

PLACE SCRUTINY COMMITTEE

MINUTES of a meeting of the Place Scrutiny Committee held at Council Chamber, County Hall, Lewes on 23 March 2022.

PRESENT Councillor Matthew Beaver (Chair), Councillors Chris Collier, Penny di Cara (substituting for Councillor Paul Redstone), Alan Hay, Julia Hilton (Vice Chair), Ian Hollidge, Stephen Holt, Eleanor Kirby-Green, Philip Lunn, Steve Murphy and Stephen Shing

LEAD MEMBERS Councillors Rupert Simmons, Lead Member for Economy

ALSO PRESENT Philip Baker, Assistant Chief Executive
Phil Hall, Chief Operating Officer
Ian Gutsell, Chief Finance Officer
Rupert Clubb, Director of Communities, Economy and Transport
Katy Thomas, Team Manager Economic Development
Freda Grant, Broadband Project Officer
Karl Taylor, Assistant Director Operations

25. MINUTES OF THE PREVIOUS MEETING

25.1 The Committee RESOLVED to agree the minutes of the meeting held on 26 November 2021 as a correct record.

26. APOLOGIES FOR ABSENCE

26.1 Apologies for absence were received from Councillor Paul Redstone (Councillor Penny di Cara substituted). Apologies were also received from the Lead Member for Transport and Environment, Councillor Claire Dowling.

27. DISCLOSURES OF INTERESTS

27.1 There were no disclosures of interests.

28. URGENT ITEMS

28.1 Councillor Murphy raised a matter concerning Hailsham East Community Centre as an urgent item. It was agreed to discuss this matter under Item 8, Urgent Items, on the agenda.

29. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR) 2022/23

29.1 The Assistant Chief Executive introduced the report. The report sets out the Committee's involvement in the Reconciling Policy, Performance and Resources (RPPR) budget setting process. The report seeks the Committee's views on the areas for further discussion that could be included in the work programme, comments on the process and any changes that the Committee might wish recommend.

29.2 The report also recommends some enhancements to the Committee's involvement in the RPPR process. It is proposed that the Committee considers the year end Council Monitoring report and the State of the County, report which sets out the policy developments that are likely to affect the Council, at the July Place Scrutiny Committee meeting. It is also proposed that the Committee hold an annual work planning day in September. This has entailed moving some of the Place Scrutiny Committee dates to facilitate this enhanced involvement.

29.3 The Committee discussed the report and a summary of the comments made is given below.

29.4 The Committee asked if it would be possible to include consideration of capital projects in the Committee's RPPR work (e.g. the Emergency Active Travel funding; the funding of Electric Vehicle charging points etc.). The Assistant Chief Executive responded that scrutiny could explore the capital programme as part of the RPPR process, and there might be some benefit to doing this at an earlier stage. The Committee could include items on capital projects in the work programme and then feed them into the RPPR process.

29.5 The Committee commented that it would like more information on the bigger picture which frames the budget decision and allocations, and the stages where scrutiny can have the most impact in helping to form budget proposals and budget amendments. The Assistant Chief Executive outlined that the State of the County report in July aims to set the scene on what the forthcoming budget pressures are likely to be and the policy context for the budget setting process. This links into what the budget priorities might be for the coming financial year and the subsequent budget proposals. The Committee can consider this at the July meeting and then include items in the work programme.

29.6 The Committee asked if it would receive feedback on how the unallocated reserve is to be spent. The Assistant Chief Executive outlined that the process for developing the detailed proposals for this one-off expenditure is still being worked through and this will include how to involve scrutiny. If the Scrutiny Committee has ideas on how this money could be spent, the work programme is a good place to develop them and then feed them into the RPPR process as it progresses for consideration by Cabinet.

29.7 The Committee commented that it was happy with the proposals to enhance the Committee's involvement in the RPPR process as outlined in the report.

29.8 The Committee RESOLVED to:

- 1) Note the committee's input into the RPPR process; and
- 2) Agreed the proposed enhancements to the RPPR scrutiny arrangements set out in paragraph 2.6 of the report.

30. SUPERFAST BROADBAND PROJECT AND PROJECT GIGABIT UPDATE REPORT
(INCL. GIGABIT VOUCHER SCHEME)

30.1 The Team Manager, Economic Development introduced the report which sets out the progress to date in the delivery of the Superfast Broadband Project that has included work in all 64 telephone exchange areas included in the Project's intervention area. In the early phases of the project the main method of delivery was via fibre to the cabinet but has also included fibre to the premises. The final stages of the Project contract have been targeted at trying to connect the very hard to reach properties commercially, and the final contract has solely used fibre to the premises.

30.2 In essence, the Project aims to deliver access to superfast broadband speeds where the commercial market on its own would not. As at February 2022 there is 98% coverage for superfast broadband in East Sussex, and the Project uptake for superfast services is 64%. This has exceeded the original service uptake estimates and has enabled the Project to re-invest in further provision.

30.3 East Sussex County Council (ESCC) has set aside £500,000 to provide additional support to the Gigabit Voucher Scheme. There has been a lot of interest in the Voucher Scheme, but as yet there has not been a great level of uptake. The future delivery of Gigabit capable services through Project Gigabit will be through the government body Building Digital UK (BDUK). It is expected that BDUK will notify ESCC of the project intervention area sometime between August and October 2022 and implementation will start sometime between July and September 2023.

30.4 The Committee asked a number of questions about the Superfast Broadband Project, and the update given on the Gigabit Voucher Scheme and Project Gigabit. A summary of the discussion and points made is outlined below.

Gigabit services and Gigabit Voucher Scheme

30.5 The Committee noted that the provision of gigabit services in larger towns in the County (e.g. Bexhill, Eastbourne, Hasting, Lewes) are covered by commercial providers, but the smaller towns are also important such as Hailsham, Uckfield, etc. The Committee asked if the uptake of the Gigabit Voucher Scheme is low, whether ESCC should be more involved in promoting the Scheme. The Team Manager, Economic Development commented that the take up of the Gigabit Voucher Scheme may not necessarily be low because ESCC only becomes aware when an application is made for a top up, so there may be more uptake. The difference with the Voucher Scheme is that it relies on communities getting together to make an application and drive projects forward. There is information on the ESCC web site about the Voucher Scheme and the Team would like to publicise it more but is constrained by resources.

30.6 The Committee commented that the top up for the Voucher Scheme is available for those premises with speeds under 30 Megabits, but previously this was available to those with speeds under 100 megabits, which is having an impact on uptake. This also causes difficulties for some Voucher projects reaching thresholds for the number of properties included in the application. The Team Manager, Economic Development responded that 30 megabits was set as the limit to target the available funding of £500,000 at those premises with the lowest speeds. However, the Voucher Scheme is only one part of the support available. The application thresholds are set by suppliers and there is a possibility that this could be brought down. It was clarified that the definition of a group project is two or more people, but it is better if the people involved are located close together.

30.7 The Committee asked who was responsible for the rollout of gigabit capable services. The Team Manager, Economic Development outlined that the private sector is leading the

rollout of gigabit (1,000 Megabits per second, or Mbps) capable services and the Government is expecting that the private sector will rollout most of the provision. Where the market is not planning to provide gigabit capable services then Project Gigabit led by BDUK will be responsible for the rollout.

Fibre Connections

30.8 The Committee asked about the role of Internet Service Providers (ISPs) in connecting customers to the fibre infrastructure either in the nearest cabinet or at another point in the community. The Team Manager, Economic Development explained that in the first stages of the Project, the fibre infrastructure was provided to the nearest cabinet and the last part of the connection was over existing copper cables. With fibre to the premises provision (which uses a fibre optic cable throughout the connection to the premises) the ISP will make the final connection between a cabinet or point in the community and the customer's premises. How the final connection is charged for is up to the provider.

Final contract and future proofing

30.9 The Committee asked why the figures for the number of properties was lower for the final contract; how easy will it be for the Project infrastructure to be utilised in future; and where are the properties that ESSC is struggling to connect and what are we doing to connect them. The Team Manager, Economic Development responded that in terms of future proofing the Project infrastructure, it has used the best technology currently available. The hard to reach premises are more costly to connect relatively speaking, which has meant the figures for the number of properties that can be connected for the money available is lower. The final contract is delivering gigabit capable services and those premises that the ESSC Superfast Broadband Project is unable to reach will be covered by the Government's Project Gigabit. It is estimated that there around 400 properties still with speeds less the 2 Mbps and around 1,500 premises (0.58% of the total) that have speeds under 10 Mbps that the ESSC Project will not be able to reach, which are scattered around the County.

30.10 It was clarified that the Project Gigabit will cover the final properties without access to superfast broadband services, and that Project Gigabit includes mobile as well as fixed line solutions.

30.11 The Committee RESOLVED to note:

(1) The progress of the Council's third (and final) contract under the national superfast broadband programme; and

(2) The information about future infrastructure build under the Government's "Project Gigabit" programme, including Gigabit Vouchers.

31. WORK PROGRAMME

Forward Plan

31.1 The Committee asked for further information on the Lead Member for Resources item on the Forward Plan for the meeting to be held on 31 March 2022 for the Uckfield and Heathfield Leisure Centres. The Chief Operating Officer outlined that the leases for the joint use agreements with Wealden District Council (WDC) are due to expire in July and the reports are an opportunity to consider the future use of these buildings. It was clarified that the WDC decision not to renew the leases was received in August 2020, and ESSC has been market testing alternative proposals for the buildings during the intervening period. The report on the Forward Plan is a culmination of this process.

Work Programme items

31.2 The Committee discussed various suggestions for additions to the work programme. The actions agreed are summarised below.

31.3 It was agreed that the Committee should invite representatives from Southern Water, the Environment Agency and OFWAT (the Water Services Regulation Authority) to a future meeting to discuss what actions Southern Water are taking to reduce the amount of untreated sewage discharged into water courses and the sea following a number of recent incidents. It was suggested that the approach could be similar to the recent meeting held between Wealden District Council's overview and scrutiny committee and Southern Water on the same topic.

31.4 The Committee discussed requesting an update on the project to replace 'stick on' kerbs on concrete roads, which would include the scope of the project and the funding available. The Director of Communities, Economy and Transport indicated that the department would be happy to provide the Committee with an update on the project to replace 'stick on' kerbs.

31.5 The Committee agreed that it would be a good idea to have an update on the work of the various reference groups and working groups that the Committee has established under the work programme item. This could be through the Chairs of the reference groups.

Highway Maintenance Contract

31.6 The Director of Communities, Economy and Transport provided an update on the Highways Contract – the department is in the middle of the procurement stage of the re-procurement of the contract. Tenders have been received back from the market and evaluation of the tenders has commenced. The outcomes of the tender evaluation process will be shared with the highways reference group at the earliest opportunity.

31.7 The Committee discussed the performance of the current highways contract and the current measures of carriageway condition and the associated intervention policies. Generally, there are concerns from residents about the quality of remedial work to fill in potholes and the re-occurrence of potholes in the same location. There are also concerns about the quality of reinstatement work carried out by utility companies and whether ESCC is relying too heavily on communities to report defects. Some Committee members expressed the desire to be able to scrutinise the current intervention criteria and specification, especially in relation to potholes.

31.8 The Director of Communities, Economy and Transport responded that how repairs are undertaken and when to intervene is a matter of policy which is set by the Council. If intervention criteria are changed this may increase the costs associated with repair work and would have to be considered as part of the RPPR process.

31.9 There are challenges around patching and resurfacing work and the department is currently spending an additional £3.1m on highways. The Director did not agree that the quality of repairs is poor. The quality of work is monitored under the contract and if works are not up to standard the contractor will be required to re-do them at no additional cost. The quality of all larger resurfacing schemes is inspected by the client team.

31.10 Utility company reinstatement works are inspected on a sampling basis by taking cores from reinstatement work. However, utility companies are allowed to make temporary repairs and have 6 months to make a permanent repair. It is also sometimes necessary to make temporary pothole repairs in order to make a defect safe until a more permanent repair can be made, and there are other circumstances where a temporary repair may be used. The Council's performance in terms of carriageway condition compares favourably to other similar local authorities, with 4% of A and B roads requiring repair and 14% of unclassified roads requiring repair.

31.11 The Director of Communities, Economy and Transport outlined that there is also a greater emphasis on quality in the new contract with measures to incentivise a 'right first time' approach. The department would welcome scrutiny's input on monitoring performance and

plans to manage defects going forward. The Director suggested that a useful first step might be to review the previous work scrutiny has undertaken in this area on road repairs and highway drainage to help establish the scope of any future work.

Climate change

31.12 Some Committee members raised whether the exploration of local energy generation projects for the benefit of the community could be included in the work programme and the possibility of looking at the waste disposal contract for income generation opportunities and embedding circular economy principles. It was also suggested that a piece of work could be added on the project evaluation of the warm home checks and retrofitting of energy efficiency measures work carried out by ESCC in conjunction with the District and Borough Councils.

31.13 The Director of Communities, Economy and Transport commented that energy generation projects are topical at the moment with the Government considering the removal of the moratorium for onshore wind farms. However, the Council may not have the expertise to develop such projects. The waste disposal contract already has good income generation from materials recycling and revenue share agreements from electricity generation. There is a strong working relationship with Veolia who are looking at the new technologies available. It might be helpful for scrutiny to undertake some site visits to the energy recovery facility at Newhaven, the composting facility at Whitesmith, a Household Waste Recycling Site and a waste transfer station. It would be possible to add a report on the warm homes work the work programme if the Committee wishes.

Broadband poverty

31.14 It was clarified that providing support for residents who cannot afford broadband services is outside the remit of the department. However, it may be possible to provide information on how the internet providers are approaching this issue.

31.15 The Committee RESOLVED to:

- 1) amend the work programme in line with paragraphs 31.3 and 31.5 above, and
- 2) explore the feasibility of carrying of further scrutiny work on Highways maintenance policies and issues as discussed in paragraphs 31.7 to 31.11.

32. ANY OTHER ITEMS PREVIOUSLY NOTIFIED UNDER AGENDA ITEM 4

32.1 Councillor Steve Murphy raised a number of issues related to the Hailsham East Community Centre (HECC), which he considered should be referred to the Place Scrutiny Committee as they countywide issues. These included:

- No response to a request to have a copy of the lease entered into with the Rye Partnership for Rye Community Centre for comparison with the lease for the HECC which has not been provided;
- A question regarding whether it was appropriate for the Corporate Management Team (CMT) to have taken a decision on whether a Christmas Market and other events should have gone ahead at the HECC over the Christmas period;
- A disagreement with the figures provided for early years provision as the number of places available are limited in the Hailsham area;

- No response has been made to a request for a 1989 Data Protection Act statement for the CCTV system at the Centre and who to contact if you want a copy of the recording;
- The provision of solar panels on the building;
- The patchy quality of WiFi provision at the Centre and no publicly accessible WiFi; and
- A request for the Committee to conduct a site visit to examine the issues raised.

32.2 The Chief Operating Officer commented that he had not appreciated that there were outstanding issues relating to additional requests for information relating to the HECC and outlined he would be happy to investigate and provide the information being requested. He outlined that the HECC is a Children's Services department operational building from which Council services are being provided to the community, and therefore the lease for the building would be different from other buildings used by the community. CMT were involved in the decisions regarding the Christmas market and other events planned over Christmas period due to the wider context of tighter Covid restrictions relating to the Omicron variant in force at the time, and whether it was appropriate for Christmas events to go ahead.

32.3 The Committee discussed the issues and whether they should be included in the Committee's work programme for review. The Committee agreed that Councillor Murphy deserves a response to the issues raised, but they are a specific local matter, and it would not be appropriate for the Committee to look at these matters. The most appropriate course of action for a specific matter like this would be for senior officers to take further action to address the issues raised.

32.4 The Committee RESOLVED:

- 1) to note Councillor Murphy's concerns and that officers will respond to the issues raised; and
- 2) not to add this matter to the Committee's work programme.

The meeting ended at 12.08 pm.

Councillor Matthew Beaver (Chair)