



LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

DECISIONS to be made by the Lead Member for Strategic Management and Economic Development, Councillor Keith Glazier

THURSDAY, 2 APRIL 2020 AT 10.00 AM

CC1 - COUNTY HALL, LEWES

++ Please note, the Lead Member will not be present in person, but will be taking the decisions remotely ++

AGENDA

- 1 Decisions made by the Lead Cabinet Member on 11 February 2020 *(Pages 3 - 4)*
- 2 Disclosure of Interests
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- 3 Urgent items
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
- 4 Coronavirus (Covid-19) contingency arrangements *(Pages 5 - 6)*
Report by the Assistant Chief Executive
- 5 Amendment to Scheme of Delegation in relation to Executive functions *(Pages 7 - 8)*
Report by the Assistant Chief Executive
- 6 Any urgent items previously notified under agenda item 3

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30 March 2020

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LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

DECISIONS made by the Lead Member for Strategic Management and Economic Development, Councillor Keith Glazier, on 11 February 2020 at County Hall, Lewes

Councillor Simmons spoke on item 4 (see minute 11)

8 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 12 NOVEMBER 2019

8.1 The Lead Member approved as a correct record the minutes of the meeting held on 12 November 2019.

9 DISCLOSURE OF INTERESTS

9.1 Councillor Glazier declared a personal interest in item 4 as the current representative of SELEP, but he did not consider this to be prejudicial.

10 REPORTS

10.1 Reports referred to in the minutes below are contained in the minute book.

11 SELEP LEGAL PERSONALITY

11.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

11.2 The Lead Member RESOLVED to (1) Agree to East Sussex County Council (ESCC) continuing its role as a partner in and a member of the South East Local Enterprise Partnership (SELEP) after it becomes a Private Company Limited by Guarantee (SELEP Ltd), the terms of which are set out in the new SELEP Articles of Association (Appendix 1);

(2) Agree that ESCC enters into a new partnership agreement – termed the SELEP Framework Agreement (Appendix 2) – between SELEP Ltd and the six upper-tier authorities that comprise SELEP, noting that the existing Joint Committee Agreement (governing the SELEP Accountability Board) has been updated and is included within the new SELEP Framework Agreement;

(3) Confirm that the Leader of the County Council will continue to be the ESCC representative on SELEP subject to confirmation by the Governance Committee and will take up the appointment of Company Director of SELEP Ltd, as per the new membership arrangements described in the SELEP Articles of Association;

(4) Confirm that subject to confirmation by the Governance Committee the Leader of the County Council will continue to be the formal voting representative of ESCC at SELEP Strategic Board meetings and at SELEP Accountability Board meetings;

(5) Delegate authority to the ESCC Monitoring Officer to sign the SELEP Framework Agreement on behalf of ESCC; and

(6) Delegate further authority to the ESCC Monitoring Officer, in consultation with the Leader of the County Council and the Director of Communities, Economy and Transport, to enter into any additional legal agreements or contracts as required to implement the above decisions.

Reasons

11.3 SELEP is required by Government to adopt a new legal personality from April 2020. This was one of the principle requirements of the 2018 LEP Review so is absolutely necessary in order for SELEP to continue receiving its core funding from Government, as well as other annual programme funds (including Local Growth Fund monies).

11.4 The approach taken by SELEP has been developed in consultation with the government's Ministry of Housing, Communities and Local Government (MHCLG) and the Department for Business, Energy and Industrial Strategy (BEIS) who are happy with the proposals. The recommendations in this report have been developed in consultation with all six upper-tier authorities of SELEP. The County Council has been fully engaged in this process from the outset, with the Leader of the County Council sitting on the legal personality subgroup.

11.5 The two key documents – SELEP Articles of Association and SELEP Framework Agreement – have been reviewed by County Council officers in the Economic Development and Legal Services teams, providing recommendations to the County Council's Monitoring Officer who in turn provided detailed feedback to SELEP on the draft versions of the documents, and subsequently gave their endorsement to the final versions.

12 EXCLUSION OF PUBLIC AND PRESS

12.1 It was RESOLVED to exclude the public and press for the remaining agenda items on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraph 5 of Part 1 of the Local Government Act 1972 (as amended), namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

13 SELEP LEGAL PERSONALITY - EXEMPT INFORMATION

13.1 The Lead Member considered a report by the Director of Communities, Economy and Transport, which provided exempt information in support of an earlier agenda item.

13.2 The Lead Member RESOLVED to note the information.

Report to: **Leader and Lead Member for Strategic Management and Economic Development**

Date: **2 April 2020**

By: **Assistant Chief Executive**

Title: **Coronavirus (Covid-19) contingency arrangements**

Purpose: **To consider proposed temporary measures to be put in place in response to Covid-19.**

RECOMMENDATIONS

The Leader is recommended to:

Delegate authority to the Chief Executive to take any executive decision which she considers appropriate in response to the outbreak of Covid-19

1. Background

1.1 The current incidence of the Covid-19 virus both nationally and internationally is beginning to cause disruption to a range of business and social activity. There may be a need for additional preventative measures to be introduced nationally to help contain or delay the spread of the virus. This includes potential advice to individuals or groups to self-isolate for periods of time, and/or for more general restrictions on travel or gatherings. It is also likely that more people will become unwell as a result of the virus.

1.2 The current situation is moving at pace and requires decisions to be taken at short notice. Although measures are being put in place for Lead Member decisions to be taken virtually it may in certain situations not be possible or prudent to wait for the Lead Member to take the decisions meeting.

1.3 It is therefore recommended that the Leader delegates authority to the Chief Executive to take any executive decision which she considers appropriate in response to the Covid-19 to help safeguard the residents of East Sussex.

1.4 It is recognised that this is a significant step and unprecedented. Where the Chief Executive exercises this delegation and the power exercised is not one currently set out in the scheme of delegation to officers then she will report this decision to the Group Leaders as soon as practicable.

PHILIP BAKER
Assistant Chief Executive

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BACKGROUND DOCUMENTS

None

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Report to: Leader and Lead Member for Strategic Management and Economic Development

Date of meeting: 24 March 2020

By: Assistant Chief Executive

Title: Amendment to Scheme of Delegation in relation to Executive functions

Purpose: To consider changes to the Scheme of Delegation in light of the creation of the Regional Adoption Agency, Adoption South East.

RECOMMENDATIONS: The Leader is recommended to:

- (1) agree to the proposed amendment to the Scheme of Delegations to Officers in relation to Executive functions as set out in paragraph 2.2; and
 - (2) delegate authority to the Assistant Chief Executive to amend the Constitution accordingly.
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1. Background

1.1. In July 2019 the Lead Member for Children and Families approved the establishment of a Regional Adoption Agency (RAA) from the adoption services of Brighton & Hove City Council, Surrey and East and West Sussex County Councils to be known as Adoption South East (ASE). It was agreed that East Sussex be appointed as the lead authority. The establishment of ASE is in line with national legislation directing local authorities to form or join RAAs, reflecting the policy of central Government to rationalise the adoption sector, creating a smaller number of adoption agencies operating at regional level in place of the 180 agencies in operation in England in 2015.

1.2. ASE will bring benefits such as an increased and more diverse pool of adopters through a shared regional recruitment strategy and resource, and greater choice and more timely placements for children in need of adoption. It will also enable the sharing of good and innovative practice, offering opportunities for regional initiatives, collaborative commissioning arrangements and the development of ongoing adoption support for adopted children and their families.

1.3. ASE will come into effect from 1 April 2020, and during 2020 it will begin delivering the majority of adoption services on behalf of the four constituent authorities. This will include the Agency Decision Maker role in relation to approvals of adopters. The individual local authorities retain responsibility for adoption services but will exercise functions of an adoption agency through ASE via an Inter Authority Agreement with East Sussex as the host authority.

2. Supporting information

2.1. The Scheme of Delegations to officers in the council's Constitution (Part 3, Table 6) contains the following delegations of Executive functions to the Director of Children's Services in relation to adoption services:

29. To undertake all the powers and duties of the County Council as an adoption agency having regard to the recommendations of the Adoption Panel and to approve the charge for home-study assessments for intercountry adoptions in accordance with the policy agreed by the Cabinet.

39. To appoint the members (except for the appointment of any members who are County Councillors) of the Adoption and Permanence panels in accordance with the Adoption Agencies Regulations 2011. [Note that an amendment to this delegation is the subject of a separate report to 24 March 2020 Council with a recommendation to remove reference to the appointment of County Councillors.]

2.2. In light of the establishment of the RAA, the future exercise of the majority of these functions will be through ASE. For the avoidance of doubt, it is recommended that the Leader agrees that the Head of Service for ASE be delegated authority to exercise the functions set out above and the officer Scheme of Delegations be amended accordingly to reflect this.

3. Conclusion and reason for recommendations

3.1. For the reasons set out in the report it is recommended that the amendments to the Scheme of Delegations to officers set out above are agreed and the Constitution amended accordingly.

PHILIP BAKER
Assistant Chief Executive

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BACKGROUND DOCUMENTS

None