

Meeting of  
East Sussex County Council  
on Tuesday, 10 May 2022  
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](http://www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm)*





# EAST SUSSEX COUNTY COUNCIL

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## To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held at County Hall, Lewes, **on Tuesday, 10 May 2022 at 10.00 am** to transact the following business

1. **To elect a Chairman of the County Council**
2. **To appoint a Vice Chairman of the County Council**
3. **Minutes of the meeting held on 22 March 2022** *(Pages 7 - 20)*
4. **Apologies for absence**
5. **Chairman's business**
6. **Record of delegation of Executive Functions**

The Leader to present to the County Council their written record of delegations of executive functions to Cabinet members including:

- (a) names of the County Councillors appointed to the Cabinet;
- (b) the extent of any authority delegated to cabinet members individually as portfolio holders;
- (c) appointment to the position of Deputy Leader
- (d) the terms of reference and constitution of the Cabinet and any executive committees together with the names of cabinet members appointed to them
- (e) the nature and extent of any delegation of executive functions to local committees
- (f) the nature and extent of any delegation to officers

7. **Report of the Governance Committee** *(Pages 21 - 24)*
8. **To allocate places on the following committees to political and independent groups in accordance with the provisions of the Local Government and Housing Act 1989 and to appoint members to those committees in line with the allocations**
  - (a) Scrutiny Committees  
Health Overview and Scrutiny  
People  
Place
  - (b) Audit Committee
  - (c) Governance Committee
  - (d) Regulatory Committee
  - (e) Planning Committee
  - (f) Standards Committee

(g) Pension Committee

*(Note 1: The proposed nominations from political and independent groups will be tabled at the meeting)*

*(Note 2: In accordance with the statutory provisions, the proposed allocation of places to political and independent groups is set out in the report of the Governance Committee)*

**9. In light of the decisions of the Council on the allocation of places to political and independent groups to appoint members to other Committees and Panels as set out below**

- (a) County Joint Consultative Committee (5 members of the County Council)
- (b) County Consultative Committee (Governors) (5 members of the County Council)
- (c) Joint Advisory Committee (Schools) (5 members of the County Council)
- (d) Standing Advisory Council for Religious Education (5 members of the County)
- (e) Corporate Parenting Panel (7 members of the County Council)

*[The memberships proposed by the political and independent groups will be circulated to members in advance of the meeting]*

**10. To confirm the continuation of the following bodies that have a fixed membership or to which members are appointed by the Chief Executive as the need arises and to agree (with no member voting against) that the political balance provisions shall not apply to the Panels**

Approved Marriage Premises Review Panel  
Recruitment Panel (Chief Executive, Directors and Deputies)  
Commons and Village Green Registration Panel  
*[The composition of these bodies is set out in the Constitution]*

**11. To agree (with no member voting against) that the political balance provisions shall not apply to the membership of the Discretionary Transport Appeal Panel and to appoint three members of the Regulatory Committee to serve for the ensuing year**

*[The membership of the Panel, proposed by the political groups will be tabled at the meeting]*

**12. To appoint:**

- (a) Chair of the Regulatory Committee
- (b) Chairs and Vice-Chairs of the Scrutiny Committees
- (c) Chair and Vice Chair of the Audit Committee
- (d) Chair of the Governance Committee
- (e) Chair and Vice-Chair of the Planning Committee
- (f) Chair of the Pension Committee
- (g) Chair of the Standards Committee

**13. Questions from members of the public**

**14. Report of the Standards Committee (Pages 25 - 28)**

**15. Questions from County Councillors**

- (a) Oral questions to Cabinet Members
  - (b) Written Questions of which notice has been given pursuant to Standing Order
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**16. Report of the East Sussex Fire Authority (Pages 29 - 32)**

*Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by the Right Reverend Richard Moth, Bishop of Arundel and Brighton. 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

29 April 2022

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## MINUTES

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### EAST SUSSEX COUNTY COUNCIL

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**MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 22 MARCH 2022 at 10.00 am**

**Present** Councillors Sam Adeniji, Matthew Beaver, Colin Belsey, Nick Bennett, Bob Bowdler, Charles Clark, Chris Collier, Johnny Denis, Penny di Cara, Chris Dowling, Claire Dowling, Kathryn Field, Gerard Fox, Roy Galley (Vice Chairman), 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), Christine Robinson, Pat Rodohan, Phil Scott, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Bob Standley, Colin Swansborough, Barry Taylor, Georgia Taylor, David Tutt, John Ungar and Trevor Webb

#### **54. Minutes of the meeting held on 8 February 2022**

54.1 RESOLVED – to confirm as a correct record the minutes of the County Council meeting held on 8 February 2022.

#### **55. Apologies for absence**

55.1 Apologies for absence were received on behalf of Abul Azad, Godfrey Daniel, Paul Redstone and Daniel Shing.

#### **56. Chairman's business**

##### **PLEDGE TO CHILDREN IN CARE**

56.1 The Chairman reported that a copy of the Council's pledge to Children in Care had been left on the desk of every councillor. Councillor Bowdler then provided further detail regarding the Pledge.

##### **UKRAINE**

56.2 The Chairman reported that as councillors will have noted the Ukrainian flag was being flown on the County Hall forecourt and the flag was displayed on each desk in the Chamber. The Chairman advised that the Council was ready to play its part and that a report on this issue was to be submitted to a future Cabinet meeting.

##### **CHAIRMAN'S ACTIVITIES**

56.3 The Chairman reported that he had attended two engagements since the last meeting of the Council – an International Mother Day event and a memorial service at Westminster Abbey for Dame Vera Lynn.

### PETITIONS

56.4 The Chairman reported that no petitions had been presented by councillors before the meeting.

### PRAYERS

56.5 The Chairman thanked Reverend Ben Brown for leading prayers before the meeting.

### **57. Questions from members of the public**

57.1 Copies of a question from a member of the public and the answer from Councillor Fox (Chair of the Pension Committee) are attached to these minutes. A supplementary question was asked and responded to.

### **58. Declarations of Interest**

58.1 There were no declarations of interest.

### **59. Reports**

59.1 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)

Governance Committee report – paragraph 1 (Pay Policy Statement)

Lead Member for Transport and Environment report – paragraph 1 (Notice of Motion – 20 mph zones in roads around schools and playgrounds)

### NON-RESERVED PARAGRAPHS

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

Cabinet report – paragraph 2 (Conservators of Ashdown Forest 2022/23 budget)

Governance Committee report – paragraph 2 (review of the Scheme of Allowances for Members)

### **60. Report of the Cabinet**

Paragraph 1 (Council Monitoring)

60.1 Councillor Glazier moved the reserved paragraph in the Cabinet report.

60.2 The motion was CARRIED after debate.

### **61. Report of the Governance Committee**

Paragraph 1 (Pay Policy Statement)

61.1 Councillor Glazier moved the reserved paragraph in the Governance Committee report.

61.2 The motion was CARRIED after debate.



### 62. Report of the Lead Member for Transport and Environment

Paragraph 1 (Notice of Motion – 20 mph zones on roads around schools and playgrounds)

62.1 Councillor Claire Dowling moved the reserved paragraph of the Lead Member's report.

62.2 The following amendment was moved by Councillor Holt and seconded:

To delete the motion of the Lead Member for Transport and Environment and Health and insert:

- a) *That this Council recognises the work already carried out by the East Sussex Road Safety Programme to reduce speeding in our county.*
- b) *That this Council requests that the Cabinet considers increasing the number of 20mph zones in roads surrounding schools and playgrounds, to further reduce incidents, anti-social driving and near misses.*
- c) *The Council requests that a report on plans to increase the ease for residents to apply for 20mph zones be submitted to a future Cabinet meeting.*

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

#### FOR THE AMENDMENT

Councillors Collier, Denis, Field, Hilton, Holt, Lambert, MacCleary, Maples, Murphy, Osborne, Robinson, Rodohan, Scott, Stephen Shing, Shuttleworth, Swansborough, Georgia Taylor, Tutt, Ungar and Webb.

#### AGAINST THE AMENDMENT

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

#### ABSTENTIONS

None

62.4 A recorded vote was taken on the motion moved by Councillor Claire Dowling as follows:

- (1) *The County Council is committed to working with all stakeholders to tackle road safety and recognises the work already carried out by the East Sussex Road Safety Programme which resulted in a reduction in speeding reoffences, crashes and casualties;*
- (2) *That this Council recognises the range of road safety improvements that are introduced each year, which can include 20mph schemes, traffic calming and pedestrian crossings, and endorses the current multi-faceted approach as set out in this report;*
- (3) *The County Council endorses the simple process that is in place for residents to request road safety measures, including 20mph schemes; and*
- (4) *The County Council recognises that the review of the East Sussex County Council Local Transport Plan will commence from Spring 2022 and requests that Road Safety interventions are part of that review.*

62.5 The Motion was CARRIED with the votes being cast as follows:

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### FOR THE MOTION

Councillors Adeniji, Beaver, Belsey, Bennett, Bowdler, Clark, Collier, Denis, di Cara, Chris Dowling, Claire Dowling, Field, Fox, Galley, Geary, Glazier, Hay, Hilton, Hollidge, Holt, Howell, Kirby-Green, Lambert, Liddiard, Lunn, MacCleary, Maples, Marlow-Eastwood, Maynard, Milligan, Murphy, Osborne, Pragnell, Robinson, Rodohan, Scott, Stephen Shing, Shuttleworth, Simmons, Standley Swansborough, Barry Taylor, Georgia Taylor, Tutt, Ungar and Webb.

### AGAINST THE MOTION

None.

### ABSTENTIONS

None

### 63. Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Lambert	Councillor Glazier	Guidance from Government regarding assistance and support for Ukrainian refugees
Councillor Tutt	Councillor Glazier	Representations to Southern Water regarding discharges of untreated waste water into the sea
Councillor Murphy	Councillor Claire Dowling	Closure of the A27 and other roads to allow for the transportation of a large load on 19 and 20 March
Councillor Scott	Councillor Claire Dowling	Review of the policy and criteria for filling potholes
Councillor Field	Councillor Glazier	Mileage allowance paid to staff
Councillor Stephen Shing	Councillor Claire Dowling	Cost of licence for street parties to mark the Queen's Platinum Jubilee
Councillor Denis	Councillor Claire Dowling	Installation of a bus shelter in Ringmer
Councillor Hilton	Councillor Bennett	County Council's dealings with SeaChange
Councillor Stephen Shing	Councillor Bennett	Plans for land adjacent to the Eastbourne Road (A2270), Eastbourne

63.2 Three written questions were received from Councillors Lambert and Murphy for the Leader and Lead Member for Strategic Management and Economic Development, the Lead Member for Transport and Environment and the Lead Member for Education and Inclusion,

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Special Educational Needs and Disability. The questions and answers are attached to these minutes. The Lead Members responded to supplementary questions.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.09 pm

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The reports referred to are included in the minute book

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### QUESTIONS FROM MEMBERS OF THE PUBLIC

#### 1. Question from Elaine Hills, Brighton

Hastings Borough Council, Lewes Town Council, Lewes District Council, Peacehaven Town Council, Bexhill Town Council, UNISON, Maria Caulfield MP and Caroline Lucas MP have all called on the East Sussex Pension Fund to divest from fossil fuels.

My own Council, Brighton & Hove City Council, has now passed three motions (in 2017, 2020 and February 2022 respectively) calling on the East Sussex Pension Fund to do so.

Moreover:

- (a) the Fund now appears to have shrunk its investments in fossil fuels down to something like 0.5% of the Fund's total assets;
- (b) the Fund's current policy of 'engaging' with fossil fuel companies has failed to align a single oil & gas major with the goal of limiting global warming to 1.5°C;
- (c) some 1,500 institutions around the world – collectively worth over \$39 trillion – have already made some form of divestment commitment, including six UK pension funds;
- (d) a public commitment to fully divest the East Sussex Pension Fund from fossil fuels over the next five years poses no financial risk to the Fund;
- (e) by making such a public commitment, the Fund would be sending a powerful signal to policymakers to get serious about tackling the climate emergency, which requires the rapid phasing out of fossil fuels.

Given the above facts, why does the East Sussex Pension Fund continue to reject the calls for it to make a public commitment to fully divest from fossil fuels over the next five years?

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

The Pension Fund has stated in its Statement of Responsible Investment Principles, and through other communication channels, that it does not agree with blanket divestment of any sector; this is not effective stewardship of our beneficiaries pensions and the Fund must ensure it invests in a wide range of assets and be an active owner of those assets. The Fund also states that it retains the ability to divest from individual companies where material risks remain following engagement activity. This approach is supported by government advice and the Funds advisers. As part of its climate strategy the Fund has removed all exposure to fossil fuel companies where there is no active decision to hold those companies – so we do not invest in a fossil fuel company just because it is in an index. The Fund's very limited exposure to fossil fuel companies is held through its investment managers who carry out significant research and are actively engaging with the companies. In addition to this, the Fund has invested 10% of its assets specifically to climate impact solutions and 15% to passive like equities that are more resource efficient or Paris aligned. A large portion of the portfolio is also invested in real assets such as property and infrastructure.

To remove a fossil fuel company from the Fund does not change real world carbon emissions as it does not reduce the global demand for those fossil fuels, it instead moves the problem elsewhere – either to an investor who is less climate conscious or to increase the market share of national oil companies who are less transparent about their activities and have higher carbon footprints per unit of fuel on average than listed fossil fuel companies.

There has been significant moves in the right direction of a number of fossil fuel companies as a result of active ownership by investors. Research published by the Transition Pathway Initiative in November 2021 finds that “three oil and gas firms – Occidental Petroleum, TotalEnergies and Eni – have set emissions reduction targets which are ambitious enough to reach net zero by 2050 and to align with TPI’s 1.5°C benchmark”. The Pension Fund believes that by exercising its powers as shareholders we can influence high emitting companies to effectively transition a low-carbon world and actively reduce real world carbon emissions. This can be done by investors bringing shareholder resolutions on climate disclosures and climate strategy and by voting against management or auditors where climate strategy is insufficient. An example where engagement is starting to see some results is with the vote to put three people on the board of ExxonMobil in 2021 who have expertise and experience in transitioning away from fossil fuels – the Funds Investment managers voted on our behalf to help make this happen. Since this change in Board membership ExxonMobil are no longer planning to increase oil production in the years to 2025 and has started to invest in decarbonization strategies with targets for greenhouse gas emission reductions. There is still a long way to go but this shows a marked change in the company as a result of this active ownership. The Fund publishes a report on engagement activity quarterly and is submitting its response to the FCA’s 2020 Stewardship Code this summer.

## **WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44**

### **1. Question by Councillor Lambert to the Leader and Lead Member for Strategic Management and Economic Development**

A number of councils across the country such as Liverpool, Westminster, Dundee and Kent are all starting to use the social media platform TikTok. TikTok has 1.5 billion global users, 40% of which are aged 16–24 and has growing popularity in the UK. It is a very mobile and flexible medium enabling the production of short videos and access to other information sources. Liverpool also predict that older users will start to explore the possibilities of TikTok.

East Sussex County Council could consider the use of TikTok to assist with communicating valuable information to young people in particular, including offering access to safeguarding, mental health support, advice and support to care leavers, careers advice and skills communication. For older people, it could be used, for example, to assist with recruitment into the care sector.

Will East Sussex County Council explore and consider the use of TikTok as a valuable addition to its communication platform?

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

East Sussex County Council has made use of TikTok during the pandemic, with advertising aimed at 16-24 year-olds. We are considering how we could make greater use of the platform in future where appropriate. Our surveying of residents shows that 82% of 16-24 year-olds in East Sussex use TikTok regularly. (For 25-44 year-olds it's 44%, for 45-59 year-olds it's 7% and for people aged 60+ it's 6%)

The council runs corporate accounts for Facebook, Twitter, LinkedIn, Instagram and Youtube. In addition to corporate accounts, many teams and departments run their own social media accounts, though all are operated via a central management tool (Hootsuite) to guarantee security and governance. There are 105 social media accounts currently operated by ESCC.

In the year to December 2021, ESCC accounts replied 27,000 times to questions or comments from residents.

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

Brighton and Hove City Council have been piloting School Streets closures since 2019 and now have an established School Streets programme.

School Streets support the safe movement of children to and from school by creating streets that allow for more walking, cycling, and scooting. Motor vehicle access to streets near school entrances is restricted during school drop off and pick up times which reduces vehicle congestion around the school gates, including engine idling, and

improves road safety. This in turn encourages and enables active and sustainable travel by children and their parents/carers on the school journey.

School Streets aligns with central government policy including the Gear Change vision document (July 2020) which sets out the national ambition to make walking and cycling the natural choice for short journeys, or as part of a longer journey. East Sussex County Council also has its own transport plans which equally seek to shift how people travel – prioritising walking and cycling for shorter journeys and public transport for longer journeys.

An expected amendment to the Traffic Management Act 2004 will grant Local Authorities in England greater enforcement powers, including the use of automatic number plate recognition (ANPR) cameras, which could positively impact on the delivery of any School Streets programme in future years. I understand that the Department for Transport have already asked Local Authorities interested in the enforcement powers to submit an application registering interest and potential locations.

Will East Sussex County Council agree to consult on and investigate the practicalities of piloting a School Streets scheme in the three roads immediately around Seaford Primary school with a view to rolling this out in other places if it is successful? Seaford Primary School sits at the bottom of three closed cul-de-sacs (Wilkinson Way, Chapel Close and Foster Close). Access to the school is via narrow residential roads and there have been consistent complaints from parents about dangerous maneuvering and parking, including driving along the pavement. The proposal has strong support from the Head of Seaford Primary school.

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

As Councillor Lambert will hopefully be aware, through the second tranche of Emergency Active Travel funding we received last year, the County Council undertook a School Streets trial project with six schools across the County. These trials operated over a six week period between 21 March and 5 May 2021.

Following the subsequent evaluation, three of the schools who participated in the trial have been prioritised to assess for potential permanent school street measures. These are:

- All Saints CofE Primary School in Bexhill,
- Southover CofE Primary in Lewes, and
- Langney Primary Academy in Eastbourne

Collaborative design workshops have recently been undertaken with each of these schools and the wider community to:

- reflect on the outcomes of last year's six week trial;
- consider the potential issues and opportunities/solutions of a permanent scheme; and
- to develop a concept design for a permanent school streets scheme in the locality.

We will be reviewing the outcomes of the workshops and concept designs to establish whether any of the schemes can be brought forward for further design work and consultation. If so, we will look to seek appropriate funding to enable their delivery.

In reviewing our Local Transport Plan, which will start this year, we will need to consider the development of an approach to potentially deliver schemes which re-allocate road space. As part of this, consideration will need to be given towards the potential inclusion of annual school streets schemes programme within the Council's capital programme of local transport improvements.

Therefore, aside from the three schools referred to earlier, we are currently not in a position to consider a pilot School Streets scheme for Seaford Primary or any other schools in the county at this current time.

To support the development of a longer term approach, officers are engaging with the sustainable transport charity, Sustrans, at their national networking events for local authorities delivering school streets schemes. In addition, officers have also engaged with both Brighton & Hove City Council and Kent County Council regarding the approaches they have used to deliver School Streets schemes in their respective geographies.

We are aware of the expected amendment to the Traffic Management Act 2004, which would grant Local Authorities in England greater enforcement powers, including the use of automatic number plate recognition (ANPR) cameras, and how these could potentially be utilised as part of a School Streets scheme.

However, we have not currently registered an interest or identified potential locations for using ANPR and its use will need to be considered as part of developing our School Streets schemes.

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

There being approximately 1500 houses that currently have planning permission on greenfield sites in the south and east of Hailsham plus an additional 200 houses that were refused planning in Station Road only two weeks ago. If you walk the fields there for that application you will see reptile barriers have already been erected in those particular fields. The people of Hailsham are constantly saying that the infrastructure of the town is not keeping pace with all the housing developments.

Will the Lead Member carry out a meaningful and timely investigation of the primary school places and nursery provision places in Hailsham?

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

The Council's School Organisation Plan provides our forecasts for all areas of the county including Hailsham.

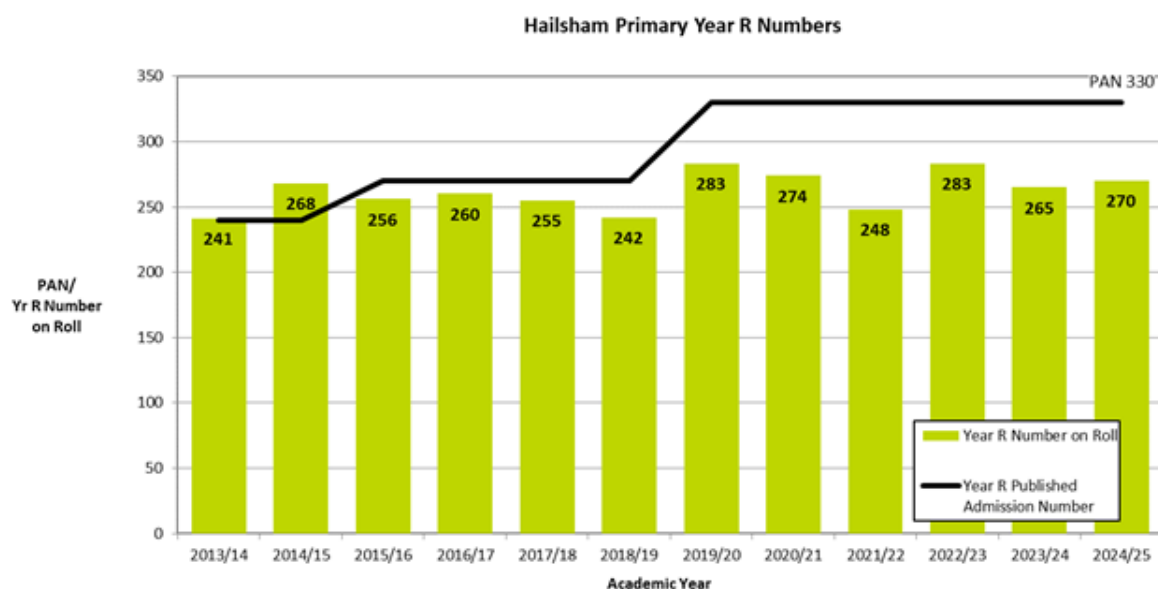
Over the last 10 years there have been around 2300 units of new housing completed in Hailsham, and this has significantly boosted pupil numbers in the town. However, the current general downward trend in births across the county has partly offset the impact of new housing. Also, high numbers of Hailsham families continue to opt for places in surrounding rural schools. An analysis of the January 2021 school census revealed that



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the numbers of Hailsham children in surrounding schools ranges from 53 to 98 per primary year group cohort.

For the above reasons, reception (Year R) intakes in Hailsham have not been as high as originally predicted least to 2024/25, numbers are unlikely to exceed 300 and, in most years, may stay within 270. The current PAN for Year R across the town is 330.



The latest GP registration data, from October 2021, suggests that 330 Yr R places are likely to be more than sufficient for 2023/24 and 2024/25, but that in 2025/26 numbers will be closer to the PAN of 330.

The predicted general upswing in births, coupled with the likely continuation of significant levels of new housebuilding in Hailsham, is likely to mean that from some point in the second half of this decade or early in the next, the number of primary places required in Hailsham will start to rise to nearer the PAN of 330 and additional places could well be needed.

### Parental Preferences

The following table shows the parental preferences for the past 5 years for the Hailsham Primary Schools (figures in brackets are total preferences, outside brackets is first preference only):

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<b>Hailsham Primary Schools</b>	<b>PAN</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Burfield</b>	30	19 (41)	27 (49)	26 (40)	29 (42)	22 (28)
<b>Grovelands</b>	90	100 (157)	80 (134)	103 (160)	82 (144)	82 (127)
<b>HCC</b>	60	N/A	N/A	12 (27)	47 (97)	59 (107)
<b>Hawkes Farm</b>	60	50 (108)	52 (113)	55 (124)	54 (120)	26 (84)
<b>Hellingly</b>	30	41 (118)	37 (107)	37 (131)	23 (96)	27 (92)
<b>Phoenix</b>	30	13 (16)	9 (15)	15 (20)	18 (28)	9 (16)
<b>White House</b>	30	22 (33)	19 (33)	18 (34)	20 (35)	13 (25)
<b>Total first prefs</b>	<b>330</b>	<b>245</b>	<b>224</b>	<b>266</b>	<b>273</b>	<b>238</b>

Officers at the local authority work closely with officers in the districts as they develop their local plans and we consider the impact of local plans on our forecasts. The Council's forecasts are reviewed every year, and the next run of the forecasts will be undertaken in the summer – this will take account of the latest iteration of Wealden's Local Plan and the forecasts updated accordingly. The School Organisation Plan is published annually (in the autumn) and includes the latest forecasts and how we will ensure sufficient pupil places.

In producing forecasts of future demand for Hailsham Schools Primary and Secondary Place Planning Areas, we take into account the following factors:

- School admissions allocations and preference data for Reception and Year 7 intakes for the coming academic coming year.
- Existing numbers in schools and historic data on cohort survival patterns to inform how these numbers are likely to change as year group cohorts move up through the schools (e.g. as a result of net migration).
- New housing completions and commitment data at town/parish level provided annually by Wealden District Council, are used to provide estimates of pupil yield from new housing. We also monitor planning applications on all specific sites in the area of 15 units or more.
- Recent parental preference and pupil movement patterns gleaned from school admissions data and the school census. (Many Hailsham children traditionally take up school places outside the town).
- Live Birth and GP Registration data, as well as demographic projections of future births. These inform the estimates of the number of children coming into Reception in future years. The birth projections are 'dwelling led' and take account of the likely impact of new housing on future births.
- Existing capacity in each school and known planned changes in capacity. Capacity is monitored annually and updated to reflect expansions, new schools, the addition or removal of temporary classrooms and changes to Published Admission Numbers.

## Early Years Places

The forecasts are updated annually and are normally summarised in ESCC's Childcare Sufficiency Assessment. Because of uncertainties around the impact of Covid on the Early Years Sector, in the past two years, no area level forward forecasts have been published.

The table below shows the Full Time Equivalent (FTE) capacity in Hailsham and the demand – this shows that currently there are 519 FTEs places and demand for 456, so a surplus of 62 places.

### **FTE Capacity v FTE Demand in All Settings (Provider Address)**

<b>Type of Capacity/Demand</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>
FTE Capacity in All Settings	446	431	475	519
FTE Demand for All Children				456
Surplus/(Shortfall)				62

Currently there are spare Early Years places in the Hailsham EY Area (as with primary schools this includes Hellingly). However, a shortfall is forecast to arise in the middle/second half of the decade, where the continued pressures from new housebuilding are likely to coincide with a general demographic trend of rising births.

In producing forecasts of future demand for Hailsham Early Years Place Planning Areas, we take into account the following factors:

- Data on demographic projections of future births, as well as recent historic single year of age population data. These inform the estimates of the number of under 5s in the area and how numbers are likely to change/grow, for example as a result of migration, as cohorts move up through the system towards school age. The birth projections are 'dwelling led' and take account of the likely impact of new housing on future births.
- Using early years census data, recent historic patterns of take up of hours for different Early Years age groups, including take-up of the 30 hour offer. Many children do not require 30 hours per week.
- Using early years census data, recent historic flow patterns of where children live and where they access early years provision.
- New housing completions and commitment data at town/parish level provided annually by Wealden District Council are used to provide estimates of child yield from new housing. We also monitor planning applications on all specific sites in the area of 15 units or more.
- Existing capacity and known planned changes in capacity in Early Years settings in the area. This comes from the Early Years Provider Questionnaire. It is expressed as full-time equivalent (FTE) capacity and takes account of the number of registered places and the number of hours per week that each setting is open.

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### REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 22 March and 19 April 2022. Attendances:

Councillor Glazier (Chair) (2)

Councillors Bennett (2), Collier (2), Simmons (2) and Tutt (2)

#### **1. Appointment of Members to Committees, Sub-Committees, Panels and Other Bodies**

1.1 In appointing members to committees, sub-committees, most panels and some outside bodies the Council must comply with section 15 of the Local Government Act 1989 and subsequent Regulations. These provide that places on committees must be allocated to political groups in proportion to the number of seats on the Council held by each group, unless there is agreement, without dissent, that the provisions of the Act should not be applied.

1.2 The allocation of places to party groups must, so far as is reasonably practicable, give effect to the following principles:

- (a) not all of the seats on the body can be allocated to the same political group;
- (b) where more than half the members of the Council belong to one political group, that group shall have a majority on all committees, sub-committees, etc;
- (c) subject to (a) and (b) above, the total number of seats on the ordinary committees (including sub-committees) allocated to a political group reflects that group's proportion of the members of the Council;
- (d) subject to (a), (b) and (c) above, the number of seats on each body allocated to a political group reflects the proportion of the seats on the Council held by the group.

1.3 The rules require seats to be allocated on a proportional basis "so far as practicable" and inevitably there must be some rounding up and rounding down. It is open to the Council to review the size and number of committees and sub-committees at any time.

1.4 Members of the Cabinet may not serve on the Scrutiny Committees or the Regulatory Committee and the Leader and Deputy Leader of the Council may not serve on the Standards Committee.

1.5 The Leader of the Council appoints the Cabinet and allocates portfolios to those Cabinet Members. Political balance provisions do not apply to the Cabinet

1.6 The principle in paragraph 1.2 (c) above applies to appointments to ordinary committees (including sub-committees). Accordingly, before considering the allocation of places to political groups the Council will need to consider whether it wishes to recommend any changes in committees, including their size. The tables in Appendix 1 show the proposed allocation of seats for 2022/23. There are no changes to the allocation agreed by the County Council in May 2021 for 2021/22. The proposals in relation to the ordinary committees and sub-committees, their total membership and the number of seats on each to which the groups will be entitled follows the principles set out in paragraph 1.2 above.

1.7 The party group leaders and independent members have been asked to let the Assistant Chief Executive have nominations to fill the places on committees, sub-committees, panels and other bodies covered in this report provisionally allocated to their group. The final list of nominations received will be circulated to members of the County Council prior to the annual council meeting, for approval by the Council.

1.8 The allocation of seats to the Governance Committee has been proposed to take into account the importance of having one member from each of the three largest political groups. Membership of this Committee normally includes the Group Leaders.

#### Other Committees and Panels

1.9 There is no obligation in relation to other committees and panels to aggregate the total number of places and to adjust allocations so that the total number of places allocated to each group reflects its proportion of the members of the Council. It is proposed that places should be allocated on a proportionate basis, unless the Council agrees to waive the political balance provisions which has been the custom for certain panels over many years.

1.10 The practical effect of the proportionality rules for a committee, panel or group of members of any given size from 3 to 12 is set out in Appendix 2, together with the list of current committees and panels to which appointments will need to be made and their membership.

#### Chairs and Vice Chairs of Scrutiny Committees

1.11 The Council's Constitution provides that the Chairs and Vice Chairs of Scrutiny Committees and Audit Committee should be added together and the positions then allocated to groups in accordance to the number of seats they have on the Council. Within this allocation the Chair of the Audit Committee shall be appointed from the members of the largest Group not represented on the Cabinet. On this basis the allocation of the 8 places would be as follows:

Conservative – 4  
Liberal Democrat – 2  
Labour – 1  
Green - 1  
Independent Democrat - 0

1.12 The proposed list of Chairs and Vice Chairs (there are no changes to the allocation agreed in May 2021 for 2021/22) to be appointed by the County Council is:

<b>Committee</b>	<b>Chair</b>	<b>Vice-Chair</b>
Regulatory	<b>Conservative</b>	
People Scrutiny Committee	<b>Conservative</b>	<b>Liberal Democrat</b>
Place Scrutiny Committee	<b>Conservative</b>	<b>Green</b>
Audit Committee	<b>Liberal Democrat</b>	<b>Conservative</b>
Health Overview and Scrutiny Committee	<b>Conservative</b>	<b>Labour</b>

## GOVERNANCE

Governance Committee	Conservative	
Planning Committee	Conservative	Conservative
Pension Committee	Conservative	
Standards Committee	Conservative	

1.13 The Committee recommends the County Council to:

☆ (1) allocate to the political and other groups the places on, and membership of, the main committees as set out in Appendix 1;

(2) allocate places on the other committees and panels as set out in Appendix 2; and

(3) allocate the Chair and Vice Chair positions on committees as set out in the table in paragraph 1.12.

## 2 Amendment to the Constitution – Debate on the Cabinet priorities

2.1 Standing Order 45 of the Constitution sets out that at the annual meeting of the Council in May up to 90 minutes shall be set aside for a debate on the Cabinet priorities for the year ahead (and past achievements). At a meeting in June/July then Cabinet considers a report on Reconciling Policy, Performance and Resources – State of the County which is reported to the County Council (usually October).

2.2 It is considered that it would be preferable to have the Full Council debates on the State of the County report and the Cabinet priorities at the same meeting as the report could inform the priorities debate. It is therefore proposed that the Constitution be amended to have the debate on the Council priorities at the July Council meeting. It is proposed that an exception to this be in a year of Full Council elections when the debate of priorities would take place at the annual meeting in order that the administration can set out its priorities at the earliest opportunity.

2.3 It is therefore proposed that the amendments be made to the following Standing Orders:

a) Standing order 10 (11)

At the ~~July annual~~ meeting, to debate the Cabinet's priorities for the year ahead, ~~with the exception of a year of Full Council elections when the debate will be held at the annual meeting~~

b) Standing Order 23 (2)

No speech shall exceed five minutes except there the Leader of the Council and the Leaders of the Opposition Groups are speaking at the start of the debate ~~at the annual meeting~~ on the Cabinet's priorities. In this instance, each Leader shall be permitted to speak for up to 11 minutes – see Standing Order 45.

c) Standing Order 32.8

The Leader of the Council shall have a right of reply to the debate ~~at the annual meeting~~ on the Cabinet's priorities for the year ahead.

d) Standing Order 45

**DEBATE OF CABINET'S PRIORITIES FOR YEAR AHEAD**

At the ~~July~~ annual meeting of the Council up to 90 minutes shall be set aside for a debate of the Cabinet's priorities for the year ahead (and its past achievements) ~~with the exception of a year of Full Council elections when the debate will be held at the annual meeting.~~ The Leader of the Council and the Leaders of the Opposition Groups shall be entitled to speak first and shall each be permitted to speak for up to 11 minutes. Any extension must be agreed by the Council. Otherwise the normal restrictions on the length of speeches shall apply. No motions may be moved during this debate. At the end of the 90 minutes' period (or sooner if the debate is concluded in less time) the Leader of the Council shall be entitled to reply to the debate.

2.4 In order to facilitate the Cabinet priorities debate being held at the same meeting as the debate on the State of the County Report (with the exception of a year of Full Council elections) it is proposed that the Committee recommend the changes to the Constitution set out in paragraph 1.3 to the Council for approval

2.5 The Committee recommends the County Council to:

☆ approve the proposed amendments to the Constitution set out in paragraph 2.3 of this report.

**3 Adoption Agency Delegation**

3.1 The Director of Children's Services has delegated authority to undertake all the powers and duties of the County Council as an adoption agency having regard to the recommendations of the Adoption Panel and to approve the charge for home-study assessments for inter-country adoptions in accordance with the policy agreed by Cabinet. This includes acting as the Agency Decision Maker in respect of whether a proposed care plan is the right decision for the child.

3.2 The National Minimum Standards for Adoption (last updated 25 July 2014) require that the person undertaking the role of Agency Decision Maker is a qualified social worker.

3.3 It is proposed that authority to exercise these powers and functions also be delegated to the Head of Children's Safeguards and Quality Assurance, a role which does require a social work qualification

3.4 The Committee recommends the County Council to:

☆ agree to delegate authority to the Head of Children's Safeguards and Quality Assurance to exercise the powers, functions and duties of the County Council as an Adoption Agency, which includes acting as Agency Decision Maker.

19 April 2022

KEITH GLAZIER  
(Chair)



## STANDARDS

### REPORT OF THE STANDARDS COMMITTEE

The Standards Committee met on 19 April 2022.

Present Councillor Belsey (Chair),  
Councillors Galley, Hollidge, Barry Taylor, Georgia Taylor and Tutt

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

1.1 The Standards Committee is required to submit an annual report to the County Council on its work during the previous year. The Committee is therefore asked to consider the draft report for submission to the County Council. Between 1 April 2021 and 31 March 2022 three complaints were received against Members of the County Council.

1.2 It is considered that the standards of conduct among Members and co-opted members of the Council remain high and maintaining good standards is taken seriously. The table below shows the number of complaints considered by the Assessment Sub-Committee over the past 13 years:

Year	No. of complaints considered
2021/22	3
2020/21	0
2019/20	0
2018/19	3
2017/18	0
2016/17	1
2015/16	1
2014/15	3
2013/14	1
2012/13	1
2011/12	1
2010/11	2
2009/10	4

#### Applications for Dispensation

1.3 In limited circumstances, Members can apply in writing for dispensations to take part in business that they would otherwise have been unable to participate in through having prejudicial interests. During 2021/22 there were no applications for dispensations.

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

#### Register of Members' Interests

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

## STANDARDS

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1.6 During 2021/22 councillors were reminded that there is provision for information considered to be sensitive not to be published on their register of interest form. Sensitive information is that which, if disclosed, could lead to the councillor, or a person connected to the councillor, being subject to violence or intimidation. If a councillor considers that the information relating to any personal interest is sensitive, and the Monitoring Officer agrees, the register available for inspection will not include the details of that interest other than stating that the councillor has an interest and that the details are withheld. Councillors were reminded that if they consider an interest to be sensitive they should still declare the matter and request that it be treated as sensitive information. The fact that a councillor considers the information to be sensitive is not a reason for failing to declare the interest.

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

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

### Training

1.9 Following the election on 6 May 2021, training was given to Members on the Code of Conduct including register of interests, personal interests, disclosable pecuniary interests and gifts and hospitality. All councillors have signed a declaration undertaking to comply with the County Council's Code of Conduct for Members.

### Code of Conduct

1.10 In April 2021, the Committee considered the Model Code of Conduct published by the Local Government Association (LGA) and agreed to maintain the Council's Code of Conduct rather than adopting the updated Model Code. The main reasons for the decision were:

- a) the Model Code did not contain significant amendments to the Code that is currently adopted by the County Council.
- b) Since 2012 the county, borough and district councils in East Sussex have adopted a single code of conduct. This level of consistency has worked well and has been of particular benefit to, and appreciated by, dual hatted councillors. Following consultation with the five district and borough councils in East Sussex, the view was that the current Code works well, is understood by councillors and covers the main points in the Model Code. The consensus is that the current Code should be retained.
- c) One of the primary issues raised in the response to the LGA's consultation was the limited sanctions currently available to local authorities in response to breaches of their Code of Conduct. Increasing the range of sanctions would require legislative change and is therefore dependent on the Government response to the Committee on Standards in Public Life (CSPL) report, as are a range of other recommendations made by CSPL. Given the potential for further change as a result of the Government's anticipated response, it would be preferable to await a Model Code that contains changes of greater substance, such as any changes in legislation that may come forward following the Government's consideration of the recommendations arising from the CSPL report.

## STANDARDS

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1.11 The Committee therefore agreed to maintain the Code of Conduct currently adopted rather than adopting the updated Model Code. This approach ensures that we retain an effective Code of Conduct as well as maintaining the consistency across the councils in East Sussex. The position will be reviewed when there are more substantive changes, such as those proposed by the CSPL which require legislation.

1.12 The CSPL has recommended that, as best practice, councils should review their Code of Conduct each year. The Committee reviewed the Code in April 2022 and concluded that the current Code (adopted by the County, District and Borough Councils) works well and provides a consistent approach across different authorities. The Committee has not proposed that any changes be made to the Code at the current time.

1.13 The Committee **recommends** the County Council to –

☆ agree the Annual Report

COLIN BELSEY  
(Chair)

19 April 2022

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### EAST SUSSEX FIRE AUTHORITY

**Report of a meeting of the East Sussex Fire Authority held at County Hall, St. Anne's Crescent, Lewes at 10:30 hours on Thursday, 10 February 2022.**

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

N.B. Apologies were received from Councillor Marlow-Eastwood

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 FIRE AUTHORITY SERVICE PLANNING PROCESSES FOR 2022/23 AND BEYOND - REVENUE BUDGET 2022/23 AND CAPITAL ASSET STRATEGY 2022/23 TO 2026/27**

- 1.1 The Fire Authority considered a report detailing the Fire Authority's Revenue Budget 2022/23, Capital Strategy 2022/23-2026/27 and Medium Term Finance Plan 2022/23-2026/27. This set out the final budget proposals and although Business Rates figures were estimates the final figures would not change either the precept or proposed budget provision. The final Local Government Finance Settlement had been announced and although confirmation of specific grants from the Home Office were still awaited it was understood that the largest of these, the Pension Grant, would be unchanged from the current year and was reflected in the budget proposals. The Council Tax referendum threshold for the Fire Authority remained at 2%.
- 1.2 Whilst the Government had conducted a three year spending review the settlement was only for one year. The settlement for 2022/23 was better than anticipated primarily due to a one off Service Grant of £0.535m. however there remained significant uncertainty for funding beyond that. The Authority's increase in core spending power for 2022/23 of 4.1% was the second lowest in English Fire Authorities and well below the average of 4.7%. The proposed budget was a balanced one with a proposed Council Tax increase of 1.99% - equivalent to £1.91 per week for a Band D property.

- 1.3 In order to balance the budget a total of £0.432m of reserves would be used. Including £0.200m to support investment in protection services beyond the one-off grant funding provided by Government. Whilst the use of reserves was legitimate it was not financially sustainable and therefore could not form an ongoing part of budget setting. It was noted that despite difficult financial circumstances the Authority planned to continue investment in IT, Fleet and Estates. The Capital Programme over 5 years was set to increase by £4.8m to £28.2m including additional investment of £3.8m in operational training facilities to maintain firefighter competence and safety. The Authority's reserves were forecast to reduce from £16.7m to £5.2m over the next 5 years as a result of planned investment, and borrowing would increase from £10.3m to £21.8m, with revenue costs of borrowing increasing by £0.9m.
- 1.4 The Medium Term Financial Plan (MTFP) modelled 3 scenarios (mid, best and worse case), these were wide ranging, including additional measures to manage risk and provide greater financial sustainability. The advice to the Authority was to plan for the mid case scenario whilst remembering that forecasts were only indicative due to risks including further reductions in public spending and proposed changes to how local government was supported centrally. The mid-case scenario forecast the need for further savings of £1.0m in 2023/24 rising to £1.5m by 2026/27.
- 1.5 There remained significant uncertainty for funding for 2022/23 and beyond and the Authority needed to be flexible in its approach to financial planning. It was the view of the Treasurer that the estimates used for the purposes of calculating the budget, revenue and capital, had been produced in a robust and transparent way and the proposed financial reserves were consistent with Fire Authority policy and were prudent and necessary. It was essential the Authority focused on identifying additional savings enabling it to balance its revenue budget from 2023/24 onwards rather than relying on reserves. If these could not be found from the efficiency areas set out in the report the Authority would need to consider other options including the revisiting of options proposed but not adopted as part of its IRMP 2020-25.
- 1.6 Members thanked officers for a comprehensive report there was some concern regarding the uncertainty of funding available over the medium term. An annual government grant was not reliable and Members sought assurances that representations to government were being made. It was confirmed that they were, through both the Local Government Association (LGA) and National Fire Chiefs Council (NFCC) and also through briefings for local MPs.
- 1.7 Members asked why the cost for a Band D property was the 4th highest of all Combined Fire Authorities. This had been the case for many years and reflected decisions made by the Authority regarding its prevention, protection and response resources. The majority of the Authority's costs related to staffing, particularly Operational, and was also influenced by the county's geography, poor road network, high levels of elderly and vulnerable residents, high levels of deprivation coastline and number of tourists.

- 1.8 Members were pleased abnormal weather had been included as a risk but requested that the climate crisis more broadly be represented. The Authority were reminded that they had commissioned a review of its current carbon footprint, largely from estate and heavy fleet, and seeking suggestions for how to reduce it, a report on the findings of this review would be presented to a future meeting.
- 1.9 Members were satisfied with the budget proposals and reflected that ESFRS had undergone significant change over a long period of time and that there were lessons to be learned in response to Covid-19. Members were mindful that whilst the rise in Council Tax precept was not significant it was part of a cumulative increase that residents of East Sussex and Brighton & Hove would feel. Increases were not desirable but there was an appreciation that people were paying for a good service.
- 1.10 The Fire Authority unanimously agreed to all the recommendations in their entirety as set out in the report.

## **2 TREASURY MANAGEMENT STRATEGY FOR 2022/23**

- 2.1 The Fire Authority considered a report seeking approval of the Treasury Management strategy, policy statement and the Minimum Revenue Provision (MRP) Statement 2022/23. The emphasis remained on security and liquidity, and as was clear from global events it was impossible in practical terms to eliminate all credit risk however the Fire Authority sought to be prudent. It was recommended to approve borrowing limits giving flexibility for any future consideration in undertaking new external long-term / replacement borrowing.
- 2.2 The Fire Authority always adopted a prudent approach on its investment strategy. No further changes to the Investment Strategy were proposed for 2022/23. Since March 2020 global economic events triggered by Covid 19 had caused the Authority to pause consideration of entering longer duration funds.
- 2.3 The Fire Authority was exploring Investment options that meet Environment, Social and Governance (ESG) aims. This parameter would act as a 4<sup>th</sup> consideration to investment decisions behind Security, Liquidity and Yield. The preservation of capital remained the principal overriding priority. Members were pleased to see support for ESG investment products and the investment of £1m that had been made in 2021. The current availability of ESG products was relatively narrow, but it was encouraging that this investment offered a better return than other comparable non-ESG products. Members welcomed this investment and hoped that there would be increased ESG investments in the future.
- 2.4 The Fire Authority unanimously approved the recommendations contained within the Report in full.

## **3 ANNUAL PAY POLICY STATEMENT 2022-23**

- 3.1 Members received a report presenting the Fire Authority's Pay Policy Statement for the period 1 April 2022 to 31 March 2023. The Localism Act 2011 imposes a duty on relevant local authorities to prepare pay policy statements for each financial year and must be approved by the statutory deadline of 31 March 2022. The Fire Authority approved the Pay Policy Statement as set out in the Appendix to the report.

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

10 February 2022