

Meeting of
East Sussex County Council
on Tuesday, 12 October 2021
at 10.00 am

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



EAST SUSSEX COUNTY COUNCIL


To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held at County Hall, Lewes, **on Tuesday, 12 October 2021 at 10.00 am** to transact the following business

1. **Minutes of the meeting held on 23 July 2021** (Pages 5 - 34)
2. **Apologies for absence**
3. **Chairman's business**
4. **Questions from members of the public**
5. **Report of the Cabinet** (Pages 35 - 46)
6. **Report of the Governance Committee** (Pages 47 - 50)
7. **Report of the Lead Member for Resources and Climate Change** (Pages 51 - 54)
8. **Report of the Lead Member for Transport and Environment** (Pages 55 - 56)
9. **Questions from County Councillors**
 - (a) Oral questions to Cabinet Members
 - (b) Written Questions of which notice has been given pursuant to Standing Order 44
10. **Report of the East Sussex Fire Authority** (Pages 57 - 64)

Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by Jez Field, Pastor, Kings Church, Seaford. The Chairman would be delighted to be joined by any members of staff and Councillors who wish to attend.

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



PHILIP BAKER
Assistant Chief Executive

4 October 2021

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MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at the Council Chamber, County Hall, Lewes on 23 JULY 2021 at 10.00 am

Present Councillors Abul Azad, Sam Adeniji, Matthew Beaver, Colin Belsey, Nick Bennett, Bob Bowdler, Charles Clark, Chris Collier, Godfrey Daniel, Johnny Denis, Chris Dowling, Claire Dowling, Kathryn Field, Gerard Fox, Nuala Geary, Keith Glazier, Alan Hay, Julia Hilton, Ian Hollidge, Stephen Holt, Johanna Howell, Eleanor Kirby-Green, Carolyn Lambert, Tom Liddiard, Philip Lunn, James MacCleary, Wendy Maples, Sorrell Marlow-Eastwood, Carl Maynard, Matthew Milligan, Steve Murphy, Sarah Osborne, Peter Pragnell (Chairman), Paul Redstone, Christine Robinson, Pat Rodohan, Daniel Shing, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Bob Standley, Colin Swansborough, Barry Taylor, Georgia Taylor, David Tutt, John Ungar and Trevor Webb

16 Minutes of the meeting held on 25 May 2021

16.1 RESOLVED – to confirm as a correct record the minutes of the meeting of the County Council held on 25 May 2021 as a correct record.

17 Apologies for absence

17.1 Apologies for absence were received on behalf of Councillors Penny di Cara, Roy Galley and Phil Scott.

18 Chairman's business

DAVID ELKIN

18.1 The Chairman welcomed David Elkin back to the Chamber and paid tribute to his work while he had been Chairman of the County Council. The Chairman stated that David had chaired meetings in a professional manner particularly during his last year as Chairman when Council meetings had been held virtually. As a result, business has been properly and effectively handled. The Chairman acknowledged the role that David undertook as an ambassador for the County Council, hosting and attending a number of engagements, ensuring that the work of the Council was recognised in communities within and outside East Sussex. The Chairman also thanked David for his support for young people which was highlighted by his support and promotion of Project Rudolph each year.

18.2 The Leader of the Council, Group Leaders and other councillors paid tribute to the way in which David Elkin had carried out his duties as a councillor since 2005 and as Chairman of the County Council over the past two years. The Chairman, Leader of the Council and Group Leaders also paid tribute to Sandra Elkin for her role and support as consort. David Elkin responded to the comments made. The Chairman presented David Elkin with the past Chairman's badge and presented Sandra Elkin with a consort's badge and a bouquet of flowers.

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STUART GALLIMORE

18.3 The Chairman reminded the Council that Stuart Gallimore was retiring at the end of the month. Stuart first joined the Council in 2000 as Head of Safeguarding before leaving to take a up the position of Assistant Director of Children's Services at Portsmouth City Council. He then was appointed as the Deputy Director and subsequently Director of Children's Services at West Sussex County Council. He returned to East Sussex as Director in April 2014. He has had a great impact on the lives of children in this County and in working to ensure that we provide the best service possible. He is passionate about the services provided and he will be greatly missed. The Leader of the Council, Group Leaders and other councillors also paid tribute to Stuart. On behalf of the Council the Chairman wished Stuart all the very best for the future.

LORD LIEUTENANT

18.4 The current Lord Lieutenant will be retiring next month. Sir Peter Field was appointed Lord Lieutenant of East Sussex in 2008 and has been a wonderful ambassador for the County. On behalf of the County Council the Chairman wished Peter a long and happy retirement.

CHAIRMAN'S ACTIVITIES

18.5 The Chairman reported that he had attended a number of events since the last Council meeting including being the guest of the Family Support Team at the South of England Show, attending the Eastbourne Access Group open day in Eastbourne town centre and hosting a summer reception.

PETITIONS

18.6 The following petitions were presented before the meeting by members:

Councillor Daniel	- calling on the County Council to extend residents parking in Lower Park Road, Hastings
Councillors Daniel and Hilton	- calling on the County Council to increase safety measures on the blind bend on Robertsons Hill, Hastings
Councillors Daniel and Marlow-Eastwood	- objecting to the proposed cycling measures in Alexandra Park, Hastings
Field	- calling on the County Council to extend the 40 mph speed limit on the London Road (A2100), Battle
Field	- calling on the County Council to take action regarding speeding and overtaking along Whatlington Road, Battle from Caldbec Hill to Punchbowl Corner
Osborne	- calling on the County Council to repair The Street, Rodmell
Stephen Shing	- calling on the County Council to restore the hedge in Tas Combe Way, Willingdon
Stephen Shing	- calling on the County Council to introduce a speed restriction in the hamlet of Milton Street

19 Questions from members of the public

19.1 Copies of questions from members of the public and the answers from Councillor Fox (Chair of the Pension Committee), Councillor Bennett (Lead Member for Resources and Climate Change) and Councillor Standley (Lead Member for Education and Inclusion, Special Educational Needs and Disability) are attached to these minutes. Supplementary questions were asked and responded to.

20 Declarations of Interest

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

Member	Position giving rise to interest	Agenda item	Whether interest was prejudicial
Councillor Hilton	Voluntary Director of a Community Energy Co-op	Item 5	No
Councillor Tutt	Trustee of the Southfield Trust	Item 10	No

21 Reports

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

Cabinet report – paragraph 1 (council monitoring) and paragraph 2 (reconciling policy, performance and resources – state of the County)

Governance Committee report – paragraph 1 (Coronavirus temporary arrangements) and paragraph 3 (Notice of Motion – webcasting of scrutiny committee meetings)

Lead Member for Transport and Environment report – paragraph 1 (Notice of Motion – 20 mph speed limits)

Lead Member for Resources and Climate Change report – paragraph 1 (Notice of Motion – climate change)

NON-RESERVED PARAGRAPHS

21.2 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 (amendment to the Constitution – East Sussex Channel Panel)

22 Cabinet's priorities for the forthcoming year

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

23 Report of the Cabinet

Paragraph 1 (Council monitoring) and Paragraph 2 (Reconciling Policy, Performance and Resources – State of the County)

23.1 Councillor Glazier nominated Councillor Bennet to introduce the reserved paragraphs of the Cabinet's report.

23.2 The Council agreed to note the paragraphs after debate.

24 Report of the Governance Committee

Paragraph 1 (Coronavirus temporary arrangements) and Paragraph 3 (Notice of Motion – webcasting of scrutiny committee meetings)

24.1 Councillor Glazier moved the adoption of the reserved paragraphs.

24.2 The motions were CARRIED after debate.

25 Report of the Lead Member for Transport and Environment

Paragraph 1 (Notice of Motion – 20 mph Speed limits)

25.1 The Chairman stated that as the recommendation of the Lead Member for Transport and Environment was to reject the motion rather than proposing an amendment the Council would vote on the original motion as proposed by Councillor Osborne and seconded by Councillor Field as set out in paragraph 1.1 of the report.

25.2 Councillor Claire Dowling introduced paragraph 1 of the report.

25.3 The following amendment was moved by Councillor Georgia Taylor and seconded:

East Sussex County Council agrees to request the Cabinet to set an authority-wide default 20mph speed limit for urban and village roads (insert) [and a costed plan for implementation, that would enable immediate action as and when funds or opportunities to apply for funds become available]. This does not mean 'every road', but that 20mph speed limits should be the norm and higher limits should be exceptions only where there is evidence that such a higher limit will be safe for pedestrians and cyclists. This is as recommended by the World Health Organisation and was recently committed to by UK government in the 2020 Stockholm Declaration signed by the UK and 129 other global road safety ministers.

25.4 Councillors Osborne and Field confirmed that they were willing to accept the amendment to the motion.

25.5 The Council gave its consent to the alteration of the motion.

25.6 A recorded vote on the amended motion was requested and taken. The Motion was LOST, the votes being cast as follows:

FOR THE MOTION

Councillors Collier, Denis, Field, Hilton, Holt, Lambert, MacCleary, Maples, Robinson, Shuttleworth, Swansborough, Georgia Taylor, Tutt, Ungar and Webb.

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AGAINST THE MOTION

Councillors Adeniji, Azad, Beaver, Belsey, Bennett, Bowdler, Clark, Daniel, Chris Dowling, Claire Dowling, Fox, Geary, Glazier, Hay, Hollidge, Howell, Kirby-Green, Liddiard, Lunn, Marlow-Eastwood, Maynard, Milligan, Pragnell, Redstone, Simmons, Standley and Barry Taylor.

ABSTENTIONS

None

26 Report by the Lead Member for Resources and Climate Change

Paragraph 1 (Notice of Motion – climate change)

26.1 The Chairman stated that as the recommendation of the Lead Member for Resources and Climate Change was to reject the motion rather than proposing an amendment the Council would vote on the original motion as proposed by Councillor Tutt and seconded by Councillor Field as set out in paragraph 1.1 of the report.

26.2 A recorded vote on the following motion was requested and taken:

At the meeting of the County Council on the 15th October 2019, East Sussex County Council declared a Climate Emergency and set a target to achieve carbon neutrality by 2050.

In light of increased evidence of the impact of global warming and the urgency required in order to address this, East Sussex County Council resolves to revise that target to 2030 and will with immediate effect establish a plan of actions in order to deliver on this target. In addition, Council resolves to incorporate an environmental assessment on every Council report

26.3 The Motion was LOST, the votes being cast as follows:

FOR THE MOTION

Councillors Clark, Collier, Denis, Field, Hilton, Holt, Lambert, Maples, Robinson, Shuttleworth, Swansborough, Georgia Taylor, Tutt, Ungar and Webb.

AGAINST THE MOTION

Councillors Azad, Beaver, Belsey, Bennett, Bowdler, Daniel, Chris Dowling, Claire Dowling, Fox, Geary, Glazier, Hay, Hollidge, Howell, Kirby-Green, Liddiard, Lunn, Marlow-Eastwood, Maynard, Milligan, Pragnell, Redstone, Simmons, Standley and Barry Taylor.

ABSTENTIONS

None

27 Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Field	Councillor Standley	Possible pay award for teachers

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Questioner	Respondent	Subject
Councillor Tutt	Councillor Standley	Award of contract for transporting children with SEND to educational establishments
Councillor Lambert	Councillor Claire Dowling	Sanctions and controls in relation to future emergency repair work UKPM are required to undertake on the highway.
Councillor Daniel	Councillor Glazier	Advice from the Director of Public Health in relation to the wearing of face masks in County Council buildings
Councillor Field	Councillor Glazier	Number of asylum seekers being housed in East Sussex and how and where they are being accommodated

27.2 Seven written questions were received from Councillors Lambert and Field for the Lead Member for Transport and Environment. The questions and answers are attached to these minutes. The Lead Member responded to supplementary questions.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 3.17 pm

The reports referred to are included in the minute book

QUESTIONS FROM MEMBERS OF THE PUBLIC

Note: Questions 1 to 8 relate to the East Sussex Pension Fund exposure to fossil fuel investments, the response to climate emergency and related issues. The answer to these questions is set out after question 8 below

1. The same or similar questions were asked by:

**Anne Rouse, St Leonards-on-Sea, East Sussex
Anna Reggiani, Forest Row, East Sussex
Paul Butler, St Leonards on Sea, East Sussex
Jane McIntosh, Lewes, East Sussex
Salih Ibrahim, St Leonards on Sea, East Sussex
Fiona MacGregor, St Leonards on Sea, East Sussex
Bob Morton, Brighton
Sally Attwood, Lewes, East Sussex
Angie Lynn, Brighton
Sue Fasquelle, Lewes, East Sussex
Oliver Darlington, Lewes, East Sussex
Tim Rabjohns, Rodmell, East Sussex
Barbara Keal, Lewes, East Sussex
Susan Murray, Lewes, East Sussex
Les Gunbie, Brighton
Marylin Thomas, Arlington, East Sussex
Robert White, Eastbourne, East Sussex
Gary French, St Leonards on Sea, East Sussex
David Sivers, Eastbourne, East Sussex
Ellie Wyatt, Hove
Anne Massey, Hove
Michael Bernard, Bexhill-on-Sea, East Sussex
Sarah Hazlehurst, Brighton
Erica Smith, St Leonards-on-Sea
Carol Turner, Eastbourne, East Sussex
Abigail Nicol, St Leonards on Sea, East Sussex
Esme Needham, Hastings, East Sussex
Kate Meakin, St Leonards on Sea, East Sussex
Jill Fricker, St Leonards on Sea, East Sussex
Fran Seballos, Seaford, East Sussex
Dirk Campbell, Lewes, East Sussex
Becky Francomb, Seaford, East Sussex
Jenny Herridge, Bexhill, East Sussex
Jennifer Howells, Horam, East Sussex
David Cooper, Brighton
Ben Clench, Hove
Sarah Bammann, Crowborough, East Sussex
Caroline Donegan, Ticehurst, East Sussex
Jen Rouse, Hastings, East Sussex
John Faulkner, Hastings
Jason Evans, Saltdean
Kathryn Palmer, Hove
Norman Wright, Hove
Andrea Needham, Hastings, East Sussex**

Helen Rehin, Brighton
Simon Mathews, Brighton
John Hopkinson, Eastbourne, East Sussex
Adam Rose, Eastbourne, East Sussex
Georgina Tasker-Simm, Brighton
Katie Gaster, Polegate, East Sussex
Amanda Zaninetti, Hove
Mark Engineer, Barcombe, East Sussex
Jiva Masheder, Brighton
Richard Pike, Forest Row, East Sussex
Tim Beecher, Brighton
Chris Saunders, St Leonards on Sea, East Sussex
Venetia Carter, Brighton
Zoe Garrity, Seaford East Sussex
Ingrid Solan, Hastings, East Sussex
Nicolas Davies, St Leonards on Sea, East Sussex
Becky Ward, Brighton
Sarah Casey, Lewes, East Sussex
Arnold Simanowitz
Anthony Bradnum, St Leonards on Sea, East Sussex
Gabriel Carlyle, St Leonards on Sea, East Sussex
Saoirse Counihan, Brighton
Richard Moore, Lewes, East Sussex
Hamish Walke, Hove
Hilary Pogge von Strandmann, Lewes, East Sussex
John Somerville, Lewes, East Sussex
Mathew McDonnell, St Leonards on Sea, East Sussex
Jane Wright, Lewes, East Sussex
Sarah Macbeth, St Leonards on Sea
Hugh Dunkerley, Brighton
Penelope Erskine, Brighton
Helen Frederick, Seaford, East Sussex
Mike Stapleton, Seaford, East Sussex

In this crucial year for the climate we need institutions like East Sussex County Council and the East Sussex Pension Fund to be driving the energy transition away from fossil fuels, not just responding to it.

In particular, if we're going to limit global warming to 1.5°C then by 2030 emissions from oil and gas will need to have fallen by at least 44% (oil) and 39% (gas) respectively, relative to 2019 levels (See 'Big Oil Reality Check', Oil Change International, September 2020, <http://priceofoil.org/content/uploads/2020/09/OCI-Big-Oil-Reality-Check-vF.pdf>, page 7 and 'Why Coal Use Must Plummet this Decade to Keep Global Warming Below 1.5°C', Carbon Brief, 6 February 2020, <https://www.carbonbrief.org/analysis-why-coal-use-must-plummet-this-decade-to-keep-global-warming-below-1-5c>).

Yet despite this:

- > in 2019 the oil and gas industries were forecast to spend \$4.9 trillion over the next decade on new oil and gas fields - none of which is compatible with limiting warming to 1.5°C ('Overexposed: How the IPCC's 1.5°C report demonstrates the risks of overinvestment in oil and gas', Global Witness, April 2019, <https://tinyurl.com/overinvestment>);
- > the five largest publicly-traded oil and gas majors (ExxonMobil, Royal Dutch Shell, Chevron, BP and Total) alone have invested over \$1bn of shareholder funds on misleading climate-related branding and lobbying since the 2015 Paris Climate Agreement ('How the oil majors

have spent \$1Bn since Paris on narrative capture and lobbying on climate', Influence Map, March 2019, <https://influencemap.org/report/How-Big-Oil-Continues-to-Oppose-the-Paris-Agreement-38212275958aa21196dae3b76220bddd>);

> not a single oil and gas major is currently aligned with a 2°C pathway in 2050, let alone a 1.5°C one now ('Fossil fuel giants still aiming wide of 2°C mark, investors say', Transition Pathway Initiative, 7 October 2020,

<https://www.transitionpathwayinitiative.org/publications/60.pdf?type=Publication>); and

> not a single oil major has committed to stop exploring for and sanctioning new oil fields, despite the fact that, according to the Transition Pathway Initiative, 'an almost complete and immediate stop in exploration and sanctioning of new oil fields [is] required to avoid locking in future oil production that would see temperatures exceed a 1.5°C increase' (see <http://priceofoil.org/content/uploads/2020/09/OCI-Big-Oil-Reality-Check-vF.pdf> and 'The oil and gas industry will need to scale back much faster to limit warming to 1.5°C', Transition Pathway Initiative, 12 February 2021,

<https://www.transitionpathwayinitiative.org/publications/48?type=NewsArticle>).

As the above facts make plain, when it comes to climate change the giant fossil fuel companies are the problem, not the solution.

Given the above, my question has four parts:

(1) In a written answer to a question submitted to the 23 March 2021 Full Council meeting, the chair of the East Sussex Pension Committee, Cllr Fox, stated that the East Sussex Pension Fund had 'not set any time limits relating to companies' exploration for oil' because the Pension Fund 'does not directly invest in any company' but instead invests through third parties ('investment managers').

How does he square this claim with the fact that six UK Pension Funds – the Environment Agency, Waltham Forest, Southwark, Islington, Lambeth and Cardiff – have not only been able to set time limits for oil companies, but have actually made public commitments to divest from all fossil fuel companies and are in the process of doing so? For example, by the end of December 2020, Waltham Forest Pension Fund (which made a divestment commitment in 2016) had reduced its exposure to fossil fuels to 0.4%.

(2) In the same written answer, Cllr Fox also wrote that 'The Fund expects [its] investment managers to have engagement and escalation strategies in place'.

What 'engagement and escalation strategies' will the Fund's investment managers pursue if – as looks highly likely – the big oil companies, like Shell and BP, continue to explore for new oil and continue to approve new oil extraction projects – actions that will rapidly make limiting global warming to 1.5°C impossible?

(3) In the same written answer, Cllr Fox wrote that the Fund and its advisers 'are able to question their [ie. the Fund's investment managers] holdings, methodology, strategic decisions and voting to ensure confidence with the risks faced by the Fund.' Similarly, at the June 2020 Pension Committee meeting Cllr Fox said that 'we can challenge them [ie. the Fund's investment managers] and say: do you think this is consistent with what you're doing ...'

Given that failure to limit global warming 1.5°C poses a significant risk for the Fund, what steps has it taken since the 2015 Paris Climate Agreement to 'challenge' its investment managers over their continued investment in the big oil companies, like Shell and BP, that continue to explore for new oil and continue to approve new oil extraction projects – actions which will rapidly make limiting global warming to 1.5°C impossible? Please be specific about what was asked of which investment manager, when this took place and how they responded.

(4) Does the East Sussex Pension Committee accept that, because burning fossil fuels is the key driver of global warming, the goals of the Paris Climate Agreement (to keep global warming to 'well below 2 °C', pursuing 1.5°C) cannot be achieved without the rapid alignment of the big fossil fuel companies with a 1.5°C pathway?

By a 1.5°C pathway we mean one that: (a) yields a 50% or better chance of keeping global warming below 1.5°C; and (b) does so without assuming the future creation of global scale

'negative emissions technologies' (ie. ones that remove carbon dioxide from the atmosphere) that don't currently exist.

We note that members of the public have now submitted this question over 340 times (to the October, December and February Full Council meetings) without receiving an answer.

2. Question from Meg Griffiths, Lewes, East Sussex

In this crucial year for climate change, it seems of utmost importance that major bodies like the ESCC holding the ES Pension Fund will be taking measures to drive the energy transition AWAY from fossil fuels.

I do not wish my pension to be invested in fossil fuels.

I have written several times before and will continue to do so in the sincere hope that you will change the current policy and support this very important step.
How can you not?

3. Question from Frances Witt, Lewes, East Sussex

In this crucial year for the climate we need institutions like the East Sussex County Council and the East Sussex Pension Fund to be driving the energy transition away from fossil fuels, not just responding to it.

In particular, if we're going to limit global warming to 1.5°C then by 2030 emissions from oil and gas will need to have fallen by at least 44% (oil) and 39% (gas) respectively, relative to 2019 levels (See 'Big Oil Reality Check', Oil Change International, September 2020, <http://priceofoil.org/content/uploads/2020/09/OCI-Big-Oil-Reality-Check-vF.pdf>, page 7 and 'Why Coal Use Must Plummet this Decade to Keep Global Warming Below 1.5°C', Carbon Brief, 6 February 2020, <https://www.carbonbrief.org/analysis-why-coal-use-must-plummet-this-decade-to-keep-global-warming-below-1-5c>).

Yet despite this:

at the Fund and its advisers 'are able to question their [ie. the Fund's investment managers] holdings, methodology, strategic decisions and voting to ensure confidence with the risks faced by the Fund.' Similarly, at the June 2020 Pension Committee meeting Cllr Fox said that 'we can challenge them [ie. the Fund's investment managers] and say: do you think this is consistent with what you're doing ...'

Given that failure to limit global warming 1.5°C poses a significant risk for the Fund, what steps has it taken since the 2015 Paris Climate Agreement to 'challenge' its investment managers over their continued investment in the big oil companies, like Shell and BP, that continue to explore for new oil and continue to approve new oil extraction projects – actions which will rapidly make limiting global warming to 1.5°C impossible? Please be specific about what was asked of which investment manager, when this happened and how they responded.

Does the East Sussex Pension Committee accept that, because burning fossil fuels is the key driver of global warming, the goals of the Paris Climate Agreement (to keep global warming to 'well below 2 °C', pursuing 1.5°C) cannot be achieved without the rapid alignment of the big fossil fuel companies with a 1.5°C pathway?

By a 1.5°C pathway we mean one that: (a) yields a 50% or better chance of keeping global warming below 1.5°C; and (b) does so without assuming the future creation of global scale 'negative emissions technologies' (ie. ones that remove carbon dioxide from the atmosphere) that don't currently exist.

We note that members of the public have now submitted this question over 340 times (to the October, December and February Full Council meetings) without receiving an answer.

4. Question from Judith Scott, Hastings, East Sussex

Does the Pension Committee accept the conclusion of the UN Environment Programme's recently-published 'Global Methane Assessment' that: "without relying on future massive-scale

deployment of unproven carbon removal technologies, expansion of natural gas infrastructure and usage is incompatible with keeping warming to 1.5°C?"

(https://wedocs.unep.org/bitstream/handle/20.500.11822/35917/GMA_ES.pdf).

5. The same or similar questions were asked by:

Stephanie Seaton, Hastings, East Sussex
Jane Wilde, Brighton
Andrea Needham, Hastings, East Sussex
Adrian Ross, Lewes, East Sussex
Jiva Masheder, Brighton
Jason Evans, Brighton
Carolyn Beckingham, Lewes, East Sussex
Susan Churchill, Hastings, East Sussex
Nicola Healing, Hove
Su Knight, Eastbourne, East Sussex
Richard Moore, Lewes, East Sussex
Catherine Veyriere, Brighton
Ann Link, Lewes, East Sussex
Les Gunbie, Brighton
Betty Skolnick, Lewes, East Sussex
Tessa George, Lewes, East Sussex
Gavin Toms, Heathfield, East Sussex
Michael Bernard, Bexhill-on-Sea, East Sussex
Jennifer Allan, Seaford, East Sussex
Chris Saunders, St Leonards-on-Sea, East Sussex
Gary French, St Leonards-on-Sea, East Sussex
Alexandra Hough, Eastbourne, East Sussex
Susan Murray, Lewes, East Sussex
Cedric Hellier, Hastings, East Sussex
Marylin Thomas, Polegate, East Sussex
Carol Turner, Eastbourne, East Sussex
Salih Ibrahim, St Leonards-on-Sea, East Sussex
Madeline Bradbury, Brighton
Emily O'Brien Seaford, East Sussex
Sarah Macbeth, St Leonards-on-Sea, East Sussex
Mary-Jane Wilkins, Lewes, East Sussex
Jayne Ford, Saltdean
Anne Massey, Hove
Kate Edmunds, Alfriston, East Sussex
Hugh Dunkerley, Brighton
Esme Needham, Hastings, East Sussex
Jane Wigan, St Leonards-on-Sea, East Sussex
Paul Butler, St Leonards-on-Sea, East Sussex
Clare Halstead, Brighton
Helen Corcoran, Brighton
Tim Beecher, Brighton
Anne Fletcher, Seaford, East Sussex
Clare Finn, Hove
Ben Pacey, Hastings, East Sussex
John Enefer, Hastings, East Sussex
Erica Smith, St Leonards-on-Sea, East Sussex
Steve Jeanes, Brighton
Elizabeth May, Hastings, East Sussex
Harriet Sharp, Brighton
Arnold Simanowitz, Lewes East Sussex
Nicky Beele, Eastbourne, East Sussex

Judith Knott, Lewes, East Sussex
Keith McMurray, Brighton
David Harvey, Heathfield, East Sussex
Dougal Fleming, Lewes, East Sussex
Emma Allen, Lewes, East Sussex
Gillian Watson, Lewes, East Sussex
Jan Parker, Lewes, East Sussex
Charlotte Rae, Lewes, East Sussex
Laura Innes, Uckfield, East Sussex
Jessica Denison, Newhaven, East Sussex
Emily Johns, St Leonards-on-Sea, East Sussex
Mat McDonnell, St Leonards-on-Sea, East Sussex
Peter Newell, Kingston, East Sussex
Jan Wilde, Eastbourne, East Sussex
Nicky Bishop, Battle, East Sussex
David Saunders, Lewes, East Sussex
Ian Tysh, Nutley, East Sussex
Paul Taylor, Lewes, East Sussex
Samantha Clark, East Hoathly, East Sussex
Polly Charlton, Brighton
Jane Wright, Lewes, East Sussex
Chris Loat, Eastbourne, East Sussex
Samantha Dixon, Brighton
Stella East, Peacehaven, East Sussex
Melody Pellatt, Lewes, East Sussex
Marnie Johnson, Hastings, East Sussex
Fiona MacGregor, St Leonards-on-Sea, East Sussex
Almut Becker, Hastings, East Sussex
Jed Murray, Heathfield, East Sussex
Louise Jolly, Hove
Sherry Russell, Lewes, East Sussex
Jenny de Vuyst, Hastings, East Sussex
Ting Plaskett, Eastbourne, East Sussex
Sarah Gorton, Brighton
Penelope Bentley, Plumpton Green, East Sussex
Antony Gordon, Heathfield, East Sussex
Miriam Moss, Lewes, East Sussex
Jen Howells, Horam, East Sussex
Derrick Coffee, Eastbourne East Sussex
Duncan Armstrong, Lewes, East Sussex
Rona Drennan, St Leonards-on-Sea, East Sussex
Penelope Bridger, Lewes, East Sussex
Anthony Bradnum, St Leonards-on-Sea, East Sussex

According to the International Energy Agency (IEA)'s May 2021 'roadmap for the global energy sector' we are now 'approaching a decisive moment for international efforts to tackle the climate crisis' in which the 'gap between rhetoric and action needs to close if we are to have a fighting chance of reaching net zero by 2050 and limiting the rise in global temperatures to 1.5°C' (<https://www.iea.org/reports/net-zero-by-2050>).

In particular, 'there can be no new investments in oil, gas and coal, from now – from this year' (IEA Executive Director, Fatih Birol).

In the light of the IEA report, will the East Sussex Pension Fund now publicly commit to divesting from those oil companies – such as Shell and BP – that still plan to invest in new oil and gas fields after 2021?

6. Question from Hilary Pogge von Strandmann, Lewes, East Sussex

East Sussex County Council has declared a climate emergency. How is there then such a disconnect between

this acknowledgment and its own investments which continue to support existing and new production of fossil fuels?

We all know from climate scientists that the world is in serious trouble and if we have any time left to mitigate, why does East Sussex County Council not want to support this?

7. Question from John Doughty, Brighton

Could you please explain how it is justifiable for our Council to be investing in fossil fuels in the middle of a climate crisis. We should be thinking of our grandchildren's future, not how we can make a few extra pounds of dirty money now.

8. Question from Jane Goyder, Lewes, East Sussex

Global warming has reached a critical level. It is irresponsible for anyone to be investing in oil, gas or coal energy. As our elected local government will you please ensure that our local government pension fund totally and immediately withdraws its investment from any company planning on exploring new oil and gas fields, such as Shell and BP

Response by the Chair of the Pension Committee to questions 1 to 8 above

It is not the place of the Pension Committee or myself as Chair of the Committee to comment on the investment strategy, risk framework and decision making of other LGPS funds. There is limited transparency on what other LGPS funds' commitments mean in practice and what activities they will complete and timeframes they have linked to any commitments. Each LGPS fund needs to make investment decisions that are specific to their own circumstances, which will include the solvency levels of the fund, requirement for income, membership of the fund, types of investments accessible through the investment pools, among other factors. The statements that East Sussex Pension Fund had 'not set any time limits relating to companies' exploration for oil' because the Pension Fund 'does not directly invest in any company' but instead invests through third parties ('investment managers') still stands as we invest in pooled products and cannot dictate the specific companies that underly that position. The Pension Fund as part of its strategic assessment over the last year has moved from investing in traditional passive equities into Paris aligned and climate solution funds, which has resulted in significant reductions in exposure to fossil fuels; this will continue to reduce further as a result of a decision of Pension Committee in March 2021 to sell the last of the traditional passive index mandate.

All of the Fund's managers are signatories to the UN PRI (Principles for Responsible Investment). The PRI mission is to achieve a sustainable global financial system by encouraging adoption of 6 PRI Principles. All managers report annually to the PRI on their Environmental, Social and Governance (ESG) activity. All of the Funds listed investment managers are members of Institutional Investors Group of Climate Change (IIGCC) which enables managers to ensure they are part of the solution to climate change and able to demonstrate leadership on the issue. With regard the question "What 'engagement and escalation strategies' will the Fund's investment managers pursue if the big oil companies, like Shell and BP, continue to explore for new oil and continue to approve new oil extraction projects", as members of IIGCC we would anticipate that these managers will be engaged based on that body's emerging net zero standard for oil and gas. In addition, the Pension Committee on 1 July 2021 resolved to question its relevant managers specifically on escalation and engagement where investee companies continue to commit to new oil extraction and will report back to the Committee at its next meeting.

The Fund does not minute conversations with investment managers, it is not possible to be specific about what was asked of which investment manager since 2015, when this took place, and how they responded. However, each manager has been asked to feedback on the findings from the recent carbon footprinting that was completed in June 2021. Also as a result of an ESG impact assessment on all of the Funds investment managers, there is a plan in place for challenge specifically on actions the Fund believe would strengthen ESG integration, reporting and collaboration. This will form part of the next years stewardship of the Fund's managers.

Question 4 of the primary question was answered in March 2021. The Pension Committee is not a committee of climate scientists and cannot answer this question any fuller that has already been answered. The Fund is responsible for effective stewardship of its beneficiaries' pensions and must follow government guidance and regulations. The Committee is led in all its decision making by experts, in-line with the investment regulations.

The Fund's Investment Strategy Statement explains that the Fund believes that climate change poses material risks and its position on climate change and the energy transition is set out its Statement of Responsible Investment Principles which includes the following statements

- The Fund recognises that a prolonged energy transition is under way. It also acknowledges that a number of energy incumbents through their size, capacity to mobilise capital and engineering expertise offer the potential to play a substantial role in that transition. It seeks to balance the economic reality that fossil fuels currently provide 80% of the world's primary energy and that energy demand will grow by up to 50% by 2050, with global commitments, as yet not fully backed by detailed policy, to decarbonise the energy system by the second half of the century. Where viable opportunities arise, the Fund will seek to increase its exposure to renewable infrastructure assets.
- The Fund is aware that there are a range of possible transition scenarios, evolving physical climate-related risks and potential opportunities. There are also many uncertainties. This makes portfolio construction around such scenarios very challenging. Instead, the Fund seeks to broadly align its investment approach with the objectives of the Institutional Investor Group on Climate Change and Climate Action 100+ initiatives.

The Fund's Statement on ESG and Climate Change confirms that the Fund "understands the urgency of the need to address climate change following the release of the Intergovernmental Panel on Climate Change (IPCC) Special Report on Global Warming in 2019. This sets out the likely consequences of global warming of 1.5 degrees Celsius and the additional damage that global warming of 2 degrees Celsius could cause". It also explains that, to guide its ESG and climate change strategy, the Pension Committee believes that it should:

- apply long-term thinking to deliver long-term sustainable returns;
- seek sustainable returns from well-governed assets;
- use an evidence-based long term investment appraisal to inform decision-making in the implementation of responsible investment principles and consider the costs of responsible investment decisions consistent with its fiduciary duties; and
- evaluate and manage carbon exposure in order to mitigate risks to the Fund from climate change.

The Fund has steadily reduced the already small proportion of its portfolio invested in fossil fuel companies from 6.6% of portfolio value in 2015 to 1.9% as at 31 December 2020 of which around 1.2% is in equities and absolute return funds. The Fund has taken substantial measures in the past 18 months to better align itself with the challenges of climate change and the energy transition. The figures quoted here relate to exposure to companies that generate a large portion of their income from fossil fuels, so includes companies such as utilities, not just companies that extract oil, gas and coal from the ground who will have large fossil fuel reserves on their balance sheet. 40% of the fossil fuel exposure quoted will be removed from the Fund

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before the end of the calendar year when the replacement investments are available to access. The remaining risk to the Fund of fossil fuel companies after these changes is limited and will only be held by investment managers who are actively engaging with those companies as a tactical position. However, the fund is aware that climate risk remains within the Fund regardless of fossil fuel exposure and will be carrying out risk modelling of climate change scenarios later in the year and fully manage those risks.

The allocation to Storebrand's Global ESG Plus fund in 2020 means that half the Fund's index equity exposure has been invested into a fossil-free smart beta equity strategy that aims for long-term alignment with the Paris Agreement goals and exhibits lower carbon risk with climate solutions and higher ESG scores than the world index

The Fund has committed to regularly assess the carbon footprint of its portfolio with the most recent report presented at the Pension Committee on 22 June 2021 to understand progress from its decisions in the past year. At the Pension Committee's meeting on 1 March 2021, the Committee agreed to remove the remaining passive index, which has unconscious exposure to high carbon emitting companies and has no ESG or responsible investment filter. It instructed officers to investigate the implementation of a resource-efficient strategy or move this allocation further into active management which should further reduce the carbon footprint of the portfolio. The new planned allocation to a resource efficient mandate will maximises resource efficiency delivering a significant reduction in the ownership of carbon, water and waste relative to the benchmark, and will reduce the fossil fuel holdings further.

It is important to note that, the Fund has a policy of engagement rather than divestment and this is consistent with the Department of Work and Pensions and Ministry of Housing, Communities and Local Government's guidance on the preparation and maintenance of such statements which the Fund has a statutory obligation to follow. The Fund believes that engagement is a very strong tool in helping influence large firms and high carbon emitters in realigning their businesses; and with collaborate engagement the weight of our voice when added to a much larger investment community starts to have impact.

The UNPRI, Local Authority Pension Fund Forum (LAPFF) and IIGCC all favour engagement over divestment as a tool for asset owners; with divestment being a last resort in an escalation process of engagement where required and possible. Divestment is not possible for passive managers who track the market index, but the use of voting rights is powerful in this absence. The Fund's Independent Adviser and both the previous and current Investment Consultants also endorse this view of engagement. All the Fund's Active Equity Fund Managers are members of IIGCC.

As a UNPRI signatory, principle 2 encourages signatories to be active owners and incorporate ESG into their decision-making policies and procedures, including engagement with companies and exercising voting rights. PRI advise that "Active ownership is generally regarded as one of the most effective mechanisms to reduce risks, maximise returns and have a positive impact on society and the environment." In addition, divestment alone can remove an investor's voice to be able to influence responsible corporate practice.

Looking for companies that can generate a positive environmental or social impact can help provide solutions to the climate challenge and is a very important strategy for the Fund. As a result the Fund has an allocation of 10% of its portfolio to assets seeking to find solutions to the climate crisis, in addition it has allocated 10% to a fund that excludes fossil fuel-related and climate negative companies, while investing in climate solutions. Plus a further 5% that will be invested in a portfolio that weights investments in favor of those that manage carbon, waste and water more effectively than the average company in each sector while also excluding companies who generate more than 5% of their income from fossil fuels or nuclear power

generation. The Fund has been reducing the carbon impact of its portfolio across many industries as climate change risk is much further reaching than a single industry.

I cannot comment for the full Pension Committee as this is not a forum for the Pension Committee to respond; however, it is not for the Committee to have an opinion on the United Nations Environment Programme Climate and Clean Air Coalition report or its findings. As a Fund we defer to investment managers, advisers and follow government advice and statute.

9. Question from Gabriel Carlyle, St Leonards-on-Sea, East Sussex

Last November thirty-three organisations from across East Sussex, Brighton and Hove sent an open letter to East Sussex County Council (ESCC) calling on it to start treating the climate emergency like an emergency.

That letter noted that, despite declaring a climate emergency in October 2019, ESCC was 'still investing local people's pensions in fossil fuels (oil, coal and gas)' (it still is) and had 'only formulated a plan to de-carbonise its own activities by 2050, rather than the activities of the entire County, its people, business and services.'

The signatories called on ESCC: to stop investing local people's pensions in fossil fuels; to rapidly develop and implement a plan for de-carbonising the whole of the County; and to publicly declare its support for the Climate and Ecological Emergency Bill which would ensure that the UK plays its fair and proper role in limiting global warming to 1.5°C.

In his written response (received 22 December 2020), the Leader of the Council, Cllr Keith Glazier, stated that:

'We are one of the partners behind the East Sussex Environment Strategy published this year. Climate change is one of its five key themes, and one of the strategy's targets is for East Sussex to reduce carbon emissions by 13 per cent each year (by half every five years in other words). To help achieve this, our first action is to develop a road map to cut carbon emissions and this work, with our partners including district and boroughs is [sic] East Sussex, is going on now.'

What work has been done on this 'road map' since December, when will its contents be made public and, if implemented, how far would it go towards meeting the above-referenced target of reducing the County's carbon emissions by 13% each year?

I would draw your attention to the fact that the March 2020 'East Sussex Environment Strategy 2020' (see <https://www.eastsussex.gov.uk/media/15587/east-sussex-environment-strategy-2020.pdf>) sets as a 'long-term aim' for East Sussex to 'remain within its science-based carbon budget', which it calculates using a methodology created by the UK's Tyndall Centre for Climate Change Research. The technical appendix notes that 'if we continue with business-as-usual, the county's budget will be used up in less than 7 years'.

The Strategy also notes that achieving the annual 13% reduction in emissions envisaged in the strategy 'will require extensive changes across all levels of society within a short time frame, set against a predicted increase in the demand for energy due to a growing population and economic growth'. It's widely recognised that the legislation and resources currently being deployed to meet this national target are inadequate.'

For comparison, the UK's consumption-based CO2 emissions fell by only 21% in the *decade* to 2020 – see <https://www.carbonbrief.org/analysis-uks-co2-emissions-have-fallen-29-per-cent-over-the-past-decade>. Moreover, the shift away from coal has been the largest driver of UK CO2 emissions reductions over the last three decades (see <https://www.carbonbrief.org/analysis-why-the-uks-co2-emissions-have-fallen-38-since-1990>) and this can obviously only happen once – future reductions will be both more difficult and

require much bigger changes in people's day to day lives.

Response by the Lead Member for Resources and Climate Change

A 'road map' has been drafted and the partner organisations that form the East Sussex Environment Board are working to ensure that it is as up-to-date, comprehensive and useful as it can be.

It's the intention of the Environment Board to make the road map public this autumn, subject to the approval of the final version by the partners.

The draft road map currently proposes a mix of actions. The effect of some of these in reducing the county's carbon emissions cannot be estimated, for instance actions to try to address some of the challenges in the low carbon supply chain. The effect of other actions in reducing carbon emissions can be estimated, for example from programmes to support local businesses to cut their carbon emissions or to support householders to invest in solar panels. But the effect of these programmes will be small when compared with the total current emissions from the county of about 2 million tonnes per year. This emphasizes that tackling climate change requires action by every part of society and that the road map is only one part of a much larger jigsaw in what is required to reduce emissions – from consistent, long-term and funded government policy through to the individual choices made by each of us.

10. Question from Laurie Holden, Burwash, East Sussex

Since June last year, there have been more than 60 emails sent to the full council objecting to the East Sussex Pension Fund's (ESPF) investments in companies complicit in abuses of human rights and violations of international law. These companies provide products, equipment, and services which are essential to Israel maintaining its violations of Palestinian rights.

Earlier this year the ESPF announced that it no longer had investments in the Israeli armaments company Elbit along with numerous other companies that are complicit in Israel's crimes. This was hailed as a very positive move.

Last month the Palestine Solidarity Campaign's database showed that the value of investments in companies complicit in Israel's crimes had been reduced by £40 million. Again, this is also a very positive development.

However, this still leaves more than £71 million invested in companies that are complicit in Israel's violations of international law. This includes 5 companies in the United Nations list of companies involved in Israel's illegal settlement economy. The United Nations High Commissioner for Human Rights (OHCHR) has undertaken a lengthy and extensive process of engagement with these companies. But these companies continue to conduct business activities that sustain an illegal and unjust occupation. 4 of these are listed in the whoprofits.org (Who Profits from the Occupation) database; one is listed in the Storebrand Exclusion List. The portfolio includes at least 15 companies that are listed in the Storebrand Exclusion List. Some are in the 'Conduct-based exclusion - Human Rights and International Law' list but most are in the 'Controversial weapons' list.'

I wonder if the Pensions Committee is taking this issue seriously enough. This is about a country in breach of international law and investments in companies that are complicit in this.

Earlier in the year, the Israeli human rights organisation B'Tselem published a major analysis which concluded that Israel is an apartheid state. More recently Human Rights Watch (HRW) produced a report that concluded that Israel is guilty of both apartheid and persecution. This is a major analysis, a report of 213 pages. HRW is not a radical organisation; in fact it's regarded very much as a conservative organisation. I hope you recognise the seriousness of this. The HRW report states that the actions carried out by Israel "are so severe that they amount to the crimes against humanity of apartheid and persecution."

<https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>

The words 'apartheid' and 'persecution' are not used lightly. HRW explains the significance of these words as used in international law. It states: "The crime of persecution traces back to the 1945 International Military Tribunal in Nuremberg. The tribunal's charter recognizes "persecutions on political, racial or religious grounds" as crimes against humanity.'" So Israel is carrying out the crime of persecution, as first incorporated in international law at the Military Tribunal in Nuremberg in 1945.

The HRW report doesn't pull any punches: "International criminal law has developed two crimes against humanity for situations of systematic discrimination and repression: apartheid and persecution. Crimes against humanity stand among the most odious crimes in international law."

As you probably know, the International Criminal Court (ICC) prosecutor has opened a formal investigation into Israel's war crimes in the West Bank and Gaza Strip.

When there is mention of 'crimes against humanity,' 'systematic discrimination and repression,' 'persecution' and 'war crimes,' these are not words that are used loosely. They have real meaning under international law. And the ESPF has investments in companies that are complicit in these crimes.

So when a member of the Pensions Committee said at the last meeting 'The Israel-Palestine thing is obviously very controversial' and another member spoke about 'the other side of this debate;' no, this is not controversial, no, there is not another side to this debate. The people who exist under the illegal military occupation – the Palestinians – are not guilty of crimes against humanity, persecution, discrimination, repression and war crimes. Israel is.

At the same meeting, one member of the committee said 'I was trying to move this away from country specifics.' There was mention of other countries that may or may not be involved in human rights abuses. If other countries are found to be in breach of international law, or if the UN produces a report that lists companies that are involved in these violations (as it has in the case of Israel), then any fund would have the duty to consider divestment. But as far as I know, there is no country that has been found to be responsible for crimes against humanity, apartheid and persecution except Israel. So please don't muddy the water on this important issue.

HRW calls on countries to "screen for those directly contributing to the commission of crimes of apartheid and persecution of Palestinians, mitigate the human rights harms and, where not possible, end the activities and funding found to directly contribute to facilitating these serious crimes.Impose targeted sanctions, including travel bans and asset freezes, against officials and entities responsible for the continued commission of grave international crimes, including apartheid and persecution.....Investigate and prosecute those credibly implicated in the crimes of persecution and apartheid...."

To businesses active in Israel and the occupied Palestine territories, it calls on them to "Cease business activities that directly contribute to the crimes of apartheid and persecution." That's really clear.

So I'll ask these questions:

Will you implement a screening process and due diligence procedures to ensure that scheme members' money is not used to support Israeli violations of Palestinian human rights, violations of international law and crimes against humanity?

As you still have at least £71 million in companies complicit in Israel's crimes, will you implement the ESPF's Statement of Responsible Investment Principles which states: "RI (Responsible Investment) is an approach to investing that aims to incorporate environmental, social and governance (ESG) factors into investment decisions, to better manage risk and to generate sustainable, long-term returns (according to Principles for Responsible Investment)?" Finally, will you consider removing these companies from the portfolio?

Response by the Chair of the Pension Committee

All the fund's active managers screen companies in which they invest on the Fund's behalf and the Fund itself carried out significant due diligence in appointing new managers where it appoints direct to ensure the investment strategy is aligned with the Funds strategy.

The Funds Smart Beta Investment Manager Storebrand carry out up to date screening of the companies they hold within the portfolio through their data provider Sustainalytics (Human Rights Radar). This screening and exclusion list is specific for this managers portfolio, it is not transferable to other investment managers within the Fund.

As the owner of a traditional index fund, we are passive recipients of the index and we cannot pick and choose the constituents of the global or regional indices and there is no way in which the fund can influence the holdings in that index or divest from an asset without divesting from the whole strategic asset allocation. The Pension Committee consider that investment in these traditional passive indexes does not align to its responsible investment principles and have a potential inherent financial risk as the index tracks the market and as a result lags rather than leads industrial, regulatory and societal impacts on the value of companies. As a result the Pension Committee in March 2021 agreed to sell the last of its traditional passive index, which will remove a large portion of the exposure to the companies referred to in the question. Instead of the traditional index fund the Pension Committee requested officers to implement a resource efficient product, if possible, which would screen against UN compact violations. In addition to instructing officers to consider the drafting of a statement of commitment in regard of Human Rights issues after a discussion on investment in companies who operate in the occupied territories by liaising with LAPFF. This will be considered at the July Committee meeting.

To divest from any individual company, the Fund would need to sell an entire investment manager portfolio, or multiple investment managers portfolios if that companies was held in more than one location. This would be a major strategic decision and will result in significant final cost to the fund and would open the Fund to significant risk. This would not be good stewardship of capital nor is it in the interests of the Fund's beneficiaries, and legislation would stop the fund from taking these actions.

In making any investment decision the Fund will seek to follow its published Investment Strategy Statement and its Statement of Responsible Investment (RI) Principles, to balance the duties we have to all scheme stakeholders, weigh up the potential financial impact and take into consideration the views of beneficiaries where any non-financial factor is taken into account. Responsible investment is a substantial factor in driving returns alongside other investment considerations and the fund has outperformed its benchmark in all its reporting periods. The fund is not an "Ethical" or "unethical" investor, it is a responsible steward of capital where we identify and mitigate financial risks and we are guided by the legal principle of fiduciary duty where our primary function is to pay pensions to the fund beneficiaries when they become due. The objectives of the Fund's RI policy are to reduce the likelihood that Environmental, Social and Governance (ESG) issues and Climate Risk negatively impacting asset values and returns. The Fund's investment policy cannot be influenced by outside parties or by personal, political or moral beliefs. The Fund's Responsible Investment Principles are that the Fund is an active asset owner with the aim to influence governance through voting and engagement. This is an integral part of what makes a business sustainable, successful and a suitable investment target. Engagement through voting can effect corporate change and influence businesses to derive a broader social benefit.

The five companies referred to in the question on the United Nations list of companies who have operations in the region are the same five companies that have been referenced in previous answers to Full Council and in discussions by the Pension Committee. These companies are Booking.com, Expedia, General Mills, Motorola and Trip Adviser. Three of these companies are held in two portfolios and the other two in just one.

The Funds Smart Beta Investment Manager Storebrand, who hold three of these companies explain that this is not an active decision to hold these companies, they are within the portfolio as these companies are currently within the MSCI World Benchmark and the product is an index based strategy. The Exclusion policy is applied in severe cases as defined by international law and under the following conditions:

- Companies that offer security/surveillance equipment to be used in occupied territories. The companies in this category directly support and assist the occupation regime
- Companies that exploit natural resources in occupied territories without the consent of the occupied people
- Companies that contribute to the building/expansion/maintenance of illegal settlements
- Companies directly involved in the financing of these projects (settlement/natural resources)

The companies that remain within the Storebrand product do not meet this criteria for exclusion and remain within the MSCI World Benchmark.

Exposure to these companies via the passive mandate will drop out when the decisions made at March 2021 Pension Committee are fully implemented. Changes in investment strategy take a significant amount of time to ensure these are managed with as little risk as possible with regard loss of value of the Fund. There is significant research required to find appropriate replacement investments that meet the risk and return criteria as well as meeting the funds ESG requirements; legal due diligence to ensure the new investments are safe to access and fully governed; commercial and legal contracts are also required and in some cases FCA or central bank approval is needed is a fund is accessed via a new route.

The Fund is a member of LAPFF (Local Authority Pension Fund Forum), who have been liaising with Palestinian and Jewish interest groups in respect of 16 companies (including the 5 named companies above) operating in the region where member funds, including the Fund, have some investment. We are supportive of the LAPFF position on the occupied territories which seeks to encourage companies operating in that jurisdiction to review and have regard for the human rights of all individuals with whom they interact in the conduct of their operations.

11. Question from Sean MacLeod, Newhaven, East Sussex

I was recently made aware of the significant delays for autism spectrum assessments for children, and was taken aback to find that children are currently 3 years until they will get their initial assessment.

I have also been made aware that children with speech and language needs have to keep wait over a year for an assessments.

Children have had 2 very disruptive years of education and potentially waiting another 3 years until a child can be initially assessed and appropriate supportive measures put in place to help their education or a another year delay for speech and language therapy is quite frankly, not just heartbreaking but utterly unacceptable.

The NHS and Schools do not accept private autism spectrum assessments and they will only accept one carried out by themselves so parents have no choice but to accept these delays, to the detriment of their child's wellbeing, learning and social development.

Can the lead member for Children's service advise what plans are being put in place to (1) help schools be able to put in place the support until such time a child can get the formal diagnosis necessary to put in the support they need and (2) what steps are being taken to bring these significant delays down, our local children can't be left behind any further - they have suffered enough.

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

Schools are able to draw on a range of support for children with autism, which do not rely on any formal diagnosis from a health professional. The County Council's Inclusion, Special Educational Needs and Disabilities Service (ISEND) is able to provide support directly to schools, children and their families through the Communication, Learning and Autism Support Service (CLASS) and the Educational Psychology service and, through this provision, schools are able to support the majority of children with autism in their local school. Communications and guidance documentation from ISEND stress that support is needs-based and a diagnosis is not required to access support from the service.

The responsibility for commissioning and providing formal autism assessments lies with the CCGs (currently delivered through the Community Paediatric Service and the Child and Adolescent Mental Health Service) and there are additional resources going into frontline services to respond to the increased demand. We are working with the CCG Commissioner, alongside parents and other professionals, to improve the pathways for children with autism, and other neurodiversity, which aim to ensure that they receive early intervention support, and timely diagnosis where this is appropriate.

With reference to waiting times for autism assessments, most children are seen much sooner than three years in East Sussex. From September 2019 to August 2020, due to a system of prioritisation, many children were seen by Community Paediatrics within weeks/months, with 60 to 70% were being seen within one year of referral. Prior to the COVID restrictions and pressures, 1% of children were waiting longer than two years. As the pandemic continued, the proportion of children waiting these very long times has increased to 10%. The waiting times for assessment for autism are long because the isn't the capacity within the service to assess the rising numbers of referrals it receives. There have also been problems with recruitment to the currently funded posts, as there is a national shortage of Community Paediatricians. The situation has been worsened by the COVID pandemic. This is currently under review in its broadest sense by commissioners in the CCG

In terms of the waiting times for speech and language assessments, it is difficult to comment without knowing the source of this information. However, the initial assessment waiting times for a speech and language assessment from our Children's Integrated Therapy and Equipment Service (CITES) are closely monitored and are running within the Key Performance Indicators for the service i.e. 12 weeks from the point of referral.

Private assessments always have, and continue to be, accepted. However, it is extremely important that children who have received a private assessment are also known to the NHS Community Paediatricians at least to the extent that the robustness and quality of the assessment they have had is ascertained. This is because this is an area very vulnerable to misdiagnosis, exaggeration of symptoms, and also over-medication, and there is a safeguarding issue at stake in occasional cases. There are NICE guidelines covering this area

12. Question from Caroline Gridley, Peacehaven, East Sussex

Staff members, parents and members of the community recently took place in a strike in relation to the leadership at Peacehaven Heights primary school in Peacehaven. Given the clear strength of feeling among staff and the huge amount of support they have from the community and parents, please can you confirm if you are going to take notice of this and re-instate an elected governing body at the school, allow them to recruit a permanent headteacher and allow the school to flourish, rather than forcing it to fail as is currently the case?

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

The school has not secured good outcomes for its children over the past few years; in 2019, the outcomes at the end of Year 6 were in the bottom 4% of schools nationally. The school continues to require the strong governance that the IEB provides. The IEB will continue to prioritise identifying long-term solutions for improvement in performance and school leadership.

13. Question from Alice Burchfield, Peacehaven, East Sussex

Peacehaven Heights Primary School had an IEB put in place in September 2019. In a meeting with parents on 9/10/19, it was explained by the IEB that this was short term and the IEB would be in place for 12-18 months. They said there was 12 months worth of work, after which a shadow governing body would be instated.

The IEB has now been in place for 21 months. Why has a governing body not been reinstated and when will this happen? Please note that the school is still a maintained school and the IEB was put in place by ESCC. ESCC still has overall responsibility for this school and so needs to explain what the plans are for a governing body.

The school has been without a substantive headteacher for all this time and the IEB have not even attempted to recruit one, despite saying in October 2019 that leadership was a priority. Is this acceptable to ESCC?

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

As set out in the Schools Causing Concern guidance, IEBs are a 'focused group appointed for the full period of time expected to make sufficient improvements in the school'. The IEB will remain in place long enough to ensure that the school has arrangements in place to secure and sustain improvements and leadership arrangements. The IEB and the Local Authority has worked with a teaching school alliance to provide interim leadership which is now in place until April 2022.

14. Question from Bryan Gridley, Peacehaven, East Sussex

How has a democratic system allowed for an ESCC school to be led by a person that has not been elected, sits on 7 boards, has never been to the school, has filled the school swimming pool with concrete all at the tax payers expense ?

When I chose Peacehaven Heights as a school for my two children this was not what was sold to me and ESCC are letting my children down.

Please reverse the academy order, remove the IEB, reinstate a board of elected governors and hold a referendum amongst stakeholders at the school.

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

The IEB is approved by the Regional Schools' Commissioner (RSC) and any change in membership is shared with the RSC. The current chair is chair of two IEBs. Once the pandemic restrictions have been eased and in line with advice to governors on visiting schools, the chair will visit Peacehaven Heights Primary School. The previous chair, who was in post until November 2020, visited the school in line with the Covid guidance.

The decision to close the pool was for health and safety, as well as financial reasons. The IEB could not justify the expenditure needed to repair and sustain the pool when this money was needed to improve outcomes for children in their learning across the curriculum.

15. Question from Cheree Rounce, Peacehaven, East Sussex

Regarding the proposed academisation of Peacehaven Heights Primary School. I have been told by the chair of the IEB, that the Local authority do not have enough resources to sustain the school any longer. In East Sussex there are 115 LEA primary schools and 11 LEA secondary schools.

STEP (the proposed Trust) has 18 schools.

How can a trust with 14% of the schools in the local authority do a better job of supporting Peacehaven schools?

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

The local authority has a responsibility to identify and work with schools causing concern. Academy Trusts have greater access to school improvement funding and can support schools where significant improvement is required. STEP has six schools in East Sussex. By working as a local hub, the trust will be able to share resources more effectively and target local support as needed in order to raise standards.

16. Question from Martyn Beaumont, Peacehaven, East Sussex

In 2019 pressure was put on the Peacehaven Heights Primary to convert. There was a huge local parent campaign to say NO to a Multi Academy Trust having our school.

In 2019 the governing body said no to becoming to a Multi Academy Trust

Then later in 2019 the governing body was sacked. (For not agreeing with the council many people believe)

Then an IEB was installed to run the school on behalf of ESCC

This IEB has willfully neglected its duty towards this school in the following ways:

1. Total failure and willfully neglecting to recruit a permanent head teacher. We believe this was an intentional strategy.
2. Total failure to consult any local people about filling in the school swimming pool.
3. Promising in 2019 that the IEB would only be there for a maximum of 18 months. We are now at 21 months I believe
4. Not listening to parent views whatsoever
5. Installing a head teacher from STEP academy so they can get their feet under the table and "Try before they Buy"

Now the IEB has the audacity to claim that the school needs more stability and so should be given away to STEP academy, when this instability has been caused by the IEB themselves.

Many parents and most of the teachers are extremely upset about what has happened. The school is being blatantly stolen in broad daylight in front of our eyes and for no good reason.

So my question is:

- 1) How is it right that this IEB have been allowed to get away with wilful neglect of duty which then creates instability at a school with no consequence to themselves or anyone in the council ? And what is the council going to do about this?

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

The school has not secured good outcomes for its children over the past few years; in 2019, the outcomes at the end of Year 6 were in the bottom 4% of schools nationally. The school continues to require the strong governance that the IEB provides. There is no evidence of willful duty of neglect by the IEB. The core strategic roles of the IEB are to:

- Ensure clarity of vision, ethos and strategic direction
- Hold the headteacher and Senior Leadership Team to account for the educational performance of the school and its pupils, and the performance management of staff
- Oversee the financial performance of the school and make sure its money is spent appropriately, and to secure value for money.

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

1. Question by Councillor Lambert to the Lead Member for Transport and Environment

The government recently announced a £2.7 million fund for tree planting in local authorities in England and Wales. This will be welcomed by many people, including those in urban areas like Seaford where numbers of streets are now a wasteland of felled and untidy tree stumps.

However, it also raises the following questions:

1. How much of the fund will East Sussex County Council receive?
2. What criteria will the County Council use to decide where the trees can be planted and how the money will be spent?
3. Does the fund cover work to remove existing tree stumps in urban areas to enable new trees to be planted and the surrounding infrastructure to be made good?
4. If not, how much does it cost to remove stumps and to make good?
5. What plans does the County Council have to restore trees to our urban areas where residents are asking for this?

Answer by the Lead Member for Transport and Environment

1. ESCC has submitted a bid to the Local Authority Treescapes Fund, which is a competitive fund. The maximum bid that could be submitted was for £300,000.
2. ESCC's proposal is to remove as many stumps in Seaford as possible and to replant. The limiting factor has been the amount of grant that can be applied for.
3. It does, although the cost of removing stumps and making good reduces the value for money, in terms of the number of new trees that will be planted, so may not score well compared with bids from other local authorities.
4. The cost varies by location, depending on whether the tree stump is in the verge or in the pavement. Costs can vary from less than £1,000 to over £5,000
5. The authority does not have currently have a budget set aside for the restoration of urban trees. We are aware of local volunteer groups who are dedicated to increasing the number of trees in their community, and we will support their endeavours where possible

2. Question by Councillor Lambert to the Lead Member for Transport and Environment

Potholes are a continuing source of dissatisfaction and complaints from residents all over the county. Central government tells us they have provided additional funding to local authorities to repair potholes and the Lead Member asserted at the County Council meeting on 23rd March that the state of roads in East Sussex has improved over the last five years. She further told us that the vast majority of potholes are repaired satisfactorily and very few have to be repaired again.

Can the Lead Member tell the Council:

1. How many potholes were reported for repair in the last financial year?
2. How many potholes met the County Council's criteria for repair?
3. How many potholes did not meet the criteria for repair?
4. How many potholes had to be repaired again?
5. How much would it have cost to repair all the potholes that were reported in the last financial year as compared with the County Council's budget?

Answer by the Lead Member for Transport and Environment

1. In the last financial year 18,798 carriageway potholes that met the Council's intervention criteria were repaired. This included those reported by the public as well as those identified by our Highway Stewards during their inspections of the road network.
2. Of the 10,000 potholes reported by the public in the last financial year, approximately 3,000 did not meet the Council's criteria for repair.
3. All pothole repairs are photographed and from our review of this we believe that approximately 15% of potholes have to be repaired again within the two-year guarantee

period. Whilst this number may sound high, officers are working with our contractor to reduce this number. But with some of the wettest winters on record in recent years it is not uncommon for repairs to fail in these conditions. It should be noted that all remedial repairs are recorded and the Council does not pay for repeated repairs.

4. The Council pays a fixed price of £1.5m per year for the repair all safety defects including potholes. Whilst it is difficult to assess the cost of repairing all potholes, regardless of intervention criteria, the Stewards do identify those areas of carriageway that do not meet intervention criteria but that would warrant a patch repair, these are valued at around £4m with an annual programme of repairs of around £500k. However, it should be noted that by far the most cost-effective form of maintenance is planned preventative maintenance and the Council currently invests around £15m a year patching and resurfacing roads which is the best way to prevent potholes forming.

3. Question by Councillor Lambert to the Lead Member for Transport and Environment

Residents across the county are concerned about biodiversity and the use of chemical weedkillers including glyphosate. They report use of glyphosate to spray gutters and verges which affects biodiversity as well as impacting on people and domestic pets. Additionally, verges have been mown during May and early June badly affecting wild orchids and other wildflowers. The best time to mow is from July onwards when some seed has set for the following year and insect and bird life has benefited.

Why is East Sussex County Council continuing to use glyphosate? What steps will the County Council take to amend their policies on both the use of chemical weedkillers and the mowing timetable?

Answer by the Lead Member for Transport and Environment

Regarding the use of Glyphosate, we carry out one weed spray per year in a controlled manner on channels and footways, limited to only where weeds are found. The product used by our contractor is 95% water mixed with 5% Glyphosate Gallup Bio. Amenity and a small amount of adjuvant of Green Gold oil (which helps the product adhere to the weeds and minimise over spray).

The product is applied by either backpack and hand lance or quad bike and lance along channels and footways. The product is only sprayed where there are weeds. The operatives have over 20 years experience delivering this service, they do not spray in windy conditions or when raining.

The following link includes a paper on subject, in which we consider possible alternatives.

[LMTE 28 September 2020 Use of Glyphosate.pdf \(eastsussex.gov.uk\)](#)

We are currently reviewing the process and looking at possible alternatives to weed control, along with our neighbouring Councils and those within East Sussex, and we in discussion with colleagues at other authorities. At present a possible alternative at a similar cost has not been identified, all alternatives are more expensive and not readily applied to our large network. The option of not spraying at all has also been considered, but there are issues around the acceptability of the appearance of plant growth in hard areas of the highway, safety and possible effects on the highway asset in terms of function (drainage) and damage, particularly from woody plants.

Regarding the mowing timetable, over the last few years we have reduced the number of urban verge cuts down from six to two a year. In order to spread the cuts reasonably so that sight lines and access is preserved, and the contractor can plan for resource needs, the two cuts are typically scheduled around May – July and then September and November. We are continually reviewing our approach, prompted by our duties as a local authority towards biodiversity under the Natural Environment and Rural Communities Act, and increasing public awareness of the

issues around this. This year we have added thirty new wildlife verges with over 146 miles of wildlife verges now managed to promote wildlife of special interest. In addition, we are also delivering a Rural Verge Trial in a number of Parishes across the County where verges will only receive one main cut, in the autumn, and only a cut for sight lines and access in June. If successful, consideration will be given to rolling this approach out wider.

Whilst we understand many people are keen for us to adopt more wildlife verges and to reduce or change the cutting regime to further support biodiversity, equally many people would prefer us to increase the number of cuts per season to promote the appearance of the highway within their communities. In the meantime, we continue to review our cutting regimes and in consultation with Members will make recommendations for changes where appropriate.

4. Question by Councillor Lambert to the Lead Member for Transport and Environment

The government's recent announcements about the phasing out of petrol and diesel vehicles will require infrastructure to be in place, principally public charging points. Many people do not have driveways so cannot guarantee that they will be able to park outside their homes and re-charge their cars.

What is the County Council's policy on electric charging points?

Answer by the Lead Member for Transport and Environment

The County Council does not currently provide on-street charging points for electric vehicles. However, we recognise that there is a growing level of demand for charging points and that their greater availability is key to increasing the uptake of EVs. We are currently developing our policy to support the increased take up of electric vehicles in East Sussex.

In the meantime, you can find information on where electric vehicles can currently be charged in East Sussex by going to Zap Map (<https://www.zap-map.com/?s=east+sussex>). This provides a comprehensive map of existing charge points.

5. Question by Councillor Lambert to the Lead Member for Transport and Environment

It was a surprise for residents of Seaford to hear that the bridge over Exceat, long-promised by the Lewes MP who stated that funding was in place, would not after all be going ahead as the funding had not been obtained.

What has happened to plans for the bridge? What is the reason for this confused messaging between the Conservative cabinet and the Conservative MP for Lewes? What will now happen to the bridge if this second funding bid is as unsuccessful as the first?

Answer by the Lead Member for Transport and Environment

A planning application for a new bridge has been submitted to the South Downs National Park and we expect an outcome in August/September.

The Exceat Bridge project started out as a maintenance project to refurbish the existing aging bridge, and a budget allocation was made in the council's capital programme for that. As we started to look at what refurbishment would entail, it became clear that it was probably more cost-effective to replace the bridge and deal with the traffic bottleneck at the same time.

We recognised that it would not be possible to build a new bridge from existing budgets and therefore, since the project's conception we have been looking for external funding for the improvements. In 2017 £2.133m was allocated to the project from the National Productivity Investment Fund (NPIF) and was added to the £0.5m capital maintenance budget for the project. However, this would not fully fund a new bridge.

A bid was also made to the South East Local Enterprise Partnership (SELEP) Local Growth Fund which was initially accepted and reached a late stage in the assessment process, but was rejected in 2020 as, like many other projects across SELEP, it could not meet the local Growth Fund timeframes required then by SELEP.

Although full funding was not available, a decision was made by the Project Board at this time to continue to develop the project to the point where a planning application could be submitted while other funding was sort. We hope that our recent Levelling Up Fund application for circa £8m to assist with fully funding the project will be successful, but if not we will continue to look for alternative external funding for the project. If funding is not found the existing bridge will continue to be monitored and repairs undertaken as necessary from maintenance budgets.

6. Question by Councillor Field to the Lead Member for Transport and Environment

What supervision is in place to ensure that when grass is cut on verges etc the arisings do not block gutters and/or litter the footways?

Answer by the Lead Member for Transport and Environment

There is stringent supervision in place monitoring the grass cutting service being delivered by our contractor. Each crew cutting our verges has a Supervisor who ensures that cuttings are blown back on to the verges clearing footpaths and channels. There are also weekly compliance checks to ensure the quality of work meets expectations and that sites are left as tidy as possible. Any quality issues raised are immediately investigated with the contractor and remedial action taken if needed.

Unlike last year, this season we have seen the perfect growing conditions for grass, and this has meant the cuttings are longer than we would like/expect. However, we are aware of public concerns and doing everything possible to manage these challenging conditions to ensure our communities are impacted as little as possible.

7. Question by Councillor Field to the Lead Member for Transport and Environment

There is an urgent need to reduce emissions from private vehicles in order to improve air quality and meet carbon neutrality targets. How is the County Council working to improve bus services and expand bus networks?

Answer by the Lead Member for Transport and Environment

We will be commencing work on a new Local Transport Plan 4 (LTP4) for the Council during 2021/22 where the reduction of car use and facilitation of alternative modes of transport will be a key priority in the emerging strategy. In addition, alongside the current LTP3 there has been a focus on the promotion and delivery of active travel programmes throughout the County.

ESCC has worked closely with bus operators to maintain the coverage and quality of the county's bus network. The Council's 2021/22 budget for subsidising bus services is £1.75m, which we use to provide services which are not viable on a commercial basis. This is particularly important for our rural communities, to ensure access to education, employment, health and shopping.

In March 2021 the Government launched "Bus Back Better", a new bus strategy for England. It aims to rejuvenate local bus services, making them attractive for passengers, cheaper, easier to understand and use, faster and more reliable, and greener. The strategy places new requirements on local transport authorities to develop Bus Service Improvement Plans (BSIPs) and set up Enhanced Partnerships with their bus operators, with actions on networks and services, fares and ticketing, passenger facilities, and highway bus priority measures.

MINUTES

In her meeting on 21 June, the Lead Member for Transport and Environment approved pursuing an Enhanced Partnership for East Sussex and work has now commenced on the BSIP process. The Lead Member will consider a report on the detail of the Enhanced Partnership and BSIP prior to BSIP submission deadline of 31 October. We understand that the Government will allocate promised additional funding to each authority for bus improvements based on the quality and ambition of their BSIP submission.

To improve the end to end journey for bus passengers, we are already investing the improvements to bus stops across the county with high access kerbs, the introduction of clearways to ensure that buses can pick up and drop off passengers safely and real time passenger information at key stops to provide up to the minute information.

To improve bus journey time reliability and punctuality, we have introduced bus priority measures on the Glyne Gap to Harley Shute Road section of Bexhill Road in Hastings, with further phases being developed, and are finalising designs for bus lanes on the Polegate/Willingdon section of the Hailsham – Polegate – Eastbourne corridor.

As highlighted earlier, an important element of developing and implementing our emerging Bus Service Improvement Plan will be to consider opportunities for further bus priority on our network. The first iteration of the Improvement Plan will set out bus routes where priority measures could potentially be considered subject to further detailed assessment of the viability and benefits.

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REPORT OF THE CABINET

The Cabinet met on 30 September 2021. Attendances:-

Councillor Glazier (Chair)

Councillors Bennett, Bowdler, Claire Dowling, Maynard, Simmons and Standley

1. Council Monitoring: Quarter 1 2021/22

1.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for quarter 1 2021/22. Broad progress against the Council's four strategic priority outcomes is summarised below and an overview of performance and finance data is provided in the Corporate Summary at Appendix 1. Strategic risks are reported at Appendix 7 and a detailed report for each department is provided in Appendices 2 to 6.

Carry over report for Council Plan 2020/21

1.2 Seven 2020/21 Council Plan measures were carried over from quarter 4. Measures are carried over, when action has been completed, but the outturn data was not available for reporting at year-end. Outturns for these measures are summarised in Appendix 2 Adult Social Care and Health, Appendix 3 Business Service Department and Appendix 5 Communities, Economy and Transport. The final outturn for 2020/21 shows that 83% (43 of the 52 Council Plan measures) were green, while 17% (nine measures) were red, exceeding the 80% target for the year.

Council Plan 2021/22 amendments and variations

1.3 The Council Plan 2021/22 and the Portfolio Plans 2021/22 – 2023/24 have been updated with available 2020/21 outturns and performance measure targets. All plans are published on the Council's website. The Corporate Summary (Appendix 1) contains a forecast of performance against targets. There are five education measures where no targets can be set this year because assessments or exams have been cancelled due to COVID-19. These are for the Early Year's Foundation Stage, Key Stage 2, and the Average Progress 8 scores and Attainment 8 scores at Key Stage 4. Targets remain for future years.

The Cabinet agreed that targets for two Adult Social Care and Health performance measures be amended:

- Proportion of working age adults and older people receiving direct payments

The target is recommended to be amended from $\geq 34.3\%$ to 31.5% to reflect how the NHS Hospital Discharge Covid-19 Funding for patients discharged from hospital to community care is continuing to affect the proportion of clients receiving direct payments (see Appendix 2, ref i).

- The proportion of people who use services who say that those services have made them feel safe and secure

The target is recommended to be amended from $\geq 87\%$ to $\geq 83.8\%$ to better reflect the experiences and expectations that people using services reported in the last survey held in 2019/20. People's responses to this question can also be influenced by wider factors beyond the Council's control, which limit our ability to fully ensure services make people feel safe and secure. The majority of respondents who said services did not make them feel safe and secure stated in their responses to a separate question that they felt as safe as they wanted or adequately safe (see Appendix 2, ref ii).

1.4 The Strategic Risk Register, Appendix 7, was reviewed and updated to reflect the Council's risk profile. Risk 14 (Post European Union (EU) Transition) has an updated risk definition and control. Risk 4 (Health), Risk 5 (Reconciling Policy, Performance & Resources), Risk 6 (Local Economic Growth), Risk 7 (Schools), Risk 8 (Capital Programme), Risk 9 (Workforce), Risk 15 (Climate) and Risk 16 (Covid-19) have updated risk controls.

Budget Outturn

1.5 The details of revenue over and underspends in each department are set out in the relevant appendices, and show a total forecast overspend of £2.7m. The main headlines are:

- In Children's Services (CSD) there is a forecast overspend of £2.2m, of which £2.6m relates to Early Help and Social Care: £1.5m of which is Locality (the 'front door' social work service) and £1.1m is Care Leavers, but this has been mitigated somewhat by an increase in the leaving care rates for Asylum Seekers. Within Education and ISEND there continues to be pressure particularly on staffing to deliver Education Health and Care Plans with a forecast overspend in this area of £0.5m. Communication, Planning and Performance has a forecast overspend on Home to School Transport (HTST) of £0.2m. These overspends have been mitigated in part by a forecast underspend of £1.3m as a result of efficiencies and pay cost controls across a number of areas in the department which are being recorded in Central Resources.
- The Adult Social Care (ASC) budget is currently forecast to overspend by £0.4m. This comprises a small underspend of £0.2m in the Independent Sector and an overspend of £0.6m in Directly Provided Services, the latter mainly due to pressures in staffing budgets.

1.6 Within Treasury Management (TM) and other centrally held budgets there is an underspend of £6.1m:

- There is currently an estimated £2.1m underspend on TM, this is based on the position on the capital programme removing the need to borrow externally in 2021/22. In line with normal practice this will be transferred to reserve to offset capital borrowing needs in future years.
- The General Contingency of £4.0m will, in the first instance, be used to offset service overspend. The remaining £1.3m will be transferred to the Financial Management reserves in line with the Council's Reserves Policy, to facilitate the management of financial risk in future years.

1.7 As a consequence of 2020/21 outturn and carry forward of COVID-19 funding, it was agreed as part of the State of the County discussion at Cabinet in July to review the 2021/22 approved budget. This review has identified £8.855m that is now shown in Centrally Held Budgets. The Cabinet recommends that a reserve of £8.855m be set up within the existing Priority Outcomes and Transformation Reserve and that the Terms of Reference for this reserve will be extended to reference that the reserve can be used to fund "programmes that meet the Council's priority outcomes" which will include highways and climate change. Proposed changes to the reserves policy are shown at Appendix 8 to this report.

1.8 COVID-19 related costs and income losses have been fully mitigated from general and specific funding. The table below shows the current forecast for use of this funding in 2021/22:

COVID-19 Funding 2021/22 (£m)				
	Carried forward	Expected in-year	Forecast usage in-year	Forecast balance remaining
COVID-19 General Funding	15.132	11.999	(12.627)	14.504
COVID-19 Specific Funding	15.325	19.584	(29.297)	5.612
Total funding	30.457	31.583	(41.924)	20.116

1.9 Planned Capital Programme expenditure for the year is projected to be £94.5m against a budget of £95.2m, a net variation of £0.7m. Of the net variation position, £0.2m relates to Local Enterprise Partnership (LEP) schemes being delivered by, or in partnership with, others, where those organisations control the timetable. In addition, there is £0.6m of projected COVID-19 related costs that will be funded from COVID-19 specific or tranche funding, thereby having a net nil impact on the Council's capital programme.

Progress against Council Priorities

Driving sustainable economic growth

1.10 Six highway improvement schemes to maintain or improve the condition of the county's roads were completed in quarter 1. 6,357 potholes were also repaired, 4,690 of these were carriageway potholes, with the remainder primarily footway potholes. The road condition statistics (where a lower outturn indicates a better performance) for 2020/21 have been published: the percentage of Principal roads requiring maintenance reduced to 4%; the percentage of Non-Principal roads requiring maintenance has also reduced, again to 4%; and the percentage of Unclassified roads requiring maintenance has remained the same as the previous year, at 14%. The condition of all three road types met their target for 2020/21 (Appendix 5).

1.11 Eight virtual careers events were held in May, focussing on: construction; Science, Technology, Engineering and Maths (STEM); health and social care; and digital careers. The events were filmed and are now available through the Careers East Sussex website. The other resources available through the website have also been developed during quarter 1, including labour market information which can be used both by schools and adults looking to retrain (Appendix 5).

1.12 There are currently 85 new apprentices expected to start by the end of quarter 2, with a large number of these in schools. The new cohort of apprentices includes people starting training in Coaching and Mentoring, Social Work, and Occupational Therapy. The Apprenticeship team are supporting teams in Adult Social Care and Health to access the Government's apprenticeship incentive scheme, which offers £3,000 to employers taking on apprentices by the end of September 2021. The Council has 19 live vacancies through the Kickstart programme, which provides funding for six-month job placements for young people on universal credit at risk of long-term unemployment, and these are being advertised through Job Centre Plus, with Council managers also promoting them via online information sessions (Appendix 3).

1.13 Businesses were helped by business support programmes to create or safeguard 101 jobs in quarter 1. Locate East Sussex, the local commissioned Inward Investment service, also helped seven businesses to remain within, or relocate to, East Sussex (Appendix 5).

1.14 The Council has spent over £290m with 920 local suppliers over the last 12 months, which equates to 69.4% of total spend. The Procurement team continues to promote contract opportunities to local suppliers, as well as building local supply chain opportunities into our tendering process where possible. The emphasis on spending money within the local economy helps to support the East Sussex Economic Recovery Plan (Appendix 3).

1.15 13 contracts were awarded in quarter 1, of which six were in scope of the Social Value Measurement Charter, which quantifies the economic, social and environmental benefits of Council procurement. The six contracts had a total contract value of £1.3m and secured £322,000 in Social Value commitments, which equates to 25% (Appendix 3).

Keeping vulnerable people safe

1.16 In November 2020, the Government announced funding to provide holiday activities and food (HAF) to young people eligible for free school meals (FSM) over the Easter, summer and Christmas holidays in 2021. 34 providers ran provision across the county during Easter, with 1,378 young people attending. Make Good Trouble, a youth-led production company, [produced a short film celebrating the Easter provision](#). The provision was initially targeted in the areas of highest need across the county; however, it has subsequently been developed to support young people right across East Sussex. Provision for the summer holidays includes 70 providers; 7,000 HAF-funded places for young people eligible for FSM; more than 27,000 sessions; and over 85 different locations (Appendix 4).

1.17 The Foundations Project supports people who have had children removed by Children's Services, over the last four years (based on the 2017/18 cohort) 100% of the women who have engaged with the project have not gone on to have any subsequent children removed (Appendix 4).

1.18 The number of Children in Need reached a high of 1,000 open cases in quarter 3 2020/21, since then we have been undertaking careful audit work which has resulted in the closure of a number of cases, bringing the number down to 822 at quarter 1. There has not been a negative impact on the re-referral rate, which suggests that the process was carried out safely, and the cases were closed appropriately. The rate of children subject to a Child Protection plan has decreased in quarter 1, to 47.9 per 10,000 children (510 children). This reduction is due to targeted work on the safe ending of plans now that more children are in school, so more visible. The rate of Looked After Children (LAC) has increased in quarter 1 to 58.5 per 10,000 children (623 children). More children are being looked after by the Council for longer due to significant delays in the court system. It is currently taking 40 weeks as opposed to the previous 30 week timescale to complete care proceedings with children therefore remaining in care placements for longer (Appendix 4).

1.19 Trading Standards participated in the national Scams Awareness Fortnight in June, highlighting through the media, including social media, the risks associated with various financial scams; with a victim of a scam coming forward to tell her story and emphasise the risks. Trading Standards also attended three locations around the county with displays and information on scams, speaking to a total of 173 people. The team also promoted the Friends Against Scams online training, (www.friendsagainstscams.org.uk), as well as the various call blocking facilities offered to protect residents from telephone scam calls (Appendix 5).

1.20 An East Sussex Violence Reduction Action Plan has been developed, covering current, planned, linked and completed projects and ideas for partnership activity. A presentation on the new Serious Violence Duty 2021 was presented at the Violence Reduction Partnership (VRP) in quarter 1, with partnership work focusing on high-harm hotspot areas to identify local issues and trends which can be addressed or disrupted through multi-agency action (Appendix 2).

1.21 The Domestic Abuse Act came into force in quarter 1, setting out a number of key obligations for the Council. Alongside West Sussex County Council we are setting up a statutory domestic abuse Local Partnership Board, discussions with Brighton and Hove City Council as to their involvement are ongoing. A pan-Sussex Project Team located in the Office of the Sussex Police and Crime Commissioner is leading on a Strategic Needs Assessment for accommodation-based support with help from local councils, specialist providers and people with lived experience (Appendix 2).

Helping people help themselves

1.22 Health and social care integration work has continued in quarter 1, with a focus on putting plans in place to respond to the requirements in the Health and Care Bill, and ensuring the proposed changes are implemented to positively impact and strengthen the Council's relationship with the local NHS. This includes how we best manage our collective resources under the new arrangements to deliver our shared priorities and objectives for health and social care integration, improving population health and wellbeing and reducing health inequalities, as well as meeting the new duty to collaborate. To support these objectives, the Council's relationship with, and role in, the Sussex-wide Integrated Care System (ICS), which brings together NHS commissioners and providers with upper tier Local Authorities in Sussex to enable a collaborative approach to the planning and delivery of health and care services has been agreed. We have also agreed the continuing roles and responsibilities of the existing East Sussex Health and Care Partnership within the ICS, which is where shared priorities between social care, public health and the NHS are agreed and delivered. A number of other plans have also been agreed in quarter 1, to: address health inequalities and deliver personalised, integrated and preventative care models; embed joint hospital discharge processes and the hospital discharge hub; and undertake capacity and demand modelling to inform a sustainable model for Discharge to Assess and Home First pathways, which seek to assess and support people at home or in nursing or residential care rather than in acute settings (Appendix 2).

1.23 Five road safety schemes to improve the road safety infrastructure in the county were completed in quarter 1. A further 13 schemes are currently waiting to be scheduled for implementation later in 2021/22. As part of the national Bikeability scheme, which helps to

prepare people for cycling safely on today's roads, we delivered 144 Bikeability courses to 1,358 individuals at participating schools and the Cycling Centre at Eastbourne Sport Park. We also delivered 27 Wheels for All sessions at the sports park, which are aimed at adults and children with disabilities and differing needs and help them to cycle in a safe and structured environment (Appendix 5).

1.24 East Sussex Trailblazers, which includes the Safer East Sussex Team, the Probation Service, the Rough Sleepers Initiative and local housing authorities, has continued to develop resettlement opportunities for people leaving prison in quarter 1. Hastings Borough Council have submitted an application for funding to the Ministry of Housing, Communities & Local Government's Accommodation for ex-Offenders Scheme to further complement Trailblazers' work to improve ex-offenders' access to the private rented sector (Appendix 2).

1.25 A new project to provide skills and employability support those who are furthest from the workplace began in May 2021. The scheme was funded by the Control Outbreak Management Fund (COMF) and led by Public Health and supported ex-rough sleepers to re-plant lawns in Eastbourne to help them gain horticultural skills and experience the therapeutic benefits of gardening. Six attendees are now taking part in regular supported training sessions that can lead to them acquiring a City and Guilds Level 1 qualification in horticulture. There is also the possibility of some of the group taking on a paid apprenticeship. Similar schemes are now being developed for other parks and green spaces across the county, to support more people who have previously been rough sleepers or are homeless and living in temporary accommodation (Appendix 2).

1.26 Quarter 1 saw the first six schools in East Sussex achieve Healthy Schools status, since the launch of the Health Schools Programme in September 2020. The programme supports schools to adopt and embed an evidence-based approach to health and wellbeing, including healthy eating; physical activity; Personal, Social, Health and Economic education; and emotional wellbeing. 80 schools have signed up to participate in the programme (Appendix 2).

Making best use of resources in the short and long term

1.27 Lobbying has continued in quarter 1, including the Leader meeting with local MPs to discuss local and national issues, including ambitions for use of the Levelling Up Fund in East Sussex. We also undertook lobbying through the County Councils Network (CCN), contributing to the development of an evidence base on Home to School Transport cost pressures and COVID-19 impacts. Through the CCN the Leader also discussed the national Bus Back Better Strategy with Baroness Vere, Minister in the Department for Transport, in quarter 1 (Appendix 6).

1.28 The grant funded Council Decarbonisation of Heat Plan was completed in quarter 1; the plan will underpin and inform our strategy to deliver decarbonisation of our corporate and school buildings. A list of all potential buildings in which decarbonisation works could take place was also compiled. Two Public Sector Decarbonisation Scheme grant funded projects are also being progressed to the procurement stage (Appendix 5).

1.29 The County Council elections were held on 6 May with 50 councillors elected to represent the 50 electoral divisions in the county. Election planning, undertaken in conjunction with the District and Borough Councils who administer the election on behalf of the County Council, had added complexity this year due to COVID-19. Election results were published as they were announced on our interactive results map and all candidates elected received a welcome pack from the Council on results day. A comprehensive Member induction programme was delivered in a COVID-19 secure way in quarter 1, to support new and returning Members (Appendix 6).

1.30 During quarter 1, in light of the expiry of temporary regulations which permitted virtual meetings, Governance Services made arrangements to resume physical meetings where legally required, whilst complying with COVID-19 restrictions, enabling Council business to continue in a transparent and open way. Use of video conferencing technology continued where legally permitted, including the use of new hybrid meeting technology in the Council Chamber, which has enabled physical attendance to be minimised during COVID-19 restrictions and for some of the benefits of remote attendance to be maintained (Appendix 6).

1.31 The Property team have been awarded the Outstanding Customer Satisfaction SECBE (South East Centre for the Built Environment) award for the building of Ropemakers' Academy in Hailsham. Property's Major Projects team managed the delivery of the £12.5m build to create a new 80 place social, emotional, and mental health facility for children. The team worked with the contractor to put customer engagement at the heart of their delivery (Appendix 3).

1.32 Strategic Property Asset Collaboration in East Sussex (SPACES) is a partnership of public bodies and third sector organisations which aims to improve sharing of the property estate between partners, to save property costs, and to release capital receipts. The SPACES Programme Board approved the first SPACES Strategy (2021 to 2024) in May. The strategy sets out six themes which the partnership will use to continue its work and develop new collaborations. SPACES also submitted a bid to the Brownfield Land Release Fund in June, the bid requested funding for five projects set to deliver a combined 100 homes (Appendix 3).

COVID-19 response

1.33 The Emergency Planning and Resilience Team have continued to support the multi-agency COVID-19 response and recovery in quarter 1, including supporting safe events and COVID-19 testing programmes, in particular the pan-Sussex Community Testing Programme. The Sussex Resilience Forum has now stood down its Strategic and Tactical Co-ordinating Groups with a view to handing over to the Recovery Co-ordinating Group (Appendix 5).

1.34 The Cabinet recommends the County Council to:

- ☆ approve the transfer of funding for one-off investment to reserves, and the amended reserves policy, as set out in paragraph 1.7 and Appendix 8

2. Annual Progress report on achieving carbon neutrality

2.1 In October 2019 the County Council declared a climate emergency. It set a target of achieving carbon neutrality from its activities as soon as possible and in any event by 2050 and committed to reporting annually to Full Council on its progress towards meeting this target.

2.2 In October 2019 the County Council agreed the following Motion, that the County Council:

- (i) supports the aims and implementation of the UN Sustainable Development Goals.*
- (ii) recognises and declares a Climate Emergency.*
- (iii) will set a target of achieving carbon neutrality from its activities as soon as possible and in any event by 2050, in line with the new target for the UK agreed by Parliament in 2019.*
- (iv) will build upon the work we have undertaken to date, will commit resources where possible and will align our policies to address the Climate Emergency.*
- (v) will set out a clear plan of action to reduce our carbon emissions.*
- (vi) will report annually at the May County Council Meeting on its progress towards the target.*
- (vii) will investigate all possible sources of external funding and match funding to support this commitment, as well as writing to central government with respect to the emergency to request funding to implement swift appropriate actions.*
- (viii) will use our Environment Strategy to provide a strong unified voice in lobbying for support to address this emergency, sharing best practice across East Sussex and more widely through other partners.*

2.3 In line with the commitment made in the Motion agreed in 2019, the County Council developed a Climate Emergency Action Plan to set out how the organisation would go about reducing its carbon emissions. The Action Plan was agreed by Cabinet in June 2020 and built on work undertaken since the first Carbon Management Plan was put in place in 2009. The Action Plan set out the scale of the carbon footprint, described the carbon budget that the Council will aim to keep within, and proposed an initial two-year delivery plan for 2020-22.

Assessing the Council's carbon emissions

2.4 A clear understanding of the carbon emissions generated by our activities is a key foundation for working towards carbon neutrality. The corporate Action Plan set out an initial assessment of the carbon emissions from the Council's activities using the Greenhouse Gas (GHG) Protocol, an accepted global standard for measuring and reporting on an organisation's GHG emissions. The Protocol divides GHG emissions into three categories, referred to as Scope 1, 2 and 3. Together, these represent the total GHG emissions related to an organisation and its activities. Each scope covers the following emissions:

- Scope 1 – emissions from the combustion of gas, oil, petrol, diesel, coal, or wood. For the Council this covers buildings and vehicles where the Council is responsible for paying for the fuel.
- Scope 2 – emissions from the electricity purchased by the Council.
- Scope 3 – emissions that result from all other activities of the Council. There are 15 different scope 3 categories defined in the Protocol, some of which do not apply to a local authority (e.g., emissions from manufactured goods). The categories that do apply include emissions from business travel, water usage, waste, procurement and staff commuting. In other words, the County Council's scope 3 emissions mostly comprise the scope 1 and 2 emissions of other organisations (e.g., contractors).

2.5 The County Council has measured scope 1, 2 and some scope 3 emissions since 2008-9. Data in relation to scope 1 and 2 is of higher quality whereas data in relation to most scope 3 emissions is much more varied in detail and quality. The Action Plan highlights that scope 3 emissions are by far the largest part of the Council's estimated carbon footprint, notably through the supply chain i.e., the goods and services that are purchased by the County Council in order to deliver its functions. This is typical for a local authority, as most of the Council's revenue and capital budgets are used to procure goods, services and works from third parties. For an upper tier authority this includes major services such as highways maintenance, waste disposal, and education, as well as social care provision commissioned from a myriad of relatively small independent providers. The Action Plan also highlights that the largest proportion of scope 1 and 2 emissions is from schools. Overall, this means that the majority of carbon emissions generated by the Council's activities are from sources over which the Council has influence but limited direct control.

2.6 The County Council therefore has a large and complex carbon footprint which is larger than that of all the East Sussex District and Borough Councils combined. Further work is required to quantify most scope 3 emissions before they can begin to be integrated reliably into the Council's carbon footprint and modelled for future emission reductions, notably from procurement. Consequently, the Action Plan focusses primarily on reducing scope 1 and 2 emissions first, for example carbon emissions from buildings, and investing in more renewable energy. This is a similar approach to that adopted by all the East Sussex District and Borough Councils that have a carbon action plan in place.

Working towards carbon neutrality from our activities

2.7 The approach adopted in the Action Plan is that, in order to make its fair contribution to reducing county-wide emissions, the County Council will aim to cut its own emissions by 13% per year. This is based on a recognised methodology developed by the UK's Tyndall Centre for Climate Change Research for calculating the carbon budget by local authority area. A carbon

budget represents the total quantity of greenhouse gases which can be released to the atmosphere if we are to contain temperature rises to a given level – this can be calculated globally and then broken down into national and sub-national budgets. The Tyndall model, based on current scientific understanding, indicates that to stay within a budget based on a rise of no more than 1.5 degrees centigrade above pre-industrial levels (as set out in the UN Paris Agreement on Climate Change) requires cutting emissions from East Sussex by an average of about 13% per year.

2.8 This 13% science-based annual reduction target is what the County Council is working towards, rather than a fixed end date by which it will become carbon neutral. This approach is in line with advice to Councils from the Local Government Association, which has stated that: *“There is no science to picking an end year where emissions are zero. Setting a target year by which emissions will be zero can be symbolically important. However, what counts is the trajectory of the commitments to carbon reduction between now and the target zero emissions year. This defines the actual level of emissions reduction being promised over the budget period. This is what matters to climate change”*.

2.9 Achieving a reduction target of 13% per year, every year, is extremely challenging. The County Council has had a significant programme of activity in place to cut carbon emissions for a number of years, during which time it has occasionally exceeded a 13% reduction per year in its scope 1 and 2 emissions. In 2020-21 The County Council achieved a 13% reduction in its carbon emissions. A summary of the data is included in appendix 9, including some of the planned work and how we track our progress against the 13% per year reduction target. Appendix 10 sets out the progress, more broadly, that has been made to date against the Action Plan and combines this with the recommendations from the 2020 Scrutiny Review of Becoming a Carbon Neutral Council (see paragraph 2.10). The Action Plan will be reviewed during 2021-22 and an updated 2-year plan will be developed to cover 2022-24.

2.10 It is likely to become more costly and complex to reach this target over time as the ‘quick wins’ – the more cost effective and simpler measures, and those which are within the Council’s direct control - are completed. Officers have successfully bid for additional external funding to increase the County Council’s ability to deliver greater carbon reduction (e.g., £480k in 2021-22 to deliver projects under the Public Sector Decarbonisation Fund). In addition, work is on-going to establish what further resources the County Council could allocate to meeting this ambitious target. This will include modelling of the different scenarios as to how the County Council might get to net zero, by when and the potential range of costs of each scenario. The modelling depends on a number of factors, including the size of the County Council’s buildings estate, and related transport emissions, post-COVID. The work to determine this is currently in progress.

2.11 In 2020-21 the Place Scrutiny Committee undertook a Scrutiny Review of Becoming a Carbon Neutral Council. The review looked at the work underway to progress towards net zero emissions from the Council’s activities and made a number of recommendations which were accepted and are being implemented in line with the agreed action plan. Appendix 10 includes a summary of progress to date against the agreed recommendations and the Climate Emergency Action Plan. Of the combined 37 actions, 5 (13%) have been completed, 28 (76%) are on-going and 4 (11%) have not yet started. This highlights that there is a need for additional resources to help drive the actions forward and that some of the actions will be delivered over a number of years (e.g., behavioural change programmes). Proposals for additional resource capacity are being developed and will be considered through the Reconciling Policy, Performance and Resources (RPPR) process.

2.12 Contracts with external providers make up the largest proportion of our carbon footprint, as part of Scope 3 emissions. The Council can influence emissions from our supply chain by requiring carbon reduction targets when renewing relevant contracts, which is the approach adopted in the re-procurement of the current highway’s maintenance contract. Many smaller contractors and suppliers will not have data on their emissions, or will have relatively small-scale

emissions, or do not have the capital funding available to make the significant changes required to reduce their emissions. Addressing the emissions from our large and diverse supply chain is therefore a complex and significant task which will take time. Consequently, the Council will focus on contractors and suppliers where the likely scale of their emissions and the ability of the Council to influence these emissions are greatest, for instance where the Council is a major client.

2.13 Until we are able to measure and report on our scope 3 supply chain emissions more accurately (and therefore know where and how to better influence these emissions), we are measuring and reporting on our performance against a 13% p.a. reduction target for scope 1 and 2 emissions. This is monitored and reported quarterly to the Officer Climate Emergency Board, which has representatives from every department and is co-chaired by the Chief Operating Officer and the Director for Communities, Economy and Transport. Progress is also reported quarterly in the County Council's strategic risk register, as well as annually to Full Council.

2.13 The Council has recognised the severity of the climate crisis by declaring a climate emergency and setting a clear and evidence-based trajectory towards net zero from its activities. The scale of the Council's functions and the diversity of providers the Council works with makes this a complex and substantial task. Significant work has already been undertaken to reduce emissions and this has been built upon by the Climate Emergency Action Plan which is driving the next phase and has been further informed by the recent Scrutiny Review. This progress report sets out what has been achieved to date against the agreed Action Plan and the Scrutiny review recommendations.

3. East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review – Regulation 19 Consultation

3.1 East Sussex County Council work in partnership with the South Downs National Park Authority and Brighton & Hove City Council (the Authorities) in the preparation of minerals and waste planning policy for East Sussex, Brighton & Hove and the area of the National Park within the County and City (the Plan Area). Together, the Authorities have prepared the Waste and Minerals Plan (WMP, 2013), and the Waste and Minerals Sites Plan (WMSP, 2017). These adopted plans form the Waste and Minerals Local Plan (WMLP) which is used by each of the Authorities in the determination of planning applications for waste management activities, and minerals extraction and infrastructure in the Plan Area. The WMLP forms part of the Development Plan and is, therefore, also applicable to the District and Borough Councils as local planning authorities.

3.2 The Authorities are now reviewing parts of the WMLP. The purpose of the review is to update a limited number of policies within the WMLP that are considered out-of-date or require amendments to their wording to ensure their effectiveness. The original need for a review stems from the conclusions of the examining Inspector of the WMSP in 2016, who concluded in his report that a review of the minerals policies within the 2013 WMP would be required, in particular as the supply of aggregate from existing permitted extraction sites is likely to be exhausted prior to the end of the Plan period in 2026. Maintaining a reliable supply of aggregate is important to facilitate construction and economic growth.

3.3 A review of the WMLP commenced with consultation on a Scoping document for the Review along with a 'Call for Mineral Sites' in late 2017. Since that time the Authorities have reviewed the responses to that consultation and produced a draft Revised Policies document (DRP) which contained proposed amendments to the WMP and WMSP. The DRP was subject to a twelve week public consultation between 11 May – 3 August 2020. An Equality Impact Assessment has been completed on the Plan and has found no significant disproportionate impacts. This report is now seeking approval for the publication of the Submission version of the DRP to allow for a representation period under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, prior to submission to the Government for Public

Examination. It is this version of the DRP that the Authorities consider to be the most appropriate strategy to take forward, defend at Public Examination and subsequently adopt.

3.4 The consultation on the DRP in 2020 received a total sixty nine responses and a petition containing 221 names. The consultation responses have been considered and, where appropriate, the DRP has been amended to accommodate the views submitted. The Authorities' responses to all comments made have been summarised in a separate document. Full copies of the consultation responses and the Authorities' responses are available in the Members' Room.

3.5 The main area of focus in the DRP has been aggregate provision. The Plan Area has always been a low producer of aggregates due to the geology and environmental constraints as well as internationally protected sites. There are currently two permitted quarries located within the Plan Area: Lydd quarry near the Kent border which produces sharp sand and gravel; and Novington Sandpit in the National Park which is permitted to produce soft (builder's) sand, although there has not been any extraction from this site in recent years.

3.6 In terms of aggregate provision and specific responses to the 2020 consultation on the DRP, the operator of the quarry at Lydd submitted proposals for an extension to the quarry, as it is anticipated that the permitted resource will be exhausted within the next twelve months. However, due to National and International environmental designations, further working to extend the quarry is not considered to be feasible or supportable due to the irreversible harm that would be caused to the interests of the designated sites. Following consideration of advice from Natural England and the known availability of suitable alternative materials, no additional areas for future extraction are therefore proposed at Lydd Quarry.

3.7 Overall, the proposed amendments and revisions to the WMLP seek to improve and strengthen the Policies, but do not change the existing strategy or thrust of the WMLP. The Review identifies a number of matters, and these relate to: (i) clarifying/improving the wording of a small number of policies so that they can more easily/appropriately applied to decisions on planning applications; (ii) the provision of aggregates to the Plan Area; (iii) sustainable use of aggregates; (iv) the safeguarding of minerals resources and minerals infrastructure; (v) adding reference to net-gain in biodiversity to the Environment and Environmental Enhancement policy; (vi) updating the protected landscapes policy to include specific references to the High Weald AONB; and (vii) the future continued provision of specialist clay for Aldershaw Tiles. Full details of the proposed revisions are contained within the DRP in Appendix 11.

3.8 The current Review sets out proposed revisions for specific policies and is not a review of all policies within the WMLP. It is acknowledged that after the Review has been completed, there will be a future, more in depth review of the WMLP, which will look at the WMLP in its entirety.

3.9 The review is not seeking to amend or update all Policies in the WMLP, and those Policies which are not part of the review will remain part of the adopted WMLP and will therefore still be part of the Development Plan as they are considered to be in conformity with national policy, primarily in the form of the National Planning Policy Framework (NPPF). The DRP updates, clarifies and strengthens certain existing Policies, including in relation to the future provision and supply of aggregates and their sustainable use.

3.10 The next stage will be publishing the DRP and inviting representations to be made on it under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, following which the draft Revised Policies will be submitted to Government for Public Examination. It is envisaged that the DRP will be published in late Autumn 2021.

3.11 The DRP may, prior to publication, be subject to minor amendments as a result of possible requests by Brighton & Hove City Council and the South Downs National Park Authority. The Cabinet has agreed to authorise the Director of Communities, Economy and Transport to make, if necessary, minor modifications to the DRP prior to publication and to consider the consultation

responses and to make any subsequent minor changes arising from the consultation. The Plan will ultimately be submitted to the Cabinet and Full Council as part of the Adoption of the WMLP Review.

3.12 The Cabinet recommends the County Council to:

☆ authorise the submission of the Revised Policies document and Sustainability Appraisal to the Secretary of State under Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012, following the completion of Regulation 19 Consultation.

30 September 2021

KEITH GLAZIER
(Chair)

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REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 30 September 2021. Attendances:

Councillor Glazier (Chair)
Councillors Bennett, Robinson, Simmons and Tutt

1. Review of Members' Allowances Scheme

1.1 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 4 years in accordance with the Regulations unless the Assistant Chief Executive considers that there is a change in circumstances that justifies an earlier review or a request is received from a Group Leader.

1.2 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.

1.3 As part of their review the Independent Remuneration Panel took into account information provided including comparative information from other County Authorities.

1.4 In order to capture the views of Members, all councillors were contacted regarding the review of the Scheme of Allowances and given an opportunity to submit written representations and/or to make representations in person to the Panel. A summary of the written comments received is attached to the Panel report.

1.5 A copy of the Independent Remuneration Panel report is attached at Appendix 1. The current Members' Allowances Scheme is set out in Part 6 of the Constitution.

1.6 The Independent Remuneration Panel is required to review allowances based on the facts and information provided to it. The Governance Committee is asked to make recommendations to the County Council on whether to accept, reject or modify the recommendations. Councillors are required to give due consideration to the recommendations of the Panel but are not bound by them.

Summary of findings

1.7 The Regulations allow for the Members' Allowances Scheme to make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority. Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the Independent Remuneration Panel. For the last four years the allowances have been indexed to the percentage increase in the salaries of managers who are on locally negotiated pay. The Independent Remuneration Panel recommend that this continues for 2021/22.

1.8 The Panel also recommends that a further review of the Scheme of Allowances for 2022/23 be undertaken in early 2022 and as part of the review, the Panel will make a recommendation as to whether an index should be used for that year and, if so, what the index should be.

1.9 In addition to Basic Allowance and Special Responsibility Allowances (SRA), the Panel considered other aspects of the allowances scheme including subsistence levels, travel and dependent carer's allowance. The Panel is recommending 2 changes to the Scheme:

- a) The dependent carer's allowance should be increased from £10 to £15 per hour. The Panel were mindful that this allowance had not increased for several years and that an increase might encourage a greater cross section of the community to stand as candidates at future elections.
- b) The Panel is also recommending that anyone co-opted to a County Council committee, Panel or other body should be able to claim dependent carer's allowance for the actual cost up to £15 per hour.

1.10 In summary, the Panel are recommending:

- a) The continued use of an index to allow for annual increases in basic and special responsibility allowances for 2021/22
- b) The Panel review the Scheme of Allowances in early 2022 for 2022/23 and in doing so will make a recommendation as to whether an index should be used for that year and, if so, what the index should be
- c) The basic allowance should remain unchanged
- d) The SRA payable to the Leader of the Council should remain unchanged
- e) The SRA for the Deputy Leader and other Cabinet members should remain unchanged
- f) The SRA for Chairs of Scrutiny Committees, the Audit Committee, Pension Committee and Planning Committee should remain unchanged
- g) The SRA for the Chairman and Vice Chairman of the Council should remain unchanged
- h) All other SRA should remain unchanged
- i) The basic mileage rate and supplement for passengers should remain at 45p and 10p per mile respectively and that the bicycle allowance remain at 20p per mile
- j) The dependent carers allowance should be increased to the actual cost up to £15 per hour
- k) Co-optees should continue to be able to claim mileage for travel to meetings and be able to claim dependent carer's allowance

1.11 The Independent Remuneration Panel recommends that all changes to allowances are effective from 10 May 2021.

1.12 The Committee recommends the County Council to:

✧ 1) approve the recommendations of the Independent Remuneration Panel as set out in their report and that the Scheme of Allowances be amended accordingly.

2. Councillor Parental Leave Policy

2.1 A number of Councils have adopted parental leave policies for councillors in recognition that councillors may become parents during their term of office and may need or wish to take a period of leave from their councillor duties as a result.

2.2 It is anticipated that the adoption of parental leave policies will help ensure that the councillor role is accessible as possible to all sections of the community, potentially enhancing the diversity and representativeness of candidates and those elected. A parental

leave policy provides anyone considering standing for election with clarity on what to expect in the event of the birth or adoption of a child during their term of office. This complements and enhances wider activity being undertaken by many Councils to encourage people from all walks of life to consider standing for election, such as the ESCC 'Be a Councillor' campaign.

2.3 Employees have defined statutory rights in relation to maternity, paternity, adoption and shared parental leave and pay, supplemented where applicable by any occupational schemes such as that provided by ESCC to its employees. However, there are currently no equivalent legal rights for elected representatives, hence the need for Councils to make local arrangements on a voluntary basis which are applicable to the position of councillors who hold elected office rather than employment.

2.4 The County Council does not currently have in place a defined approach to parental leave for councillors, albeit that informal arrangements have been made as required in any instances where a Member has required a period of leave from their normal duties as a councillor or where there has been a councillor vacancy.

2.5 Following review of a range of policies in place at other local authorities and information provided by the Local Government Association (LGA), it is proposed that ESCC adopts the model policy provided by the LGA - attached at appendix 2. This policy has been adopted or adapted by a number of other authorities and the LGA indicates that it has taken legal advice on the policy, and that it conforms with current requirements.

2.6 The policy is underpinned by recognition that the position of elected councillors is different to that of employees. Subject to continuing to meet certain minimum criteria, councillors are entitled to continue to hold elected office and to continue to receive their basic allowance. The policy therefore focuses on providing clarity on expected leave periods, and arrangements in relation to special responsibilities.

2.7 The LGA policy does not provide any guidance on cover for local Member responsibilities, for example casework. Following consultation with the Member Reference Group an addition (section 5 of appendix 2) has been made to the standard LGA policy to reference the need for a Member planning to take a period of leave to make appropriate arrangements for an alternative Member point of contact for residents in their division. This recognises that the specific arrangements will be dependent on individual circumstances and that flexibility should be retained.

2.8 Adoption of a parental leave policy will provide clarity to Members, candidates for election and those considering standing for election on what to expect in the event of the birth or adoption of a child during a councillor's term of office.

2.9 The Committee recommends the County Council to:

- ☆ to agree the Parental Leave Policy and to amend the Constitution accordingly

30 September 2021

KEITH GLAZIER
(Chair)

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REPORT OF THE LEAD MEMBER FOR RESOURCES AND CLIMATE CHANGE

The Lead Member for Resources and Climate Change met on 14 September 2021. Attendances:-

Councillor Nick Bennett (Lead Member)

Councillors Julia Hilton, Wendy Maples, Paul Redstone, Colin Swansborough and Georgia Taylor

1 Notice of Motion – Support the Climate and Ecological Emergency Bill

1.1 The following Notice of Motion has been submitted by Councillor Georgia Taylor and Councillor Wendy Maples:

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. Global temperatures have increased by over 1 degree Celsius from pre-industrial levels. Atmospheric CO₂ levels are above 400 parts per million (ppm) and continue to rise—this far exceeds the 350 ppm deemed to be a safe level for humanity.

Without more significant and sustained action, the world is set to exceed the Paris Agreement's 1.5°C limit between 2030 and 2040. Therefore, the current UK target of net zero by 2050 is not sufficient. It is too little too late.

The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. This is described by the Intergovernmental Panel on Climate Change's Special Report on Global Warming of 1.5°C published in October 2018. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities. The costs of failing to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities.

Council notes that:

- 1) Many local authorities are playing an important role in the UK taking action to achieve net zero
- 2) There is a Bill before Parliament—the Climate and Ecological Emergency Bill (published as the Climate and Ecology Bill)—according to which the UK Government must develop an emergency strategy that:
 - a) requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with at least a 66% chance of limiting global temperature increase to 1.5 degrees Celsius above pre-industrial temperatures; this corresponds to the most ambitious global mitigation pathway available according to the 2018 IPCC 1.5C Report.
 - b) ensures that all the UK's consumption emissions are accounted for, including international aviation and passenger shipping;
 - c) ensures that steps to mitigate emissions do not damage ecosystems, food and water availability, and human health;

- d) ensures that steps taken to increase the health, abundance, diversity and resilience of species, populations and ecosystems follow the mitigation and conservation hierarchy - avoid, minimise, restore and offset*
- e) restores and expands natural ecosystems, and enhances the management of cultivated ecosystems to protect and enhance biodiversity, ecological processes and ecosystem service provision, including optimising the state of resilient carbon sinks;*
- f) includes measures to protect, restore and enhance ecosystems in the United Kingdom and elsewhere, where activity is generated from within the United Kingdom that is harmful to ecosystems;*
- g) ensures an end to the exploration, extraction, export and import of fossil fuels by the United Kingdom as rapidly as possible; and*
- h) sets up an independent citizens' assembly, representative of the UK's population, to engage with the UK Parliament and UK Government to help develop the emergency strategy.*

The County Council resolves to:

- 1) Support the Climate and Ecological Emergency (CEE) Bill;*
- 2) Inform the local media of this decision;*
- 3) Write to local Members of Parliament, asking them to support or thanking them for supporting the CEE Bill; and*
- 4) Write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk)."*

1.2 In line with County Council practice, the matter was referred by the Chairman to the Lead Member for Resources and Climate Change for consideration to provide information and inform debate on the Motion. The Lead Member also considered information circulated by Councillor Georgia Taylor (attached as Appendix 1 in the Additional Documents).

1.3 The Climate and Ecological Emergency Bill (published as the Climate and Ecology Bill), was presented to Parliament by Caroline Lucas as a Private Members Bill in June 2021, to replace a version previously presented in September 2020, which ran out of Parliamentary time. A full copy of the Bill is included in Appendix 2 in the Additional Documents. It should be noted that the Bill is still progressing through the Parliamentary process and could be amended when it is debated by the House of Commons and House of Lords.

1.4 The main objective of the Climate and Ecological Emergency Bill is to set more ambitious aims for addressing climate change and biodiversity loss than are currently committed to through existing legislation and policy. The Bill would:

- Require the government to set a new legally binding climate target in order to contribute to keeping the global average temperature increase to 1.5°C compared with pre-industrial levels.
- Give the Secretary of State a duty to create and implement a strategy to achieve those objectives.
- Establish a temporary Climate and Nature Assembly, representative of the UK population, to work with the Secretary of State in creating that strategy, which would be subject to approval by the House of Commons.

1.5 The Bill would require that the United Kingdom (UK) takes account of the UK's entire carbon footprint, including consumption emissions released overseas as a result of goods

manufactured abroad for use in the UK, rather than just the emissions produced in the UK. It would also require legally-binding annual carbon budgets rather than the current 5 year carbon budgets.

1.6 A Climate and Ecological Emergency Alliance in support of the Bill was launched in September 2020. It currently has the support of 114 MPs, and a number of local authorities and other organisations.

1.7 The urgency of addressing climate change is undisputed. Climate change impacts are linked to and likely to worsen existing inequalities, particularly related to gender and income. The UK government has set a legally binding target under the Climate Change Act to reach net zero emissions by 2050.

1.8 The Committee on Climate Change, which is the independent body that advises government on climate change, has set out how England could get to net zero by 2050. It has concluded that it is technically feasible but highly challenging and is entirely contingent on a number of factors. These include the introduction of clear, stable and well-designed national policies and interventions, the appropriate supply chain able to deliver the required scale and pace of change, and an unprecedented level of public involvement and consent for change.

1.9 At present, the government does not have an agreed national decarbonisation plan, and there is no single agreed pathway to get to net zero. Over the next year or so the government has said that it will produce a net zero strategy, a heat and buildings strategy, an industrial decarbonisation strategy, a hydrogen strategy, a nature strategy, the Environment Act and the Agriculture Act, amongst others. Collectively, these are expected to set out in detail how the UK will transition to net zero and address biodiversity loss.

1.10 The County Council recognises the urgency of addressing climate change and biodiversity loss, as reflected in its climate emergency action plan and its lead role in the Sussex Local Nature Partnership. In October 2019 East Sussex County Council declared a Climate Emergency and since then has achieved year on year reductions in Carbon emissions and with other responsible bodies, addressed a range of environmental and ecological challenges. We recognise that without more significant and sustained action, the world is set to exceed the Paris Agreement's 1.5°C limit between 2030 and 2040 the consequences of which are set out in the Intergovernmental Panel on Climate Change's Special Report published in October 2018.

1.11 Given our commitment to net zero and our action on climate change we recognise the intent of the Climate and Ecological Emergency Bill (published as the Climate and Ecology Bill) to ensure the UK sets out its fair and proper role in reducing greenhouse gas emissions in an accountable and ecologically responsible manner.

1.12 In the context of the Government's commitment to environmental protection and this Authority's determination to enhance ecology and improve the environment, East Sussex County Council supports the principles of the Climate and Ecological Emergency Bill, and we will express our support for these principle as it makes its passage through the legislative process.

1.13 The Lead Member for Resources and Climate Change recommends the County Council to:

☆ (1) support the Notice of Motion, while noting the work done nationally and locally set out in paragraphs 1.10 to 1.12 of the report.

14 September 2021

COUNCILLOR NICK BENNETT
(Lead Member)

REPORT OF THE LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

The Lead Member for Transport and Environment met on 20 September 2021. Attendances:-

Councillor Claire Dowling (Lead Member)

Councillors Chris Collier, Godfrey Daniel, Roy Galley, Wendy Maples and Paul Redstone

1 Notice of Motion – Community involvement in planning

1.1 The following Notice of Motion was submitted by Councillor Daniel, and seconded by Councillor Collier:

“East Sussex County Council believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes and facilities; and therefore calls on the Government to protect the right of communities to object to individual planning decisions.”

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

1.3 In August 2020, the Government published the Planning for the Future White Paper, which proposed a series of reforms to the English planning system, covering plan-making, development management, development contributions, and other related policy proposals. Following a report to the Lead Member for Transport and Environment on 19 October 2020, the County Council submitted a response to the consultation on the White Paper. Within this response, concern was raised that the reforms, on the face of it, seemingly erode the democratic accountability that currently exists within the planning system. Our response also welcomed the proposals for further digitisation of the planning system, which the White Paper was particularly promoting as a way to facilitate more effective community engagement in the planning system.

1.4 The Queen’s Speech, provided on the 11 May 2021, set out the Government’s proposal to introduce a Planning Bill that will “create a simpler, faster and more modern planning system to replace the current one that dates back to 1947”. It is anticipated that this Bill will be introduced towards the end of this year and that it will build upon many of the reforms proposed in the Planning for the Future White Paper.

1.5 On the 21 June, Parliament debated the motion that has been proposed by Cllr Daniel (although rather than being specific to East Sussex County Council, it was specific to the House). The motion was voted on, with 231 MP’s in favour and none against.

1.6 Whilst there have been concerns expressed that the reforms to the planning system may stymie the ability for communities to influence planning decisions in their area, it is acknowledged by most that the planning system is often difficult to meaningfully engage with. With this in mind, it should be welcomed that the Queen’s Speech sets out one of the benefits of the Bill to be “digitising a [planning] system to make it more visual and easier for local people to meaningfully engage with”.

1.7 In light of the above, whilst the motion put forward should be supported, particularly in light of the comments the County Council has already made on the White Paper, it is recommended that it is expanded upon to acknowledge that the use of digital technology should be utilised to make the planning system easier to navigate for those who genuinely wish to influence development in their local area. It should also be noted however, that not everyone has access to digital options and that alternatives should still be used so the process remains inclusive. In addition, given the high level of take-up of neighbourhood planning in many areas of East Sussex, it is recommended that the motion seeks to ensure the continuation of this level of plan-making as an effective way of achieving community involvement in planning decisions.

1.8 The County Council recognises that a planning system that sees local communities work with developers to plan and deliver new homes and related infrastructure is to the benefit of all. However, it is also recognised that there will be occasions when communities wish to oppose proposed new developments for laudable and sound planning reasons – a right to do this needs to be maintained.

1.9 The proposer and seconder agreed with the amended wording at the meeting of the Lead Member for Transport and Environment.

1.10 The Lead Member for Transport and Environment recommends the County Council to:

☆ (1) approve the amended Notice of Motion:

"This Council believes planning works best for residents when developers and the local community work together to shape local areas and deliver necessary new homes and related infrastructure; it therefore supports the right of communities to be able to engage easily in the planning process including: through the full use of digital technology; participation in the making of neighbourhood plans; and calls on the Government to protect the right to object to individual planning applications."

20 September 2021

COUNCILLOR CLAIRE DOWLING
(Lead Member)

EAST SUSSEX FIRE AUTHORITY

Report of a meeting of the East Sussex Fire Authority held at County Hall, St. Anne's Crescent, Lewes BN7 1UE at 10:30 hours on Thursday, 2 September 2021.

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Azad, Dowling, Evans, Geary, Hamilton, Maples, Marlow-Eastwood, Osborne, Peltzer Dunn, Powell, Redstone, Taylor, Theobald, Tutt and West

N.B. Apologies were received from Councillor Scott

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

1 REVENUE & CAPITAL BUDGET 2021/22 AND CAPITAL PROGRAMME 2021/22 - 2025/26 MONITORING

- 1.1 The Fire Authority received a report presenting the findings of the Month 4 monitoring undertaken on the Revenue and Capital Budget 2021/22 and Capital Programme 2021/22 to 2025/26. A net revenue overspend had been identified which was a favourable variation of £46,000 from the previous position. Most in-year pressures would be dealt with either through the use of contingency, use of reserves or service underspends.
- 1.2 The Revenue and Capital risks were highlighted in the report, including the reprofiling of the Estates Strategy and the schemes associated with it. Progress had unavoidably been impacted by Covid-19, however, the time was used efficiently to engage with colleagues and the Service was now in the position to go out to tender for the refurbishment of four of its whole-time stations. There was an additional risk to this process as Brexit and Covid-19 were both causing supply chain issues and had pushed up prices worldwide. As a result of this there was a risk that tenders could exceed the scheme budgets.
- 1.3 The Fire Authority noted the risks to Revenue Budget, projected overspend, risks to the Capital Programme and the increased net forecast drawdown from reserves. Also the grants available and spending plans, monitoring of savings taken in 2021/22, the current year investments and borrowing and SLT approval to transfer £39k travel and fuel underspend to Corporate Contingency.

2 2022/23 TO 2026/27 STRATEGIC SERVICE PLANNING AND MEDIUM TERM FINANCIAL PLAN

- 2.1 The Authority considered a report seeking approval to roll forward the Fire Authority's medium term service planning strategy and medium-term financial plan (MTFP) for 2022/23 to 2026/27. The fundamental aim was to determine how best to deliver the Authority's Purpose and Commitments, the Integrated Risk Management Plan (IRMP) and the targets and priorities underpinning them, within the current estimate of available financial resources for the period.

- 2.2 The report highlighted the level of uncertainty with the current financial situation which had increased as a result of the Covid-19 pandemic. The fire sector had made a strong submission to the Government's Comprehensive Spending Review (CSR), but it was unlikely the outcome would be known until the autumn with a provisional settlement expected in late December. It was possible, given the broader economic uncertainty, that the Government would opt for a further one-year settlement which would not aid planning over the medium term. Nationally the sector was reliant on significant one-off funding investment in protection services, and locally forecasting growth in income from Council Tax and Business Rates remained limited. This made planning for the 2022/23 budget and beyond extremely difficult.
- 2.3 Members suggested briefing local MPs with an update on ESFRS financial situation and to request support with lobbying government for long-term funding in the CSR. Officers confirmed such a briefing had been arranged for October. Some Members agreed they would like the option to increase the Council Tax precept by £5 rather than the current permitted 2% but felt it was unlikely to succeed as a request. Some expressed concern that the current pressures on pay would likely get worse rather than plateau.
- 2.4 Clarification was given as to why Climate risks were not included in this report, those risks presented here were, in the main, specifically financial. The CFO provided reassurance that ESFRS was acutely aware of the effects of extreme weather and that there was a correlation between financial planning and the cost of responding, responses to these events were too quickly becoming business as usual, but these risks were detailed within other service documentation including the IRMP, the Risk Register and the Strategic Risk Framework and there was a clear link to these documents within this paper and therefore were not duplicated in full.
- 2.5 The Fire Authority agreed to approve the updated MTFP for 2022/23 to 2026/27 and its underlying assumptions and considered the risks as set out in section 4.6. They agreed the provision for future pay increases should be reduced to the sector average of 2% pa and that that, should the Government set the referendum threshold higher than 2% or grant more flexibility, then the Fire Authority would consider its options above the 1.99% increase currently modelled when setting its Council Tax precept.

3 TREASURY MANAGEMENT - STEWARDSHIP FOR 2020/21

- 3.1 The Annual Treasury Management Stewardship Report was a requirement of the Fire Authority's reporting procedures and informed Members of Treasury Management performance and compliance with Prudential Indicators for 2020/21.

- 3.2 The report summarised that the Authority had complied with its approved Treasury Management Strategy and Prudential Indicators for the year. The average rate of interest received in 2020/21 through Treasury Management Activity was 0.41% reflecting the Fire Authority's continuing prioritisation of security and liquidity over yield. No new borrowing had been undertaken and one loan had been repaid during the year. The Fire Authority had reviewed options to invest a portion of core balances in longer duration funds during the setting of the 2020/21 Strategy. Decisions on investment had been taken in the context of the current economic climate, the current approved capital programme and the requirement to fund it over the medium term. No investment in longer duration funds had been made during the year. The current economic climate was evolving rapidly and opportunities were being explored to secure investment returns within the acceptable risk parameters set out in the Authority's agreed Strategy. The Authority noted the Treasury Management Performance for 2020/21.

4 2020/21 ANNUAL PERFORMANCE OUTCOME REPORT

- 4.1 The report provided details of East Sussex Fire & Rescue Service's (ESFRS) performance for the period April-March 2020/21. In total there were 21 indicators, only 16 had comparable data due to the Covid-19 pandemic requiring the service to adapt service delivery models including telephone home safety visits and business safety audits. Eleven of the top-level indicators had improved or met the target set in 2020/21 (69%), two indicators had stayed the same and three had declined against the previous year.
- 4.2 The report showed positive performance in particular the continued reduction in incidents including Accidental Dwelling Fires (ADFs). There had been different delivery methods developed over the past year in response to the Covid-19 pandemic including 7000 Home Safety Interactions which had to be conducted in a new way.
- 4.3 Members were impressed the approach to performance and thanked officers for the comprehensive report, congratulating them on maintaining such steady performance outcomes under such trying circumstances. Officers were looking at positive outcomes arising from the new working practices formed in response to Covid-19 including virtual HSVs and befriending calls. It was not intended that things would just return to how they had been done before and ESFRS was contributing to National pilots of alternative procedures.
- 4.4 The Authority approved the performance results and progress made towards achieving the Service's purpose and commitments and the performance results and remedial actions that had been taken to address areas of under performance in the Fire Authority's priority areas.

5 COMMUNICATIONS, ENGAGEMENT & CONSULTATION STRATEGY 2021-2024

- 5.1 The Authority considered a report seeking approval for the draft Communications, Engagement and Consultation Strategy 2021-24. The Strategy had been developed in support ESFRS's Purpose and Commitments, IRMP and Fire Authority Strategies. The deliverables were compiled with consideration of the findings from Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS) 2019 Inspection and State of the Fire and Rescue Service Report published in March 2021. The Authority approved the draft Communications, Engagement and Consultation Strategy 2021-24 and the additional one-off funding of up to £30,000 required in 2023/24.

6 RESPONSE & RESILIENCE STRATEGY 2021-2025

- 6.1 The Fire Authority considered a report seeking approval for the Response & Resilience Strategy 2021-25. The Strategy had been developed collaboratively with the IRMP and the Corporate Plan. The deliverables took into consideration the findings of the HMICFRS 2019 Inspection, the State of Fire and Rescue Service Reports and the Grenfell Tower action plan. This important Strategy described how ESFRS met its statutory responsibilities and dealt with risks.
- 6.2 Members thanked officers for the report and strategy document. There was a query as to why the Grenfell report outcomes were not embedded, it was explained that the Grenfell report had launched over 700 lines of activity and there was significant work being undertaken to ensure that grant money was being spent effectively. There was a requirement to spend grants on specific purposes and it was expected that the resulting investment plan would cost more than the value of grants available and that currently the government were providing only one-off funding longer complicating longer term planning.
- 6.3 The Authority approved the Response & Resilience Strategy 2021-2025 noting that additional funding bids to support the delivery of this Strategy would be considered as part of the 2022/23 Budget Setting process and included in the budget papers presented to the Fire Authority in February 2022. The Authority noted a further paper would go to SLT in October specifically in relation to the Grenfell tower Action Plan which may require additional resources for an agreed period. The Authority further noted that an Outline Business Case would be developed in 2022/23 financial year for in-cab technology and that this would require additional funding and that regular reports on the delivery of the Response & Resilience Strategy would be presented to both the Ops Committee and then to SLT.

7 PREVENTION & PROTECTION STRATEGY 2021-2026

- 7.1 The Fire Authority considered a report seeking approval for the Prevention & Protection Strategy 2021-2026. The Strategy had been developed collaboratively with the IRMP and Corporate Plan. The deliverables took into consideration the findings of the HMICFRS 2019 Inspection, of Fire and Rescue Service Reports and the Grenfell Tower action plan.

- 7.2 The strategy had been created in synergy with the Response & Resilience Strategy and sought to embed a holistic approach to risk reduction based on improvements recommended by the HMICFRS Inspection report. It also considered external change drivers articulated in the Strategy and ESFRS's own internal change drivers including the IRMP. Every Fire & Rescue Service was expecting a level of funding to assist with improvements in Protection, but this had not yet been confirmed. The action plan for Prevention would be delivered from the base budget with no new money requested. Protection had some areas which would require additional funding if the Service were to deliver all that was set out in the Strategy. This funding was not contained in the MTFP but would be considered through the autumn and officers would find a way to deliver the funding required. The one-off government grants that had been allocated to ESFRS and the additional costings were to secure the continuing costs of six trainees once the government grant had been exhausted.
- 7.3 The Authority approved the Prevention & Protection Strategy 2021- 2025 acknowledging the additional cost of £357,755 if the full strategy was implemented in the absence of any further funding from central government for Protection. The Authority noted that additional funding bids to support the delivery of this Strategy would be considered as part of the 2022/23 Budget Setting process and included in the budget papers presented to the Fire Authority in February 2022 and that regular reports on the delivery of the Prevention & Protection Strategy would be presented to SLT.

8 FLEET & EQUIPMENT MANAGEMENT STRATEGY

- 8.1 The Fire Authority considered a report seeking approval for the Fleet & Equipment Strategy 2021-2025. The Strategy had been developed to support ESFRS's Purpose and Commitments, IRMP and the strategic planning process. The deliverables took into consideration findings from the East Sussex Fire and Rescue and West Sussex County Council Collaborative Fleet Operations report dated January 2020 and the Internal Audit Report into the Management of assets across the Service in which improvements were required.
- 8.2 The strategy had been in development for some time and sought to ensure the service had a resilient and robust approach to its Fleet & Equipment and had been co-designed with strategic managers and staff within the fleet and engineering department and had focussed on matters that had been raised by Internal Audit.
- 8.3 Members thanked officers and asked if it was anticipated that improved telematics might lead to the service reducing CO2 emissions. Officers confirmed that whilst this would not be achievable at this stage, the Sustainability Group were considering it as part of their workstream and a report would be sent to the December meeting of the Fire Authority. The Authority approved the draft Fleet & Equipment Management Strategy 2021-24.

9 RESPONSIBLE PROCUREMENT POLICY

- 9.1 The Fire Authority considered a report seeking approval for the adoption and implementation of a Responsible Procurement Policy. Responsible Procurement is the act of procuring goods, services, or works in a manner considerate of the impact, both positive and negative, that the Authority may have on the environment, the economy, our community and society in general. The policy aimed to support our collective responsibility to limit any negative impact and promote the Authority's commitment to deliver responsible and sustainable outcomes in the management and delivery of all its services, through affordable economic, social and environmental objectives.
- 9.2 Members thanked officers for the report and considered the policy to present a good and reasonable procurement programme. There were queries as to whether responsible procurement should extend to ensuring financial investments were made to ethical and sustainable institutions. The Treasury Management policy, agreed by the Fire Authority, set out the rules of financial investment, the primary objectives for short term cash balances being to ensure security and liquidity. The Fire Authority had not, to date, requested this policy be looked through a sustainability lens, but it would be considered and Members updated at a future date. The Fire Authority approved the Responsible Procurement Manual Note and requested further information on the separate matter of ethical and sustainable investment opportunities.

10 LOCAL COUNCIL TAX REDUCTION SCHEMES CONSULTATION ON PROPOSED CHANGES FOR 2022/23

- 10.1 The Fire Authority considered a report seeking agreement to the responses to consultations by local billing authorities on proposed changes to their Local Council Tax Reduction Schemes (LCTRS) for 2022/23. Billing authorities were required to review their LCTRS annually and to consult publicly on any proposed changes. Precepting authorities were statutory consultees in this process but the decision to set or change a LCTRS rested solely with each billing authority. Lewes and Rother District Councils were consulting on changes to their LCTRS for 2022/23. Confirmation was awaited from Brighton & Hove City Council as to whether it planned to consult on any changes. The report set out the financial impact of the proposed changes and the proposed response from the Fire Authority to each consultation.
- 10.2 Members felt that they could do nothing but support the proposed responses and wanted to ensure there were regular meetings and correspondence with MPs to highlight the urgent need for increased funding to all Local Authorities and precepting bodies. The Fire Authority agreed to note the proposed changes to LCTRSs and approved the Authority's responses to the consultations.

11 REVIEW OF THE CONSTITUTION OF THE FIRE AUTHORITY

- 11.1 The Fire Authority considered a report on the progress of the review into the Fire Authority's constitutional arrangements and setting out proposed amendments. The second stage of the project to review and update the Authority's constitutional arrangements was complete and presented some substantial amendments and updated sections. It had not been possible to complete the review of all sections of the Constitution and a further set of proposed changes was anticipated to be brought to the Authority in December 2021.
- 11.2 Members were content with the proposed changes but had some queries prior to approval of the resolutions. Some felt the authorisation amount of £1m given to the Chief Fire Officer (CFO) under the Emergency Procedures was too high. This authorisation was associated with the exigencies of operational emergencies in particular the enacting of the National Coordination and Advisory Framework (NCAF). The probability of needing to exercise this authorisation was very low, however in the event of an event of the nature of Grenfell Tower or the Derbyshire Dam burst, the CFO would not expect to have to come to the Fire Authority Members to enact NCAF during an incident. The Treasurer, as an Authority appointed Statutory Officer, was satisfied with the authorisation limit. Members thanked officers for their explanation and confirmed that they would not make any changes that would inhibit the CFO from doing what was necessary in an emergency and were satisfied with the reasons for the amount set.
- 11.3 Members requested a change to the Terms of Reference for the Principal Officer Appointments Panel (POAP) allowing panel members to be involved in the shortlisting of the posts of DCFO and Treasurer as well as CFO as currently detailed. This had been the situation in the past and this requirement had been removed some years ago as Members had been unable to meet and had delegated shortlisting to the CFO. There were concerns that if a quorum could not be achieved then the recruitment process would be delayed. Members asked if shortlisting could be conducted virtually, the Deputy Monitoring officer (DMO) confirmed that it would not be permitted and shortlisting would have to take place in person. The Authority accepted this and still wanted shortlisting to be conducted by the POAP, a resolution to this effect was added prior to the Authority agreeing the report.
- 11.4 The Fire Authority agreed to approve with immediate effect the changes to the East Sussex Fire Authority's Constitution and to amend the Terms of Reference for the Principal Officer Appointments Panel to reflect add that the Panel be involved in shortlisting for the posts of Deputy Chief Fire Officer and Treasurer. It authorised the Authority's Chief Fire Officer & Chief Executive 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 bring a further report to the Fire Authority in December 2021 proposing additional updates to the Constitution.

12 PROJECT 21 - SECTION 16 AGREEMENT

The Fire Authority considered a confidential report setting out the proposed scope and structure of a Section 16 Agreement to govern and manage the delegation of East Sussex mobilising and fire control functions resulting from Project 21. The Fire Authority approved the recommendations of this report

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

2 September 2021