

MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held in the Council Chamber, at County Hall, Lewes on 6 FEBRUARY 2024 at 10.00 am

Present Councillors Sam Adeniji, Abul Azad, Matthew Beaver, Colin Belsey, Nick Bennett, Bob Bowdler, Charles Clark, Chris Collier, Anne Cross, Godfrey Daniel, 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, Wendy Maples, Sorrell Marlow-Eastwood, Carl Maynard, Matthew Milligan, Steve Murphy, Peter Pragnell (Chairman), Paul Redstone, Christine Robinson, Pat Rodohan, Phil Scott, Daniel Shing, Stephen Shing, Alan Shuttleworth, Bob Standley, Colin Swansborough, Georgia Taylor, David Tutt, John Ungar and Brett Wright.

42. Minutes of the meeting held on 10 October 2023

42.1 RESOLVED – to confirm as a correct record the minutes of the County Council meeting held on 10 October 2023.

43. Apologies for absence

43.1 Apologies for absence were received on behalf of Councillors Sarah Osborne, and Trevor Webb.

44. Chairman's business

FORMER COUNCILLOR OLIVE WOODALL

44.1 The Chairman began with the sad news of the death of former Councillor Olive Woodall. Olive was elected to the County Council in 1997 and represented the Hampden Park division in Eastbourne. She also served as a councillor on Eastbourne Borough Council and was elected to serve as Mayor of Eastbourne. The Council stood for a moment's silence as a mark of respect to Councillor Woodall.

KING CHARLES

44.2 The Chairman acknowledged the news of King Charles' cancer diagnosis and committed to write to his majesty on behalf of the Council to wish him well, and a speedy recovery.

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NEW YEAR'S HONOURS

44.3 On behalf of the Council, the Chairman congratulated all those who live or work in East Sussex who were recognised in the New Year's honours.

CHAIRMAN'S ACTIVITIES

44.4 The Chairman reported that he had attended the Royal Society of St George's Trafalgar Dinner in Eastbourne, His Majesty's Lord-Lieutenants of East and West Sussex Awards in Lancing, the Lord-Lieutenant's Royal Visit and ceremonial tree planting to commemorate the Coronation in Lewes, the Eastbourne Silver Band Annual Conference of Remembrance, the Honorary Freeman Inauguration Ceremony in Eastbourne, the Lewes Remembrance Service, the Royal Society of St George's Service of Remembrance for the Canadians, Irish and West Indians in Seaford, the East Sussex Prayer Breakfast at the Winter Garden, Eastbourne, the Winchelsea Italian Event, the Ashdown Forest Foundation's Christmas Celebration and Evening Performance at the Ashdown Park Hotel & Country Club, the Friends of Arundel Cathedral Christmas Pontifical Sung Vespers, the Newhaven Community Carol Concert at St Michael's Church, the West Sussex Fire and Rescue Service and County Council Carol Service at Chichester Cathedral, the Civic Carol Service at St Mary the Virgin Church in Swanley, the Chairman's Christmas Reception in Robertsbridge, the Seahaven Branch of the Royal Society of St George's Christmas Dinner, the Cathedral Carol Service at Chichester Cathedral, a Citizenship Ceremony in Hastings, and the Polegate Drama Group's production of Robinson Crusoe and the Pirates at Polegate Community Centre.

44.5 The Chairman thanked the Vice Chairman for his ongoing support.

PETITIONS

44.6 The following petitions were presented before the meeting by Councillors:

- | | |
|-------------------------|---|
| Councillor Galley | - calling on the County Council to reopen the Buxted 24 footpath, before the current temporary closure order expires (March 2024). |
| Councillor Kirby-Green | - calling on the County Council to "Make Burwash Village safer" - To proceed without further delay with a simple and affordable 20mph safety scheme, which requires just the change of signage. |
| Councillor Julia Hilton | - calling on the County Council to make 20mph the default speed on the County's residential streets. |

PRAYERS

44.7 The Chairman thanked the Reverend Canon Martha Mutikani, Associate Vicar of the Uckfield Plurality for leading prayers before the meeting.

45. Questions from members of the public

45.1 Copies of questions from members of the public and the answers from Councillor Gerard Fox (Chair of the Pension Committee) and Councillor Glazier, Leader and Lead Member for Strategic Management and Economic Development are attached to these minutes. A supplementary question was asked and responded to.

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46. Declarations of Interest

46.1 Councillor Kathryn Field declared a personal, non-prejudicial interest in Item 7 as the Chair of Battle Pre-School.

46.2 Councillor David Tutt declared a personal, non-prejudicial interest in Item 9 as a member of a consumer challenge group with Southern Water.

47 Reports

47.1 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 (Annual Progress report for Looked After Children’s Services), paragraph 2 (Reconciling Policy, Performance and Resources), paragraph 4 (Scrutiny Review of School Exclusions) and paragraph 5 (Scrutiny Review of Pothole Management).

People Scrutiny Committee report – paragraph 1 (Scrutiny Review of School Exclusions)

Place Scrutiny Committee report – paragraph 1 (Scrutiny Review of Pothole Management)

NON-RESERVED PARAGRAPHS

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

Cabinet report – paragraph 3 (Council Monitoring: Quarter 2 2023/24), paragraph 6 (Treasury Management Policy and Strategy 2024/25) and paragraph 7 (the Conservators of Ashdown Forest – 2023/24 forecast outturn position and updated medium term financial plan including the 2024/25 budget)

Governance Committee report – paragraph 1 (Pay Policy Statement)

48. Report of the Cabinet

Paragraph 1 – Annual Progress report for Looked After Children’s Services.

48.1 Councillor Bowdler introduced the reserved paragraph in the Cabinet’s report.

48.2 The paragraph was noted after the debate.

Paragraph 2 – Reconciling Policy, Performance and Resources.

48.3 Under Standing Order 23, the Council agreed that the speeches of the Leaders of the 5 Groups (or their nominees) on paragraph 2 of the Cabinet’s report be extended beyond 5 minutes, but not exceed 10 minutes.

48.4 In moving this paragraph of the Cabinet’s report, Councillor Bennett also moved an amendment to the Cabinet recommendations which was duly seconded (see minute number 48.6)

48.5 The County Council agreed that the vote on the Cabinet recommendation and the amendment (recommendation 12), moved by Councillor Bennett, should be taken together.

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48.6 The following motion was moved by Councillor Bennett, to adopt paragraph 2 of the Cabinet report as amended:

- (1) *approve in principle the draft Council Plan 2024/25 at Appendix 2 and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*
- (2) *approve the net Revenue Budget estimate of £538.1m for 2024/25 set out in Appendix 3 (Medium Term Financial Plan) and Appendix 4 (Budget Summary) and authorise the Chief Executive, in consultation with the Chief Finance Officer, Leader and Deputy Leader, to make adjustments to the presentation of the Budget Summary to reflect the final settlement and final budget decisions;*
- (3) *in accordance with the Local Government Finance Act 1992 to agree that:*
 - (i) *the net budget requirement is £538.1m and the amount calculated by East Sussex County Council as its council tax requirement (see Appendix 6) for the year 2024/25 is £371m;*
 - (ii) *the amount calculated by East Sussex County Council as the basic amount of council tax (i.e. for a band D property) for the year 2024/25 is £1,778.31 and represents a 4.99% (2% of which relates to the Adult Social Care precept) increase on the previous year;*
- (4) *advise the District and Borough Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 6.*
- (5) *agree the Reserves Policy set out in Appendix 7;*
- (6) *approve the Capital Strategy and Programme at Appendix 9;*
- (7) *note progress with the Council Plan and Budget 2023/24 since quarter 2 set out in paragraphs 2.36 to 2.42;*
- (8) *note the Medium Term Financial Plan forecast for 2024/25 to 2026/27, set out in Appendix 3;*
- (9) *note the comments of the Chief Finance Officer on budget risks and robustness, as set out in Appendix 7;*
- (10) *note the comments from engagement exercises set out in Appendix 8;*
- (11) *note the schedule of fees and charges that have increased above 4% at Appendix 10; and*
- (12) *agree to welcome the indication of the additional social care grant which would reduce our need to draw on reserves, and that, once the final amount has been confirmed and the Council's end of year financial position ascertained, a report be brought to Cabinet to consider further investment in highway maintenance to support our initiative for visibly better roads.*

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48.7 A recorded vote was taken the motion moved by Councillor Bennett. The motion was CARRIED with the votes being cast as follows:

FOR THE MOTION

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

AGAINST THE MOTION: NONE

ABSTENTIONS Councillors Collier, Daniel, Denis, Field, Hilton, Holt, Lambert, Maples, Murphy, Robinson, Rodohan, Scott, Daniel Shing, Stephen Shing, Shuttleworth, Swansborough, Tutt, Ungar and Wright.

Paragraph 4 - (Scrutiny Review of School Exclusions)

48.8 The Chairman reminded the Council that he was taking paragraph 4 of the Cabinet report with the report of the People Scrutiny Committee

Paragraph 5 - (Scrutiny Review of Pothole Management)

48.9 The Chairman reminded the Council that he was taking paragraph 5 of the Cabinet report with the report of the Place Scrutiny Committee

49. Report of the People Scrutiny Committee

Paragraph 1 – Scrutiny Review – School Exclusions

49.1 The Chairman reminded the Council that he was taking paragraph 1 of this report with paragraph 4 of the Cabinet's report.

49.2 Councillor Howell moved the adoption of paragraph 1 of the Scrutiny Committee report.

49.3 Councillor Glazier moved the adoption of paragraph 4 of the Cabinet's report. The motion, including the recommendations, was CARRIED after debate.

49.4 The motion to adopt paragraph 1 of the Scrutiny Committee's report, including the recommendations, was CARRIED after debate on the basis that implementation would be in accordance with the recommendations of the Cabinet.

50. Report of the Place Scrutiny Committee

Paragraph 1 – Scrutiny Review – Pothole Management

50.1 The Chairman reminded the Council that he was taking paragraph 1 of this report with paragraph 5 of the Cabinet's report.

50.2 Councillor Beaver moved the adoption of paragraph 1 of the Scrutiny Committee report.

50.3 Councillor Glazier moved the adoption of paragraph 5 of the Cabinet's report. The motion, including the recommendations, was CARRIED after debate.

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50.4 The motion to adopt paragraph 1 of the Scrutiny Committee's report, including the recommendations, was CARRIED after debate on the basis that implementation would be in accordance with the recommendations of the Cabinet.

51. Notice of Motion - Motion for the Ocean for East Sussex

51.1 Under Standing Order 29, the Council consented to Councillor Hilton to amend the Motion of which notice had been given. The following amended motion was moved by Councillor Hilton and seconded by Councillor Field:

This Council declares an urgent need for Ocean and River Recovery.

We recognise that we need ocean recovery to meet our net zero carbon emissions targets, and we need net zero carbon emissions to recover our ocean. We also need to act as the custodians of the rivers, waterways and tributaries that run through our towns and villages on the way to the sea. We recognise that all people wherever they live, impact and are impacted by ocean and river health and that we have an essential role to play in recovering the health of our ocean.

This Council requests Cabinet to:

- 1. Report to full council within ~~6~~12 months with an [outline](#) ocean and river recovery strategy and action plan [that will be integrated into the local nature Recovery Strategy, and that](#) delivers against transparent, measurable indicators reported to the council annually (see next section for suggestion about strategic goals and action to be taken).*
- 2. That the council writes to central government requesting that they put the oceans and rivers into net recovery by 2030 (full details of this letter and specific requests can be seen in item 10 of the agenda).*

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

FOR THE MOTION

Councillors Cross, Collier, Denis, Field, Hilton, Lambert, Maples, Murphy, Robinson, Rodohan, Stephen Shing, Shuttleworth, Swansborough, Taylor, Tutt, Ungar, and Wright.

AGAINST THE MOTION

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

ABSTENTIONS

Councillors Daniel and Scott.

52. Notice of Motion - Overview and Scrutiny Chairs

52.1 The following motion was moved by Councillor Tutt and seconded by Councillor Collier:

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Overview and scrutiny committees are a key strand of corporate governance and play an important role in holding the Executive to account. It is therefore proposed that Full Council agree as follows:

- 1. that the Chair of each Overview and Scrutiny Committee shall be appointed from amongst the members of opposition groups.*
- 2. to delegate authority to each of the three Overview and Scrutiny Committees to appoint their Chair from amongst their memberships, subject to the requirement above; and*
- 3. that the Constitution be amended accordingly.*

52.2 The Motion was LOST after debate.

53. Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Field	Councillor Claire Dowling	Gritting and road closures.
Councillor Swansborough	Councillor Glazier	Future of Locate East Sussex
Councillor Daniel	Councillor Glazier	Cabinet vacancy
Councillor Shing	Councillor Claire Dowling	Temporary road closures
Councillor Hilton	Councillor Claire Dowling	Update on the Local Transport Plan and community engagement.
Councillor Maples	Councillor Claire Dowling	Drain clearing, and waste removal

53.2 Five written questions were received from Councillors Field, Lambert, and Stephen Shing for the Lead Member for Transport and Environment. The questions and answers are attached to these minutes. The Lead Member responded to supplementary questions.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 2.27 pm

The reports referred to are included in the minute book.

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COUNTY COUNCIL – 6 FEBRUARY 2024

QUESTIONS FROM MEMBERS OF THE PUBLIC

Note: Questions 1 to 8 relate to a similar issue. The answers to these questions are set out after question 8 below.

The same or similar questions were also asked by:

Jean Gould, Lewes, East Sussex
Moya Hamilton, Lewes, East Sussex
Alan Chapman, Lewes, East Sussex
Emily Salisbury, Ringmer, East Sussex
Erica Smith, St Leonards, East Sussex
Claire Duc, Lewes, East Sussex
Theresa McGhee, Eastbourne, East Sussex
Ewan Marshall, St Leonards, East Sussex
Carolyn Beckingham, Lewes, East Sussex
Robin Goldberg, Brighton
Jane Wilde, Eastbourne, East Sussex
Adam Rose, Eastbourne, East Sussex
Susan Murray, Lewes, East Sussex
Tessa George, Lewes, East Sussex
Jason Evans, Brighton
Sonya Baksi, Lewes, East Sussex
Gail Murphy, Plumpton, East Sussex
Sumner Milford, Brighton
Iain Sheard, Battle, East Sussex
Anne-Marie Harrison, Hove
Joanne Rigby, Seaford, East Sussex
Carol Turner, Eastbourne, East Sussex
Wendy Gubby, Bexhill, East Sussex
Fiona MacGregor, St Leonards, East Sussex
Anne Massey, Hove
Philippa Beagley, St Leonards, East Sussex
David Read, St Leonards, East Sussex
Tamás Orbán, Hastings, East Sussex
Gary French, St Leonards, East Sussex
Martyn Dunne, Lewes, East Sussex
June Bradbury, Newhaven, East Sussex
Chris Saunders, St Leonards, East Sussex
Lucy Bryson, Brighton
Antony Gordon, Heathfield, East Sussex
Clive Thorpe, Lewes, East Sussex
Sally Phillips, Hastings, East Sussex
Angela Colburn, Seaford, East Sussex
Lorraine Langham, Bexhill, East Sussex
Serena Penman, Lewes, East Sussex
Jane Clare, Crowborough, East Sussex
Ayesha Mayhew, Brighton
Tai Ray-Jones, Newhaven, East Sussex
Sam Burgess, Brighton
Jennifer Allan, Seaford, East Sussex

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Sarah Casey, Lewes, East Sussex
Anne Fletcher, Seaford, East Sussex
Jamie Barnes, Brighton
Ann Holmes, Lewes, East Sussex
Beccy Mccray, St Leonards, East Sussex
Julia Turner, Brighton
Paul Lloyd, Brighton
John Enefer, Hastings, East Sussex
Karl Horton, Hastings, East Sussex
Elspeth Inglis, Brighton
Paul Grivell, Lewes, East Sussex
Leslie Doyle, Lewes, East Sussex
Sylvia King, Brighton
Linda Miller, Brighton
Will Cobbett, Lewes, East Sussex
James Joughin, Brighton
Jeremy Hicks, Hastings, East Sussex
P. Bradford, Seaford, East Sussex
Claire French, Polegate, East Sussex
Colin Miller, Hove
Roger Murray, Lewes, East Sussex
Jeremy Pugh, Hove
RPG Frame, Eastbourne, East Sussex
Christian Kugsbjerg, Brighton
Ellie Karner, Brighton
Caroline Pick, Lewes, East Sussex
John Lambert, Eastbourne, East Sussex
Jim Renme, Brighton
Steven Wood, Eastbourne, East Sussex
Victor Anderson, Brighton
S. Trafford, Lewes, East Sussex
Janet Frame, Eastbourne, East Sussex
Kathleen Owston, Lewes, East Sussex
Emma Lindsay, Brighton
Clive Edwards, Lewes, East Sussex
Edd H Smith, Hove
Stuart Cartland, Lewes, East Sussex
Jan Tucknott, Polegate, East Sussex
Graham Bickler, Lewes, East Sussex
Dewzil Jones, Lewes, East Sussex
Mo Heather, Barcombe Mills, East Sussex
Jane Thomas, Lewes, East Sussex
Pho Kypri, Lewes, East Sussex
S. Savage, Seaford, East Sussex
Joseph Moughrab, Seaford, East Sussex
Colin Gills, Eastbourne, East Sussex
Posy Greary, Brighton
Vincent Tickner, Ditchling, Hassocks
Julie Sleightholme, Lewes, East Sussex
Denise Savage, Seaford, East Sussex
Bernadette Wren, Lewes, East Sussex
Stephen Hill, Lewes, East Sussex
Susan Goodwin, Brighton
Nadia Edmond, Brighton

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Tony Dowmunt, Lewes, East Sussex
Kath Kane, Lewes, East Sussex
Jo Monroe, Lewes, East Sussex
Esme Hilliard, Lewes, East Sussex
Charlotte Williams, Lewes, East Sussex
William Horder, Lewes, East Sussex
Francesca Lindsay, Brighton
Brekka Larsen, Hastings, East Sussex
Paul Bevan, Peacehaven, East Sussex
David Hendy, Lewes, East Sussex
Brendan Clegg, Crowborough, East Sussex
Howard Harbert, Lewes, East Sussex
Sally Attwood, Lewes, East Sussex
Tim Rabjohns, Rodmell, East Sussex
Catherine Edminson, Lewes, East Sussex
Stuart Chadwick, Eastbourne, East Sussex
Tod Boucher, Brighton
Sue Walters, Brighton
Clare Finn, Brighton
Rachel Foggitt, Brighton
Richard Robinson, Brighton
Lydia Freeman, Brighton
Ivan Bunsell, Lewes, East Sussex
Faizah Ishfaq, Brighton
L Simatele, Brighton
Maira Mangalindan, Brighton
Laura Lorente Aguilar, Brighton
Dushica Lazova, Brighton
Sophia Rainem, Brighton
Cat Gulliver, Brighton
Ang Witt, Brighton
Becca Tucknott, Brighton
Charlie Whale, Brighton
Kate Bayliss, Brighton
Maria M Simon, Brighton
Jane Backeberg, Hove
Lucie George, Brighton
Georgie Barrett, Brighton
Milo Di Duca, Brighton
Ruth Urbanowicz, Brighton
John Wood, Brighton

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1. Question from Sue McCormick, Forest Row, East Sussex

As you meet on 5 December the UN Climate Conference (COP28) will be taking place in Dubai.

It's now more than four years since East Sussex County Council declared a climate emergency, yet the East Sussex Pension Fund (which ESCC administers) is still investing tens of millions of pounds of local people's pensions in the fossil fuel companies that are driving the climate crisis.

Does the Council not understand that by clinging on to these remaining investments in fossil fuel companies (which now amount to a mere 0.6% of the Fund) it is providing a fig-leaf for these companies' ongoing attempts to block effective climate action and missing a huge opportunity to show real leadership on the climate crisis?

2. Question from Richard Wistreich, Hastings

As you meet on 5 December the UN Climate Conference (COP28) will be taking place in Dubai.

It's now more than four years since East Sussex County Council declared a climate emergency, yet the East Sussex Pension Fund (which ESCC administers) is still investing tens of millions of pounds of local people's pensions in the fossil fuel companies that are driving the climate crisis.

Does the Council not understand that by clinging on to these remaining investments in fossil fuel companies (which now amount to a mere 0.6% of the Fund) it is providing a fig-leaf for these companies' ongoing attempts to block effective climate action and missing a huge opportunity to show real leadership on the climate crisis?

Will the Council now instruct the East Sussex Pension Fund trustees to cease investments in all fossil fuel companies and energy generating companies that burn fossil fuels?

3. Question from Andrea Needham, Hastings, East Sussex

Background

In July 2022 the East Sussex Pension Fund commissioned a report on (among other things) 'Divestment vs Engagement', a summary of which was finally made available to the public in September.

The Summary repeatedly talks about the importance of 'escalation' and lists 'Establish[ing] clearer thresholds as to when to escalate an engagement and when disinvestment should be considered' as something that the ACCESS pool should consider.

In May 2021 the IEA said that if we're to have a fighting chance of limiting the rise in global temperatures to 1.5°C 'there can be no new investments in oil, gas and coal, from now – from this year'. In September 2023 it reiterated this, noting that 'no new long-lead-time upstream oil and gas projects are needed. Neither are new coal mines [or] mine extensions'

<https://www.iea.org/news/the-path-to-limiting-global-warming-to-1-5-c-has-narrowed-but-clean-energy-growth-is-keeping-it-open>).

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Question

Given this, will the East Sussex Pension Fund now set 'no new fossil fuels' as a threshold for disinvestment? That is, will it commit to:

- (a) exclude the public equity or corporate bond of any fossil fuel extractor that has failed to commit to 'no new fossil fuels' by the September 2024 Pension Committee meeting; and
- (b) not to make any new private equity investments in such fossil extractors?

4. Question from Hugh Dunkerley, Brighton

In July 2022 the East Sussex Pension Fund commissioned a report on (among other things) 'Divestment vs Engagement', a summary of which was finally made available to the public in September. That summary notes that '[t]here is inherent risk that rising oil and gas prices result in harmful substitutions of oil and gas with more emissions intensive coal' and that 'tackling exposure to thermal coal' could be a 'key focus area' for investors interested in 'escalation in the name of climate action'.

Given this, will the East Sussex Pension Fund make a commitment to make no new investments in thermal coal; to fully divest from all thermal coal public equities and corporate bonds within one year; and to make no new private equity investments that include thermal coal?

5. Question from Sarah Hazlehurst, Brighton

Background

In July 2022 the East Sussex Pension Fund commissioned a report on (among other things) 'Divestment vs Engagement', a summary of which was finally made available to the public in September.

Among other things this summary misrepresents 'avoid[ing] the most deleterious effects of climate change' as a non-financial, 'quality of life' issue, which the Fund is therefore free to ignore.

Question

Does the Council accept that this is false and that, in reality 'action to cut [global] emissions and avoid the worst impacts of climate change is *the only real path to protect long-term investment value and returns*' ('The Business Case', Climate Action 100+, <https://tinyurl.com/climateaction100>)?

6. Question from Julia Dance, Bexhill, East Sussex

I ask that the ESCC Pension Fund, administered by yourselves, get rid of their remaining shares in fossil fuel companies. Although these investments now only represent 6% of the Pension Fund, the fact that ESCC is still seen to support such investments, is not respectful of the courage and forethought which led you to declare a Climate Emergency.

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7. Question from Richard Willis, Brighton

Four years ago, East Sussex County Council declared a climate emergency. Why then is the council still investing local people's pensions in fossil fuel companies?

This is contradictory and cannot continue.

We have an opportunity to show real leadership for the children of East Sussex, and the future of people everywhere, by finally cutting this tie. The council's investment in fossil fuels constitutes less than one percent of the total investment, and so removing would hardly have an impact on local pensions.

I call on East Sussex County Council to finally sever this tie and do its part in moving humanity forward in the right direction.

8. Question from Millie Darling, Cooksbridge

Please could you explain why the ESCC Pension Fund continues to invest in fossil fuels and when you plan to divest?

Four years ago East Sussex County Council declared a climate emergency, yet the East Sussex Pension Fund (which ESCC administers) is still investing tens of millions of pounds of local people's pensions in the fossil fuel companies that are driving the climate crisis. It is imperative that this changes.

Response by the Chair of the Pension Committee

East Sussex County Council (ESCC) is designated under legislation for the local administration of pensions and other benefits payable for people entitled to the Local Government Pension Scheme (LGPS) known as the East Sussex Pension Fund (the Fund). The beneficiaries of the scheme may not be local to the county and are in some cases international. Under legislation the statutory decisions associated with pensions, including the investment strategy, are not the responsibility of the executive i.e. the Full Council or Cabinet, they must be made by a non-executive committee. ESCC has as a result delegated all functions of the Fund to the East Sussex Pension Committee.

The Fund is ring-fenced and represents separate assets from the general assets of the Council and must be used for the sole purpose of paying pension benefits. When Committee Members are asked to make a decision on a matter affecting the Fund, they must always act as a fiduciary. The power of investment, must be exercised for investment purposes, and not for any wider purposes; so, investment decisions cannot be for ethical or political purposes. Investment decisions must be directed towards achieving a wide variety of investments, and to provide a return, often several years into the future, balancing risk with return.

There is a requirement on the Pension Committee when making investment decisions to seek advice, and on receiving that advice to act with prudence. As a result, all investment decisions are made following advice from investment consultants and other professional bodies.

The Fund does not invest in any company directly, it invests in high level strategies that are administered by professional Investment Manager. These strategies are managed on behalf of many other investors, not just the Fund, which means the Pension Committee cannot direct the Investment manager to invest in any specific company or not. Investment strategies are also in a wide range of investment classes, so as well as investments through strategies where shares

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of companies are held, the Fund also invests in areas such as property, government bonds, or windfarms among many others.

The Pension Committee has however selected a range of strategies that are focused on climate opportunities and that do exclude companies that are not aligned with a 1.5 degree transition. As a result, all investment strategies invested under the Committee's Investment strategy for Global Equities (i.e. company shares), which is 40% of the strategy, excludes all fossil fuel companies. The Fund has made significant reductions in the carbon emissions of the companies held in the investment portfolio, with a 55% reduction in scope 1 and 2 emissions from 2020 to 2022. Following the drive for positive holdings from climate opportunities, the value of green investments in liquid holdings of the Fund doubled from 2020 to 2022.

The small exposure to fossil fuels that remains in the portfolio is embedded within several strategies, some of which are illiquid (i.e. can not be sold easily and sale would potentially at significant cost), it is not the case that the Fund can sell shares in a company to remove this exposure, entire investment strategies would need to be sold to remove the 0.6% exposure.

The Fund is a signatory to the Principles of Responsible Investment (PRI) and the Stewardship Code, where it has evidenced stewardship activities against 12 principles including integration of Environmental, Social and Governance factors into its strategy and investments; engagement with companies and policy makers; exercising rights and responsibilities; and collaboration, which the Fund carries out with LAPFF, the Institutional Investors Group on Climate Change (IIGCC) and other organisations.

The Pension Committee commissioned a research report to support them in understanding the varied and wide-ranging literature on the efficacy of divestment or engagement, the legal framework in which it must make investment decisions; statutory guidance in which the Fund must follow in relation to pooling of investment; and what exposure the Fund does have to fossil fuels and what types of assets these are. This paper was shared publicly to provide transparency to the beneficiaries of the pension scheme as to the framework in which the Pension Fund investments are made. The findings of the report were that research does not prove divestment or engagement as standalone strategies have been effective to date in delivering a low carbon transition. The Fund must invest in a diversified range of investments to generate return. There is pressure from the Government to invest in pooled structures, which are not currently aligned to divestment strategies and there is no sign of them moving in this direction. There is a general Government preference for engagement over divestment with the Government stating blanket divestment from certain assets is the wrong approach. There is still a long way for the fossil fuel industry to go to engage with a low carbon future and escalation is needed.

9. Question from Gabriel Carlyle, St Leonards, East Sussex

In July 2022 the East Sussex Pension Fund commissioned a report on (among other things) 'Divestment vs Engagement', a summary of which was finally made available to the public in September. How much did the report cost?

Response by the Chair of the Pension Committee

The cost paid to the consultant for the report, as published on the website, including additional detailed sections that provided the analysis behind the summarised, was £55,000.

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10. Question from Arnold Simanowitz, Lewes, East Sussex

According to the UN Secretary-General Antonio Guterres the fossil fuel industry 'is the polluted heart of the climate crisis':

'The problem is not simply fossil fuel emissions. It's fossil fuels – period. The solution is clear: The world must phase out fossil fuels in a just and equitable way -- moving to leave oil, coal and gas in the ground where they belong – and massively boosting renewable investment in a just transition ... Fossil fuel industry transition plans must be transformation plans, that chart a company's move to clean energy – and away from a product incompatible with human survival. Otherwise, they are just proposals to become more efficient planet-wreckers.' (Press Conference, 15 June 2023, <https://media.un.org/en/asset/k1n/k1n4wutrw2>).

Does the East Sussex Pension Fund agree?

Response by the Chair of the Pension Committee

It is not the role of the Pension Committee to agree or disagree with the political views expressed by the UN Secretary General.

However, the Fund recognises the importance of the Paris Agreement of the United Nations Framework Convention on Climate Change. The Fund has removed exposure to fossil fuel companies within its global equity allocation investments.

The Fund made a number of commitments to climate monitoring and action, including measuring and reporting on carbon-equivalent emissions where possible and continue collaborative work with IIGCC and other partners to engage and influence companies and policy makers. The Fund is a signatory to the FRC Stewardship Code and also reports against the Taskforce for Climate related financial disclosures annually.

The Fund also states that it recognises that an Energy Transition is under way. It seeks to balance the reality that the transformation of the global energy sector from fossil fuel-based systems to a system of energy from renewable sources is underway, with the understanding this will take time and that the world's energy demand will continue to grow. Where viable opportunities arise, the Fund will seek to increase its exposure to renewable infrastructure assets. Where the Fund's investment managers hold exposures to fossil fuel assets, it expects its managers through escalating engagement to elicit transition plans from those companies such that their engineering expertise, cashflows, and capital convening powers are increasingly deployed in support of the energy transition. The Fund seeks to broadly align its investment approach with the objectives of IIGCC and Climate Action 100+ initiatives.

11. Question from Bernard Brown, Battle

Background

In a report to the SELEP Accountability Board on 12 January 2024, which was co-authored by the ESCC Head of Service - Economic Development, Skills and Infrastructure, it was stated at Para 2.1.2:

East Sussex County Council is working with its delivery partner to ascertain the extent to which further resource is required to complete the project.

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At paragraph 3.4 the report states:

Since 2018, the £10m LGF funding allocation has been spent in full supporting project delivery to the end of 2020/21.

SELEP Officers report in Paragraph 9.7

The report does indicate that it is expected that the project can be delivered within the amount estimated in the original business case of £15m but East Sussex County Council have been unable to give any clarity on the exact cost at this time.

It is clear from this report none of the parties involved know when this road will be open and how much it will cost to complete the project. Because history shows no real answer will be given to any question about who is responsible and accountable for this clear and obvious failure, it is not included here.

Question

For the Queensway Gateway Road there is a Service Level, Agreement in place between ESCC and Essex County Council as accountable body for SELEP. Under this SLA, ESCC are responsible for any over runs incurred to deliver the project. There is supposed to be a mirror image agreement in place between ESCC and Sea Change Sussex. The ESCC report to SELEP indicates a further spend of between two and five million pounds to deliver the project. There are no funds free in the LGF fund; Sea Change Sussex have indicated they are unable to meet their financial liabilities on this and other projects. So will the Leader explain where the funds to complete the Queensway Gateway Road will come from. If it is ESCC, what will be sacrificed to provide the funds.

Response by the Leader, and Lead Member for Strategic Management and Economic Development

We are working to ascertain the detail of the final costs required to complete the project and are exploring what sources of funding are potentially available to fund these.

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WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

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

Any major development in the county seems to result in a plethora of advertising signs being placed on the highway. I have received a number of objections to this from residents in Seaford who feel that this is both un-necessary and confusing for road users.

What is the County Council's policy on advertising signs for developments? What permissions are required and what action can be taken either in the event of non-compliance with any necessary permissions or to ensure their speedy removal?

Does the County Council seek to recover any costs incurred in removing signs? If not, will it consider this?

Answer by the Lead Member for Transport and Environment

ESCC's approach to managing signage follows the Department for Transport (DfT) guidance: Traffic signs manual - GOV.UK (www.gov.uk). Directional signs for new housing developments should not be placed on the highway without the permission of the Highway Authority, which is granted through a licence. They do not need planning permission as they are an approved sign in the Traffic Signs Regulations and General Directions (TSRGD), 2016.

Other signs, such as advertisements, may require planning permission and ESCC would be consulted on such proposals via the Local Planning Authority (LPA) in the normal way. Any planning applications for the erection of signs or other structures on or abutting the highway would also be referred to our Highways Contact Centre to secure an appropriate licence. Should the County Council be consulted on any such planning application, we may recommend conditions (see below) that if applied by the LPA, would need to be met in addition to the granting of a licence. Should an appropriate licence not be in place, or a sign not be placed in accordance with planning permission, and it is found to be causing a highway safety issue, the County Council has the powers to remove such signage. This would be undertaken by East Sussex Highways.

In terms of the conditions that we may recommend, the following standard conditions are regularly sought by ourselves;

- The sign shall be erected clear of the highway verge/footway/carriageway and not obstruct visibility of drivers proceeding along the highway or drivers using the access(es) joining the public highway.
- There shall be a minimum clearance of [insert as appropriate to circumstance, generally between 2.1 to 2.7m] from the footway/verge level to the underside of the projecting sign and shall be a minimum of 450mm back from the edge of the carriageway.
- The level of illumination shall not exceed that recommended by the Institution of Lighting Professionals in its Professional Lighting Guide No 5.

In all cases, temporary signs must be removed within the time limits set out in the TSGRD to safeguard their effectiveness. Black-on-yellow temporary signs for new housing developments

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(TSRGD diagrams 2701 and 2701.1) must be removed within 6 months of completion of the development.

When costs are incurred by the County Council for signage removal and these are development related, costs may be recovered via Bonds secured as part of the Section 278 or 38 legal agreement process. In the first instance we would speak to the developer and ask that signage is removed. Legal processes would only be commenced when absolutely necessary as can be costly and resource intensive.

As noted above, development related advertising is temporary, and our approach to any intervention must be proportionate and appropriately considered.

2. Question from Councillor Kathryn Field to the Lead Member for Transport and Environment

It is known that vehicle emissions are damaging to air quality and have a detrimental effect on respiratory systems. What plans are in place to stop drivers idling when waiting in vehicles on East Sussex roads?

Answer by the Lead Member for Transport and Environment

It is well known, and widely reported, that vehicle emissions are damaging to air quality and can have a detrimental effect on health. The Public Health team at the County Council have produced a briefing on air quality that is part of the Joint Strategic Needs Assessment, which provides further detail and can be found here: [Air Quality in East Sussex | \(eastsussexjsna.org.uk\)](http://eastsussexjsna.org.uk).

With respect to whether there are plans in place to stop drivers idling when waiting in vehicles on East Sussex roads, the County Council carries out enforcement of parking restrictions under the Traffic Management Act 2004 (TMA). We are not currently planning to introduce enforcement against idling vehicles, for various reasons. For us to carry out enforcement of idling vehicles we would have to add this to our traffic regulation orders and install numerous signs and posts to advise motorists of the restriction. This would be a considerable cost to implement and maintain, and as I am sure you can appreciate, it would be extremely difficult to enforce any such policy effectively. An exemption would also apply to any vehicle with a refrigeration unit as the engine must be kept running for the unit to function.

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

Seaford was gridlocked yet again in the first week of January 2024. The A259 was blocked as was the A27 leading to serious and prolonged traffic congestion with the consequent impact for residents trying to get to work and various appointments.

Work will shortly commence on a replacement bridge at Exceat and concern has been expressed about the removal of the traffic lights once the new bridge is completed with traffic able to speed and further likelihood of congestion as the traffic flow will be unregulated.

What work has the County Council undertaken to monitor traffic congestion on the A259?

What contingency measures can the County Council put in place in the event of the A27 being blocked or seriously disrupted?

Answer by the Lead Member for Transport and Environment

Thank you for the question.

In terms of what work have we undertaken to monitor congestion on the A259, as Councillor Lambert will be aware, we have recently completed an extensive Major Road Network (MRN) study to identify appropriate interventions to address existing and future issues on the A259 corridor from the east of Brighton to east of Eastbourne.

The study involved an evidence led assessment of the corridor, which included an analysis of where congestion currently takes place using our traffic monitoring data and other sources. Extensive stakeholder engagement was also undertaken through a series of workshops to initially identify the key transport issues and opportunities along the corridor, potential solutions as well as stakeholder priorities.

The outcomes of the assessment and stakeholder engagement was used to identify a long list of potential schemes which were then appraised to refine a preferred package of transport improvements along the length of the corridor. This preferred package was presented back to stakeholders in July 2023.

The preferred package of transport improvements for the A259 South Coast Corridor has been included in a Strategic Outline Business Case (SOBC) submitted to the Department for Transport (DfT) in October 2023. The SOBC is the first stage in a three-stage business case approval process. Pending approval of the SOBC by DfT, over the next two to three years we will need to develop the scheme proposals for public consultation alongside the development and submission of an Outline Business Case to DfT, and then a Final Business Case, in order to secure funding to develop & deliver the package of schemes for the A259 South Coast Corridor.

Therefore, there has been significant time invested in assessing where congestion takes place on the A259 South Coast Corridor and identifying a package of measures which subject to securing MRN funding will, alongside the Bus Service Improvement Plan bus priority measures in Telscombe, Peacehaven and Newhaven approved at my decision making meeting in January, seek to improve travel choices and contribute towards reducing congestion along the corridor.

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Turning to the second part of the question, as Councillor Lambert will be aware, our draft Local Transport Plan 4 (LTP4), which covers the period 2024 to 2050, is currently out for public and stakeholder consultation. Our draft LTP4 vision states that we want 'An inclusive transport system that connects people and places, is decarbonised, safer resilient, and supports our natural environment, communities, and businesses to be healthy, thrive and prosper'.

One of the objectives of the draft LTP4 is 'Strengthen the resilience of our transport networks' and as such the Plan is focussed on a transport network that is more resilient to incidents and the impacts of a changing climate, collisions and other events that cause disruption. But we clearly cannot deliver our LTP vision and this objective alone and therefore will need to involve a wide range of partners to help achieve this.

If an event or incident such as an accident happens on the A27 or any part of the strategic road network, as well as on our own managed network, clearly there will a knock-on impact for traffic in terms of delay to journeys but also means that traffic will seek to re-route elsewhere on the network to get to and from their destinations. As part of the MRN and primary routes in the road hierarchy, traffic will naturally divert onto parallel routes such as the A259 and A22 if the A27 is blocked or seriously disrupted, but traffic will equally also use less suitable routes through our villages and rural areas.

Under our network management duties, we are required to ensure the efficiency movement of traffic on our and other's road networks. Therefore, if such an event happens, our contingency plans are focussed on working and liaising with our partners in the emergency services and National Highways to ensure that the road can be re-opened to traffic as soon as possible, but when and only when, it is safe and appropriate to do so. However, it needs to be recognised that even when a road such as the A27 is re-opened it will take time for the traffic on our wider network to reassign back, but that we work with partners to redress this as quickly as possible.

4. Question from Councillor Stephen Shing to the Lead Member for Transport and Environment

Reduce potholes and complaints about potholes and at the same time decrease the use of resources and deliver improvements for our environment.

Potholes are the issue the County Council receives the most complaints about each year. This results in many claims for compensation. Please could the Lead Member therefore answer the following questions:

- A) How many claims for compensation has the County Council received for the years 2020-21, 2021-22 and 2022-23?

Answer by the Lead Member for Transport and Environment

	2020/21	2021/22	2022/23
Claims notified	453	358	1271
Claims settled (paid)	98	55	603

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B) How many successful claims for compensation have there been and what is the total cost of the compensation paid by the County Council for the years 2020-21, 2021-22 and 2022-23?

Answer by the Lead Member for Transport and Environment

ESCC is not directly responsible for the payment of compensation in relation to claims. Claims are managed by our contractor and liability for any successful claims remains with our contractors. The below provides the figures of settled claims.

	2020/21	2021/22	2022/23
Value of settled claims	£232,147	£40,723	£151,613

C) Where is the compensation funding drawn from?

Answer by the Lead Member for Transport and Environment

As above it is not drawn from any ESCC budget and is funded wholly by our contractors.

D) There are more potholes in our country than the Council can repair, why are there so many potholes on our roads? Our County Highways team understands the reasons and how to repair them. However, why do those permanently repaired potholes repeatedly appear again at the same location in our roads?

Answer by the Lead Member for Transport and Environment

It is recognised that the weather conditions over the last three winters has had a considerable impact on the condition of the county's roads. Highway authorities across the Country are experiencing similar issues with a total road maintenance backlog nationally of some £14 billion. East Sussex has increased investment in resurfacing and patching of highways over the last three years and since January East Sussex Highways have more than doubled the number of repair gangs to address the number of potholes forming. We are aware that due to the number of potholes there has been some delays with repairs being carried out, and that some repairs are not being done to the required standard. This is being monitored closely and is being addressed with our contractors. We have a clear expectation when it comes to the standard for repairs, and any issues with quality and speed are being dealt with accordingly.

E) In addition, all the repairs of potholes/ patching should be sealed appropriately inline for good practice. Despite the good practice suggested, not all the repairs carried out are permanent and still require patching.

Answer by the Lead Member for Transport and Environment

It is contractual requirement that all repairs are sealed around the edge, and that the repair extends 25cm beyond the pothole itself to ensure the repair binds to firm tarmac. ESCC staff monitor the quality of pothole repairs and the contractor is required to repeat the repair of any

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identified as below standard, and at their own cost. There will be a few situations when pothole repairs in themselves will not address all problems and further more extensive patching is required at a later date. However, these works must be managed within the available budget and programme. Members are asked to contact their Stakeholder Liaison Officers or Highway Steward if they have concerns about specific repairs.

F) Many drainage cover/ cable covered areas eventually become potholes. Is it not possible for our Council's contractors to complete resurfacing which includes these areas in one go? At the moment, it appears that the contractors leave a square area around the drainage cover/ cable cover area off. This is instead of allowing them to return at a later date to patch-up the drainage cover/ cable cover area. As a result, these areas create potholes sooner. This practice appears to be widespread in the County.

It is hoped that the need to implement better practices to stop more potholes appearing and then re-appearing in our roads will be recognised. This will help the Council to save resources and deliver improved roads for our residents.

Answer by the Lead Member for Transport and Environment

It is usually better to adjust the iron work to the new surface level i.e. after resurfacing, rather than try to adjust the ironwork in advance. That way crossfalls for drainage can be maintained. In addition, different resources are required for surfacing and ironwork adjustment making it more efficient to complete surfacing first and then adjust the iron work. Where we anticipate ironwork to be in the regular line of traffic we use specialist materials that are more resistant to trafficking. ESCC staff inspect all surfacing schemes to check the completed works and any defects identified are rectified by the contractor at their cost.

5. Question from Councillor Stephen Shing to the Lead Member for Transport and Environment

Stop debris from falling back into cleaned gullies, help reduce road flooding and maintain better road surfaces with less potholes.

Due to the recent wet weather and climate change, our county is experiencing an increase in flooding across roads and blocked gullies. I have received complaints from residents about the poor practice of our County's contractors when they are clearing gullies; specifically that cleared debris is being left next to the gullies, rather than being disposed of. Residents tell me that the uncleared debris is then washing back into the gullies.

I am therefore asking the Lead Member on behalf of residents what could be done to ensure the gullies are cleared properly and that the Council's contractors use the appropriate actions to clear debris effectively as this will help reduce flooding and maintain better road surfaces with less potholes.

Answer by the Lead Member for Transport and Environment

We do not expect our gulley cleansing contractor to leave gully debris on the verges and it should be taken away by our contractor. We do allow the contractor to deposit leaves and vegetation on rural verges, that may have collected on gullies. If Cllr Shing is aware of

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examples where debris has been left behind, please report this to his Stakeholder Liaison Officer to investigate where further action can be taken and the matter raised with our contractor.

To help deal with the higher number of blocked gullies and pipes resulting from the wetter winters we have increased the drainage resources working on the network to reduce the frequency of blocked gullies and flooding in the future.