

CABINET

MINUTES of a meeting of the Cabinet held on 30 September 2021 at Council Chamber, County Hall, Lewes

PRESENT Councillors Keith Glazier (Chair)
Councillors Nick Bennett (Vice Chair), Bob Bowdler, Claire Dowling,
Carl Maynard, Rupert Simmons and Bob Standley

Members spoke on the items indicated

Councillor Belsey	- item 10 (minute 20)
Councillor Bennett	- items 5, 6 and 7 (minutes 15, 16 and 17)
Councillor Daniel	- items 5, 6, 7, 10 and 11 (minutes 15, 16, 17, 20 and 21)
Councillor Denis	- item 6 (minute 16)
Councillor Claire Dowling	- items 10 and 11 (minutes 20 and 21)
Councillor Field	- item 7 (minute 17)
Councillor Hollidge	- items 10 and 11 (minutes 20 and 21)
Councillor Maynard	- item 5 (minute 15)
Councillor Shuttleworth	- items 5 and 11 (minutes 15 and 21)
Councillor Standley	- item 5 (minute 15)
Councillor Swansborough	- items 5, 7 and 11 (minutes 15, 17 and 21)
Councillor Georgia Taylor	- items 7 and 11 (minute 17 and 21)
Councillor Tutt	- items 5, 6, 10 and 11 (minutes 15, 16, 20 and 21)
Councillor Ungar	- items 10 and 11 (minutes 20 and 21)
Councillor Webb	- item 6 (minute 16)

13. MINUTES OF THE MEETING HELD ON 13 JULY 2021

13.1 The minutes of the Cabinet meeting held on 13 July 2021 were agreed as a correct record.

14. REPORTS

14.1 Copies of the reports referred to below are included in the minute book.

15. RECONCILING POLICY, PERFORMANCE AND RESOURCES - UPDATE

15.1 The Cabinet considered a report by the Chief Executive.

15.2 It was RESOLVED to:

- 1) note the updated policy context as set out in paragraph 2 of the report;
- 2) note the updated Medium Term Financial Plan as set out in paragraph 3 and appendix 1 of the report;
- 3) subject to Council agreeing the establishment of a reserve, agree to receive further reports in November setting out proposals for one-off investments in highways and climate change; and
- 4) agree to continue lobbying for a sustainable funding regime to meet the needs of the residents of East Sussex.

Reason

15.3 This report confirms the high level of uncertainty within which planning for 2022/23 is taking place. Much is to be determined around national spending allocations and priorities for 2022/23 onwards, the impact of national reforms, and the longer term impact of the coronavirus pandemic. Thanks to the Council's sound financial management and clear focus on priorities we are in a stable financial position for the current and next financial years. This provides a window of opportunity to invest now in areas that will help prepare us for challenges ahead. Further reports will be brought to Cabinet later in the autumn that set out plans for deploying one off funding on highways and climate change. Alongside this, the Reconciling Policy, Performance and Resources process will be used to identify any other areas for one off investment. Work will continue throughout the autumn and winter to understand the detailed funding picture as it emerges and the implications of national policy developments. This analysis will feed into our ongoing business and financial planning. Members will continue to be involved in developing plans through Cabinet, County Council, Scrutiny Committees, and specific engagement sessions throughout the 2021/22 RPPR process.

16. COUNCIL MONITORING: QUARTER 1 2021/22

16.1 The Cabinet considered a report by the Chief Executive.

16.2 It was RESOLVED to:

- 1) note the latest monitoring position for the Council;
- 2) approve the proposed amendments to performance measures set out in paragraph 3.1 of the report; and
- 3) recommend the County Council approve the transfer of funding for one-off investment to reserves, and the amended reserves policy, as set out in paragraph 4.3 and Annex A of the report

Reason

16.3 The report sets out the Council's position and year end projections for the Council Plan targets, Revenue Budget, Capital Programme, Savings Plan together with Risks for 2021/22 quarter 1. The Cabinet agreed to recommend the County Council to agree 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.

17. ANNUAL PROGRESS REPORT ON EAST SUSSEX COUNTY COUNCIL'S CLIMATE EMERGENCY PLAN

17.1 The Cabinet considered a report by the Director of Communities, Economy and Transport and the Chief Operating Officer.

17.2 It was RESOLVED to note the progress that has been achieved to date against the agreed action plan and the Scrutiny review recommendations in relation to carbon neutrality.

Reason

17.3 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.

18. EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS PLAN REVIEW

18.1 The Cabinet considered a report by the Director of Communities, Economy and Transport.

18.2 It was RESOLVED to:

- 1) note progress on the Review of the Waste and Minerals Local Plan;
- 2) agree, subject to the approval of Brighton & Hove City Council and the South Downs National Park Authority, that the proposed Submission Draft Revised Policies document and its supporting Sustainability Appraisal, attached as Appendix 1 to the report, is published for a representation period in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- 3) authorise the Director of Communities, Economy and Transport to make, if necessary, minor modifications to the Revised Policies document and Sustainability Appraisal prior to publication and any subsequent minor changes arising from the consultation; and
- 4) recommend the County Council to authorise the subsequent 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 competition of actions under recommendations 2 and 3;

Reason

18.3 Progress on the review of the Waste and Minerals Local Plan (WMLP) were be noted. 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 Draft Revised Policies (DRP) updates, clarifies and strengthens certain existing Policies, including in relation to the future provision and supply of aggregates and their sustainable use.

18.4 The responses received to the 2020 consultation have been considered and changes made to the DRP where considered appropriate. The completed Equality Impact Assessment requires no further changes. 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.

18.5 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 Director of Communities, Economy and Transport was therefore authorised to agree any minor amendments to the DRP and publish the document in accordance with Regulation 19 and Submission in accordance with Regulation 22 of the aforementioned Regulations.

19. HOME CARE AND EXTRA CARE CONTRACT RE-TENDER

19.1 The Cabinet considered a report by the Director of Adult Social Care.

19.2 It was RESOLVED to:

- 1) agree to go out to tender for Home Care and Extra Care services in January 2022 with new contract start dates in January 2023;
- 2) approve a contract term of six years with the option to extend for up to 48 months; and
- 3) agree to delegate the contract award decision to the Director of Adult Social Care, once all submitted bids have been evaluated.

Reason

19.3 Independent sector Home Care and Extra Care services represent a significant and important element of the Council's statutory care provision and it is essential that the services that are commissioned are of a high quality, person centred and represent value for money. Careful consideration and wide stakeholder engagement has been undertaken to ensure the tender will deliver sustainable services for both clients and providers.

20. INTRODUCTION OF A DEPARTMENT FOR TRANSPORT APPROVED LANE RENTAL SCHEME IN EAST SUSSEX

20.1 The Cabinet considered a report by the Director of Communities, Economy and Transport.

20.2 It was RESOLVED to:

- 1) note the benefits of introducing a Lane Rental scheme;
- 2) note the process and timeframes of implementing such a scheme;
- 3) agree that a Lane Rental scheme be developed and scheduled to commence with the new Highway maintenance contract in May 2023; and
- 4) delegate authority to the Director of Communities, Economy and Transport to approve the scheme.

Reason

20.3 The Cabinet noted the benefits of introducing a lane rental scheme in East Sussex, as well as the process and timescales set out in the report and agreed the proposals to implement a lane rental scheme to coincide with the start of the new highways maintenance contract in May 2023 and to be administered by the new highway maintenance contractors network management team.

21. LOCAL CYCLING AND WALKING INFRASTRUCTURE PLAN

21.1 The Cabinet considered a report by the Director of Communities, Economy and Transport.

21.2 It was RESOLVED to:

1) note the outcomes of the recent consultation and to approve the draft East Sussex Local Cycling and Walking Infrastructure Plan; and

2) agree the actions necessary to maintain the Local Cycling and Walking Plan as a living document and develop a future pipeline of cycling and walking schemes as outlined in paragraph 2.13 of the report.

Reason

21.3 The development of the first draft East Sussex Local Cycling and Walking Infrastructure Plan (LCWIP), in line with Government guidance, establishes the strategic approach to identifying and delivering cycling and walking measures and initiatives across the County. This will support the case for future revenue and capital Government funding for cycling and walking and help meet with future requirements placed on local authorities by the new Government inspectorate, 'Active Travel England'. The implications of the Active Travel Inspectorate are likely to be focussed on schemes requiring adherence to the new government strategy on active travel and supplementary scheme design guidance, to undertake thorough consultation that is representative of all local views and to fully monitor and evaluate schemes. The DfT has intimated that performance in relation to these areas will determine future funding.

21.4 The LCWIP will significantly contribute to supporting the County Council priorities relating to climate change, economic growth and recovery and health and wellbeing. The draft LCWIP will also be a supporting document to the updated Local Transport Plan. Actions were noted that will support the LCWIP being a living document and will assist in developing a future pipeline of cycling and walking schemes

22. ITEMS TO BE REPORTED TO THE COUNTY COUNCIL

22.1 It was agreed that items 6, 7 and 8 should be reported to the County Council.

[Note: The items being reported to the County Council refer to minute numbers 16, 17 and 18]