee (four meetings a year), the People, Place and Health Scrutiny Committees (four meetings a year each) and the Planning Committee (11 meetings a year). The Chair of each of these four committees receives an SRA of £6,531 per annum.

2.6 The Independent Remuneration Panel is required to review allowances based on the facts and information provided to it. Councillors are required to give due consideration to the recommendations of the Panel but are not bound by them

2.7 The Panel is recommending:

- a) that an SRA of £6,531 should be payable to the Chair of the Pension Committee - this is the same level of SRA that is payable to the Chairs of the Audit, Planning and Scrutiny Committees; and
- b) the SRA should be backdated to 1 April 2020.

2.8 The Committee recommends the County Council to:

- ☆ 1) approve the changes set out in the report of the Independent Remuneration Panel; and
- 2) amend the Members' Allowances Scheme accordingly.

### **3 Virtual meetings – supplementary Standing Orders**

3.1 The Covid-19 pandemic and associated social distancing requirements are impacting upon the County Council's ability to hold its meetings in public in the usual way. This issue has been recognised by Government and temporary regulations have been issued which relax a number of legal requirements on local authorities around physical access to meetings and papers and enable meetings to be held virtually, for example using video conferencing technology. ([The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#), which came into effect on 4 April 2020.)

3.2 The regulations are broad and allow for councils to make specific local arrangements to suit local circumstances. The regulations also provide the option for councils to adopt additional Standing Orders to formalise local procedures for virtual meetings. This report outlines proposed supplementary Standing Orders to formalise the County Council's current approach to virtual meetings during the period of disruption due to Covid-19.

3.3 The procedure rules (also known as Standing Orders) set out within the Council's Constitution govern the conduct of the formal meetings, usually held in public at County Hall, which are required to conduct the business of the authority. Due to the Covid-19 restrictions meetings are currently being held virtually using video conferencing technology under the temporary regulations.

3.4 Virtual meetings have been taking place since early April, supported by guidance and training provided to Members. This included a full Council meeting on 12 May. The learning from these initial virtual meetings has been incorporated into the development of procedures to ensure the effectiveness of meetings undertaken in this format.

3.5 It is now proposed that the County Council agrees a supplementary section of Standing Orders to formalise the current approach to virtual meetings, taking the provisions of the regulations into account. The proposed additional Standing Orders are attached as appendix 5. These will confirm the position of what constitutes a valid formal virtual meeting until the expiry of the regulations in May 2021 and will support the continuation of core County Council business during the public health emergency.

3.6 The temporary national regulations make clear that their provisions supersede existing local Standing Orders where relevant. However, the regulations also indicate that individual authorities may wish to adopt additional Standing Orders to reflect local procedures on issues such as public access to meetings or documents, and voting procedures.

3.7 The proposed supplementary Standing Orders also include provision for Member non-attendance at a meeting during the period covered (to 7 May 2021) due to issues related to the virtual nature of the meeting. A range of issues may be experienced including technical difficulties, failure of IT equipment or services, or the fact that some Members are less familiar with the technology or find it more challenging operating in this technical environment than others and so may not be able access the virtual meetings because of this. It is recommended that these be considered as an absence for a reason approved by the Council in relation to attendance requirements.

3.8 The Committee is recommended to recommend the County Council agrees the supplementary Standing Orders outlined in this report in order to formalise the Council's approach to virtual meetings which are being held to enable core business to be conducted during the period of disruption due to the Covid-19 virus.

3.9 The Committee recommends the County Council to:

☆ 1) agree the supplementary Standing Orders at appendix 5 to apply to meetings held virtually under temporary meetings regulations until 7 May 2021;

2) agree that Member non-attendance at a meeting during the period covered due to issues related to the virtual nature of the meeting be considered as an absence for a reason approved by the Council in relation to attendance requirements; and

3) agree to amend the Constitution accordingly.

#### **4. Amendments to Constitution – Health and Wellbeing Board**

4.1 The East Sussex Health and Wellbeing Board (HWB) was established by East Sussex County Council under the Health and Social Care Act 2012. The purpose of the

HWB includes providing whole system leadership for the health and wellbeing of the people of East Sussex and the development of sustainable and integrated health and care services.

4.2 The 2012 Act prescribes a number of statutory members of a health and wellbeing board, including at least one member of the local Clinical Commissioning Group (CCG), which are the NHS organisations responsible for commissioning most local health services. The current terms of reference need to be updated to reflect the merger of the three CCGs in East Sussex into a single CCG from 1 April 2020.

4.3 The HWB includes representation from all bodies in East Sussex with major responsibilities for commissioning and providing health services, public health and social care. The current membership of the HWB comprises:

- 4 Members of the County Council chosen by the Leader of the Council
- 2 Members representing the five District and Borough Councils
- East Sussex County Council Director of Public Health
- East Sussex County Council Director of Adult Social Care and Health
- East Sussex County Council Director of Children's Services
- Chief Executive of East Sussex Healthcare NHS Trust
- Chief Executive of Sussex Community NHS Foundation Trust
- Chief Executive of Sussex Partnership NHS Foundation Trust
- **One representative from each East Sussex Clinical Commissioning Groups (CCG)**
- One representative of NHS England South
- One representative of Healthwatch East Sussex

4.4 On 1 April 2020, the three CCGs in East Sussex, High Weald Lewes Havens CCG, Eastbourne, Hailsham and Seaford CCG and Hastings and Rother CCG, merged to form East Sussex CCG. Under the current terms of reference, East Sussex CCG would only be entitled to a single member on the HWB instead of the three representatives of the CCGs prior to 1 April.

4.5 In order to maintain the balance of CCG membership on the Board, it is proposed that the terms of reference be amended to allow for three representatives of the East Sussex Clinical Commissioning Group. The revised terms of reference are attached as appendix 6.

4.6 The Committee recommends the County Council to:

☆ 1) approve the revised terms of reference for the East Sussex Health and Wellbeing Board as set out in Appendix 6; and

2) agree to amend the Constitution accordingly.

## 5. Amendment to Constitution - Disciplinary Process for Senior Officers

5.1 The Local Authorities (Standing Order) (England) (Amendment) Regulations 2015 amended the statutory process to be followed in relation to disciplinary processes for senior officers by removing the previous requirement that a designated independent person (DIP) be appointed to investigate and make a binding recommendation on disciplinary action against the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer.

5.2 In July 2015, the County Council approved amendments to our local procedures to remove the role of the DIP. The Joint Negotiating Committee for Local Authority Chief Executives has since published a revised Conditions of Service handbook, produced in consultation with the Association of Local Authority Chief Executives (ALACE), which gives greater detail and explanation on several key points.

5.3 As a result of the above, further revisions to the arrangements set out in the County Council's Constitution are now recommended. A copy of the revised process is attached at Appendix 7.

5.4 The proposed amendments seek to offer greater detail on the procedures in the instance of any allegations being made. The key changes being:

- i) the addition of the provision for informal conciliation, if it can bring about a mutually agreed solution, as opposed to the current approach which only provides for formal processes to be used (para 6. (ii)); and
- ii) greater clarity of roles and responsibilities at the different stages of the procedures, including timescales.

5.5 It should be noted that no change is proposed to the current approach whereby Full Council is required to give the final approval of any recommendation to dismiss a statutory officer.

5.6 The Committee recommends the County Council to:

- ☆ 1) approve the amendments to the Council's Constitution as set out in Appendix 7

23 June 2020

KEITH GLAZIER  
(Chair)

## STANDARDS

### REPORT OF THE STANDARDS COMMITTEE

The Standards Committee met on 16 June 2020.

Present Councillor Stogdon (Chair),  
Councillors Belsey, Godfrey Daniel, Loe, O'Keeffe, Taylor and Tutt

#### 1. Annual Report of the Standards Committee

1.1 The Standards Committee is required to submit an annual report to the County Council on its work during the previous year. Between 1 April 2019 and 31 March 2020 no new complaints were received against Members of the County Council.

1.2 During 2019/20 the Hearings Sub-Committee met to consider the Investigating Officer's report regarding a complaint that was received during 2018/19 which had been considered by an Assessment Sub-Committee and had been referred to the Monitoring Officer for investigation. The Hearings Sub-Committee, having considered the report, heard representations and questioned the Investigator and Subject Councillor, agreed to accept the finding of failure (i.e. that the subject Member had breached the Code of Conduct) and that the Decision Notice be sent to the Subject Member and the complainant.

1.3 It is considered that the standards of conduct among Members and co-opted members of the Council remain high and maintaining good standards is taken seriously. The table below shows the number of complaints considered by the Assessment Sub-Committee over the past 11 years:

Year	No. of complaints considered
2019/20	0
2018/19	3
2017/18	0
2016/17	1
2015/16	1
2014/15	3
2013/14	1
2012/13	1
2011/12	1
2010/11	2
2009/10	4

#### Applications for Dispensation

1.4 In limited circumstances, Members can apply in writing for dispensations to take part in business that they would otherwise have been unable to participate in through having prejudicial interests. During 2019/20 there were no applications for dispensations.

1.5 All dispensations are entered on the register of Members' interests and remain there for the appropriate period.

## STANDARDS

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### Register of Members' Interests

1.6 The Monitoring Officer is required to establish and maintain a register of interests of Members of the Council. All Members have completed and returned their registers and are reminded every six months of the need to notify the Monitoring Officer of any changes. The registers are available for public inspection and are available on the Council's website.

1.7 During 2019/20 councillors were reminded that there is provision for information considered to be sensitive not to be published on their register of interest form. Sensitive information is that which, if disclosed, could lead to the councillor, or a person connected to the councillor, being subject to violence or intimidation. If a councillor considers that the information relating to any personal interest is sensitive, and the Monitoring Officer agrees, the register available for inspection will not include the details of that interest other than stating that the councillor has an interest and that the details are withheld. Councillors were reminded that if they consider an interest to be sensitive they should still declare the matter and request that it be treated as sensitive information. The fact that a councillor considers the information to be sensitive is not a reason for failing to declare the interest.

1.8 A register of Gifts and Hospitality is also maintained by the Monitoring Officer. Members have to register gifts and hospitality received with an estimated value of £50 or more. Councillors are reminded every 6 months of the need to declare gifts and hospitality of such a value.

1.9 There is an ongoing requirement to keep the information on the register of interest form up to date. Councillors must, within 28 days of becoming aware of any new registerable personal interest or change to any registered interest, give written notification to the Monitoring Officer.

### Training

1.10 Following the election on 4 May 2017 and the by-election on 10 January 2019, training was given to Members on the Code of Conduct including register of interests, personal interests, disclosable pecuniary interests and gifts and hospitality at the induction day. All councillors have signed a declaration undertaking to comply with the County Council's Code of Conduct for Members.

### Amendments to Local Standards Framework

1.11 In November 2019, the Committee agreed amendments to the Local Standards Framework regarding complaints about Member Conduct including the adoption of a Hearings Procedure and other changes considered necessary to streamline the process for considering reports from an Investigating Officer in which the officer concludes that there is evidence of a breach of the Code of Conduct. Subsequently, a more comprehensive review of the Local Standards Framework process was undertaken and the key changes agreed by the Committee include:

- a) A flow chart has been produced in order to summarise the detailed process outlined in 'Arrangements for Dealing with Complaints about Councillor Conduct'. The summary provides the public and councillors with an overview of the process.
- b) Rather than all complaints being referred to the Assessment Sub-Committee the Committee agreed that the Monitoring Officer may, in consultation with the Chair of the Standards Committee, agree not to progress a complaint if there appears to be an insufficient basis to refer the matter to the Assessment Sub-Committee of the Council's Standards Committee. For example:

## STANDARDS

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- It is about someone who is no longer a Member of the Council.
  - The complaint refers to alleged behaviour/action when the councillor was not acting in their capacity as a councillor.
  - There has been a long delay before the complaint was made.
  - The complaint appears to be sufficiently minor, politically motivated or not sufficiently serious to warrant further action.
  - The complaint relates to a decision taken by councillors rather than the conduct of a councillor
- c) An Investigations Procedure document has been produced. Where an investigation is necessary it is good practice to have an agreed process and the Committee has agreed such a Procedure. Detail regarding investigations is still contained in the Arrangements for Dealing with Complaints about Councillor Conduct document but it was considered useful to have a separate guide for anyone interested specifically in this part of the process.
- d) A Hearings Procedure has been produced. Where a hearing is necessary it is good practice to have an agreed process and the Committee agreed the adoption of a Hearing Procedure as part of the Local Standards Framework.
- 1.12 The Committee **recommends** the County Council to –
- ☆ agree the Annual Report

RICHARD STOGDON  
(Chair)

16 June 2020

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### **EAST SUSSEX FIRE AUTHORITY**

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**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, 13 February 2020.**

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Barnes, Dowling, Ebel, Evans, Hamilton, O'Keeffe, Osborne, Peltzer Dunn, Powell, Pragnell, Scott, Sheppard, Smith, Taylor, Theobald and Tutt

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 URGENT ITEMS AND CHAIRMAN'S BUSINESS**

- 1.1 The Authority were updated on the position of East Sussex Fire & Rescue Service with regards to the current outbreak of Coronavirus. The local and National responses were being led by Public Health England (PHE) and the NHS. ESFRS were working with the Local Resilience Forum (LRF) as required under the Civil Contingencies Act. All updated information regarding the virus was shared with all agencies and, where required, with ESFRS staff both for general good hygiene and specialist information for emergency services first responders.
- 1.2 The clear perspective of ESFRS was that at this stage the Coronavirus outbreak was an issue to be aware of but not a crisis. Through the National Fire Chiefs Council (NFCC) there had been opportunities to influence processes and raise issues with PHE - in particular with regards to the creation of containment centres.
- 1.3 Members asked for clarification that there was engagement with District and Borough Councils. The Chief Fire Officer (CFO) confirmed that each authority was represented on the LRF and that officers would be responsible for providing feedback to their authorities with the information provided by PHE and NHS leads. All local authorities would be dealing with the outbreak under their own local business continuity processes and any locally relevant issues that Members might have should be raised with them directly.

#### **2 FIRE AUTHORITY SERVICE PLANNING PROCESSES FOR 2020/21 & BEYOND - REVENUE BUDGET 2020/21 & CAPITAL STRATEGY 2020/21 - 2024/25**

- 2.1 The Authority received a report presenting the Fire Authority's Revenue Budget 2020/21, Capital Strategy 2020/21–2024/25 and Medium Term Finance Plan for 2020/21–2024/25 for approval. It presented a broadly positive picture and included figures as anticipated from the delayed Local Government Finance Settlement. This delay did not stop Members agreeing the budget on the basis of the figures contained within the Report.

- 2.2 The report presented a balanced budget for the forthcoming year with a net budget increase of 1.2%, which comprised various pressures and new commitments of £0.863m and savings of £0.396m. with the core funding remaining roughly constant to the previous year. The proposed 1.99% increase to Council Tax along with a growth in the council taxbase of 0.63% would provide ESFRS with an additional income of £716,000.
- 2.3 There remained significant uncertainty for fire funding beyond this financial year. For 2021/22 and beyond there were significant risks as a result of proposals to change the Business Rates Retention regime, the Fairer Funding Review and a Comprehensive Spending Review (CSR) following the outcome of the recent Parliamentary Election. This uncertainty meant that the Medium Term Finance Plan forecasted overall central support in three scenarios providing best case, mid case and worse case savings relating to Settlement Funding Assessment. Officers would continue to focus on driving efficiencies through various activities set out in the Efficiency Strategy, although a key element would be the outcomes of the work on the Operational Response Review and Integrated Risk Management Plan.
- 2.4 The Treasurer to the Fire Authority was satisfied that the budget was both robust and transparent and that the allocation of resources within it were necessary and appropriate.
- 2.5 The Authority approved an increase in council tax of 1.99% and thus approved the budget proposals set out in the Report and the net budget requirement of £39.737m for 2020/21; the council tax requirement of £27.931m; and the council tax and precepts as set out in Appendix F.
- 2.6 They also approved the capital programme for the next five years, the capital budget of £5.992m for 2020/21 and the plans to use capital grant, capital receipts and revenue contributions to finance capital expenditure; the change in the minimum level of General Reserves to 5% of the net revenue budget; the fees and charges set out in Appendix C to the report; and that the Chief Fire Officer, in consultation with the Chairman and Treasurer, be authorised to make any adjustments to the presentation of the budget to reflect the final Local Government Finance Settlement.

### **3 TREASURY MANAGEMENT STRATEGY 2020/21**

- 3.1 The Authority considered a report seeking Member approval of the treasury management strategy, policy statement and the Minimum Revenue Provision (MRP) Statement 2020/21. The Authority resolved to approve the treasury management strategy and policy statement for 2020/21 (and adopt for the remainder of (2019/20); determined that for 2020/21 the Authorised Limit for borrowing should be £14.785m; adopted the prudential indicators as set out in Appendix 2 to the Report; and approved the Minimum Revenue Provision (MRP) Statement for 2020/21.

**4      PAY POLICY STATEMENT 2020/21**

- 4.1      The Authority considered a report presenting Members with the Pay Policy Statement for 2020/21. Members were reminded that the Localism Act 2011 imposed a duty on relevant local authorities to prepare a pay policy statement for each financial year, which must be approved by 31 March 2020. The statement must include policies on remuneration of chief officers and lowest paid employees.
- 4.2      Members also asked for confirmation that ESFRS pay scales were based on National Pay awards, and therefore it was not possible to have flexibility locally on them. The Assistant Director People Services confirmed that ESFRS pay was based on nationally agreed pay scales, adding that there were some local agreements including policies on pay protection which had been consulted on and agreed locally. The Authority resolved to approve the Pay Policy Statement.

**5      FIREFIGHTER PENSION SCHEMES**

- 5.1      The Authority considered the Report of the Pensions Advisor (PA) informing Members that, following recommendations in the Pension Regulator's Governance and Administration survey 2017 and the Scheme Advisory Board's survey of local boards, the Authority's Firefighters' Pension Scheme Local Pension Board had updated its Terms of Reference. These updates included frequency of meetings, reporting requirements and length of term for members.
- 5.2      Members thanked the PA for her extensive work for ESFRS and supported the proposals made in the report. There were questions of how the Sargeant case might impact the finances and service provision of ESFRS. Extensive work was being undertaken to evaluate the risks posed by the decision on this national case and an update was anticipated from Government on the potential impacts. The case had been added to the Corporate Risk Register ensuring it was monitored but until more information was provided the impact remained unknown. There were also ongoing Government negotiations and proposed remedies were out to consultation, ending in spring 2020. Members were reassured and reminded that this was a national pension scheme and that the financial implications were expected to be national and therefore not borne by ESFRS, but until the remedies were known it was impossible to work out the cost.
- 5.3      The Chair of the Pension Board added that the intention was now to meet a minimum of four times per annum, all Board Members had undertaken specific training and reassured the Authority that the Board was paying close scrutiny to the Sargeant case and would keep monitoring it and report back to the Authority as required. The Authority resolved to note and approve the updated Pension Board Terms of Reference (TOR); the new Breaches of Law Policy and Guidance; and the new Pension Board Training Policy.

## **6 HEALTH, SAFETY & WELL-BEING STRATEGY 2020-2023**

- 6.1 The Authority considered the revised Health, Safety & Well-being Strategy for 2020-2023. The Authority had an existing Health, Safety & Well-being Strategy which had been refreshed to incorporate the new Health & Safety Management System. The Strategy continued to develop the strategic direction for the health and safety of ESFRS employees and their mental well-being, the updates had taken into account the responses to the regional health & safety audit and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services inspection.
- 6.2 The report presented the Authority with the overarching strategy and therefore did not include all the procedural detail on how the aims would be achieved. Wellbeing was of strategic importance to the organisation and the Service's approach to mental health was multi-layered and complex with the Wellbeing Champions being one solution amongst many. The move, in 2018, to the new Occupational Health provider meant that there was now a collaborative board considering well-being across ESFRS, Surrey FRS and Sussex & Surrey Police. This approach was not all incident related, as ESFRS was very much on top of this provision, but related more to all staff and when life was feeling a bit too much. The ethos was that ESFRS might not be able to fix its staff, but would actively support, identify and signpost them to the help they needed as quickly as possible.
- 6.3 ESFRS had put itself through the Mind Healthy Workplace assessment and provided comprehensive signposting to all staff on the website. Members agreed that ESFRS was, and should continue to be, a good employer and supportive of all staff. The Authority resolved to support the revised Health, Safety & Wellbeing Strategy for 2020-2023 and to adopt it as a formal Fire Authority Strategy.

## **7 FUTURE PROVISION OF OFFSHORE MARITIME RESPONSE TEAM**

- 7.1 The Authority received a report outlining proposals to remove ESFRS's off shore capability in order to better facilitate the statutory responsibility for ship alongside firefighting resilience. Members had been briefed on this matter some months ago and subsequently a detailed risk review had been undertaken to consider this provision. ESFRS did not have a statutory duty to provide its current offshore maritime firefighting capacity and had not been called upon to provide such assistance for over 14 years. The Service had a responsibility to use its resources to address any significant community risk that it identified as part of its integrated risk management plan (IRMP) and as a coastal fire service with a statutory responsibility to provide resilience to a ship alongside incident should one occur at one of our ports.

- 7.2 ESFRS currently spent approximately £50,000 each year to provide its current Fire & Rescue Maritime Response team, based at Newhaven. The review and report proposed that the offshore capability be removed and that the provision be redirected to provide a more refined and robust response to ship alongside fires. The Authority resolved to support Option 2 in Section 13 of the Report, and withdraw the offshore maritime firefighting team in order to reinforce the Statutory ship alongside firefighting resilience.

**COUNCILLOR ROY GALLEY**  
**CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**  
13 February 2020

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## EAST SUSSEX FIRE AUTHORITY

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### **Report of a virtual meeting of the East Sussex Fire Authority held at 10:30 hours on Thursday, 23 April 2020.**

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Barnes, Dowling, Ebel, Evans, Hamilton, O'Keeffe, Osborne, Peltzer Dunn, Powell, Pragnell, Scott, Sheppard, Smith, Taylor, Theobald and Tutt

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 URGENT ITEMS AND CHAIRMAN'S BUSINESS**

- 1.1 The Chairman welcomed Members, the press and public to the first virtual meeting of the Fire Authority and gave all those in attendance a brief explanation of how the meeting would be conducted.
- 1.2 The Chairman informed the Authority that he had received the resignation of Cllr Scott from his post as Labour Party Group Leader. Cllr Scott was thanked for his service to the Authority in that role over the past years. The Chairman then welcomed Cllr Evans as the new Labour Party Group Leader.
- 1.3 A query was raised regarding the additional grant of £136,000 which had been promised to the Service in order to be spent on its response to the Covid-19 pandemic. The Assistant Director Resources/Treasurer (ADR/T) confirmed that all Covid-19 related spend was tracked and reported via NFCC to the Home Office.
- 1.4 The ADR/T explained that the a second tranche had been announced by the government totalling £1.6bn but as yet it was unknown how this would be allocated. The sector was working collectively via NFCC to bid for additional funding.
- 1.5 As well as spending on PPE for frontline staff there had been additional expenditure made on cleaning both contractor services and consumables, some staffing costs and on IT equipment in order to facilitate and support mobile working.
- 1.6 The longer term financial impacts of the Covid-19 pandemic were clearly not yet known. The Service was less exposed both to increases in costs through service delivery and also to loss of income from fees and charges than other local authorities. The biggest impact was expected to be on Council Tax and Business Rates through the Collection Fund, which would impact on the 2021/22 budget, as collection rates reduced and claims for council tax support increased. There would also be an impact on the taxbase in 2021/22.

- 1.7 Members were updated on the impact on staff well-being as a result of Covid-19. The Coronavirus Working Group (CWG) was working hard to look after all aspects of the health & safety of the entire workforce and paying great attention to well-being. There had been a spike in March 2020 of staff sickness with absences at 8.6% but, at the time of the meeting, the sickness level had stabilised. There had been no tested or confirmed cases of Covid-19 but some were now undergoing testing. Staff who were symptomatic, or had household members who were symptomatic, were self-isolating in accordance with government guidance. There were a handful of staff who were on the government list of those who were extremely vulnerable, 1.4% of the workforce. There was a focus on the well-being of all staff. Many were now working from home, and some of those were reporting that they felt isolated, others were juggling working and home schooling. There was a lot of work being undertaken to try to ensure those working from home were supported. The CWG was working to create a wellbeing cell to address all these matters.

## **2 INTEGRATED RISK MANAGEMENT PLAN 2020-2025**

- 2.1 The Fire Authority considered a report seeking approval for the draft 2020/2025 Integrated Risk Management Plan (IRMP) to be published for the purpose of public and stakeholder consultation.
- 2.2 The draft IRMP, detailing the strategic direction for the Fire Authority for the next five years (2020–2025), was ready for the Authority to consider and publish for the purpose of public and stakeholder consultation. The Fire Authority were reminded that no decisions would be taken at this meeting on the proposals. The Authority were reminded they had been involved in the drafting process and there had been 12 months detailed work undertaken to get to this stage. The draft IRMP was the most comprehensive ESFRS had compiled and it was essential to ensure that ESFRS had the right resources in the right place in order to address risk. Further detailed work would be required in relation to the impact assessments, planning assumptions, policy implications, delivery timeline and implementation options. This work would be completed and presented to the Fire Authority at its meeting on 3 September 2020, alongside public consultation feedback reports, in order to help inform the Fire Authority's final decisions. Following advice, there was a strong legal case for proceeding with the consultation as the requirement for the Fire Authority to have an updated and fit for purpose IRMP was not changed due to COVID-19.
- 2.3 Some Members were clear that whilst they supported the need for a consultation to be conducted on the proposed IRMP, they believed that now was not the right time. There was anxiety that a consultation at this time would not be well responded to as people were otherwise concerned with the current impact of COVID-19.



- 2.4 Cllr Scott proposed the following motion, seconded by Cllr Evans:

*“In the midst of this unprecedented crisis, where none of us know what the post COVID world will look like or even when it might arrive, we move that East Sussex Fire & Rescue Service defer the consultation process until the crisis and any Public Inquiry that may follow has passed, to allow both Government and ESFRS to have a better understanding of what resources, people and equipment may be needed in the future to deal with National Incidents such as coronavirus”*

- 2.5 Members debated the motion at length, many had been sent emotive emails about this consultation. Some reminded their colleagues that the HMICFRS inspection report had stated that the existing IRMP, which expired this year, was not fit for purpose. They may have been supportive of a short delay if it were deemed to be beneficial and there were dramatic changes to the requirements on the fire service, but could not support freezing the consultation for potentially a minimum of a couple of years particularly as Covid-19 did not immediately change the risks faced by the Service and the need to improve current cover.

- 2.6 Cllr Hamilton left the meeting at 11.15am.

Some struggled to understand why fellow Members were requesting a delay as it was them as the Fire Authority, not the Service, who had responsibility for providing an IRMP which was fundamental to the work of the organisation. There was strong sympathy that this was not the ideal time to consult but the need to do so was unavoidable. Members took part in a recorded vote on the proposed motion with the results being as follows:

FOR:	5	(Cllrs Ebel, Evans, O’Keeffe, Powell, Scott)
AGAINST:	12	(Cllrs Barnes, Dowling, Galley, Lambert, Osborne, Peltzer Dunn, Pragnell, Sheppard, Smith, Taylor, Theobald, Tutt)

The motion was not carried.

- 2.7 Members voted on the recommendations as set out in the report as follows:

FOR:	12	(Cllrs Barnes, Dowling, Galley, Lambert, Osborne, Peltzer Dunn, Pragnell, Sheppard, Smith, Taylor, Theobald, Tutt)
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AGAINST:	5	(Cllrs Ebel, Evans, O’Keeffe, Powell, Scott)
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- 2.8 The Fire Authority resolved to approve the draft IRMP (and relevant associated appendices) for public consultation, noted the proposed minor wording changes to the Authority’s purpose and commitments. They agreed the proposal to recommend an eight-week consultation period, alongside the associated draft consultation, communications and engagement plan, and noted the intention to bring back a fully costed project implementation plan, and additional suite of detailed impact assessments, to the Fire Authority meeting in September 2020.

**3 INTEGRATED RISK MANAGEMENT PLAN - CONSULTATION AND COMMUNICATION PLAN**

- 3.1 The Fire Authority considered a report presenting them with the communication and consultation plan for the Integrated Risk Management Plan. The plan had been revised in light of guidance issued by the Consultation Institute in response to the COVID-19 pandemic.
- 3.2 External advice on conducting a consultation at this time had been sought from the Consultation Institute. These consultation providers had given the Service alternative options to the traditional face to face approach which was not possible under the current national restrictions. The plan included using various media channels to reach the public.
- 3.3 The Service would not be reliant on digital media as some members feared, and had a list of over 500 local groups in the county and city including those that were hard to reach. The consultation would use telephone interviews and 10,000 postcards were being sent to those residents the Service knew to be adverse to digital contact to encourage awareness of the consultation and how to take part. Information on the consultation would also be available in e-bulletins and magazines produced by local authorities in the area
- 3.4 Members queried whether there were stocks of the plan available in other languages. They were informed that this was not a new communication challenge and, in line with other local authority's processes, there would be papers made available in other languages available on request.
- 3.5 The Authority sought reassurance that the telephone interview sample size would be large enough to provide robust data. The independent consultancy firm carrying out the interviews would contact enough people to ensure that there were 600 full interviews undertaken. The Authority would be provided with Member packs, containing all the information needed to respond to their constituents and make sure that they are giving the right information and directing people to take part in the consultation.
- 3.6 Members then voted on the recommendations:
- FOR:            12        (Cllrs Barnes, Dowling, Galley, Lambert, Osborne, Peltzer Dunn, Pragnell, Sheppard, Smith, Taylor, Theobald, Tutt)
- AGAINST:    4            (Cllrs Ebel, Evans, Powell, Scott)
- 3.7 The Fire Authority approved the changes to the consultation plan in light of the COVID-19 pandemic, presented as option B; approved the proposed 8 week consultation period; did not elect to include a further 12 optional in depth surveys presented as option C; and noted that the additional costs would be funded from the corporate contingency.

**4      FORT ROAD, NEWHAVEN DISPOSAL REPORT**

- 4.1      The Fire Authority considered a report regarding the proposed disposal of the Fort Road, Newhaven site. Following the completion of Saxon House in Newhaven, the old Fire Station site in Fort Road was surplus to Service requirements. In January 2013 the Policy & Resources Panel approved the disposal of the site at the best price reasonably obtainable. Lewes District Council (LDC) offered £525,000.00 for the site, conditional on securing residential planning approval. The LDC purchase offer demonstrated best price for the Fire Authority.
- 4.2      The Fire Authority approved the disposal of the Fort Road site to Lewes District Council at £525,000.00 noting that the disposal is subject to residential planning permission being secured by Lewes District Council; approved the draft Heads of Terms (Subject to Contract);and delegated authority to the Assistant Director Resources/Treasurer in consultation with the Chief Fire Officer and the Deputy Monitoring Officer to take all necessary steps to complete the disposal

**COUNCILLOR ROY GALLEY**  
**CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**  
23 April 2020

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## EAST SUSSEX FIRE AUTHORITY

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### **Report of a virtual meeting of the East Sussex Fire Authority held at 10:30 hours on Thursday, 11 June 2020.**

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Barnes, Dowling, Evans, Hamilton, Osborne, Peltzer Dunn, Powell, Pragnell, Scott, Sheppard, Smith, Taylor, Theobald, Tutt and West

*N.B. Apologies were received from Councillor O'Keeffe*

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 Roy Galley as Chairman of the Fire Authority for the year 2020-21.

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

- 2.1 Members resolved to appoint Councillor Carolyn Lambert as Vice-Chair of the Fire Authority for the year 2020-21.

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

- 3.1 The Chairman informed the Authority that Councillor Ebel had resigned her position on the Authority and thanked her for her hard work during her membership. He then welcomed Councillor Pete West who would be taking the newly vacant position on the Fire Authority as a representative of Brighton & Hove City Council.

#### **4 POLITICAL REPRESENTATION ON THE PANELS OF THE FIRE AUTHORITY**

- 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 they reflected the political groups on the Authority. The rules governing this representation were outlined in the report.

- 4.3 There were four political groups on the Fire Authority, namely Conservative, Green, Labour and Liberal Democrat. There was also one Independent Member of the Fire Authority but single members cannot constitute a political group. The allocations to panel memberships had not altered and the proposed political proportionality for 2020/21 remained unchanged.
- 4.4 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. The Authority agreed the appointment of Cllr Peltzer Dunn as Chairman of the Policy & Resources Panel and Cllr Barnes as Chairman of the Scrutiny & Audit Panel in accordance with Standing Order 41.13 and agreed that the appointment of the Chairman of the remaining Panels be made by the Panels at their first meeting in accordance with Standing Order 41.14.

## **5 FIRE AUTHORITY AND PANEL MEETINGS 2019/20**

- 5.1 The Fire Authority received and noted the dates of meetings of the Fire Authority and Panels for the remainder of 2020 and 2021.

## **6 TREASURY MANAGEMENT – STEWARDSHIP REPORT 2018/19**

- 6.1 The Fire Authority received the Report of the Assistant Director Resources/Treasurer. The Annual Treasury Management Stewardship Report is a requirement of the Fire Authority's reporting procedures and informed Members of Treasury Management Performance for 2019/20 and compliance with Prudential Indicators. The Fire Authority noted the Treasury Management Performance for 2019/20.

## **7 REVIEW OF THE CONSTITUTION OF THE FIRE AUTHORITY**

- 7.1 The Fire Authority considered the report of the Monitoring Officer (MO) which informed Members of the first stage of a review of the Fire Authority's constitutional arrangements and to propose some minor amendments to the Constitution of the Authority.
- 7.2 A project to review and update the Authority's constitutional arrangements had been initiated and was being undertaken by Legal officers at Brighton & Hove City Council. The report sought approval for a series of minor amendments to the Constitution as part of stage 1 of the review. It was proposed that additional amendments to the Constitution be put to the Authority in due course as part of a second stage following consideration and input from a Member Working group.
- 7.3 The Fire Authority approved with immediate effect the changes to the East Sussex Fire Authority's Constitution outlined in the report and appendices. They authorised the Authority's Chief Fire Officer to take all steps necessary or incidental to the implementation of the changes agreed by the Authority, and to amend and re-publish the constitutional documents to reflect those amendments and noted the intention to form a Constitution Working Group, with Fire Authority Member attendance, who would work to create a further Report to the Authority proposing additional updates to the Constitution.

**8      REVIEW OF THE TERMS OF REFERENCE OF HUMAN RESOURCES AND PRINCIPAL OFFICER APPOINTMENT PANELS**

- 8.1      The Fire Authority considered the report of the Monitoring Officer (MO) proposing changes to the Terms of Reference of the Human Resources and Principal Officer Appointment Panels. The Service's Disciplinary Procedures were incompatible with the Gold Book Terms and Conditions of Service, under which the Principal Officers were employed. The proposed minor changes to the Terms of Reference of both the Human Resources and Principal Officer Appointment Panels would address this issue.
- 8.2      The Fire Authority approved with immediate effect the amended Terms of Reference for the Human Resources and Principal Officer Appointment Panels and authorised the Assistant Director Planning & Improvement to amend and re-publish Section B of the Constitution to reflect those amendments.

**COUNCILLOR ROY GALLEY  
CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**

11 June 2020

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