



LEAD MEMBER FOR RESOURCES AND CLIMATE CHANGE

DECISIONS to be made by the Lead Member for Resources and Climate Change,
Councillor Nick Bennett

**TUESDAY, 11 OCTOBER 2022 AT 1.00 PM (OR AT THE CONCLUSION OF FULL COUNCIL,
WHICHEVER IS LATER)**

REMOTE MEETING VIA MICROSOFT TEAMS

AGENDA

1. Decisions made by the Lead Cabinet Member on 20 September 2022 (*Pages 3 - 8*)
2. Disclosure of Interests
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct
3. Urgent items
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
4. Environmentally Sustainable Procurement Policy (*Pages 9 - 18*)
Report by the Chief Operating Officer
5. 1 Southview Close, Crowborough and the access road leading to it (*Pages 19 - 22*)
Report by the Chief Operating Officer
6. Beacongate and The Gables, Crowborough (*Pages 23 - 28*)
Report by the Chief Operating Officer
7. Any non-exempt urgent items previously notified under agenda item 3
8. Exclusion of the Public and Press
To consider excluding the public and press from the meeting for the remaining agenda item on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraphs 1 or 4 of Part 1 of the Local Government Act 1972 (as amended), namely information relating to any individual or information relating to any consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
9. Provision of support for the Coroner's Service for the East Sussex Area (*To Follow*)
Report by the Assistant Chief Executive
10. Any other exempt items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
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3 October 2022

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LEAD MEMBER FOR RESOURCES AND CLIMATE CHANGE

DECISIONS made by the Lead Member for Resources and Climate Change, Councillor Nick Bennett, on 20 September 2022 Via MS Teams

Councillor Wendy Maples spoke on items 4 and 6 (see minutes 30 and 32)

Councillor Georgia Taylor spoke on item 5 (see minute 31)

Councillor Rupert Simmons spoke on items 7 and 11 (see minutes 33 and 36)

Councillor Paul Redstone spoke on item 12 (see minute 37)

26. DECISIONS MADE BY THE LEAD CABINET MEMBER ON 26 JULY 2022

26.1 The Lead Member approved as a correct record the minutes of the meeting held on 26 July 2022.

27. DISCLOSURE OF INTERESTS

27.1 There were none.

28. URGENT ITEMS

28.1 There were no urgent items.

29. REPORTS

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

30. THE EAST SUSSEX SOCIAL VALUE POLICY

30.1 The Lead Member considered a report by the Chief Operating Officer.

DECISIONS

30.2 The Lead Member RESOLVED to:

(1) Approve the East Sussex Social Value Policy.

(2) Authorise the Chief Operating Officer to make, if necessary, minor modification to the Policy after finalisation.

REASONS

30.3 A draft policy for social value was created to fulfil the need for a formalised and consistent approach to social value across all departments and services within ESCC.

30.4 The policy has been reviewed at the Place Scrutiny Committee, giving committee members the opportunity to comment and provide input to the document and to see how it relates to and supports the Council's strategic objectives and Buying Local initiatives.

31. A GRANT OF A NEW LEASE TO FOREST ROW SPORTS GROUND ASSOCIATION

31.1 The Lead Member considered a report by the Chief Operating Officer.

DECISIONS

31.2 The Lead Member RESOLVED to:

(1) Review and consider the surveyor's report (Appendix 1 of the report) made under section 119 of the Charities Act 2011 in relation to the proposed lease as trustee of the Ashdown Forest Trust (the Charity).

(2) Approve the granting of a 21-year lease to Forest Row Sports Ground Association for land forming part of Ashdown Forest on the basis that, having considered the Surveyors Report, the Council is satisfied that the terms of the proposed lease are the best that can reasonably be made for the Charity.

(3) Delegate authority to the Chief Operating Officer to determine the detailed terms of the lease and take any other actions considered appropriate to give effect to the decision.

REASONS

31.3 The current occupancy agreements between The Forest Row Sports Ground Association (the Association), Forest Row Parish Council and the Conservators of Ashdown Forest which expire in January 2023 need to be revised. They currently prevent the Association from improving and investing in the facilities. The Conservators support the continued provision of sports facilities by the Association.

31.4 The lease will be at a peppercorn rental and subject to restrictions imposed by the Ashdown Forest Act and subject to the Association continuing to pursue charitable objectives. The Parish Council have agreed that there is no requirement for their continued involvement in the site and have no objection to the granting of a lease direct to the Association.

31.5 The Association is a registered charity; its objectives are the provision of facilities for recreation and leisure time for the benefit of inhabitants of Forest Row and surrounding areas.

31.6 The County Council, on behalf of the Trust, advertised in a local newspaper, the Sussex Express, seeking any comments on the proposed letting. The closing date was 8 August 2022 and no comments were received.

32. UPDATED LEASE ARRANGEMENTS FOR ACCOMMODATION AT THE PERFORMING ARTS CENTRE, MOUNTFIELD ROAD, LEWES

32.1 The Lead Member considered a report by the Chief Operating Officer together with exempt information contained in a later agenda item.

DECISIONS

32.2 The Lead Member RESOLVED to:

(1) approve the surrender of the existing head lease of parts of the Performing Arts Centre (PAC) between East Sussex College Group and East Sussex County Council (as Trustee of East Sussex Music Trust).

2) approve East Sussex County Council (as Trustee of East Sussex Music Trust) to take a new 20-year lease of the same accommodation at the Performing Arts Centre from East Sussex College Group on similar terms to the existing lease.

3) approve the grant of an underlease for 20 years (less one day) from East Sussex County Council (as Trustee of East Sussex Music Trust) to East Sussex College.

4) delegate authority to the Chief Operating Officer to determine the detailed terms of the head lease and underlease and take any other legal agreements considered appropriate to give effect to these decisions.

REASONS

32.3 The Council, as Trustee for the East Sussex Music Trust, to the lease arrangements set out in the report will enable East Sussex County Council (ESCC) to work with partner organisations to put in place the future arrangements for the PAC. These arrangements ensure continued delivery of the current service at no additional cost to ESCC.

33. HEATHFIELD LEISURE CENTRE, HEATHFIELD

33.1 The Lead Member considered a report by the Chief Operating Officer together with exempt information contained in a later agenda item.

DECISIONS

33.2 The Lead Member RESOLVED to

(1) Note the findings of the public consultation on the future community leisure provision at Heathfield Leisure Centre that took place between 28 June 2022 and 9 August 2022.

(2) Approve to cease provision of non-college community use of the leisure facilities at Heathfield Leisure Centre from 17 October 2022.

(3) Approve the Council working with the College to ensure a smooth transition to exclusive college curriculum use of the leisure facilities.

(4) Delegate authority to the Chief Operating Officer in consultation with the Assistant Chief Executive to carry out all actions necessary to give effect to the recommendations in this report.

REASONS

33.3 In reaching a decision on the future of non-college community use of the leisure centre at Heathfield, the Lead Member carefully considered the consultation feedback; the equality implications set out in the Equality Impact Assessment as well as the wider financial implications.

33.4 The consultation responses provided a number of suggestions relating to changes to the operating model; however, none of these offered a financially sustainable model for continued non-college community use. Even with the proposed changes, significant financial resources would be required to maintain non-college community use of the Centre.

34. EXCLUSION OF THE PUBLIC AND PRESS

34.1 It was RESOLVED to exclude the public and press from the meeting for the remaining agenda items on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraphs 1, 2 or 3 of Part 1 of the Local Government Act 1972 (as amended), namely information relating to any individual, information that is likely to reveal the identity of an individual or information relating to the financial or business affairs of any particular person (including the authority holding that information).

35. UPDATED LEASE ARRANGEMENTS FOR ACCOMMODATION AT THE PERFORMING ARTS CENTRE, MOUNTFIELD ROAD, LEWES - EXEMPT INFORMATION

35.1 The Lead Member considered a report by the Chief Operating Officer which contained exempt information in support of an earlier agenda item.

35.2 The Lead Member RESOLVED to: note the contents of the report and approve the leases in support of an earlier agenda item concerning the Performing Arts Centre.

36. HEATHFIELD LEISURE CENTRE, HEATHFIELD - EXEMPT INFORMATION

36.1 The Lead Member considered a report by the Chief Operating Officer which provided exempt information in support of an earlier item on the agenda.

36.2 The Lead Member RESOLVED to note the report and the detailed financial information contained in the report in support of an earlier agenda item.

37. CONSIDER APPROVAL OF AN EX GRATIA PAYMENT

37.1 The Lead Member considered a report by the Director of Children's Services.

DECISIONS

37.2 The Lead Member RESOLVED to approve the recommendations in the report, for the reasons set out in the report. The decision and reasons are set out in an exempt minute.

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Report to: Lead Member for Resources and Climate Change

Date of meeting: 11 October 2022

By: Chief Operating Officer

Title: Environmentally Sustainable Procurement Policy

Purpose: To consider adoption of the Environmentally Sustainable Procurement Policy

RECOMMENDATIONS:

The Lead Member for Resources and Climate Change is recommended to:

- (1) Review and approve the County Council's adoption of the Environmentally Sustainable Procurement Policy set out in Appendix 1.
 - (2) Delegate authority to the Chief Operating Officer to review the policy annually and update it in light of relevant changes, to ensure the policy remains fit for purpose.
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1 Background Information

1.1 This report sets out the proposed policy to improve environmental considerations in the Council's procurement activities. This will support the objectives in the Environment Strategy for East Sussex (2022-25) and the County Council's Climate Emergency Declaration and Action Plan. Environmental considerations covered by the policy include, but are not limited to, the reduction of greenhouse gas emissions, minimising waste, protecting biodiversity and tackling the impacts of climate change. This policy aims to be adopted by the combined Orbis Procurement Local Authorities to increase the effectiveness of environmental measures, simplify processes for prospective suppliers and create consistency across the partners.

2 Supporting Information

2.1 A clear understanding of the carbon emissions generated by our activities is a key foundation for working towards net zero. The carbon emissions of an organisation are usually divided into the following 3 categories:

- Scope 1 – emissions from the combustion of gas, oil, petrol, diesel, coal, or wood. For the Council this covers buildings and vehicles.
- Scope 2 – emissions from the electricity purchased by the Council
- Scope 3 – emissions that result from all other activities of the Council, including business travel, water usage, waste, procurement and staff commuting. In other words, the County Council's scope 3 emissions mostly comprise the scope 1 and 2 emissions of other organisations (e.g. contractors).

Carbon emissions by scope in 2021 (tCO₂e)

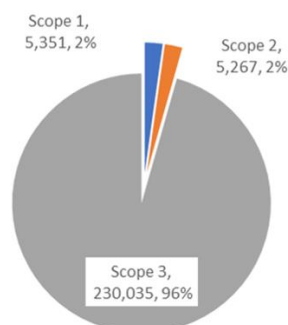


Figure 1. Council scope 1-3 emissions in 2020-21.

- 2.2 Figure 1 is a pie chart that shows the estimated split of the Council's carbon emissions between scopes 1, 2 and 3 in 2020-21. The chart shows that scope 1 emissions contribute about 2% of total Council carbon emissions, scope 2 contributes a further 2% and Scope 3 contributes about 96% of emissions. In other words, the majority of the Council's emissions are as a result of the goods, works and services that the Council procures in order to deliver its statutory functions.
- 2.3 The Environmentally Sustainable Procurement Policy set out in Appendix 1 aims to improve the environmental considerations built into the core delivery of goods, works and services that the Council procures. Having declared a climate emergency and published both the East Sussex Environment Strategy and the Climate Emergency Plan, this policy supports the net zero targets of the Council and will aim to embed environmental sustainability, such as increases to East Sussex's biodiversity and reducing waste, into procurement decisions. This policy will prepare prospective suppliers for the environmental considerations and expectations that will be implemented into the Council's future contracts. Increasing environmental considerations across the Council's procurement activity presents a significant opportunity to influence a reduction in carbon emissions across the Council's services.
- 2.4 As national policy and technology are rapidly changing, the policy must also be agile. Therefore, it is recommended that delegated authority be given to the Chief Operating Officer to review the policy annually and update it in light of relevant changes, to ensure the policy evolves as needed and remains fit for purpose.
- 2.5 The Environmentally Sustainable Procurement Policy was co-developed by Orbis Procurement, which is a public sector shared procurement service between East Sussex County Council, Surrey County Council and Brighton & Hove City Council. The combined service aims to drive efficiencies, pool resources, expertise and knowledge, create greater operational resilience and deliver greater value for money through increased standardisation and removal of duplication.

Implementation of the Policy

- 2.6 The Policy seeks to increase the effectiveness and consistency in tackling environmental issues through procurement, as well as simplify processes for prospective suppliers. Environmental considerations will be built into relevant projects through specifications, tender questions, evaluation criteria, key performance indicators and contract clauses where relevant and appropriate to the procurement project. Relevance will depend on aspects such as what is being procured, value, longevity of the contract and market readiness.
- 2.7 The policy is supplier facing and aims to prepare prospective suppliers by setting out the Council's expectations regarding environmental considerations in the delivery of their goods, works and services. As the Council's supply chain matures and becomes more able to meet environmental performance goals, increasingly ambitious and challenging targets can be set for suppliers, especially regarding carbon emissions, to enable the Council to reach its net zero emissions target.
- 2.8 It is recognised that not all of the Council's bidders and suppliers will currently be able to provide data and information on their environmental plans due to factors such as organisation size, available resources and maturity. The Council will aim to support organisations where feasible, such as the support provided to small and medium-sized local suppliers through the Low Carbon Across the South East (LoCASE) programme of free energy audits and energy efficiency grants.
- 2.9 For suppliers who have engaged in a contract with the Council, if there is continued or significant failure to meet performance measures, or if there is obvious negligence or disregard for the environment, remedial actions will be taken. Remedial actions are to be decided by contract managers but can include the termination of a contract as a last resort.

- 2.10 To aid effective implementation and embedding of the policy, guidance materials will be provided to officers. This material will provide information on where, when and to what extent environmental measures should be applied and will develop over time as category specific interventions are tested with Directorates and other mechanisms are piloted. These materials will include, for example, minimum environmental standards for procurements, tailored to value and service area, and the development of a supplier carbon reporting process. In addition, and in recognition of the scale of the challenge in reducing carbon emissions from procurement, the Council will be recruiting two additional officers to lead on sustainable procurement, using the additional budget agreed by Cabinet for climate change in 2021-22.
- 2.11 Financial and non-financial risks will need to be considered by project leads for each procurement that the policy is applied to, on a case-by-case basis. There is a risk that improving the environmental considerations of the Council's procurement activities will increase costs of some procured goods, works and services. There is also a risk that higher expectations on our supply chain may discourage prospective suppliers from bidding for Council contracts. To mitigate these risks early market engagement and negotiations (where relevant) will take place and will be managed by each project team following existing governance and budget processes and the policy will only be applied where relevant, as noted above. In addition, consultation work has also begun to understand what measures can be applied to procurement projects to improve the cost efficiency of including environmental considerations, as well as further understand how short-term increased costs could lead to longer term benefits and future cost savings.
- 2.12 Following approval of the Policy, the implementation support work detailed above will be completed and the policy will be published on the Council's website. Once implemented, the effects of the policy will be monitored to ensure that it is reducing carbon emissions, markets are not being inappropriately restricted through increasing environmental considerations and there is not a detrimental impact on costs.

3 Conclusion and Reasons for Recommendations

It is recommended that the Lead Member for Resources and Climate Change:

- 3.1 Approves the Environmentally Sustainable Procurement Policy on behalf of the County Council, to support the Council's objectives in the East Sussex Environment Strategy and its commitment to get to net zero by 2050 at the latest.
- 3.2 Delegates authority for approving any future changes to the Policy to the Chief Operating Officer, to enable the policy to evolve and adapt to local and national developments.

ROS PARKER
Chief Operating Officer

Contact Officer: Andy Arnold
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LOCAL MEMBERS: All

BACKGROUND DOCUMENTS

- 1) East Sussex Environment Strategy: [Environment Strategy 2020 | East Sussex County Council](#)
2) East Sussex County Council Climate Emergency Plan for 2020-22: [Climate change – what we are doing | East Sussex County Council](#)

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Appendix 1 - Orbis Environmentally Sustainable Procurement Policy

March 2022

Document Information	
Owner:	Darron Cox (Director of Procurement)
Author:	Gavin Marshall (Sustainable Procurement Manager)
This Policy Applies To:	Suppliers and Bidders of Surrey County Council, East Sussex County Council and Brighton and Hove City Council (Orbis Procurement)
Last Reviewed:	27/09/2022
Next Review Date:	01/09/2023
Enquiries Point of Contact:	Gavin.Marshall@surreycc.gov.uk

Version	Date	Amended By	Approved By	Details
0.1	20/09/2021	GM		Initial Draft
0.7	21/12/2021	GM, FH (BHCC), GW		
0.8	26/01/2022	GM, SW, PT, AK, RG		
0.9	28/03/2022	GM, BHCC, ESCC, SCC		
0.10	26/04/2022	GM, AE, FH		
0.11	05/05/2022	GM, Orbis SLT		
0.12	07/09/2022	AE	DC	Cabinet Draft Report Review

Introduction

Orbis Procurement is a public sector shared procurement service between Surrey County Council, East Sussex County Council and Brighton & Hove City Council (the Councils). Each Council is committed to ensuring their operations are environmentally sustainable and resilient to future change. The Councils recognise that a healthy and properly functioning natural environment is the foundation of a thriving economy, employment stability, prospering communities and personal wellbeing. The Councils are aware that their procurement of goods, works and services will have environmental implications, both in their respective local areas and around the planet and, as a result, the Councils are actively working to reduce and minimise these negative effects where possible. This policy will set out the Councils' expectations of prospective suppliers in line with their own environmental commitments.

Environmentally sustainable procurement is the commissioning, purchase and management of goods, works and services in a way that reduces or negates negative environmental impacts within the supply chain. This policy considers four interconnected focus areas of environmentally sustainable procurement (detailed definitions can be found at the end of this document):

- Climate Change Mitigation and Adaptation;
- Prevention of Pollution;
- Sustainable Resource Use and Consumption; and
- Protection and Restoration of Biodiversity.

As a result of this policy, environmental considerations will be built into the procurement and delivery of goods, works and services through specifications, tender questions, evaluation criteria, key performance indicators and clauses of contracts.

Each of the Orbis Procurement Councils have declared a Climate Emergency and have set themselves ambitious targets to achieve net zero carbon emissions. Local Authority supply chains are estimated to account for up to 90% of their total carbon footprint. Emissions from goods, works and services procured by the Councils form part of the “scope 3” emissions of each Authority and, where possible, we are seeking to decarbonise these in line with Council specific carbon reduction targets. In addition, the Councils’ have each committed to improve biodiversity, recover natural capital or enhance the natural environment. The procurement of goods, works and services have been identified as a Strategic Priority to drive significant carbon reductions and improve the natural environment.

For more information on specific targets and ambitions for each Authority, please refer to the relevant Authority’s website.

Scope and Aims

The scope of this policy covers each of the Councils’ expectations of prospective suppliers in procurement activities performed by the Councils including commissioning, procurement and contract management.

This policy aims to minimise negative and promote positive environmental impacts, where possible, within each Councils’ supply chain. This will be done by:

- Engaging with the market to identify opportunities and encourage innovative solutions;
- Evaluating environmental implications and their relation to Council targets in commissioning, design and procurement processes including qualification and evaluation of bidders;
- Building environmental commitments and targets into relevant supplier contracts, these may include carbon focused outcomes that align with the Councils’ carbon targets for example;
- Monitoring and measuring supplier performance against contractual environmental commitments; and
- Seeking opportunities for continuous improvement with suppliers throughout the life cycle of the contract.

This policy is part of a wider policy through procurement approach and is complementary to social value and fair working practices within procurement; please refer to the Councils’ websites for developments in these areas.

Expectations

Where relevant and appropriate to the contract and decided on a case by case basis, the Councils expects prospective suppliers to:

Climate Change Mitigation and Adaptation

- Provide requested information and details of environmental impacts (including carbon emissions scopes 1 and 2 with estimations on scope 3), corporate commitments and plans for improvement during the procurement process;
- Meet requirements for environmental impact improvement and reporting (such as carbon emission reduction) which have been built into the specification of contracts, where appropriate, and measure and report on these requirements throughout the contract lifetime, taking corrective and remedial actions if necessary;
- Commit to mitigating impact on climate change throughout operations through carbon reduction initiatives as well as encourage and support this practice throughout their own supply chains;
- Minimise the transport requirements associated with any contract through local sourcing and servicing, efficiency improvements or transport alternatives (such as using postal services, active transport or electric vehicles) to minimise air pollution and carbon impact of transport operations;
- Use and procure energy-efficient processes, products, buildings and services and source electricity from renewable energy sources, green energy tariffs and low carbon fuels;
- Ensure that goods, works and services take into account changing weather impacts as a result of climate change (such as severe storms, heat waves and flooding) so that they are well adapted and resilient;

Prevention of Pollution

- Avoid and minimise consumption and waste through smart design and innovation where products, packaging and assets can be easily reused, repurposed, repaired or recycled (removing single-use plastics, where there are suitable alternatives) without jeopardising the quality of products or services provided;
- Treat and manage waste following all legal requirements and industry best practice throughout the supply chain;
- Implement measures to eliminate the escape of pollutants and waste, including litter, associated with service delivery;
- Determine and minimise the risk of negative water impact, with particular focus on water use, waste water and discharges into the water system;

Sustainable Resource Use and Consumption

- Adopt and promote circular economy principles throughout product life cycles with considerations to making and using products made from non-virgin, repurposed and local materials (where possible);
- Make, use and promote products made from natural, biodegradable and renewable materials where appropriate and avoid the use of toxic chemicals and products that are not cruelty-free;
- Where possible and appropriate, avoid the use of materials which are scarce or at risk of becoming so (such as rare earth elements) and find sustainable alternatives;

Protection and Restoration of Biodiversity

- Avoid and minimise the use of products, chemicals and materials that cause habitat destruction and degradation (such as deforestation for palm oil), demonstrating industry certifications where appropriate;
- Commit to remove adverse effects on biodiversity and natural habitats, avoiding damage and achieving measurable, long-term and secured biodiversity net gain and restoring natural capital, when possible;
- Support and promote use of products, materials and services that protect and enhance native biodiversity;
- Source sustainable, organic and local food and drink, avoiding unsustainable fishing and farming practices, in relevant catering contracts;

Cross Cutting Requirements

- Declare any related organisational Environment Agency enforcement actions, or actions taken by similar bodies, within the previous 3 years as a result of environmental incidents or breaches in environmental permits and any associated remedial actions;
- Increase organisational understanding in the importance of the environment and approaches to minimise negative impacts through staff training and, where appropriate, supplier training;
- Continue to explore innovative solutions to reducing or negating environmental damage as well as promote environmental improvements during the lifetime of contracts; and
- Seek opportunities to work with the Councils to improve mitigation efforts on environmental impacts.

Compliance

Prospective suppliers may be asked to provide evidence of environmental initiatives, credentials, industry certifications, plans or commitments at the tender stage (environmental obligations and related KPI's will be contained clearly in the tender documentation) and contract delivery stages. Depending on the procurement, failure to provide these may result in lost scoring opportunities or exclusion from prequalification or tender. The Councils recognise that not all suppliers will currently be able to provide data, credentials, plans or commitments to environmental initiatives due to multiple reasons, such as organisational maturity or size. As a result, the Councils will aim to work collaboratively with these organisations to understand what options could be taken to support the supplier and improve any environmental considerations, both during the tender process and progressing through the lifetime of contracts. Where it is decided that the Council will work with a provider to assist in implementing environmental changes to the service, methods for how the Council will do this will be included in the tender documentation. However, the Councils will look to gradually increase and improve environmental considerations in future procurement activity as suppliers and sectors grow in environmental maturity.

The Councils will aim to set performance measures that are proportional and relevant to the contract. Suppliers are expected to meet all performance measures which are built into the contract and will be required to evidence progress on their environmental commitments, which may include reporting on information from other parties in their supply chain (scope 3 emissions and material sources for example). If there is continued or significant failure to meet performance measures and sustainability obligations, remedial actions will be taken. This may include, but is not limited to, requests for approved carbon offset project payments, payment reductions, or lastly, contract termination.

In the unlikely event of any significant environmental incident in the supply chain, the supplier is obligated to inform the respective Council as soon as possible. If a supplier is responsible for significant environmental damage (such as a chemical spill or illegal dumping) due to negligence or disregard within their operations, the Councils will take remedial actions and may seek remedies for incurred costs and retain the right to terminate the contract with the offending supplier if necessary.

Suppliers are encouraged to raise any environmental concerns, feedback or improvement opportunities they have identified with the respective Council. Where viable, the relevant Council will seek to explore and action environmental improvement opportunities with suppliers.

Definitions

Biodiversity – Biodiversity describes the variety of all life on Earth, in all its forms, interactions and interconnectedness. It incorporates all habitats and species, both rare and common, and includes genetic diversity within species.

Circular Economy – A model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products as long as possible. In this way, the life cycle of products is extended.

Climate Emergency – A declaration made by an organisation committing it to take urgent action to reduce greenhouse gas emissions and detrimental actions affecting the stability of the climate. Without action to help mitigate and reverse the effects of climate change, the impacts will be felt across the country, which will affect our services and our most vulnerable residents.

Cruelty Free – Manufactured and developed by methods which do not harm animals.

Environment Agency Enforcement Actions – Formal cautions and prosecutions carried out by the Environment Agency to enforce laws and permits that protect the environment.

Environmental Maturity – An organisation's ability to implement more ambitious, complex, robust and resilient environmentally conscious practices. Maturity differs among organisations and industries because of the unique obstacles they each must overcome.

Greenhouse Gases – A gas that contributes to the greenhouse effect and climate change by absorbing infrared radiation. Carbon dioxide, methane, nitrous oxide and chlorofluorocarbons are examples of greenhouse gases.

For simplicity in this policy, we use the term 'carbon' as shorthand for all greenhouse gases.

Natural Capital - Stocks of the elements of nature that have value to society, such as forests, fisheries, rivers, biodiversity, land and minerals. Natural capital includes both the living and non-living aspects of ecosystems.

Net Zero – Achieving a balance between the carbon emitted into the atmosphere, and the carbon removed from it. This balance will happen when the amount of carbon we add to the atmosphere is no more than the amount removed. Emissions are removed in line with the latest climate science and 1.5°C trajectory.

Scope 1 Carbon Emissions – Those emissions that an organisation makes directly. For example, emissions from fuel that is directly used while running boilers and vehicles.

Scope 2 Carbon Emissions – Emissions coming indirectly from an organisation. This is mainly the generation and distribution of electricity the organisation buys from the National Grid.

Scope 3 Carbon Emissions – Emissions associated with the goods, works and services that are produced elsewhere but consumed by the organisation. This category includes all the emissions the organisation is indirectly responsible for, up and down its supply chain.

Significant Environmental Incident – An event that would need to be reported to the Environment Agency, or similar national body, or where damage is of a nature or quantity which poses a threat to the health or safety of humans, animals or vegetation that is not expected to dissipate within twenty-four hours either naturally or by human intervention.

Report to: Lead Member for Resources and Climate Change

Date of meeting: 11 October 2022

By: Chief Operating Officer

Title: 1 Southview Close, Crowborough and the access road leading to it

Purpose: To declare surplus to requirements and to approve the disposal of 1 Southview Close and the access road

RECOMMENDATIONS

The Lead Member for Resources and Climate Change is recommended to:

- 1) declare property known as 1 Southview Close and adjacent access road (the Property) surplus to requirements;
 - 2) approve the disposal of the Property; and
 - 3) delegate to the Chief Operating Officer to review offers received following the marketing of the property and approve a preferred purchaser to secure best value in accordance with s123 of the Local Government Act 1972.
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1 Background

- 1.1 1 Southview Close, Crowborough and adjoining access road (the Property) is surplus to East Sussex County Council's (ESCC) operational requirements. The location of the Property can be seen at Appendix 1. The Property was previously used as a Day Service for Adult Social Care. This Day Service for Adult Social Care was relocated to Hookstead following a decision by the Lead Member Adult Social Care and Health on 9 June 2016 to refurbish Hookstead as a replacement property to deliver this service.
- 1.2 The Property has been considered for other projects, but no operational use has been identified.
- 1.3 The access road forming part of the freehold interest in the Property is unadopted and has no public highway status.
- 1.4 ESCC do not want to retain the ownership of the access road as ESCC will have no operational use for it and it will remain a liability for ESCC to maintain and manage.
- 1.5 The access road is used by adjoining residential properties. The Property and the access road will be sold subject to the existing rights of way benefiting the adjoining private residential houses. The adjoining residential owners will be informed that ESCC intend to sell the Property prior to the commencement of marketing and of the requirement on the purchaser to maintain existing rights of access.

2 Supporting information

- 2.1 Subject to Lead Member for Resources and Climate Change approval, the site will be advertised on the open market via an external agent in November 2022 with a decision made by the Chief Operating Officer under delegated powers in early 2023. The residents of Southview Close will be informed prior to marketing.
- 2.2 The disposal of the asset will provide a capital receipt that will contribute to the Council's capital programme and reduce revenue liabilities relating to the management and maintenance of the asset.

- 2.3 It will be made clear to the preferred bidder that:
- 2.3.1 if an offer is accepted it will be subject to contract and approval of title;
 - 2.3.2 if a higher offer is received prior to exchange of contracts, ESCC shall consider the higher bid; and
 - 2.3.3 if the proposed buyer attempts to reduce the price, or an issue arises that prevents the disposal from proceeding during the legal process, or if the bidder is not completing the transaction in a timely manner, then ESCC will revert to the bidder that is next in line in the score rating and that is in a position to proceed.

3 Conclusion and reasons for recommendations

- 3.1 The property is no longer required for ESCC operational purposes. ESCC propose to market and dispose of the property in order to reduce cost and liability and to achieve a capital receipt. The capital receipt will be used to fund the existing 10- year capital programme, therefore reducing the requirement to borrow.
- 3.2 It is recommended that the Lead Member Resources and Climate Change:
- 3.2.1 Declares the Property surplus to requirements.
 - 3.2.2 Approves the disposal of the Property.
 - 3.2.3 Delegates to the Chief Operating Officer to review offers received following the marketing of the property and approve a preferred purchaser to secure best value in accordance with s123 of the Local Government Act 1972.

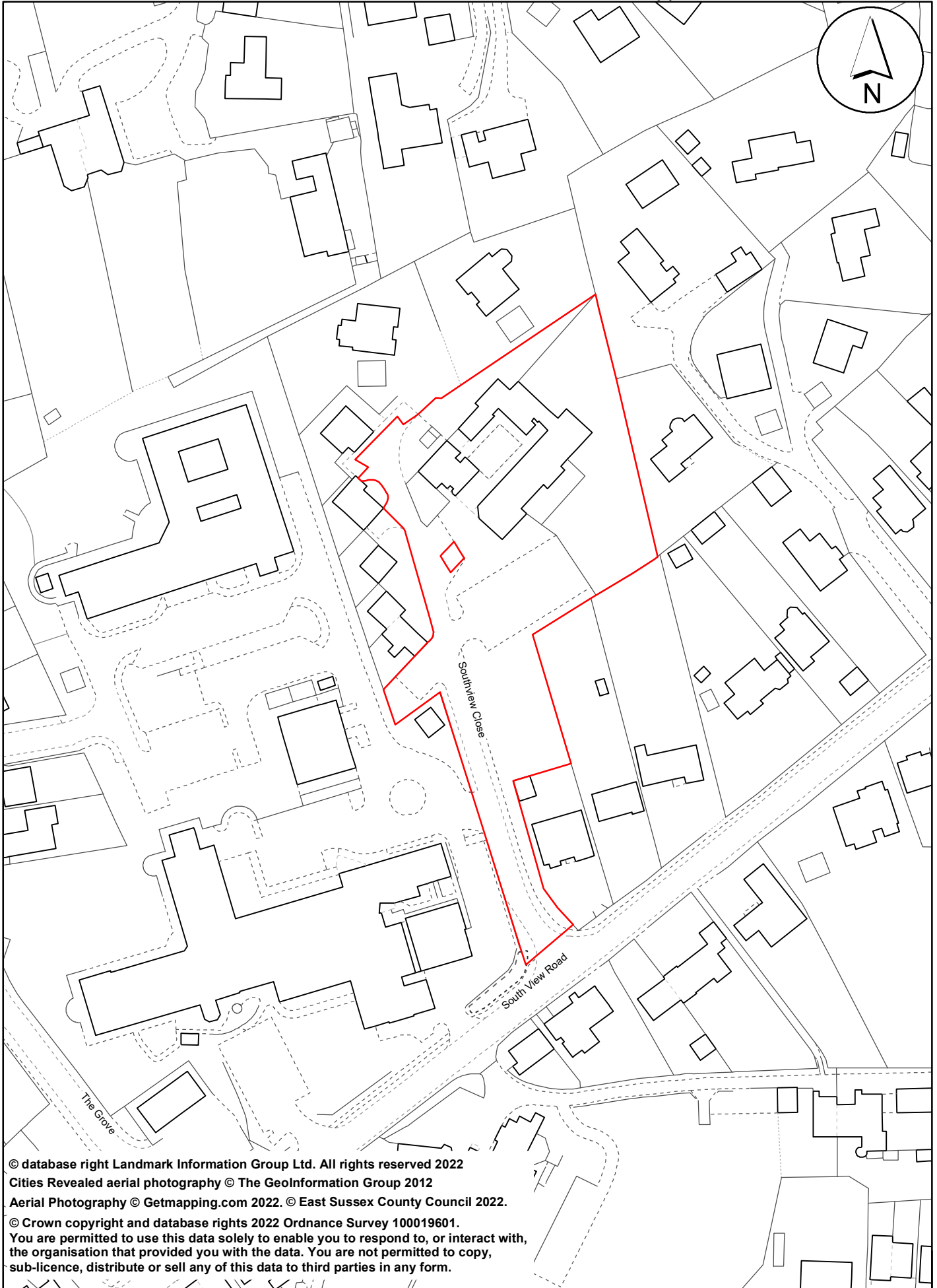
ROS PARKER
Chief Operating Officer

Contact Officer: Zoe Tweed
Email: zoe.tweed@eastsussex.gov.uk

Assistant Director – Property: Nigel Brown
Email: nigel.brown@eastsussex.gov.uk

LOCAL MEMBERS

Councillor Howell



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Report to: Lead Member for Resources and Climate Change

Date of meeting: 11 October 2022

By: Chief Operating Officer

Title: Beacongate and The Gables, Crowborough

Purpose: To declare surplus to requirements and to approve the disposal of Beacongate and The Gable, Crowborough

RECOMMENDATIONS

The Lead Member for Resources and Climate Change is recommended to:

- 1) declare surplus to requirements two properties known as Beacongate and The Gables (the properties);
 - 2) approve the disposal of the Properties; and
 - 3) delegate authority to the Chief Operating Officer in consultation with NHS England to (a) review the bids for the Property following the marketing exercise, and (b) to make an analysis of the bids and select a preferred purchaser to support best value in accordance with s123 of the Local Government Act 1972.
-

1 Background

- 1.1 Beacongate, Beacon Road, Crowborough, and The Gables, Beacon Close, Crowborough (the Properties) are surplus to East Sussex County Council's (ESCC) operational requirements. The location of Beacongate can be seen as the hatched area on Appendix 1 and The Gables, as the hatched area on Appendix 2. The Properties are on adjoining sites and were previously used as residential settings for delivery of Adult Social Care (ASC) services. These services for Adult Social Care were relocated to Hookstead following a decision by the Lead Member for Adult Social Care and Health on 9 June 2016 to refurbish Hookstead as a replacement property to deliver this service.
- 1.2 The Properties are held freehold by ESCC and are subject to a Grant agreement dated 15 March 2011 and a Deed of Charge also dated 15 March 2011. The East Sussex Weald and Primary Care Trust (the Trust) as part of the NHS provided capital funding to provide the accommodation at the Properties. The Trust is no longer in existence due to changes within the NHS. The NHS interest is now represented by NHS England (NHSE). When the Properties are sold, the capital receipt minus any ESCC costs, will be payable to NHS England.
- 1.3 Receipts from sales of assets with NHSE legal charge go back to the National Learning Disability and Autism Capital Programme budget for reinvestment, aligned to national and regional priorities. ESCC ASC are currently reviewing their service needs and it is likely an application for new capital to invest from NHSE will be considered and if so an application would go to NHSE England.
- 1.4 NHS England have been consulted and have asked that in accordance with the Capital Grant Agreement the Properties be placed on the open market.

2 Supporting information

- 2.1 Subject to Lead Member for Resources and Climate Change approval, the site will be advertised on the open market via an external agent in November 2022 with a decision

made by the Chief Operating Officer under delegated powers and in consultation with NHS England in early 2023.

- 2.2 The disposal of these assets will reduce revenue liabilities relating to the management and maintenance of the properties.
- 2.3 It will be made clear to the preferred bidder that:
 - 2.3.1 if an offer is accepted it will be subject to contract and approval of title;
 - 2.3.2 if a higher offer is received prior to exchange of contracts, ESCC shall consider the higher bid; and
 - 2.3.3 if the proposed buyer attempts to reduce the price, or an issue arises that prevents the disposal from proceeding during the legal process, or if the bidder is not completing the transaction in a timely manner, then ESCC will revert to the bidder that is next in line in the score rating and that is in a position to proceed.

3 Conclusion and reasons for recommendations

- 3.1 The property is no longer required for ESCC operational purposes. ESCC proposes to market and dispose of the property to meet the requirements of the Capital Grant Agreement and provide capital receipt for NHS projects, whilst minimising any ongoing maintenance and revenue implications connected with the Properties.
- 3.2 The Lead Member Resources and Climate Change is recommended to:
 - 3.2.1 Declare Beacongate and The Gable surplus to requirements.
 - 3.2.2 Approve the disposal of The Properties.
 - 3.2.3 Delegate to the Chief Operating Officer to review offers received following the marketing of The Properties in consultation with the NHS and approve a preferred purchaser to secure best value in accordance with s123 of the Local Government Act 1972.

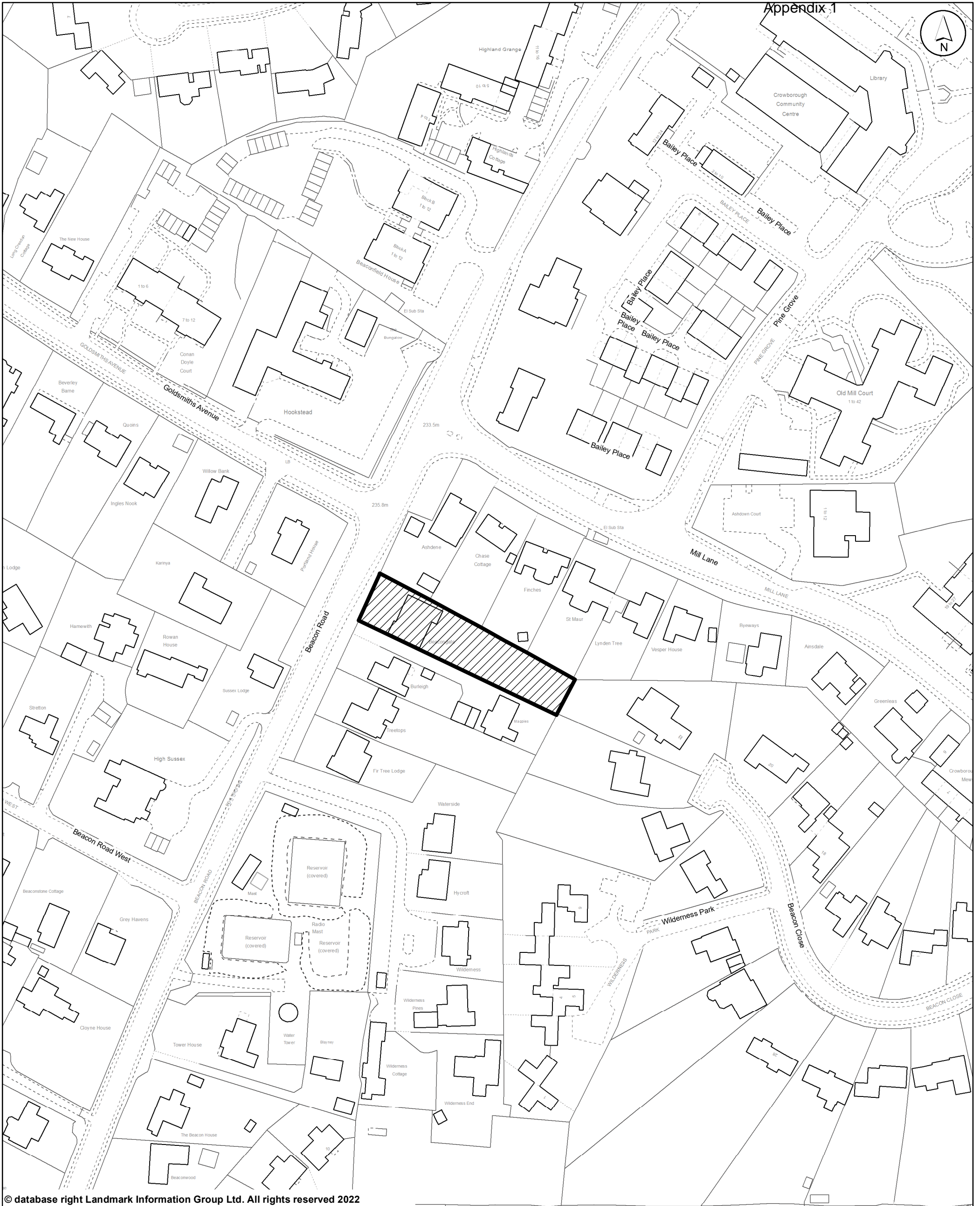
ROS PARKER
Chief Operating Officer

Contact Officer: Zoe Tweed
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Map Title: Beacongate, Beacon Road, Crowborough, TN6 1AZ

Date: 29/09/2022

Map No: 1

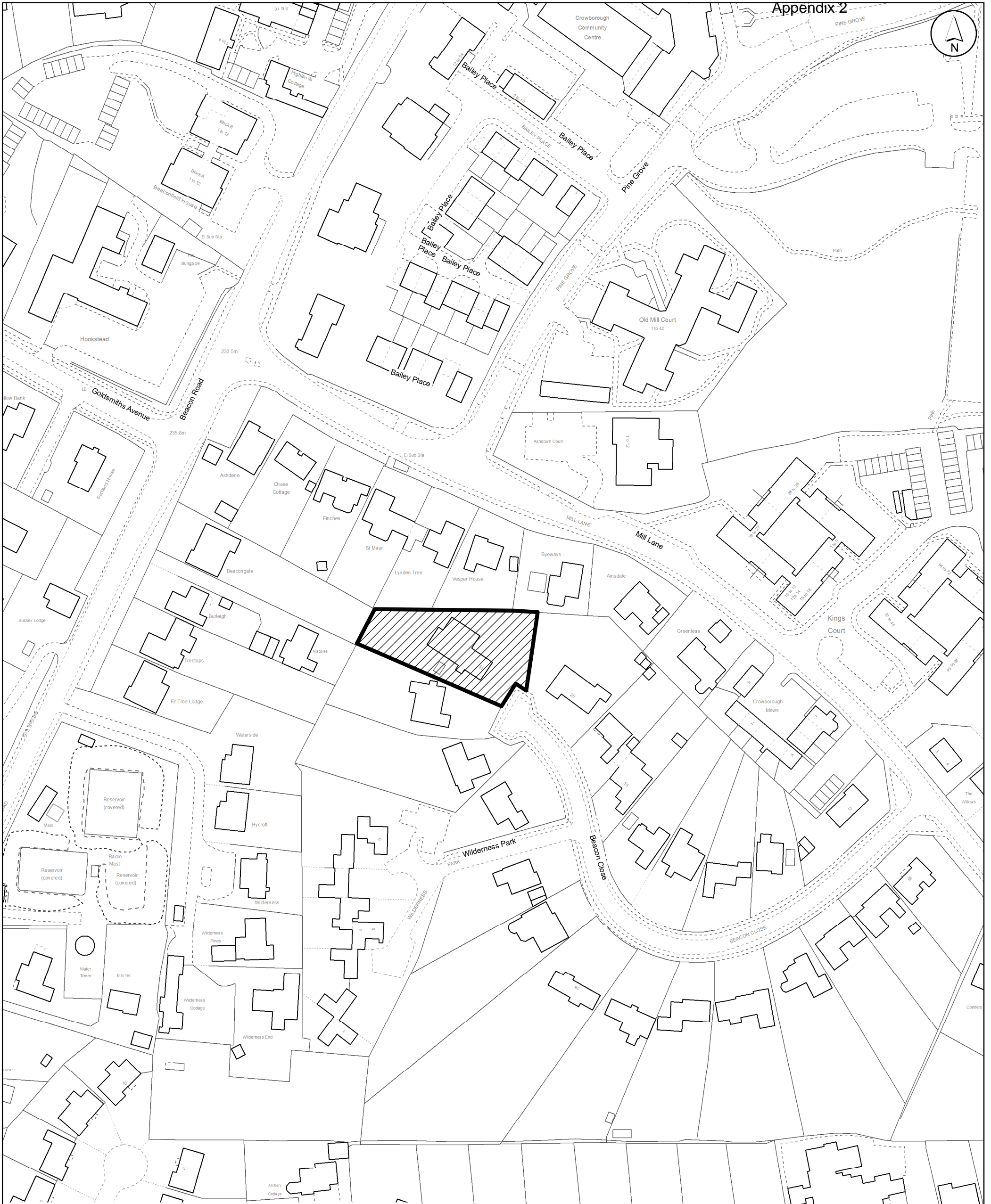
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Page 25
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East Sussex
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County Hall
St Annes Crescent
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Map Title: The Gables, Beacon Close, Crowborough, TN6 1DX		East Sussex County Council County Hall St Annes Crescent Lewes 
Date: 29/09/2022	Map No: 1	
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