



PLACE SCRUTINY COMMITTEE

TUESDAY, 28 MARCH 2023

10.30 am COUNCIL CHAMBER, COUNTY HALL, LEWES

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

A G E N D A

1. Minutes of the previous meeting (*Pages 3 - 12*)
2. Apologies for absence
3. Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
4. Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
5. Reconciling Policy, Performance and Resources (RPPR) (*Pages 13 - 16*)
Report by the Chief Executive.
6. Scrutiny Review of Procurement: Social Value and Buying Local (*Pages 17 - 50*)
Report by the Chair of the Review Board.
7. Community Asset Transfers and Asset Use (*Pages 51 - 54*)
Report by the Chief Operating Officer.
8. Food Waste - Environment Act 2021 requirements (*Pages 55 - 60*)
Report by the Director of Communities, Economy and Transport.
9. Work programme (*Pages 61 - 84*)
10. Any other items previously notified under agenda item 4

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20 March 2023

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PLACE SCRUTINY COMMITTEE

MINUTES of a meeting of the Place Scrutiny Committee held at Council Chamber, County Hall, Lewes on 24 November 2022.

PRESENT

Councillor Matthew Beaver (Chair) Councillors Sam Adeniji (substituting for Councillor Paul Redstone), Alan Hay, Julia Hilton (Vice Chair), Ian Hollidge, Stephen Holt, Eleanor Kirby-Green, Philip Lunn, Steve Murphy, Stephen Shing and Trevor Webb (substituting for Councillor Chris Collier).

LEAD MEMBERS

Councillors Rupert Simmons

ALSO PRESENT

Ros Parker, Chief Operating Officer
Philip Baker, Assistant Chief Executive
Ian Gutsell, Chief Finance Officer
Rupert Clubb, Director of Communities, Economy and Transport
Karl Taylor, Assistant Director Operations
Nick Claxton, Team Manager Flood Risk Management
Dr Toby Willison, Director of Quality and Environment, Southern Water
Dr Nick Mills, Head of Storm Overflow Task Force, Southern Water
Claire Colburn, Stakeholder Engagement Manager Sussex, Southern Water

17. MINUTES OF THE PREVIOUS MEETING HELD ON 30 SEPTEMBER 2022

17.1 The Committee discussed the accuracy of the minutes of the last meeting and agreed to amend the minutes to reflect the concerns raised by the Committee about two specific economic development projects discussed under agenda item 6. A sentence will be added to the minutes to reflect this and that the Committee will take this up through the work programme.

17.2 The Committee RESOLVED to agree the minutes of the meeting held on 30 September as a correct record subject to amendment agreed by the Committee in paragraph 17.1 above.

18. APOLOGIES FOR ABSENCE

18.1 Apologies for absence were received from Councillor Chris Collier (Councillor Trevor Webb substituting) and Paul Redstone (Councillor Sam Adeniji substituting). Apologies were also received from Councillor Claire Dowling, Lead Member for Transport and Environment and James Harris, Assistant Director Economy.

19. DISCLOSURES OF INTERESTS

19.1 There were no disclosures on interests.

20. URGENT ITEMS

20.1 There were none.

21. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR) 2023/24

21.1 The Chief Finance Officer introduced the report and outlined that the Council had received the Autumn Budget Statement and councillors had received a briefing on its content. The Autumn Budget Statement gave an indication of where the funding for local government is going to be allocated. The announcement indicates an overall increase in the level of funding, but further details of what this means for the Council will become clearer when further announcements on the provisional Local Government Settlement are made, which is expected around 21 December. The Fair Funding Review has been delayed until 2025 and there is no indication that there will be a multi-year settlement for local government.

21.2 The Chief Finance Officer summarised the key parts of the Statement:

- The 2023 Business Rate revaluation will go ahead with £13.6 billion available for transitional relief to support businesses affected, and the Council will be protected from the impact of any changes in revenue.
- There is a range of funding for Social Care: £600 million for the Better Care Fund and £400m to support discharges from hospital; £1.3 billion increase in social care grant for adults and children but it is not yet known what other funding streams are included in this figure and what the specific allocations will be.
- The implementation of Social Care reforms has been delayed from October 2023 to October 2025, but the funding to support the reforms will still be given to local authorities to help address service pressures in this area.
- Council Tax - The referendum limit has been increased from 2% to 3% and the Adult Social Care precept has been raised from 1% to 2%.

21.3 The Committee discussed the report and asked a number of questions. A summary of the discussion is given below.

- The use of redundant shops was discussed. This reflects that fact that some high street chains have closed shops and the Council is working on a scheme to re-purpose empty

shops. The Director of Communities Economy and Transport (CET) offered to provide further information on the scheme if members of the Committee are interested in receiving further details.

- Active Travel England survey to determine funding for cycling. Active Travel England have £30 million to allocate across all local authorities and there is a self-assessment process to allocate funding. The Council is in discussion with Active Travel England regarding this funding and it is hoped that the Council will hear the outcome by Christmas.
- The Committee asked if it was possible to split the jobs created and businesses retained performance targets. The Director of CET agreed look at those targets to see if they could be split.
- The Rights of Way (RoW) maintenance performance target has been lowered from previously achieved levels of 94% and 88% to 80% and the flood authority performance measure is 62% against a target of 80%. The committee asked for the reasons behind this. The Director of CET outlined that there are challenges around having enough resources to meet the flood risk targets, so more realistic targets have been set until the team can be brought up to strength. The Director of CET will come back to the Committee after the meeting concerning the RoW target.
- The number of outline business cases for properties target was six in the past and the performance target is now two. The Committee asked if this was due to resource constraints. The Chief Operating Officer outlined that properties for disposal are identified through the Property Asset Management and Disposal Strategy and that the Property team has a number of vacancies and is very busy, which has constrained the number of business cases they can deliver.
- The Refurbishment costs of the office space to be leased in Muriel Matters House in Hastings are reported to be £500,000. Councillor Hilton asked if further information could be provided on these costs as they appeared to be a little high based on the condition of the offices. The Chief Operating Officer agreed to provide Councillor Hilton with some information on a breakdown of the costs after the meeting.
- The Committee asked why the Council reports absence figures for education settings separately. The Chief Operating Officer outlined that the Council splits school and non-school data in case we wish to take a different approach to reporting.
- The Committee asked if the additional £1.3 billion funding for Social Care would help the Council balance the budget. The Chief Finance Officer responded that the Council will not know the Council's allocation of this funding until the announcement of the Settlement on 21 December. However, the funding will be used to address the service pressures and challenges being experienced in adults and children's social care.

21.4 The Committee RESOLVED to note the report.

22. SOUTHERN WATER STORM OVERFLOW AND SEWAGE DISCHARGES INTO THE SEA AND WATER COURSES IN EAST SUSSEX

22.1 Dr Toby Willison, Director of Quality and Environment, Southern Water introduced the presentation on Southern Water's work to tackle the issue of storm overflows and sewage discharges. He outlined that Southern Water places a high priority on its impact on rivers, water

courses and the sea. It has accelerated investment to tackle these issues, and this has included nature-based solutions and better water quality monitoring.

22.2 Toby Willison outlined that at the time of privatisation of the water industry, around 70% of sewage discharges went directly into the sea without treatment. There has been a huge improvement in treatment since then, with 95% of sewage coming into treatment works which is fully treated. However, it is important to recognise that residents' expectations of water quality and the quality of the environment have increased. Tackling the last 5% is the most challenging in terms of combined sewer overflows (CSOs) and spills into the environment. Southern Water as an organisation is absolutely committed to tackling this last 5%.

22.3 Dr Nick Mills, Head of Storm Overflow Task Force, Southern Water explained that the Task Force was set up twelve months ago to demonstrate the principles of how the use of storm overflows could be reduced through six pathfinder schemes. At present Southern Water is building a regional plan to meet (and exceed) the targets set in the Environment Act to reduce the use of storm overflows through a £2 billion investment programme. He outlined that there needs to be more transparency in the way the system and Southern Water operates.

22.4 It is important to separate surface water which is seen as being clean (i.e. it does not need treating) from foul sewage (e.g. from toilets). There are three approaches being taken to reduce storm overflows, which are:

- Source control. These are measures to prevent rainwater and ground water entering the combined sewer system.
- Optimisation of existing infrastructure and using more technology and monitoring.
- Building bigger infrastructure. This is expensive but it will need to be done in certain places.

22.5 In a typical water catchment area the majority of water entering the system in a storm event is surface water run-off and rainwater from roofs and roads. The base flow (i.e. the normal foul sewage flow that requires treatment) is usually quite low. The use of smart water butts and swales or Sustainable Urban Drainage Systems (SUDs) in modern housing developments can help reduce water flows in combined sewers and thereby reduce the need to use CSOs. These are the sort of areas where Southern Water would like to collaborate with other partners and be an investor, if necessary. However, it does not own these assets. At present there are pilot schemes with Kent County Council and in Fairlight near Hastings to trial some of these approaches (e.g. smart water butts).

Questions and Answers based on the presentation.

22.6 The Committee discussed the written responses provided by Southern Water to the questions the Committee had asked prior to the meeting. The Committee also asked further questions based on the presentation and a summary of the discussion is given below.

Communication and Engagement

22.7 The Committee observed that there is a great deal of public concern and anger about these issues. However, Southern Water do not appear to have done a very good job of engaging with the public and informing them about the nature of the problems. Many people do not understand the difference between storm water overflows, foul sewage and pollution spills such as the recent one at Galley Hill, Bexhill on Sea. The Red Flag bathing water quality warning system used to inform the public about a potential pollution risks is not clear and there needs to be better communication about its use and what it means.

22.8 In addition, the terminology used can be confusing when storm water pipes or outfalls for water courses are called sewer pipes. Better information is needed from Southern Water, and it should conduct a public awareness campaign. For example, instead of the pumping station at

Galley Hill being covered in graffiti, it could be used to provide information about the water treatment system and the outfall onto the beach.

22.9 Councillor Hollidge commented that the fact that Southern Water is not a statutory consultee on planning applications for new developments, which will connect to sewer network, is an issue that may need to change to give water companies more control over the sewer network. This is something that the Committee and councillors could go back to Government and local MPs to recommend a change. He also commented that West Sussex County Council has a water neutrality plan.

22.10 The Committee commented that utilising existing network capacity in different ways could be a quick win for communities in East Sussex and asked that Southern Water look at this in their plans.

22.11 The Committee asked what Southern Water's plans are to reduce the use of CSOs in East Sussex; are Southern Water really meeting the targets set out in the Storm Overflow Discharge Reduction Plan which sets targets for the water industry for the average number of discharges per outfall per year (which is no more than 18 per outflow per year by 2025 for Southern Water); and what is the definition of "unusually heavy rainfall".

22.12 Toby Willison thanked the Committee for their detailed questions, comments and suggestions and outlined that the Committee will have engagement from senior officers at Southern Water going forward and he is happy to attend future meetings as frequently as necessary. In response to some of the comments and questions, Southern Water is working on how they increase levels of public engagement and education on this issue and on the way the system operates. There also needs to be more joined up work between regulators, operators and Government on areas such as highways infrastructure investment (e.g. Department for Transport and DEFRA - the Department for the Environment, Farming and Rural Affairs) to find solutions for surface water run-off entering the sewer system.

22.13 The spill at Galley Hill was due to a failure in one of the assets which led to pollution of the Beach. This has been rectified and the Environment Agency (EA) will investigate and take action on the spill as necessary. However, this should not be confused with the long term use of CSOs which act as a relief valve in the system to prevent houses and businesses being flooded during heavy rainfall events. They are a legal and permitted feature of the sewer system which means discharges from CSOs are regulated and allowed. However, it is important to tackle the use of CSOs.

22.14 Nick Mills commented that combined sewers were a good way to tackle sewage issues in Victorian times, but that is not the case now. He agreed that planning reforms are needed at a national level to ensure the sewer system has the capacity and infrastructure to accommodate new developments. There are also some existing measures such as driveways where there is a lack of awareness that new non-permeable driveways of 5 m² or more require planning permission. Non-permeable driveways contribute to run-off into combined sewers which needs to be reduced. On sink holes in highways, if councillors advise Southern Water where they are, they will be investigated.

22.15 In terms of infrastructure investment, the Local Area Regional Plan will be available in draft form on Southern Water's web site in the New Year. Some projects will come forward for investment in the next two years subject to consultation with regulators and investors. The figure of 18 discharges per overflow per year in the Storm Overflow Discharge Reduction Plan is an average for the whole region and there will be some local CSOs that exceed that. There is no definition of "unusually heavy rainfall". It should be noted in all these figures the Environment Agency (EA) use something called the twelve, twenty-four count which is a way of normalising the numbers (e.g. a number of short discharges can be combined into one event, and in longer periods of rainfall where discharges may last for a number of days may be separated into 24 hour periods). Consequently, the Beach Buoy numbers may not match up with the EA figures and Southern Water may need to add more explanation on their web site. Nick Mills also offered

to provide some further explanation of the figures outside the meeting. Southern Water is piloting water quality monitoring buoys for year round monitoring of bathing water quality near outfalls which take a sample every 15 minutes.

Response to Question 19 on compensation for local communities

22.16 The Committee asked for the answer to question 19 regarding compensation for local communities to be looked at again as it does not appear to answer the question fully and there are other businesses and communities in Hastings and St. Leonards, Peacehaven and Seaford who have been affected by the pollution spills. The Committee would like a better answer to this question.

22.17 Toby Willison and Nick Mills agreed to re-draft the response and come back to the Committee with a better response to this question.

Collaboration

22.18 The Director of CET acknowledged the point about collaboration and outlined that he had been talking to fellow Directors around the country about this issue. He has met with the Head of Water Quality at DEFRA to talk about the points raised around collaboration and about how we find ways through the water company regulatory model to make investment where it is needed to deal with some of the 5% of untreated water discharges through CSOs.

Water Neutrality

22.19 The Director of CET commented that the point on water neutrality may relate to the Natural England statement of water neutrality for the whole Sussex north block zone which deals with abstraction for drinking water supplies and the impact on biodiversity. This is mainly abstraction from ground water aquifers and watercourses and is related to the delivery of housing in local plans. This is not such an issue for East Sussex which is supplied by Southern Water which has a number of reservoirs, with a new one planned in Clay Hill near Lewes. Water conservation measures will be important in this context, such as reducing demand and stopping leakage.

Planning system

22.20 Members of the Committee commented that making Southern Water a statutory consultee in the planning process is fundamentally necessary. The Committee also commented that although Southern Water may be consulted on specific planning applications on an individual basis, there needs to be some way of assessing demand arising from new developments which may put pressure on the sewer system in a more over-arching way.

22.21 Toby Willison explained that Southern Water is a statutory consultee on strategic plans but not individual developments. When they respond to strategic plans they can give a reasonable estimate of whether the sewer system can deal with the additional foul material from the proposed developments. The amount of foul material is not the limiting factor but the amount of run-off into combined sewers. The answer to ensuring there is enough treatment capacity is to take surface water out of the system which will take the pressure off treatment facilities. Southern Water is legally obliged to provide a connection to the sewer network, which is not a sustainable position.

Infrastructure failures

22.22 The Committee commented that the community are concerned that about successive infrastructure failures such as the pipe which kept failing at Bulverhythe. They and councillors want reassurances from Southern Water that it is committed to investing in infrastructure to fix and prevent such problems.

22.23 Toby Willison outlined there is a partnership approached to solving the issues at Bulverhythe and Southern Water is working with the Internal Drainage Board and the caravan park to take pressure off the system.

Work with other local authorities

22.24 The Committee asked if Southern Water could provide a list of the East Sussex local authorities that they are currently in dialogue with over planning applications, driveways and other preventative measures.

22.25 Toby Willison outlined that Southern Water is working with all local planning authorities and is now being more prescriptive around the use of swales and SUDs. The real challenge is with developments of less than ten dwellings rather than with the big housing developers. Southern Water is also working with Kent County Council highways to deliver roadside SUDs and there might be an opportunity to do something similar in Fairlight.

Water recycling and re-use

22.26 The Committee asked whether rainwater run-off could be used for drinking water or be stored for garden use (as in the case in other countries).

22.27 Toby Willison responded that water recycling can prevent water entering the sewer system and nature based solutions take water back into the environment. It is then available for other uses, but this is a longer term solution. In the South East of England treated water mainly goes into the sea and is not used elsewhere. Southern Water is looking at technologies where final effluent that has been through the treatment works can be returned to reservoirs where it is mixed and treated before being put back into the drinking water supply. There is an example of this being developed in Hampshire which will be the first water re-use system and this is no different to what happens in a river catchment.

Environment Agency one star rating

22.28 The Committee asked what Southern Water's views are of the current one star rating given to them by the EA, are there lessons to be learnt, and will the current work improve the rating.

22.29 Toby Willison responded that Southern Water is not happy about the rating and it is their number one priority to get from the current one star rating to a three star rating by the end of 2025. There is a programme of work built on learning from other companies to inform a really concentrated programme of learning and investment. This will include the use of sensors, logistics and control centres. There is also a pollution reduction plan on the Southern Water web site.

House building around Hailsham and the impact on the Site of Special Scientific Interest (SSSI)

22.30 Cllr Murphy described the number of large housing developments around Hailsham and the proximity to the Pevensey Levels SSSI. There are two treatment works in his division and asked if a site visit to one of them could be arranged for the Committee. Cllr Murphy also asked what measures were in place to protect the SSSI and whether infrastructure will be improved such as the sewage pipe which reduces in diameter from 9 inches to 6 inches which will serve the 500 houses in the Mill Road development and prevention of the Station Road development (adjacent to the treatment works) polluting the SSSI.

22.31 Toby Willison responded that he would have to come back to Cllr Murphy on the specific points around the infrastructure in Mill Road and Station Road in Hailsham. Mitigating the impact on the SSSI requires a joined up policy on flood risk and Southern Water is working with DEFRA and the local authority on this. Nick Mills added that they would be happy to arrange guided tours of water treatment facilities for Committee members.

Dry weather CSO discharges

22.32 The Committee asked why dry weather discharges from CSOs are happening when there is no rainfall.

22.33 Toby Willison explained that Southern Water is being totally transparent about the number of discharges and spills and reports them all to the EA and provides data for the Surfers Against Sewage App. EA then take a view on this and decide whether to investigate or not. The fact that Southern Water has more dry weather discharges than other companies may be due to better reporting. Southern Water is the lowest in the industry for the number of discharges and the second lowest for the duration of discharges. Nick Mills added that dry weather discharges could be due to broken or failed pipes allowing ground water to get into the system or groundwater infiltration through joints in public and private sewers. In these circumstances pipes can be lined to prevent this where they are owned by Southern Water. In addition, the network is large and it may take several days for all the water to drain through after a rainfall event has finished.

Leading Collaboration

22.34 The Committee asked who drives the collaboration and cross agency working in order to find solutions.

22.35 The Director of CET outlined that in Hastings the collaboration is led by the Flood Risk Management Team. He is working with Toby locally on collaboration and is raising this through ADEPT (Association of Directors of Environment, Economy, Planning and Transport) to collaborate at a number of levels on local projects and broader initiatives. Toby Willison added that there is a regional flood and coastal committee which leads on flood risk issues and there are opportunities to strengthen existing collaboration locally through Rupert and himself.

22.36 The Chair thanked Toby and Nick for attending the meeting and for their contribution to the Committee's understanding of this issue. It was noted that dialogue needs to continue between the Committee, Officers and Southern Water on this subject and the Committee will invite Toby and Nick to a future meeting. There will be a discussion of the next steps regarding the Southern Water item at the Place Scrutiny RPPR Board to allow sufficient time for the Committee to consider all the information and evidence they have heard.

22.37 The Committee expressed their disappointment that representatives from Ofwat and the Environment Agency had declined to attend the meeting and asked that this be noted.

22.38 The Committee RESOLVED to:

- 1) Note the presentation from Southern Water on the work they are undertaking to meet their target of reducing the use of storm overflows/CSOs by 80% by 2030;
- 2) Note the responses to the Committee's written questions from Southern Water, the Environment Agency and Ofwat;
- 3) Note the Committee's disappointment that representatives from Ofwat and the Environment Agency had declined to attend the meeting; and
- 4) Agree the next steps to be take on this item at the Committee's RPPR Board meeting in December with a view to having update report in six to twelve months time.

23. WORK PROGRAMME

23.1 The Committee discussed the work programme. It was noted that the Committee may need to allow some time at the next meeting for updates following consideration of the Southern Water item.

23.2 The Committee discussed the development and delivery of economic development projects following the discussion of the minutes of the last meeting, where a report on economic

development projects was considered. The Committee discussed the possibility of forming a scoping board to look at a possible scrutiny review of the delivery of projects by SeaChange and others, to see if there were any lessons that could be learned and how to track learning in future projects. It was also suggested that the scoping board could look at understanding better the opportunities for scrutiny to be involved in the various stages of the development of economic development projects. The Committee also agreed to add a report to the work programme on the Queensway Gateway project to understand the progress and the issues around the delay in the completion of this project.

23.3 The Committee discussed the content of a report on Community Asset Transfers and Asset Use, which is already on the work programme. It was suggested the report should also cover the Community Asset Transfer policy which was due to be updated in 2020; an outline of the successes of the SPACES programme which is due to end in 2023 and whether it has met its goal; some indication of how long and how many buildings or assets have remained empty or unused; and an update on the nine buildings that are under discussion for Community Asset Transfers with community groups (Cllr Hilton to provide a list after the meeting).

23.4 The Committee RESOLVED to:

- 1) Establish a scoping board to look at possible scrutiny review of the delivery of economic development projects including those by SeaChange to identify any opportunities for learning, and where scrutiny can best have an input into the project development process;
- 2) Add a report to the work programme on the Queensway Gateway project;
- 3) Agree the additional information requested in paragraph 23.3 is included in the future report on Community Asset Transfers and Asset Use; and
- 4) Add an update on the Southern Water item to the work programme following consideration of the report.

The meeting ended at 12.41 pm.

Councillor Matthew Beaver (Chair)

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Report to:	Place Scrutiny Committee
Date of meeting:	28 March 2023
By:	Chief Executive
Title:	Reconciling Policy, Performance and Resources (RPPR)
Purpose:	To review scrutiny's input into the Reconciling Policy, Performance and Resources process for the financial year 2023/24 and to consider related items for inclusion in the committee's work programme.

RECOMMENDATIONS

The Committee is recommended to:

- 1) Review the committee's input into the RPPR process; and**
- 2) Identify any potential areas for inclusion in the committee's future work programme on services or issues within the Committee's remit.**

1 Background

1.1 The Council's integrated business and financial planning process, Reconciling Policy, Performance and Resources (RPPR), matches available resources with our delivery plans for our priority outcomes so that we focus and protect our spending where it will deliver our priorities most effectively. It also ensures we have the demographic trends and performance information to monitor progress.

1.2 Scrutiny committees actively engage in the process, firstly to bring the insight they have gained through scrutiny work into the planning process and, secondly, to help influence their future work programmes, so that scrutiny work can continue to inform RPPR on an ongoing basis.

2 Scrutiny engagement in Reconciling Policy, Performance and Resources

2.1 In July 2022 scrutiny committees considered relevant parts of the quarter 4 2021/22 (end of year) monitoring report and the 2022 State of the County report. This enabled scrutiny to consider performance achievements and challenges over the preceding year, alongside engagement with the forward-looking demographic, policy and financial analysis in the State of the County report. The committees' work planning awaydays in September enabled further consideration of issues arising from State of the County for the services within the committee's remit and ensured that key issues were incorporated into the committee's ongoing work programme.

2.2 In September 2022 each scrutiny committee considered an updated version of the Council's Medium Term Financial Plan (MTFP) and significant updates to the policy context since State of the County, as set out in a report considered by Cabinet on 29 September 2022. The scrutiny committees were asked to identify any further work or information needed for consideration at their November meetings.

2.3 At the November meetings the committees reviewed a range of existing information about the services within the remit of each committee to provide an overview of the current position prior to considering draft plans for the coming year. This included the current Portfolio Plans, extracts from the Financial Budget Summary for 2022/23 and remaining 2023/24 savings plans, as set out in the February 2022 Council budget report, where applicable. The meeting provided a further opportunity to request any information required by scrutiny to inform its engagement with RPPR, for consideration at the RPPR Boards in December or as part of the wider work programme.

2.4 The scrutiny committees established RPPR Boards to provide more detailed input into the RPPR planning process. These met in December 2022 to consider and agree any recommendations on the draft 2023/24 Portfolio Plans, the financial position and the existing savings plans. The Boards:

- considered the emerging financial outlook based on Government announcements during the autumn;
- considered any amendments to the draft Portfolio Plans and how priorities were reflected against the proposed key areas of budget spend for the coming year;
- assessed the potential impact of planned savings on services; and
- agreed comments and recommendations to Cabinet.

2.5 Appendix 1 summarises the comments and recommendations made by the Place Scrutiny Committee RPPR Board to Cabinet.

2.6 The committee is invited to:

- consider any areas arising from RPPR scrutiny discussions which should be included in the committee's future work programme - careful selection of topics will enable the Committee to be well positioned to comment on the impact of service changes, future service delivery and budget proposals as part of the ongoing RPPR process; and
- review the committee's input to the RPPR process and consider any improvements to the process from a scrutiny perspective.

2.7 Scrutiny's input to planning, through RPPR, for 2024/25 will begin at the July meeting with consideration of relevant parts of the quarter 4 2022/23 (end of year) monitoring report and the 2023 State of the County report.

3. Conclusion and reasons for recommendations

3.1 The Committee is recommended to review its input into the RPPR process and ensure its future work programme incorporates any areas that are likely to inform the future RPPR process.

BECKY SHAW
Chief Executive

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Appendix 1 – Comments to Cabinet by the Place Scrutiny Committee RPPR Board.

1. Place Scrutiny Committee

1.1. The Place Scrutiny RPPR Board met on the 22 December 2022 and agreed comments to be put to Cabinet, on behalf of the parent Committee, for its consideration in January 2023. The information supplied to the Board to support its discussions comprised of:

- a Local Government Association (LGA) briefing on the Autumn Statement 2022;
- a summary of the Department for Levelling Up, Housing and Communities (DLUHC) Local Government Finance Policy Statement 2023/24 – 2024/25; and
- the draft portfolio plans for the Communities, Economy and Transport, Business Services and Governance Services Departments.

1.2. The Board met after the provisional Local Government Finance Settlement 2023 to 2024 was published on 19 December 2022. The Board received an update from the Chief Finance Officer at their meeting on the implications of the provisional Settlement for the Council's financial position and the specific grant allocations, where these were known. The Board were also able to ask clarifying questions on the financial briefings and any implications for the Council.

1.3. The Board reviewed the draft portfolio plans for the three departments within its remit and asked a number of questions about the services and future plans for each department. The Board did not recommend any changes to the draft portfolio plans and considered them within the context of the emerging financial outlook for the Council.

1.4. The comments of the Place Scrutiny RPPR Board are set out below.

Comments to Cabinet

Provisional Local Government Finance Settlement

1.5. The Chief Finance Officer provided the Board with further detailed information on the provisional Local Government Finance Settlement. Overall, this will mean an estimated increase in the Core Spending Power of the Council of 9.8% (assuming that the Council exercises the option for the maximum increase in Council Tax). This includes an increase of almost £14 million in the Social Care Grant which will go some way to meeting cost pressures the Council is facing in these areas.

1.6. Although the Fair Funding Review has been delayed until after the current Parliament ends in 2025, there is a greater degree of financial certainty regarding the funding position for the Council over next two financial years than had been anticipated.

1.7. The RPPR Board welcomed the relatively positive provisional Local Government Finance Settlement, and that additional grant funding had been provided in a number of areas.

Savings

1.8. No new savings have been planned for 2023/24 whilst awaiting more detail on the Council's future funding position. The Board heard that the information contained in the provisional Local Government Finance Settlement confirms that there will not be a requirement to identify new areas for savings in the next financial year.

1.9. The Board welcomed that there will be no requirement for new savings in 2023/24.

Income Generation

1.10. The RPPR Board notes that income generation as well as savings can help with meeting the budget pressures the Council faces. The Board heard that all Council departments regularly review the opportunities for income generation both through new initiatives and increasing existing fees and charges.

1.11. The Board considers that the Communities Economy and Transport department should continue to consider the opportunities for income generation, such as the equalisation of some on street parking charges across different Civil Parking Enforcement schemes and use the income to invest in areas such as transport improvement schemes and highways maintenance.

Reserves and one-off investment of Services Grant

1.12. The Board noted that the Government is looking at the level of reserves held by councils. As part of the Council's financial planning Cabinet had previously agreed to hold the majority of the £5.175 million Services Grant in reserves, rather than committing it to one-off investment projects, until there was more certainty about the Council's financial position.

1.13. The Board asks that Cabinet, through the RPPR process, considers re-instating some of the one-off investment proposals such as the speed limit survey and measures to improve road safety to reduce the number of Killed and Seriously Injured (KSI) incidents in the County.

Communities, Economy and Transport (CET) Portfolio Plan - Community Match Fund

1.14. The RPPR Board notes that the Community Match capital fund has been undersubscribed with a lower number of bids submitted by community groups. This is in part due to the cost of some schemes requiring a large amount of match funding to meet the 50% match funding requirement, which can be beyond the capacity of some community groups and smaller Parish Councils. The Board recommends that if the Community Match Fund continues to be underspent, consideration is given to reviewing the contribution level required by community groups and raising the amount the Council contributes (e.g. 50% - 70% funding provided by the Council for larger schemes).

Report to:	Place Scrutiny Committee
Date of meeting:	28 March 2023
By:	Chair of the Review Board
Title:	Scrutiny Review of Procurement: Social Value and Buying Local
Purpose:	To present the outcomes of the scrutiny review and make recommendations.

RECOMMENDATION: That the Committee considers and endorses the report of the Review Board, and makes recommendations to Cabinet for comment, and County Council for approval.

1. Background

1.1 The Place Scrutiny Committee at the meeting held on 23 March 2022 agreed to establish a Review Board to undertake a Scrutiny Review of Procurement: Social Value and Buying Local. The scope of the review encompassed an examination of the Council's approach to social value in procurement and Buying Local initiatives. In particular the review examined how the Council can improve the current approach and how social value and Buying Local initiatives can be used to achieve the Council's objectives and support action on climate change and a sustainable local economy.

1.2 The scope of the review included an investigation of various aspects of the current policy and approaches including:

- Examining how well social value principles are communicated and understood by departments.
- Examining the processes used and in particular the handover from the Procurement Team to the service department contract managers who are responsible for monitoring and ensuring the social value measures are delivered.
- Looking at the engagement with the Council's supply chain: do they understand the requirement and what we are trying to achieve; what help and support might they need.
- Exploring whether it is possible/beneficial to move away from the use of proxy values in the current quantitative approach to measuring social value to a more outcome focussed qualitative approach and what this could look like.
- Review and comment on the draft Social Value Policy.
- Examine whether narrowing down and prioritising what social value the Council asks for from suppliers, would be beneficial in achieving the Council's objectives. This may already be taking place to some extent when using the Social Value Charter (e.g. through the use of tailored advice for specific or larger contracts).
- Explore opportunities to use social value to support action on climate change and a sustainable local economy.
- Consideration of the Orbis Environmentally Sustainable Procurement Policy.

1.3 The desired outcomes from the review were to improve the Council's approach to social value including reviewing and endorsing the draft Social Value Policy; ensuring the approach to social value supports the Council's objectives including those on sustainability, climate change and carbon reduction; and review the arrangements for supporting the local economy by Buying Local.

2. Summary

2.1 The members of the Review Board are Councillors Chris Collier (Chair), Julia Hilton, and Paul Redstone.

2.2 The review makes nine recommendations which address the areas covered by the review. Overall, the Review Board finds that a great deal of work has been undertaken to make sure the Council's social value requirements are well understood and considered at an early stage of the procurement process. However, there is more work to do on the handover to service departments and monitoring of the delivery of social value commitments.

2.3 The Council's current approach to measuring social value using quantitative measures is quite mature. The Board therefore focused on developing recommendations which improve the existing policies and procedures and recommends establishing a business case for more resources to support contract management including monitoring social value. The Board considers that there may be an opportunity now to move to a more qualitative approach to measuring social value which may provide wider community benefits, and that may in turn may help support our Voluntary and Community Sector Enterprise partners, and Small and Medium-sized Enterprises. The review also makes a recommendation to conduct a trial of a more qualitative approach to measuring social value requirements in contracts, which it considers has the potential to yield benefits across the Council.

2.4 The attached report (**appendix 1**) contains the findings and recommendations of the Review Board. Copies of evidence papers listed in the report and other support documentation are available on request from the contact officer.

2.5 The Committee is recommended to receive the Review Board's report for submission to Cabinet and County Council on 18 April 2023 and 9 May 2023 respectively.

3. Recommendations and conclusion

3.1 The Committee is requested to consider and endorse the report of the Review Board for submission to Cabinet and Full Council.

COUNCILLOR CHRIS COLLIER
Chair of the Review Board

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LOCAL MEMBERS: All.

Appendix 1

Scrutiny Review of Procurement: Social Value and Buying Local

Report by the Review Board:

Councillor Chris Collier (Chair)

Councillor Julia Hilton

Councillor Paul Redstone

March 2023

Place Scrutiny Committee – 28 March 2023

Cabinet – 18 April 2023

Full Council – 9 May 2023

The report of the Scrutiny Review of Procurement: Social Value and Buying Local

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Recommendations

Recommendation	Page
<p>1 The Review Board recommends that the Council undertakes further communications, training and engagement activity, informed by feedback from the Board’s survey, with:</p> <p>a) departments – focused on social value requirements and using the Social Value Charter including examples of what ‘good’ looks like; and</p> <p>b) with organisations in the supply chain, including providing case studies to ensure the Council’s approach to social value requirements is well understood.</p>	10
<p>2 The Board recommends that social value commitments are recorded in future via the PM3 procurement software system, to better enable monitoring of what is delivered.</p>	11
<p>3 The Board Recommends a service-based reporting requirement is introduced on the delivery of social value commitments which is reviewed quarterly at departmental management team meetings.</p>	11
<p>4 The Review Board recommends that the Business Services Department assesses the business case for providing additional resources to monitor, track and support the delivery of contractual commitments including social value through enhanced contract management support.</p>	12
<p>5 The Board recommends that suppliers are required to monitor and report on their delivery of social value as part of their contract through the use of Key Performance Indicators (KPIs).</p>	12
<p>6 The Review Board recommends that service leads, commissioners and staff involved in contract management are included in the review process of Needs and Strategies document which sets out priority areas for social value offers.</p>	13
<p>7 The Board Recommends guidance is given on narrowing the focus or number of social value measures included in contract specifications to support the Council’s priorities and promote a collaborative approach within the Council.</p>	13
<p>8 The Review Board recommends that:</p> <p>a) Clear guidance is given to suppliers and commissioners on where to include carbon reductions measures in contracts and bids.</p> <p>b) Consideration is given to amending the Orbis Social Value Measurement Charter to make it clear that carbon reduction measures should be included in the specification of contracts in the first instance, rather than including them as social value measures, except where using social value measures would be more appropriate for smaller suppliers.</p> <p>c) The Council explores ways of continuing to provide support to local suppliers, such as training, to help them develop carbon reduction measures and adopt carbon reduction pathways, thereby promoting a more sustainable supply chain.</p>	14

9	<p>The Review Board recommends that:</p> <p>a) The Procurement Team explores in more detail how the Council could move to a more qualitative approach to measuring social value by conducting a sector based 12 month trial with the ASCH department to pilot a more qualitative approach that might be more suitable for VCSE organisations, including the development of evaluation criteria for the trial (e.g. comparison with the previous 12 month period).</p> <p>b) Once the trial has been completed and evaluated, a report on the next steps in moving to a qualitative approach across the Council is produced.</p>	16
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Introduction

1. Social value includes the consideration of social, economic or environmental benefits when commissioning and procuring goods, services and works. Achieving social value through procurement has been a priority for the Council for some time. The Council's suppliers have been helping to deliver apprentices, community value and engaging with skills initiatives for many years.

2. Through procurement and commissioning activity the Council increasingly works with communities to design solutions and support existing projects and initiatives with its resources, networks and expertise where possible. Social value in this context means working together and using resources to maximise the impact for local communities. The key benefits of social value include:

- Delivering better value for money by requiring our suppliers to do more than deliver the core services or goods in a contract;
- Increasing local spend by rewarding local organisations or those that employ a local supply chain, especially with the use of Small and Medium Enterprises (SMEs) or Voluntary, Community and Social Enterprises (VCSEs);
- Increasing opportunities for disadvantaged people and promoting social mobility;
- Helping to address specific skills gaps within a variety of sectors; and
- Promoting a responsible supply chain which leads to greener, cleaner areas and greater innovation.

3. The Place Scrutiny Committee was made aware of the work being undertaken to further develop the Council's approach to social value in procurement and Buying Local initiatives. The Committee identified that there was an opportunity for scrutiny to add value to this work and to review the policy and processes in this area of the Council's operations to help identify and support improvements. A scoping board meeting was held on 22 February 2022 which examined information on:

- The legislative background to the requirement to include social value in procurement;
- The current East Sussex County Council (ESCC) approach to social value in procurement and Buying Local; and
- How the scrutiny review could assist in improving the delivery of social value requirements and meeting the organisation's objectives.

4. Following consideration of this information the scoping board agreed to recommend proceeding with a review and this was agreed by the Place Scrutiny Committee on 23 March 2022. The agreed lines of enquiry for the review were:

- How can the Council improve the current approach to social value and Buying Local?
- How can social value and Buying Local initiatives be used to achieve the Council's objectives and support action on climate change and a sustainable local economy?

5. The desired outcomes from the review were to improve the Council's approach to social value including reviewing and endorsing the draft Social Value Policy; ensure the approach to social value supports the Council's objectives including those on sustainability, climate change and carbon reduction; and review the arrangements for supporting the local economy by Buying Local.

6. The review took place alongside the development of policies in this area and the Review Board had the opportunity to provide input into them as they were developed. The review looked at a range of evidence on the Council's approach to social value to see how well established the principles of social value are within the Council's procurement activity. It also looked at the policies, processes and procedures in place and suppliers' attitudes to the social value requirements in order to develop recommendations for improvements.

7. During the course of the review of evidence, the Review Board found that the Buying Local policy area and processes were well developed and meeting the Council's targets. As a result, the review primarily focussed on the social value policies and requirements.

8. The Review Board were mindful of the uncertain financial outlook the Council faces based on the current local and national position. Therefore, in developing recommendations from the review, the Board has sought to suggest ways of making improvements without significantly increasing the costs of the Council.

Background

9. Contract procurement activity in the Council is supported by the Orbis Procurement Team, which is a shared service between East Sussex County Council (ESCC), Surrey County Council (SCC) and Brighton and Hove City Council (BHCC). The Procurement Team, which is part of the Business Services Department, provides specialist support to all the Council's departments to help them procure contracts for goods and services and to comply with Procurement Regulations which encompass the requirement to include social value in contracts.

Social Value

10. In 2012 the Government brought into law the Public Services (Social Value) Act, to ensure the application and consideration of social, economic or environmental benefits when commissioning and procuring a service. When the Act was originally introduced, it applied to service based contracts with a value over the Regulatory Threshold (currently £213,477 inclusive of VAT as at 1/1/2022). However, ESCC has since moved to apply the same approach to all contracts, regardless of type, where the value is in excess of £100,000. This is a local choice and is in line with the approach taken by other similar local authorities. It widens the application of social value to lower value contracts and those that are for goods as well as services.

11. Procurement Regulations have for some time allowed contracting authorities, such as ESCC, to take into account as part of any procurement, socio, economic and environmental factors. The Public Services (Social Value) Act 2012 requires the Council to consider:

- How what is proposed to be procured might improve the economic, social and environmental well-being of the area where it exercises its functions, and
- How, in conducting the process of procurement, it might act with a view to securing that improvement.

12. Social value plays an important part in enabling procurement activity to deliver not just cost or service specific benefits, but also to deliver additional value against the Council's aims and objectives. The Council's corporate target is to deliver an additional 10% of the contract value in social value commitments, for all contracts procured which are over £100,000 in value. In 2021/22 the Council secured 11% economic, social and environmental social value commitments through contracts with its suppliers.

13. ESCC may require suppliers, when bidding for contracts over Regulatory Threshold, to include in their bids social value commitments or 'offers' to meet the Council's policy and the requirements of the Social Value Act. This is done using the Orbis Social Value Measurement Charter where contractors can make offers against the measures in the Charter, or the Social Value Market Place and ESCC Crowdfunder websites. The social value 'offers' are then assessed against the contract evaluation criteria as set out in the contract specifications and using the monetary proxy values in the Orbis Social Value Measurement Charter.

14. The Social Value Market Place and ESCC Crowdfunder websites provide alternative ways of contractors making social value commitments. The Social Value Market Place is a web-based portal which enables local community organisations to make requests for something which contractors can then offer to provide as part of their social value commitments. It is a non-financial way of getting social value and is a matching service between local organisations and contractors offering social value help. The ESCC Crowdfunder website was developed in partnership with Crowdfunder UK and enables local organisations to use a different way of raising and getting funding. It is a way that contractors and suppliers can make financial contributions to charities and Voluntary Community and Social Enterprise (VCSE) organisations in East Sussex that can be included as part of their social value offer. Both are linked to and signposted in the Charter and tender documentation.

15. The Orbis Social Value Measurement Charter contains 39 measures, that are based on national Themes, Outcomes and Measures (TOMs) of social value. The measures are split across the four themes of Economy, Social, Environment and Other Initiatives. The Themes, Outcomes and Measures assign a proxy monetary value that can be used to evaluate, on an objective basis, the proposed social value that has been offered by bidders. Examples of the sort of measures that are in the Charter include:

- the amount of the contract value spent with local small and medium sized businesses;
- commercial support or facilities offered to local voluntary and community organisations;
- the number of apprenticeships offered to local people; or
- resources dedicated to increase the biodiversity of local green spaces.

Buying Local – using local suppliers

16. The Council is committed to encouraging businesses in East Sussex to compete for contract opportunities in order to support the development of the local economy. The Council actively encourages the use of locally based suppliers where they can offer best value for money, where 'local' is defined as within the county boundaries of East Sussex.

17. The Council's corporate target for the percentage of Council procurement expenditure with local suppliers is 60%. In 2021/22 the percentage expenditure achieved with local suppliers was 67.9%. This figure includes Tier 2 supplier data (i.e. the direct expenditure with the Council's suppliers that is then sub-contracted by them to a local supplier). The national Government target for contracts being delivered by local small businesses is 33% (2019 figure).

18. There are linkages between social value measures and the use of local suppliers, including VCSE organisations. For example, social value measures include using local suppliers and VCSE organisations to deliver contracts, and employing or training local people which benefits the local economy. The use of Buying Local initiatives and social value both aim to support the local economy and the local communities of East Sussex, as well as being linked to the Council's priority outcomes.

Review Board Findings

Social Value

Social Value policies, processes and procedures

19. The Review Board examined a range of evidence on the Council's current social value policies, processes and procedures to explore how well understood the requirement to include social value in contracts is, and whether there is any scope for making improvements. This included departmental attitudes to social value within the Council, and those of organisations in the Council's supply chain.

20. The Board saw and heard evidence of the extensive range of work the Procurement Team has undertaken to embed social value principles with contract commissioners, and those staff who have a contract management role across the Council, to ensure social value requirements are built into contracts at an early stage and their delivery is monitored. This included follow up work from an Internal Audit report on the Management of Social Value Requirements, the development of new contract handover documentation and the adoption of an ESCC Social Value Policy. As part of the review the Board were able to comment on and endorse the draft Social Value Policy prior to its adoption in September 2022. The Board also indicated that it would welcome the opportunity for scrutiny to be involved in any future updating or review of this policy.

21. The Review Board also conducted a short survey of Council staff involved in commissioning and those with a contract management role or responsibility, to explore staff views and levels of understanding of social value requirements, receiving responses from 12 officers out of 40 invited to complete the survey. A full summary of the results from the survey can be found in appendix 2 of this report.

22. The Board found that there is a focus on early engagement with departments and suppliers to ensure that social value requirements are well understood. However, there is an acknowledgement by the Procurement Team that there is more to do to improve the level of understanding. Some of the suggestions made by respondents of what would improve their knowledge of social value included:

- Providing updates on what social value ESCC is achieving through contracted services across departments and examples of what good looks like.
- Collective discussions in teams about how best to use the social value approach.
- An on-line guide to social value and some guidance on what is realistic and appropriate to expect from small VCSE organisations.
- Short training sessions and support for contract managers on how to achieve social value in practice.
- Short written guide or PowerPoint guide highlighting key/essential points with examples of good practice, including priorities and how it is measured.

23. The results of the survey also illustrate that the majority of the smaller group of officers who had used the Charter rated it as difficult to use. Some of the suggestions for improvement included:

- Having examples of social value gained from contracts by service area would enable commissioners to better understand the art of the possible.
- Having discussions in teams about how best to use the social value approach, including what has worked and not worked against the specific TOMs.

- Having more flexibility in the approach, ensuring commissioners are aware that the Charter can be tailored to individual contract requirements.

24. When asked if the policies and procedures for social value are clear and easy to understand there was an even split in the survey between those that agreed, disagreed or neither agreed or disagreed. In contrast, all respondents rated their understanding of social value as ok, good, or very good. Respondents were split on how well they thought social value principles are communicated and understood within the Council, with 50% saying it was poorly or very poorly communicated and understood, and 50% saying it was neither poorly nor well, or well understood. In this respect, continuing with communications, training for staff and engagement activity will be important.

25. Examples of suggestions from respondents to the survey for improvements to the Council's current procedures for securing social value in contracts included:

- Targeting social value requirements at much larger, commercial contracts.
- A move to more qualitative measures for social value is developed, which can be adapted for different markets and service areas.
- More emphasis on the social value aspect of procurement, to help the contractor and the end user in procurement projects and making it clear that the Social Value Charter tool can be edited for individual projects.
- The Procurement Team to remind commissioners to view the suite of documents available (including examples) when starting a procurement process, and the requirement to monitor and measure social value once the contract is awarded.
- Provide examples of the difference social value makes and how it can be used imaginatively in procurement processes – i.e. what 'good' looks like.

26. The Board heard from the Procurement Team and other witnesses that there are also uneven levels of understanding of the Council's approach to social value in the supplier base. This was supported by the views of commissioners and contract managers or those with contract management responsibility who responded to the survey. When asked how well they thought organisations in the supply chain understood the social value requirements; 25% thought organisations in the supply chain poorly understand the requirements; 58% neither poorly or well; and 17% well.

27. There are differing levels of understanding in different industry sectors. Some sectors (e.g. construction) are more mature in their understanding and approach to making social value offers than others. It is therefore important to engage with the supply chain on our approach to social value through communications and to encourage them to think about it early in the procurement process.

Recommendation 1

The Review Board recommends that the Council undertakes further communications, training and engagement activity, informed by feedback from the Board's survey, with:

- a) departments – focused on social value requirements and using the Social Value Charter including examples of what 'good' looks like; and**
- b) with organisations in the supply chain, including providing case studies to ensure the Council's approach to social value requirements is well understood.**

Monitoring the delivery of Social Value commitments

28. Once a contract has been awarded, it is the responsibility of the client department, rather than the Procurement Team, to ensure the social value commitments made as part of the contract are delivered. This is an important part of maintaining a robust procurement process. The Board heard that at present there is no overall system for recording and monitoring the implementation of the social value commitments that have been made, but this is likely to change with the introduction of a new procurement software system PM3, which has the ability to record benefits such as the social value commitments for each contract. Management reports can then be created to help senior managers monitor the delivery of commitments. The Board considered that recording and tracking social value commitments is essential so that monitoring of what is actually being delivered can take place.

Recommendation 2

The Board recommends that social value commitments are recorded in future via the PM3 procurement software system, to better enable monitoring of what is delivered.

29. The Board considered that introducing a reporting requirement for social value commitments may also be helpful, especially where the Procurement Team is not involved in the procurement. For example, this could be a quarterly dashboard report reviewed by departmental management teams, which would increase the visibility of contracts requiring further action and would enable resources to be focussed on where additional contract management support may be needed. This could help ensure that the social value benefits secured as part of the procurement process are delivered.

Recommendation 3

The Board recommends a service-based reporting requirement is introduced on the delivery of social value commitments which is reviewed quarterly at departmental management team meetings.

30. The Board heard evidence from the Procurement Team that it would be beneficial to be able to provide some additional contract management resource to support those staff in contract management roles to monitor and ensure the delivery of social value commitments. This may be especially helpful for smaller contracts where there is no dedicated contract management function or resource, or where there may be work pressures around service delivery.

31. The Procurement Team provided information to the Board on the Contract Management Advisory Service being developed in Surrey County Council (one of the Orbis partners) which aims to provide enhanced overall contract management support to ensure all contracts are performing and obligations are delivered, including social value. The business case for this service looked at the benefits to the organisation of having an efficient and effective end to end contract management and better procurement outcomes. This includes the efficient use of resources already being employed to secure social value commitments.

32. Members of the Social Value Review Group, which is an officer group comprised of subject and sector specialists, outlined that they provide support to ESCC departments where they can, but have limited capacity. They agreed that having some additional resource to support contract managers would be helpful in delivering the Council's policy on social value. The responses to the survey of commissioners and contract managers suggests that some staff are having difficulties and are struggling to monitor social value commitments. A third (33%) of respondents said they 'Rarely' had time to monitor the delivery of social value commitments; just over 40% replied 'Sometimes' and 25% 'Often'. Just over 90% of respondents said they would find the provision of additional resources to help with monitoring and implementation of social value commitments beneficial. Some of the stated reasons from the survey for needing support, or ways of providing additional support for monitoring, included:

Monitoring

- All teams are stretched with staff retention an issue. This can often leave little time for anything above and beyond service delivery. Monitoring social value delivery during covid has been difficult, with some providers experiencing significant staffing pressures.
- The Procurement Team could share rolling updates on social value gained across service areas, highlighting successes and difficulties in specific Themes, Outcomes and Measures. This will enable commissioners and the Procurement Team to know what works and doesn't work in relation to gaining good social value.
- Social value could be added to regular contract review meetings, but at present the focus is on delivering Key Performance Indicators and outcomes set out in the service specification.
- It would be useful to measure social value and review where it is met to inform future social value opportunities. This could be shared so it is possible to understand across the organisation the impact this is making and how the approach can be improved.

Support

- There is very little assistance after contracts have been procured. Support to help contract managers understand how to gain social value and embed within the organisation would be time well spent if the Council wants to lever in and maximise social value. It would be helpful to be guided on what 'good' looks like.
- Currently, all input from the Procurement Team ceases at the point of contract award, and sometimes Procurement have had the most involvement in evaluating social value responses from bidders. It can then be difficult to monitor and evaluate the real impact and delivery of social value throughout the life of the contract, especially if the successful bidder does not have the relevant people to monitor and review social value commitments.

33. The Review Board considers there is a potential business case for some additional resource to support the monitoring and delivery of social value commitments and that it would be worth exploring whether it is possible to provide extra support as part of enhanced contract management similar to the Surrey County Council model. It would also be helpful to require suppliers to report on the delivery of the social value commitments as part of the contract specification.

Recommendation 4

The Review Board recommends that the Business Services Department assesses the business case for providing additional resources to monitor, track and support the delivery of contractual commitments including social value through enhanced contract management support.

Recommendation 5

The Board recommends that suppliers are required to monitor and report on their delivery of social value as part of their contract through the use of Key Performance Indicators (KPIs).

Social Value and the Council's priorities

34. The Review Board explored the way in which the social value policies and procedures enable the Council's priorities to be supported. There is a strategic procurement 'thread' which links the social value requirements in procurement to the Council's objectives. The Social Value Policy links the Council's priority objectives to the Social Value Charter and the measures contained in the Charter. The social value Needs and Strategies document provides a further emphasis on those social value measures that closely support the Council's priorities and current issues (e.g. helping people into work).

35. The evidence heard by the Board suggests that it is currently possible to narrow down or focus the social value measures to support the Council's priorities. The Board found that the social value themes in the Orbis Social Value Measurement Charter and the Needs and Strategies document which sets out priority areas for social value offers, provide enough flexibility to ensure that social value offers closely support the Council's priorities. For example, the Board heard that a survey of some commissioners in the Adult Social Care and Health department indicated that they see the two most important priorities as supporting people with a disability and/or care and support needs, care leavers and those not in employment, education and training (NEETs) into employment, and carbon reduction measures.

36. The Board heard that the Needs and Strategies document is reviewed quarterly by the Social Value Review Group and consider that it would be beneficial to include service leads, commissioners and those involved in the contract management function in the quarterly review process of the Needs and Strategies document to help ensure that the priority areas set out remain current and appropriate. There are also opportunities to take a whole council, collaborative approach to social value. As an example, commissioners in Adult Social Care and Health identified measures to employ people with a disability and/or care and support needs, and care leavers as a priority which could be applied in contracts across the Council. This would materially contribute to increasing the wellbeing of these groups and the Council's priority of helping people to help themselves.

Recommendation 6

The Review Board recommends that service leads, commissioners and staff involved in contract management are included in the review process of Needs and Strategies document which sets out priority areas for social value offers.

Recommendation 7

The Board recommends guidance is given on narrowing the focus or number of social value measures included in contract specifications to support the Council's priorities and promote a collaborative approach within the Council.

Social Value and climate change

37. The Review Board examined how social value can be used to help the Council achieve its climate change objectives, and specifically whether it would be better to specify carbon emission reduction measures within core contract specification requirements rather than using social value measures. At present it would appear that there is a choice of approach.

38. The Board heard that the Environment theme within the Orbis Social Value Measurement Charter includes measures to reduce operational carbon emissions, as well as measures to dedicate resources to the sustainability of local green areas (e.g. improving biodiversity and improving habitats) and environmental programmes with local groups. Evidence provided by the Procurement Team and the Environment Team Manager indicated that including carbon reduction measures in core contracts rather than using social value measures, would enable more precise specification of what the Council requires (e.g. carbon reduction plans and carbon reduction targets) and better monitoring and delivery. This view was also supported by the evidence given to the Board by Strategic Commissioning Managers.

39. The Board also reviewed the Orbis Environmentally Sustainable Procurement Policy which was adopted in October 2022. This provides for the inclusion of carbon reduction and other sustainability measures within core contracts. The Board considered that it would be helpful for the policy to include a number of case studies and for scrutiny to be involved in the evaluation and updating of the policy.

40. The Board found that based on the evidence given to the Board and with the introduction of the Orbis Environmentally Sustainable Procurement Policy, there is a clear case that it would be better to include carbon reduction measures in core contract requirements and not use social value measures for this purpose. The only exception would be where it is a very small supplier who may not be able to afford to produce a carbon reduction plan or offer carbon reduction measures as part of the core contract. The Orbis Social Value Measurement Charter will need to be altered to reflect this, so suppliers and commissioners are clear where they should include carbon reduction measures in future contracts and bids.

41. The Board heard that the LoCASE (Low Carbon Across the South and East) scheme (which finishes in April 2023) provides business support to the supply chain and small and medium-sized enterprises (SMEs) to help them develop measures to reduce carbon emissions and costs. The Review Board heard that suppliers may need support in developing carbon reduction plans and knowing which carbon reduction measures to prioritise. This was confirmed in evidence given by commissioners. One option could be for larger suppliers, in other non-competing sectors, to offer support on carbon reduction measures to smaller suppliers as part of their social value offer. Examples of measures or suggestions such as this will need to be included in tender documentation or as a measure in the social value Charter.

42. The Review Board considered that it is important to ensure there is some support for the Council's suppliers and local potential bidders to help them develop carbon reduction measures, such as the support provided by the current LoCASE Scheme. This could be considered as part of the Council's work to decarbonise its scope 3 emissions.

Recommendation 8

The Review Board recommends that:

a) Clear guidance is given to suppliers and commissioners on where to include carbon reductions measures in contracts and bids.

b) Consideration is given to amending the Orbis Social Value Measurement Charter to make it clear that carbon reduction measures should be included in the specification of contracts in the first instance, rather than including them as social value measures, except where using social value measures would be more appropriate for smaller suppliers.

c) The Council explores ways of continuing to provide support to local suppliers, such as training, to help them develop carbon reduction measures and adopt carbon reduction pathways, thereby promoting a more sustainable supply chain.

Quantitative vs. qualitative approach to measuring social value

43. The Review Board heard evidence from the Procurement Team that a quantitative approach to measuring social value tends to focus on the monetary value of the offer (e.g. number of jobs). Whereas a qualitative approach could be used more flexibly to construct tenders to reflect wider, longer term benefits such as long term employment opportunities (e.g. permanent contracts on the national living wage). The current approach which seeks a social value offer of 10% of the value of the contract can lead to a focus on measures like apprenticeships, the provision of laptops etc. as they are easier to deliver and quantify. The ESCC approach to social value to date has been good (it has won two awards) and is now at a stage of maturity where there is an opportunity to evaluate whether a more qualitative approach would provide wider community wellbeing benefits.

44. The current quantitative approach is based on widely used national guidelines which use social value Themes, Outcomes and Measures (TOMs) and assigns proxy monetary values to social value commitments. However, it is possible to use a more nuanced qualitative approach which may have wider benefits for the Council and communities in East Sussex. The review Board heard there are challenges in moving to a more qualitative approach as this may be perceived as being more subjective and potentially more open to challenge when evaluating and scoring bids. Some commissioners like the quantitative approach as it is easy to quantify the social value commitments and it is an approach they are comfortable with. It is also more difficult to provide monetary values for performance measures using a qualitative approach. However, there are examples where a qualitative approach has successfully been used without challenge, such as by Brighton and Hove City Council, which demonstrates it is possible to do so without there being challenges to the outcome of the procurement.

45. The Board heard there are also examples from other local authorities such as Herefordshire Council and Durham and Leicestershire County Councils where a hybrid approach has been taken. In these examples qualitative measures are used and specified in contracts. The social value delivered is then assessed and a monetary value attributed. Essex County Council has developed a 'Social Return on Investment' measure to assess the amount of social value delivered.

46. Evidence from the Procurement Team highlighted that the original Social Value Act sought benefits for community wellbeing and that the development of a more qualitative approach may more closely meet the requirements of the Act. The introduction of the Social Value Model for use in central Government contracts also advocates a more qualitative approach. This measures social value through use of method statements submitted by potential bidders describing how and what social value they will provide. The Board heard that the Procurement Team would support developing a trial or pilot for a more qualitative approach, provided this could be done carefully and following consultation with commissioners. This approach has been tested with some commissioners in the Adult Social Care and Health (ASCH) department. The Procurement Team also confirmed that this approach would be suitable for contracts across the organisation.

47. The Review Board heard evidence from the Third Sector Policy Manager that the Voluntary Community and Social Enterprise (VCSE) sector's view of social value is that "it's what they do" and meeting social value requirements had initially been a challenge for them. VCSE organisations see themselves as providers of social value and it is more difficult for them to make social value commitments where there is not the breadth of measures that VCSE organisations can meet (e.g. measures like apprenticeships are more difficult for VCSE organisations to fund and offer). Feedback from VCSE organisations via the Third Sector Policy Manager indicated they would favour an approach which is more tailored to their ability to offer social value commitments, and a move to a more qualitative approach may be more flexible and compatible with the needs of VCSE organisations.

48. The Review Board can see the potential benefits of moving to a more qualitative approach to measuring social value. Based on the evidence heard from the Procurement Team and Third Sector Policy Manager, it may also provide a more flexible approach which might be more suitable for VCSE organisations. Therefore, the Board would support exploring a change to a more qualitative approach to measuring social value by conducting a trial if this could be achieved in a careful and considered way. The Board heard that a trial could be developed to pilot this approach in the health and care sector where a number of VCSE organisations operate.

49. The trial would be based on the central Government Social Value Model, which is widely used and supported with training materials. Social value offers would be evaluated qualitatively through a requirement to submit a method statement and include key performance indicators (KPIs) on the delivery of social value in contracts. The KPIs can then be used to measure and report the social value delivered by the contract. This places more of the emphasis on the contractor to report on the delivery of social value. The trial could be conducted with the ASCH department, with direct involvement from Adult Social Care Commissioning, for a period of 12 months and then evaluated. During the period of the trial the ASCH department would need to be exempted from the corporate social value target, so as not to affect other departments.

50. The Review Board considers there to be benefits to the Council and the wider community of moving to a qualitative approach and this could be evaluated through a trial. It would need to be supported by appropriate training and engagement with commissioners, those with contract management responsibilities, and suppliers. Following completion of a successful trial, a qualitative approach could then be rolled out across the Council.

Recommendation 9

The Review Board recommends that:

a) The Procurement Team explores in more detail how the Council could move to a more qualitative approach to measuring social value by conducting a sector based 12 month trial with the ASCH department to pilot a more qualitative approach that might be more suitable for VCSE organisations, including the development of evaluation criteria for the trial (e.g. comparison with the previous 12 month period).

b) Once the trial has been completed and evaluated, a report on the next steps in moving to a qualitative approach across the Council is produced.

Buying Local initiatives and the use of local suppliers

Policies, processes and procedures

51. The Review Board heard that the Orbis Procurement Team actively engages with local suppliers on tender opportunities and provides support and training at events to help potential suppliers understand the Council's procurement process and how to bid effectively. They hold early market engagement events and Framework launch events, to inform suppliers of upcoming opportunities and ensure there is a clear understanding of the tender process. All Council contracts worth over £25,000 are published on the Contracts Finder portal and the format of Pre-Qualification Questionnaires and Selection Questionnaires has been approved by the Federation of Small Businesses.

52. The Board also heard evidence that the Council has been increasing the target for the percentage of expenditure with local suppliers over the years. It was increased from 54% to 60% in 2021/22 as the Council had been exceeding the target and it was considered that a higher target would better reflect the focus ESCC places on spending Council money within the local economy. This level of performance demonstrates that facilitating local expenditure through tendering activity is routinely being achieved. It has also supported the Council's recent work on the East Sussex Economy Recovery Plan.

53. The Board heard there are no plans to increase this target further, as delivery against the target is only partly under the Procurement Team's control. Although the Procurement Team does put in place initiatives to encourage local suppliers, the use of local suppliers cannot be included as a specific requirement in most tenders as it would be contrary to Procurement Regulations. However, there are links between using local suppliers and the Social Value Measurement Charter which rewards suppliers who include social value commitments in their tender submission. For example, if a supplier commits to delivering all or a large part of the contract locally or through local supply chains, this can increase their evaluation score.

54. The Board heard that the Council has recently signed up to the *Keep it Local* Campaign, which includes six principles for working with local organisations and that support working with VCSE organisations (further details can be found in appendix 3 of the report). The six principles are:

1. Think about the whole system not individual service silos
2. Co-ordinate services at a neighbourhood level
3. Increase local spend to invest in the local economy
4. Focus on early intervention now to save costs tomorrow
5. Commit to your community and proactively support local organisations
6. Commission services simply and collaboratively so they are "local by default"

55. Many of the six *Keep it Local* principles are already embedded within the Council's core business, including its approach to commissioning and procurement and the whole systems approach to partnership working with the NHS and VCSE organisations. This will in turn have the potential to support local communities and local wealth creation.

56. Evidence from the Council's Economic Development Team's work with local suppliers and business organisations indicates there is no demand in any of their specialist support programmes for topics on how to win public sector contracts or meeting social value requirements. This may imply that local business organisations understand the Council's approach in these areas.

57. However, the results from the survey of contract managers and commissioners suggests more could be done to improve the understanding of ESCC's social value requirements. When asked how well do you think businesses and organisations in the supply chain understand the Social Value requirements 25% of respondents thought ESCC's social value requirements were Poorly understood by business organisations; 58% Neither Poorly nor Well; and 17% Well understood. Suggestions of what more ESCC could do to assist bidding organisations in understanding social value included:

- Improve marketing of the social value marketplace and provide online webinars or videos to bring this to life and what has been achieved.
- More engagement at the outset of a procurement activity, highlighting the importance of social value as opposed to it being described as something we just all need to do.
- Work with suppliers and contract managers to help them understand the social value requirements, particularly SME type organisations.
- Create examples and case studies of where social value works well, highlighting the Themes, Measures and Outcomes that will bring the best social value to people and communities across East Sussex, and help meet the Priorities of ESCC and our partners.
- Have guides and examples that could be shared with business organisations relevant to their service or business sector.

58. Recommendation 1 on page 10 of the report addresses the issue of further communications, training and engagement activity to support suppliers understating of the Council's social value requirements.

59. During the course of the review of evidence, the Review Board concluded that the current policies and procedures are working well, and the Council is meeting and sometimes exceeding the target levels of expenditure with local suppliers. The principles and benefits of using local suppliers and organisations to provide the Council with goods and services are well established and have been further re-enforced by the commitments contained in the *Keep it Local* Campaign. Consequently, the Board has not made any recommendations regarding the Buying Local initiatives and has primarily focussed on the review of social value.

Conclusions

60. Overall, the Review Board found that a great deal of work has been undertaken to make sure the Council's social value requirements are well understood and considered at an early stage of the procurement process. There is more work to do on the handover to service departments and monitoring of the delivery of social value commitments. The Board has made a recommendation on building a business case to provide additional resources to support this work.

61. The Council's current approach to measuring social value using quantitative measures is quite mature, and the Board considers that there may be an opportunity now to move to a more qualitative approach to provide wider community benefits, which in turn may help support work with our VCSE partners and small and medium-sized enterprises (SMEs), making it easier for them to demonstrate social value. The Council's Buying Local initiatives to support local suppliers appear to be working well and are embedded across the organisation.

Appendix 1

Scope and terms of reference of the review

The Review was established to consider and make recommendations on the following:

- 1) How can we improve the current approach to Social Value and Buying Local?
- 2) How can Social Value and Buying Local be used to achieve the Council's objectives and support action on climate change and a sustainable local economy?

The scope of the review included an investigation of various aspects of the current policy and approaches including:

- Examining how well social value principles are communicated and understood by departments – How embedded are they?
- Examining the processes used and in particular the handover from the Procurement Team to the service department contract managers who are responsible for monitoring and ensuring the social value measures are delivered.
- Looking at the engagement with the Council's supply chain – do they understand the requirement and what we are trying to achieve? – what help and support might they need?
- Exploring whether it is possible/beneficial to move away from the use of proxy values in the current quantitative approach to measuring social value to a more outcome focussed qualitative approach and what this could look like.
- Review and comment on the draft Social Value Policy.
- Examine whether narrowing down and prioritising what social value the Council asks for from suppliers, would be beneficial in achieving the Council's objectives. This may already be taking place to some extent when using the Social Value Charter (e.g. through the use of tailored advice for specific or larger contracts).
- Explore opportunities to use social value to support action on climate change and a sustainable local economy.
- Consideration of the Environmentally Sustainable Procurement Policy

Board Membership and project support

Review Board Members: Councillors Chris Collier (Chair), Julia Hilton and Paul Redstone.

The Project Manager was Martin Jenks, Senior Scrutiny Adviser with additional support provided by Harvey Winder, Scrutiny & Policy Officer and Patrick Major, Scrutiny & Policy Support Officer.

Anne Epsom, who was the departmental link officer and Fraser Cooper provided ongoing support to the Board throughout the review.

Review Board meeting dates

Scoping meeting – 22 February 2022

Board meetings

26 July 2022

4 October 2022

20 October 2022

7 November 2022

15 November 2022

20 February 2023

8 March 2023

Witnesses providing evidence

The Board would like to thank all the witnesses who provided evidence in person:

ESCC officers

Darron Cox, Director of Procurement, Orbis Procurement

Anne Epsom, Head of Policy and Modernisation, Orbis Procurement

Lee Redmond, Head of Contract & Commercial Advisory

Rozie McPhrazier, Social Value Lead, Orbis Procurement

Andy Arnold, Environment Team Manager

Holly Aquilina, Employability & Skills Strategy Manager

Paul Rideout, Policy Manager (Third Sector)

Angela Yphantides, Strategic Commissioning Manger

Kenny MacKay, Strategic Commissioning Manager (Mental Health)

Fraser Cooper, Strategic Commissioning Manager (Learning Disability)

Evidence papers

Item	Date considered
Orbis Social Value Charter 2022	22 February 2022 and 26 July 2022
Orbis Social Value Charter Guide v7	22 February 2022 and 26 July 2022
ESCC Draft Social Value Policy	26 July 2022
Internal Audit Report – The Management of Social Value Requirements follow up audit 2021/22 (February 2022)	26 July 2022
ESCC Social Value Needs and Strategies Document	4 October 2022
Keep it Local – Report to Lead Member for Resources and Climate Change 26 July 2022	October 2022
Orbis Environmentally Sustainable Procurement Policy	20 October 2022
Understanding Social Value in Procurement – Staff Survey Results	November 2022

Contact officer: Martin Jenks, Senior Scrutiny Adviser

Telephone: 01273 481327

E-mail: martin.jenks@eastsussex.gov.uk

Appendix 2 – Summary of staff survey results

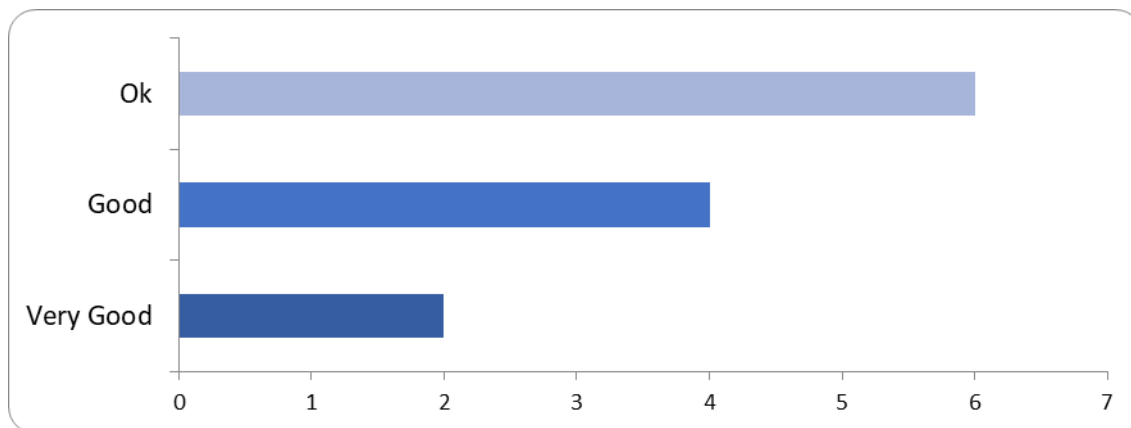
Understanding Social Value in Procurement – Survey Results Summary

The survey ran from 20/10/2022 to 04/11/2022 and was emailed to 40 staff who are either commissioners or who have a contract management role and who have procured a contract over the £100,000 social value threshold.

There were **12** responses to this survey out of the **40** staff and the response rate was **31%**.

The survey was made up of a number of questions with a fixed response using a quantitative 5 point rating scale and follow up, free response questions which provided qualitative comments and responses.

Question: How would you rate your understanding of the Social Value requirements in the procurement process?



Option	Total	Percent
Very Poor	0	0.00%
Poor	0	0.00%
Ok	6	50.00%
Good	4	33.33%
Very Good	2	16.67%
Not Answered	0	0.00%

There were 12 responses to this question.

All respondents rated their understanding as **Ok**, **Good** or **Very Good**, with 50% (6 respondents) rating their understanding as **Ok**, 33% (4 responses) as **Good**, and 17% (2 responses) as **Very Good**.

When asked what would improve their knowledge of social value some of the responses included the following.

Those who rated their understanding of social value requirements as **Very Good or Good** said:

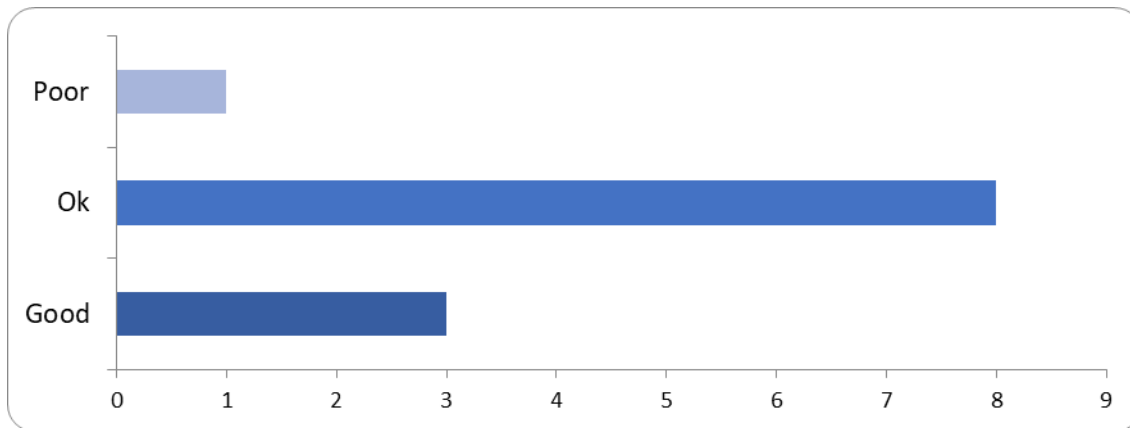
- Providing updates on what social value ESCC is achieving through contracted services across departments.
- Collective discussions in teams about how best to use the social value approach.
- More detailed discussion at start of a tendering/retendering process between commissioners and procurement colleagues.
- An on-line guide to social value and some guidance on what is realistic and appropriate to expect from small VCSE organisations.

Those who rated their understanding of SV requirements as **Ok** said:

- Short training sessions and support for contract managers on how to achieve social value in practice.
- Short written guide or PowerPoint guide highlighting key/essential points with examples of good practice, including priorities and how it is measured.

Question: How would you rate the support and documentation for including Social Value requirements in contracts?

There were 12 responses to this question.

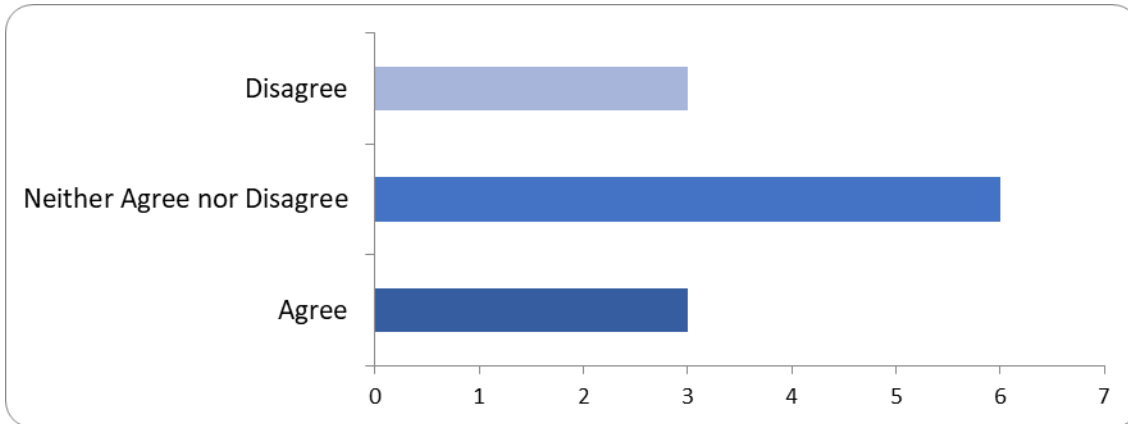


Option	Total	Percent
Very Poor	0	0.00%
Poor	1	8.33%
Ok	8	66.67%
Good	3	25.00%
Very Good	0	0.00%
Not Answered	0	0.00%

The majority of respondents thought the support and documentation was either **Ok** (67%) or **Good** (25%), with only 1 respondent rating it is as **Poor**.

Question: How far do you agree with the statement that “the policies and procedures for Social Value and clear and easy to understand”?

There were 12 responses to this question.

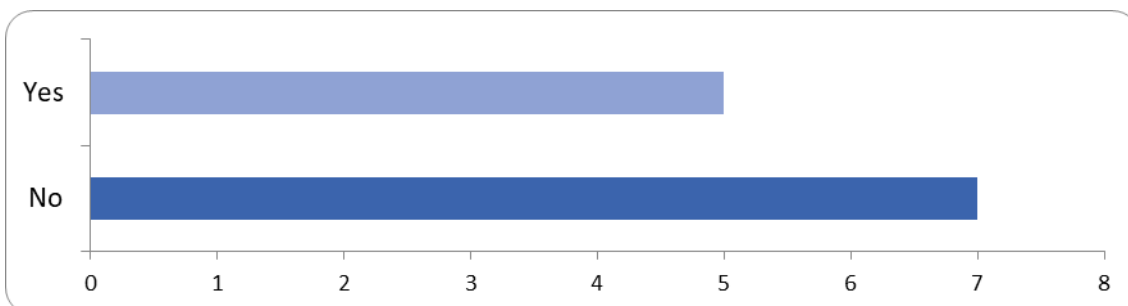


Option	Total	Percent
Strongly Disagree	0	0.00%
Disagree	3	25.00%
Neither Agree nor Disagree	6	50.00%
Agree	3	25.00%
Strongly Agree	0	0.00%
Not Answered	0	0.00%

The response to this question were very evenly split with 50% (6 respondents) **Neither Agreeing nor Disagreeing** with this statement. 25% (3 respondents) **Agreed**, and 25% (3 respondents) **Disagreed**.

Question: Have you used the Orbis Social Value Charter?

There were 12 responses to this question, with just over half (7 responses) saying they had not used the Charter.

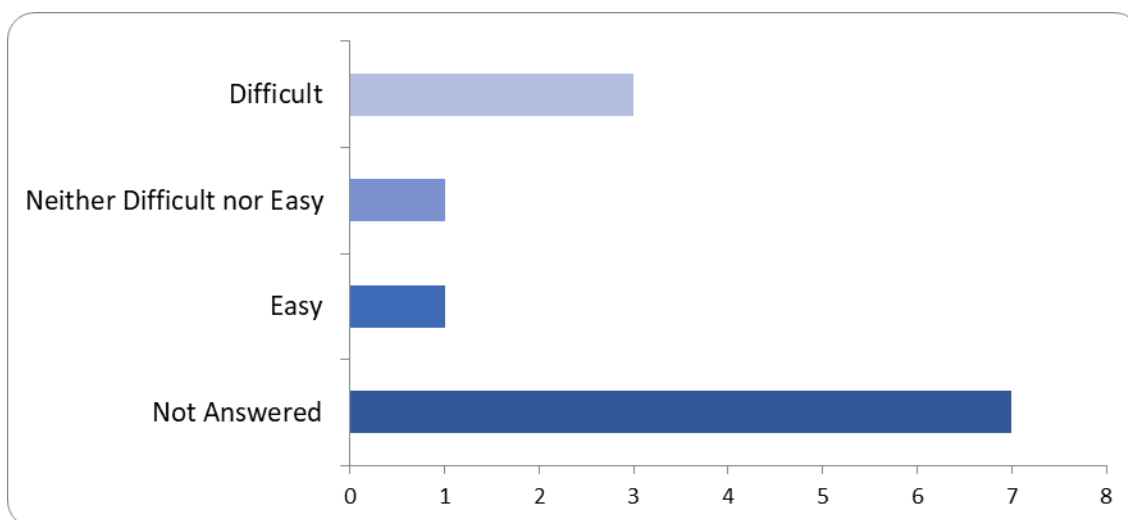


Option	Total	Percent
Yes	5	41.67%
No	7	58.33%
Not Answered	0	0.00%

Question: If you have used the Orbis Social Value Charter, how easy is it to use?

There were 5 responses to this part of the question, with 3 out of 5 saying they found it difficult to use.

Note that those who did not answer Yes to Q5 will not have answered this question.



Option	Total	Percent	
Very Difficult	0	0.00%	
Difficult	3	25.00%	
Neither Difficult nor Easy	1	8.33%	
Easy	1	8.33%	
Very Easy	0	0.00%	
Not Answered	7	58.33%	

When asked how they would improve the Charter some of the suggestions made were:

- Although difficult to use at first, after repeated use it becomes much easier, suggesting that the Charter might be more suitable for those who are frequently procuring contracts.

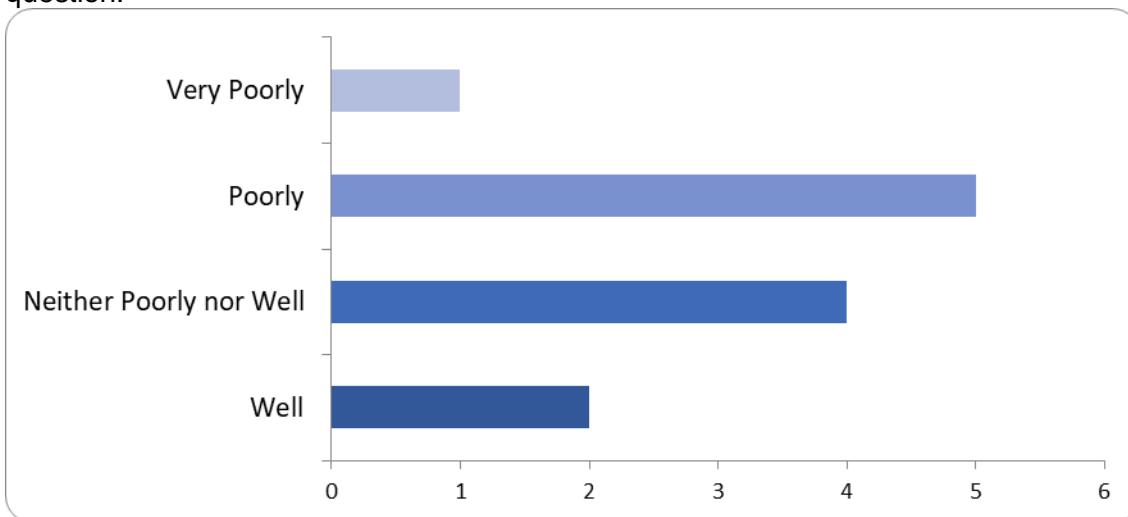
- Having examples of social value gained from contracts by service area would enable commissioners to better understand the art of the possible.
- Having discussions in teams about how best to use the social value approach, including what has worked and not worked against the specific TOMs.
- Having more flexibility in the approach, ensuring commissioners are aware that the Charter can be tailored to individual contract requirements.

Of those respondents who had not used the Charter the reasons given for not using the Charter were:

- they were not aware of it (2 responses) and
- it was difficult to find on the intranet (1 response).

Question: Internally within East Sussex County Council, how well do you think Social Value principles are communicated and understood?

There were 12 responses to this question.



Option	Total	Percent
Very Poorly	1	8.33%
Poorly	5	41.67%
Neither Poorly nor Well	4	33.33%
Well	2	16.67%
Very Well	0	0.00%
Not Answered	0	0.00%

50% of respondents stated that they thought social value principles were either **Poorly** (5 responses) or **Very Poorly** (1 response communicated and understood. 33% (4 responses) thought they were communicated **Neither Poorly nor Well** and 17% (2 responses) thought they were communicated **Well**.

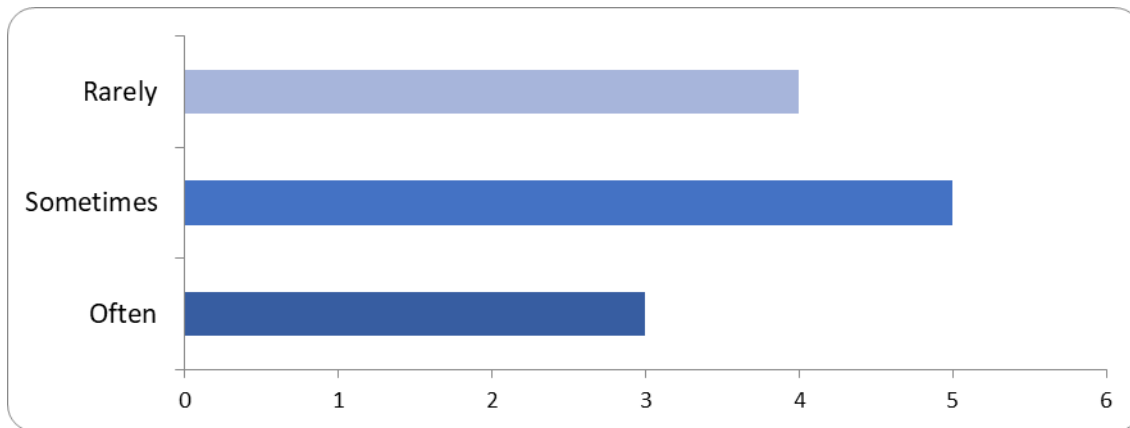
When asked if there were any improvements they would like to see, some of the suggestions for improvements included:

Suggestions for improvement included:

- Targeting social value requirements at much larger, commercial contracts.
- A move to more qualitative measures for social value is developed, which can be adapted for different markets and service areas.
- More emphasis on the social value aspect of procurement, to help the contractor and the end user in procurement projects and making it clear that the Social Value Charter tool can be edited for individual projects.
- The Procurement Team to remind commissioners to view the suite of documents available (including examples) when starting a procurement process, and the requirement to monitor and measure social value once the contract is awarded.
- Provide examples of the difference social value makes and how it can be used imaginatively in procurement processes – i.e. what ‘good’ looks like.

Question: Do you have the time and resources you need to monitor the delivery of the Social Value offers made as part of contract procurement?

There were 12 responses to this question.



Option	Total	Percent
Never	0	0.00%
Rarely	4	33.33%
Sometimes	5	41.67%
Often	3	25.00%
Always	0	0.00%

Not Answered	0	0.00%
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33% of respondents said they **Rarely** had time to monitor the delivery of social value commitments. Just over 40% (5 responses) replied **Sometimes** and 25% (3 responses) **Often**.

When asked if it would be beneficial to have central resources in the Procurement Teams to help monitor the delivery of social value requirements in contracts

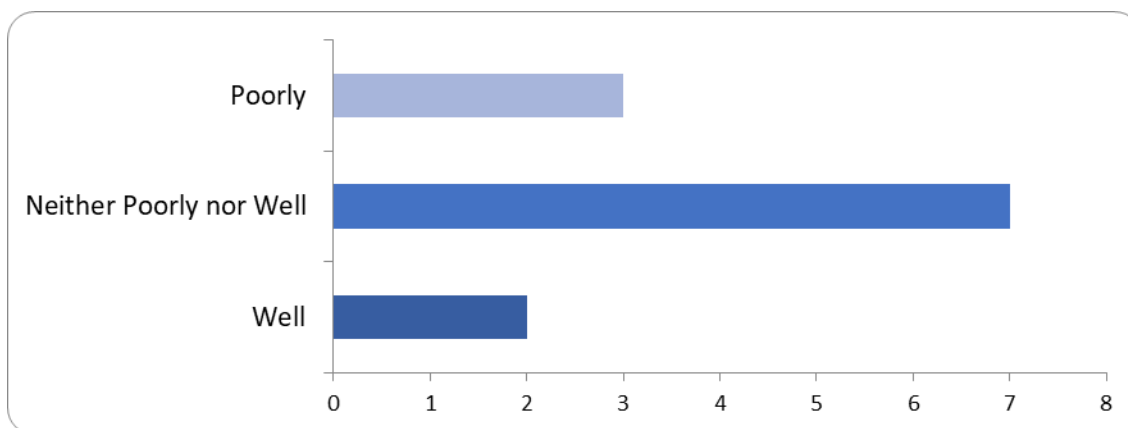
Just over 90% (11 responses) said **Yes** it would be beneficial to have some central resources.

Those who answered **Yes** to this question gave the following reasons for their response:

- All teams are stretched with staff retention an issue. This can often leave little time for anything above and beyond service delivery. Monitoring social value delivery during covid has been difficult, with some providers experiencing significant staffing pressures.
- The Procurement Team could share rolling updates on social value gained across service areas, highlighting successes and difficulties in specific Themes, Outcomes and Measures. This will enable commissioners and the Procurement Team to know what works and doesn't work in relation to gaining good social value.
- Social value could be added to regular contract review meetings, but at present the focus is on delivering Key Performance Indicators and outcomes set out in the service specification.
- It would be useful to measure social value and review where it is met to inform future social value opportunities. This could be shared so it is possible to understand across the organisation the impact this is making and how the approach can be improved.
- There is very little assistance after contracts have been procured. Support to help contract managers understand how to gain social value and embed within the organisation would be time well spent if the Council wants to lever in and maximise social value. It would be helpful to be guided on what 'good' looks like.
- Currently, all input from the Procurement Team ceases at the point of contract award, and sometimes Procurement have had the most involvement in evaluating social value responses from bidders. It can then be difficult to monitor and evaluate the real impact and delivery of social value throughout the life of the contract, especially if the successful bidder does not have the relevant people to monitor and review social value commitments.

Question: From your experience, how well do you think businesses and organisations in the supply chain understand the Social Value requirements we include in commissioning?

There were 12 responses to this question.



Option	Total	Percent
Very Poorly	0	0.00%
Poorly	3	25.00%
Neither Poorly nor Well	7	58.33%
Well	2	16.67%
Very Well	0	0.00%
Not Answered	0	0.00%

Respondents fairly evenly split in their views. 25% (3 responses) thought ESCC's social value requirements were **Poorly** understood by business organisations; 58% (7 responses) **Neither Poorly nor Well**; and 17% (2 responses) **Well** understood.

When asked if there is anything more ESCC could do to assist bidding organisations in understanding social value:

Those who answered **Poorly** said:

- Target social value at larger, commercial contracts were there is genuine potential for social value benefits to be delivered.
- Improve marketing of the social value marketplace and provide online webinars or videos to bring this to life and what has been achieved.
- More engagement at the outset of a procurement activity, highlighting the importance of social value as opposed to it being described as something we just all need to do.

Those who answered **Neither Poorly nor Well** said:

- Work with suppliers and contract managers to help them understand the social value requirements, particularly SME type organisations.
- Create examples and case studies of where social value works well, highlighting the Themes, Measures and Outcomes that will bring the best social value to people and communities across East Sussex, and help meet the Priorities of ESCC and our partners.

- Some organisations are very clear about what social value means and will push the council to use it more, others will be disinterested. It would be helpful to provide information on the benefits of social value, as well as case studies and examples of how to use it creatively.
- Have guides and examples that could be shared with business organisations relevant to their service or business sector.

Appendix 3 – Keep it Local

The six Keep it Local Principles are explored in a series of essays along with examples of how they can be put into practice.

Principle 1: Think about the whole system not individual service siloes

Across the country, people are beginning to think very differently about public services. At the heart of this is a growing recognition of the complex nature of social problems and the need to work as a whole system to address them.

The starting point in this journey varies from place to place. Some are developing new principles across a whole system; others are innovating in a part of the system to catalyse wider change. But it is clear that a new world is emerging which requires not just new practice, but a change in the way we think about how social change happens and a new language to enable it.

Principle 2: Co-ordinate services at a neighbourhood level

We live our lives in neighbourhoods – so it makes sense for them to be the starting point for how we think about services. Working at a neighbourhood level – with communities who understand both the challenges local people face and the strengths they have to overcome them – can help find creative solutions to seemingly insurmountable problems.

Councils can support good neighbourhoods in two main ways: by sustaining local places and spaces, and by working with local organisations to support social interaction. In so doing, they can tap into the strong local networks and trusting relationships that have been built up over time – and are ready to be drawn on when a crisis hits.

Principle 3: Increase local spend to invest in the local economy

The rise of community wealth building presents an opportunity for local authorities – working alongside other anchor institutions – to lead the way in creating economies that work for local people.

A progressive approach to procurement is central to this agenda – but it does not stop there. Community wealth building is a suite of activities which seeks to reorganise the local economy and build greater levels of economic and social justice.

Principle 4: Focus on early intervention now to save costs tomorrow

Traditional models of public service provision were invented in different times to address different challenges. As such, the state-led or market-driven approaches of the past are simply not set up to enable us to move away from crisis mitigation towards early intervention and prevention.

So now we need to make a decisive shift to the community: to mobilise the strengths that exist locally, and harness them in the name of early intervention and prevention. Under this new “Community Paradigm”, public services would be designed and delivered by and with communities themselves.

Principle 5: Commit to your community and proactively support local organisations

It's vital that councils understand the particular value that local community organisations bring to a place. A strong and active civil society is an inherently good thing whether or not it is commissioned to deliver public services.

There are all sorts of positive ways in which local authorities can build strong relationships with the community sector – listening to campaigning groups, providing small grants, supporting community asset transfer, involving local people in planning and development decisions. What is crucial is to create an environment where local community organisations can flourish.

Principle 6: Commission services simply and collaboratively so they are “local by default”

The EU procurement rules are often held to have imposed burdensome obligations that inhibit commissioning good sense. Yet the true villain is to be found much closer to home: domestic, bureaucratic institutionalism.

Commissioners can and should embrace the possibilities within our current regulations to prioritise social purpose and social value; and build strong partnerships with the local community.

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Report to: Place Scrutiny Committee

Date of meeting: 28 March 2023

By: Chief Operating Officer

Title: Community Asset Transfers and Asset Use

Purpose: To outline the Council's approach to disposal or letting of assets to community groups

RECOMMENDATIONS

Place Scrutiny Committee are recommended to:

1) note the contents of the report.

1 Background

1.1 The Council's strategic framework for its assets is set out in the Council's Strategic Asset Plan 2020-2025. The Committee asked for an update on the Council's approach for assets that have been sold or let to community groups.

2 Supporting information

2.1 The Council's operational portfolio comprises assets where they are used directly by the Council, or in connection with its partners including local authority run schools. Over the years, the County Council's delivery of services has evolved reflecting the Council's Plan (updated each year) and the State of the County report. Any service delivery changes can impact on the continuing use of particular operational assets not needed for direct delivery. These assets, therefore, become non-operational or known as 'surplus assets' once they cease to be used for operational use.

2.2 Significant changes in service delivery often occur following the outcome of public consultation. Historically, the Council has set out its intended service changes in a Lead Member report, by the appropriate service directorate. If these service changes result in assets no longer being required for its direct delivery, then specific reference is normally outlined in the report that they are surplus/non-operational.

2.3 The Lead Member reports often set out if surplus assets are to be available for community use or to be made surplus for onward disposal.

2.4 The below sets out some examples for the process that is followed and the factors that are considered including the statutory requirements for any such transfers. In general, whether an asset is used for income generation, sold for capital receipt, or transferred for community use depends on the circumstances such as market value, the availability of community groups to come forward, site location and involvement of other parties such as schools.

2.5 A case study example includes the evolution of the library service delivery. This evolved following public consultation and a Cabinet revised strategy that encouraged some of the smaller libraries to be run by local community groups. This approach was documented in the formal approval process. In this process of transfer to community groups, it was necessary to agree lease terms. In order to do this, Community Interest Companies (CIC) had to be set up in order to have a legal entity to agree terms with. This is a time consuming process and in the instance of one library, a community group did not come forward at all. In this case, the asset was instead repurposed for operational use for the Bibliographic Service in February 2023, as a result of moving out of Ropemaker Park premises.

- 2.6 In another example, in relation to a review of Children's Services Department (CSD) children's centres, a reduction in the core number of centres did occur following public consultation and Lead Member approval. In this example, a handful of assets were identified as part of the children's centre review and they were returned to school/Academy use as they were within school grounds. There were also two centres where opportunities were considered for community groups. One centre in Bexhill was marketed seeking offers from public partners and community groups and there was significant dialogue with an NHS partner and a community group for the future use of this asset. The community group were given time to see if they could establish a CIC and work up a business case to allow officers and Members to evaluate a decision. The community group were not able to provide the necessary information and therefore the asset was let to an NHS partner who could deliver specialist educational health care provisions in the community. For the other children's centre asset, discussions took place with a community group who did establish a CIC and the appropriate agreement was put in place to allow them to occupy the asset for wider child care provision.
- 2.7 In the past, the Council has agreed disposals or lettings to community groups with distinct Lead Member approval to specific community groups/voluntary groups. For these community groups, there are some key actions that need to be undertaken that can take considerable time. A community group often needs to secure external funding, set up a legal entity, finalise and agree lease/legal documents including holding negotiations on lease terms. The Council's Property team have worked with Legal colleagues to get a number of these finalised in the last 18 months though both teams are limited in their available resources.
- 2.8 The Council has just set up an officer Asset Management Group, which is looking to assess the forthcoming assets that may become surplus or non-operational in the next 12 months. This will allow officers to set out options for each potential asset that looks at (i) opportunities for income generation (ii) community use (iii) capital receipt including any temporary use.

Statutory considerations

- 2.9 Section 123 of the Local Government Act 1972 enables the Council to dispose of land and its assets in any manner it sees fit. However, this power is limited to such that the Council must obtain best consideration, except with the consent of the Secretary of State. It has generally been held that open market value of the land in question is relevant when determining whether best consideration has been achieved.
- 2.10 However, the Local Government Act 1972 General Disposal Consent Order 2003 removes the requirement for the Council to seek the consent of the Secretary of State where it wishes to dispose of land below best consideration in specified circumstances. These are where the Council considers the disposal is likely to contribute to the achievement of the promotion or improvement of economic, social, or environmental well-being provided that the undervalue is £2 million or less. The definition of a disposal of land/building includes a freehold transfer or the grant of a lease over 7 years. For context, some of the lettings to community groups in paragraphs 2.5 and 2.6 were under 7 years.
- 2.11 In this context the undervalue is the difference between the market value of the asset (known as the unrestricted value of the asset) and the letting or sale price below market value (known as the restricted value). For example, an asset may have a market rent (unrestricted value) of £25,000 per annum and a potential letting at a lower level (restricted value) could be £1 per annum. The difference is known as the undervalue (see below). Likewise, an open market value of an asset for freehold disposal could be £1 million (unrestricted value) but the sale to a community group could be at £250,000 (as restricted value).

- 2.12 The General Disposal Consent gives local authorities autonomy to carry out their statutory duties and functions, and to fulfil such other objectives as they consider to be necessary or desirable. However, when disposing of land at an undervalue, authorities must remain aware of the need to fulfil their fiduciary duty in a way which is accountable to local people.
- 2.13 The Council has powers under the Local Government Act and General Consent Order to sell land (lease or freehold) below market value where it can likely contribute to (i) wider promotion or improvement for economic well-being; (ii) social well-being or (iii) environmental well-being. However, any reduction in value cannot exceed £2 million, otherwise formal Secretary of State consent is required.
- 2.14 As part of the due diligence by the Property team, an internal valuation by a Royal Institution of Chartered Surveyors chartered valuation surveyor would therefore be undertaken. A report would be approved by Assistant Director, Property to confirm that the value difference is significantly less than the £2million threshold.

3. Conclusion and reasons for recommendations

- 3.1 The Place Scrutiny Committee is asked to note the contents of this report, consider and recommend any actions that should be taken in response to the contents and identify any new or emerging items for consideration.

ROS PARKER
Chief Operating Officer

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BACKGROUND DOCUMENTS

None

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Report to: Place Scrutiny Committee

Date of meeting: 28 March 2023

By: Director of Communities, Economy and Transport

Title: Food Waste – Environment Act 2021 requirements

Purpose: To provide the Scrutiny Committee with an update on East Sussex County Council preparations for future food waste collection services.

RECOMMENDATIONS: The Place Scrutiny Committee is recommended to:

- 1) note the report; and
 - 2) consider whether to carry out any further scrutiny work on this topic.
-

1 Background Information

1.1. Currently, most of the food waste produced by the residents in East Sussex goes in the black bin or bag and is taken to Newhaven Energy Recovery Facility (ERF). Some food waste will be composted at home by residents, but we do not have any data on how much this might be.

1.2. Newhaven ERF burns all waste that is not recycled, to produce electricity and creates enough energy to power over 25,000 homes, which it supplies to the National Grid.

1.3. In East Sussex residential waste and recycling services are provided by the five borough and district councils.

Responsibilities of East Sussex authorities

1.4. East Sussex district and borough councils as the waste collection authorities (WCAs) are responsible for the following activities:–

- collection of black bag waste
- collection of recycling
- street cleaning
- litter bins
- on street recycling bins
- removal and investigation of fly tipping
- beach cleaning

1.5. The County Council, as the Waste Disposal Authority, is responsible for:

- recycling and recovery and disposal of collected material
- providing Household Waste and Recycling Sites (HWRSSs) for residents
- providing Waste Transfer Stations (WTSSs) for WCAs
- Disposing of waste from coastal pollution incidents
- Management and aftercare of closed landfill sites

Environment Act and introduction of food waste collections

1.6. The 2019 Resources and Waste Strategy for England proposed that all WCAs who did not already offer a weekly food waste collection, should have one in place by 2023.

1.7. Government then introduced the Environment Act in 2021, with the Act aiming to improve air and water quality, halt the decline of species, improve our natural environment, and makes several big changes to how we manage our waste and recycling, including collecting food waste separately every week.

1.8. The other main changes to waste and recycling that come with the Environment Act are –

- Introduction of a Deposit Return Scheme for plastic and metal drinks containers (this will not be operated by local authorities)
- Extended Producer Responsibility for packaging (this will mean packaging producers will pay for their waste)
- Consistency of collections including –

1.8.1 Standardisation of recycling collected (a common set of materials that have to be recycled)

1.8.2 Potential cap or removal of charges for garden waste (to be confirmed, although we understand this is likely to be a cap on charges rather than removal of charges)

1.9. Lewes District Council is the only authority in East Sussex that currently collects food waste. Historically, increased costs associated with the additional vehicles, staff and bins has prevented our other authorities from introducing food waste collections.

1.10. For several years Government has been consulting on the detail of food waste collections, and several other changes to how waste and recycling is managed. The consultation process has been long and lots of detail on changes to how we work is still to be confirmed. Government is expected to provide feedback soon on consultation responses, clarifications on potential funding, and final details of changes to be made to waste services. This information is expected in early 2023. When these details are known, authorities will be able to plan and adapt or roll out new services.

1.11. Commencement regulations then will bring the requirement for weekly food waste collections into force. Whilst not officially set by Government, a revised start date for weekly food waste collections is likely to be March 2025, although it will be challenging for many authorities to plan and roll out new collection services by this date.

1.12. In December 2022, the Department for Environment, Food and Rural Affairs (Defra) wrote to and met with East Sussex County Council and several other disposal authorities with long-term waste contracts as it is felt these may present challenges that prevent the introduction of weekly separate food waste collections to households. In specific circumstances, if Ministers decide it is appropriate, Defra will include specific transitional arrangements for named WCAs in the commencement regulations, setting out when they will need to introduce weekly food waste collections.

1.13. East Sussex County Council (ESCC) officers consulted with colleagues in Brighton & Hove City Council (BHCC) and all five district and borough councils and confirmed to Defra that the contract with Veolia does not prevent the weekly collection of food waste from going ahead or pose significant challenges that would result in food waste collections having to be delayed. During these meetings, Defra verbally informed East Sussex officers that no funding will be available for any changes required to manage separate food waste collections. Defra stated that the legal requirement to collect food waste lies with the WCAs and they will be able to access funding for

initial capital investment (such as vehicles and additional bins) and potentially, ongoing revenue costs (such as additional staffing costs). Defra expects ESCC and other disposal authorities to make a net saving as food waste will be composted instead of being sent for energy recovery, where the cost of composting is cheaper than energy recovery.

1.14. This Council's contract with Veolia runs until 2033 and includes infrastructure to compost food waste at the In-Vessel Composting (IVC) facility at Woodlands, in Whitesmith. Woodlands IVC currently takes Lewes District Council's food waste and all of the garden waste generated by East Sussex and Brighton and Hove residents.

2 Supporting Information

What will happen to food waste in East Sussex?

2.1. Woodlands IVC can compost around 60,000 tonnes of food and green waste every year. Veolia considers the ideal ratio for the facility is around 70% green waste and 30% food waste.

2.2. The facility works on a 6-week process with the incoming material shredded and batches put into one of 8 tunnels. The composting process is started by the naturally occurring micro-organisms already in the waste. These break down the material, releasing the nutrients and in doing so increase the temperature of the material to the 60-70°C needed to kill pathogens and weed seeds. Oxygen levels, moisture content and temperature are carefully monitored and controlled during this stage to ensure the material is fully sanitised.

2.3. The next part of the process is maturation. The material is transferred from the tunnels to the maturation hall until the organic material has fully composted.

2.4. The compost is finally screened into two grades: 10mm is used for Pro Grow for gardens and 20mm is used by farmers.

2.5. The material produced by the facility is a high-quality compost, is PAS 100 certified, and Veolia sell it as Pro Grow at our HWRSSs. They also supply local farmers who collect the compost produced by the facility.

2.6. The application of compost improves soil health and soil drainage, creating healthier, more resilient environments for crops to thrive, as well as capturing carbon in the soil. Digestate from anaerobic digestion, another form of food waste treatment, produces a fertilizer which has a more limited application potential due to the levels of nitrogen. It can only be used on certain types of land, and at particular times during the agricultural year.

2.7. The recycling of organic waste through the IVC serves as an example of how the Private Finance Initiative (PFI) contract with Veolia is delivering local, circular solutions for resident's waste. Green waste and food waste is collected from households and then returned, after composting, to East Sussex's gardens and fields as a high-quality soil improver.

How much food waste is there?

2.8. The results from a 2017 waste composition study showed that 36.9% of the black bag waste across East Sussex was found to be food waste. A further study is planned for the first half of 2023 to provide more up to date data.

2.9. Food waste services capture a small proportion of total food waste, and modelling by the waste team suggests that total ranges from 16,000 tonnes per year to 18,000 tonnes per year.

2.10. Whilst the potential to recycle 16,000 to 18,000 tonnes of food is a good thing given the cost to the resident of wasted food in the household, it would be even better to reduce food waste by preventing or minimising it. This provides not only savings for residents, but also savings to the taxpayer from the reduced costs of managing waste.

2.11. It is possible that food waste tonnages will eventually exceed the capacity of Woodlands IVC, and it is estimated that excess food waste generated by residents of East Sussex and Brighton and Hove might be up to 5,000 tonnes per year. East Sussex County Council will be working with Veolia and other partners to secure alternative treatment facilities.

Implications of food waste collection services for East Sussex County Council

2.12. East Sussex County Council is working with Veolia to introduce food waste delivery points at some of the contract Waste Transfer Stations (WTSs). The table below shows where each of our districts and boroughs (and Brighton & Hove) are anticipated to deliver and tip their food waste.

Food waste delivery point	Delivering authority
Woodlands IVC, Whitesmith, Lewes, BN8 6JB	<ul style="list-style-type: none"> • Wealden DC • Eastbourne BC • Lewes DC
Pebsham TS, Freshfields, Bexhill on Sea, TN40 2SA	<ul style="list-style-type: none"> • Hastings BC • Rother DC
Hollingdean TS, Upper Hollingdean Road, BN1 7BB	<ul style="list-style-type: none"> • Brighton & Hove City Council

2.13. Some changes to the PFI contract will be required to enable food waste to be received at Hollingdean WTS and Pebsham WTS and for haulage arrangements from those sites to Woodlands IVC.

2.14. Composting food waste at Woodlands IVC is cheaper than taking it to the Newhaven Energy Recovery Facility (ERF). Moving food out of the black bin and composting it should provide some savings.

2.15. However, there are some additional costs too. Several facilities need to be adapted to receive food waste deliveries. The food waste will need to be managed and transported separately to Woodlands IVC. Specialised sealed containers will be required and extra vehicles to transport them, may be required. There may be other unforeseen costs that materialise as the service changes are being made.

2.16. As a new piece of legislation, the Environment Act will have cost implications on our waste disposal contract, although at this time these costs are uncertain. Certainly we would expect some additional costs to be picked up by the contractor and others by the contracting authority. We will be able to proceed with more detailed commercial negotiations once we receive feedback and clarification from the Government on the changes, and input from our colleagues in legal services.

2.17. It is possible that following all of the changes there will be a small net saving for East Sussex County Council, but it is too early to predict this with certainty. Food waste is one of several significant changes required by the Environment Act and it is difficult at this point to model the combined impact of all changes on the waste disposal budget.

2.18. Any modifications to the PFI contract will be subject to the Council's normal governance arrangements.

2.19. Whilst food waste can already be accepted at Woodlands IVC, it is anticipated that the WTSs will be ready to accept separated food waste by mid-2025. Due to the unforeseen delays in Government consultation feedback and clarifications, and the knock-on effect on governance and procurement cycles, district and borough councils may not be able to deliver new food collection services before mid-2025.

3 Conclusion and Reasons for Recommendations

3.1. East Sussex County Council is in a good position by already having Woodlands IVC for the composting of food waste. Lewes District Council's food waste is already composted at Woodlands IVC.

3.2. The Council's Waste team is awaiting final details and clarifications on arrangements from Government and will continue to negotiate with Veolia on changes necessary to prepare for the introduction of food waste collections across the county.

3.3. The Waste team will continue to work with district and borough councils to provide the necessary service changes at our facilities, to cater for weekly food waste collections.

3.4 The Place Scrutiny Committee is recommended to note the update report and consider whether it wishes to carry out any further scrutiny work on this topic, such as receiving further update reports at future meetings.

RUPERT CLUBB

Director of Communities, Economy and Transport

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None

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Report to:	Place Scrutiny Committee
Date of meeting:	28 March 2023
By:	Assistant Chief Executive
Title:	Place Scrutiny Committee future work programme
Purpose:	To review and agree items for the Place Scrutiny Committee's future work programme and receive updates on previous work.

RECOMMENDATIONS: The Place Scrutiny Committee is recommended to:

1) Review and agree agenda items for the future Committee meetings, including items listed in the updated work programme in appendix 1;

2) Review and agree topics for Scrutiny Reviews to be included in the Committee's future work programme;

3) Agree to proceed with a scrutiny review of pothole management as set out in paragraphs 2.3 and 2.4 below and the terms of reference in appendix 2, and agree the membership of the review board; and

4) Review upcoming items on East Sussex County Council's (ESCC) Forward Plan in appendix 3 to identify any issues that may require more detailed scrutiny.

1. Background

1.1 The work programme is an important tool in ensuring the correct focus and best use of the Committee's time in scrutinising topics that are of importance to the residents of East Sussex, and the efficient and effective working of the Council. It also provides clarity for those who may be requested to give evidence to the Committee on the issues under review, and the questions the Committee requires answers to.

1.2 Discussion of the work programme provides the Committee with the opportunity to examine topics that it may be of value to scrutinise, and to decide whether further scoping work is required. This provides a basis for deciding the best way of scrutinising a topic, the timescale, and who from the Committee will be involved in carrying out the review work. If there are a number of topics for review, the Committee can determine the priority of the work within the resources available to the Committee.

2. Work programme and future scrutiny reviews

2.1 The Committee is asked to review the items in the current work programme and discuss the future agenda items and other scrutiny work of the Committee for inclusion in the Committee's future work programme. A copy of the work programme is contained in appendix 1 of the report for agreement by the Committee.

2.2 The Committee is also asked to consider whether there are any potential topics for future scrutiny reviews, or agenda items for future meetings, that should be included in the work programme. This can include any topics or issues identified through the Committee's work on the Reconciling Policy, Performance and Resources (RPPR) process.

Highways Scoping Board

2.3 The Highways Scoping Board which was comprised of Councillors Matthew Beaver, Ian Hollidge, Eleanor Kirby-Green and Philip Lunn met on the 6 February 2023 to review initial information for a scrutiny review of highways. The Scoping board discussed a range of topics including highway defects and pothole repairs; vegetation management; highways drainage and utility company repairs.

2.4 Following detailed discussion the Scoping Board agreed that a scrutiny review of pothole repairs was the most significant issue, and the other highways topics could be considered at a later date. The Scoping Board therefore recommends that the Committee proceed with a scrutiny review of pothole management including defect reporting and agrees the terms of reference for the review contained in appendix 2. Membership of the review board will be comprised of the members of the scoping board plus any other interested Committee members. It is proposed that Councillor Ian Hollidge be appointed as chair of the scrutiny review. The Committee is asked to proceed with the review and agree the terms of reference and membership of the Review Board.

3. Forward Plan

3.1 A copy of the Council's Forward Plan of executive decisions for the period 1 March 2023 to 30 June 2023 is included in appendix 3. The Committee is requested to review the forthcoming items on the Forward Plan to identify any issues that may require scrutiny work. The Forward Plan is revised and published on a monthly basis, and Committee members should regularly review the Forward Plan.

4. Conclusion and reasons for recommendations

4.1 The Place Scrutiny Committee is recommended to agree the work programme contained in appendix 1 and agree any further agenda items or topics for scrutiny reviews to be included in the future work programme. The Committee is also recommended to proceed with a scrutiny review of pothole management and review the Council's Forward Plan of decisions to identify any issues that may require more detailed scrutiny.

PHILIP BAKER
Assistant Chief Executive

Contact Officer: Martin Jenks, Senior Scrutiny Adviser
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BACKGROUND DOCUMENTS

None.

Place Scrutiny Committee – Work Programme

Current Scrutiny Reviews		
Title of Review	Detail	Proposed Completion Date
Scrutiny Review of Procurement	A scrutiny review of Procurement which will focus on the Council's approach to Social Value measurement and buying local initiatives as part of procurement activity across the Council. The review has considered policies and procedures in this area and how Social Value can help achieve the Council's objectives including reducing carbon emissions. The report of the Review Board will be presented at the 28 March 2023 Place Scrutiny Committee for approval.	March 2023
Initial Scoping Reviews		
Subject area for initial scoping	Detail	Proposed Dates
Highways Maintenance	The scoping board met on 6 February to examine previous scrutiny work in this area and discuss issues concerning highways maintenance policies and practices. It will submit a draft terms of reference for a scrutiny review to the 28 March Committee meeting for agreement.	6 February 2023
Scrutiny Involvement in Economic Development Project Processes	The Committee agreed to form a scoping board to examine the opportunities for scrutiny involvement in the different stages of economic development projects, including evaluating and learning lessons from projects where the Board consider there have been delivery issues.	To be agreed

List of Suggested Potential Future Scrutiny Review or Reference Group Topics

Suggested Topic	Detail
Climate Change	The Committee has agreed to establish a scoping board (subject to sufficient interest from Committee members) to examine the Council's countywide work on climate change, which could look at countywide actions and how the Council works with other organisations (e.g. District and Borough councils) on this issue.

Scrutiny Reference Groups

Reference Group Title	Subject Area	Meetings Dates
Local Transport Plan (LTP4) – Reference Group	The Committee has formed a Reference Group to work alongside officers on the development of the revised Local Transport Plan (LTP 4) focussing on sustainable transport issues. It is taking part in a series of workshops on the development of the LTP4.	10 February 2023, 10 & 31 March, 27 April, 24 May and then in June and August 2023.

Reports for Information

Subject	Detail	Proposed Date
Electric Vehicle (EV) Charging Points.	The Committee agreed to request a briefing on plans to develop and implement EV charging infrastructure in East Sussex.	To be agreed

Training and Development

Title of Training/Briefing	Detail	Proposed Date
To be agreed.		

Future Committee Agenda Items		Author/Witnesses
14 July 2023		
Reconciling Policy, Performance and Resources (RPPR)	To commence the Committee's involvement with the RPPR process for 2024/25 by reviewing the information in the Quarter 4, end of financial year (2022/23) Council Monitoring report and the State of the County report.	Chief Executive / Senior Scrutiny Adviser
Library & Information Service	An update report to outline the current service provision, progress against the Strategy, current challenges and priorities and any future developments for the Service.	Assistant Director Communities/ Head of Customer, Library and Registration Services
Rights of Way (RoW) Team	A presentation and report of the work of the RoW Team. This is to provide the Committee with an update on the current work, challenges, and future priorities of the Team.	Assistant Director Operations/Head of Transport and Operational Services/ Team Manager, RoW
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
26 September 2023		
Reconciling Policy, Performance and Resources (RPPR)	To continue the Committee's work on the RPPR process for 2024/25, by reviewing Portfolio Plans and service based information.	Chief Executive / Senior Scrutiny Adviser
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
23 November 2023		
Reconciling Policy, Performance and Resources (RPPR)	The Committee will examine any additional information requested at the September meeting and consider any updated RPPR information for 2024/25.	Chief Executive / Senior Scrutiny Adviser

Southern Water, combined sewer discharges and spills	An update report on Southern Water's work to reduce the use of storm water discharges and spills, including: <ul style="list-style-type: none"> • an update on the timescales for any East Sussex trials; • an update on the progress of investment to tackle the use of storm overflows and improve infrastructure with details of location, costs and timescales, including the Local Area Regional Plan; and • details of any improvements Southern Water have made in communications with the public on the issues involved, as the Committee agreed that this was not currently good enough. 	Representatives from Southern Water, the Environment Agency and Ofwat
Scrutiny Review of Road Markings	To receive an update report on the implementation of the recommendations from the Scrutiny Review of Road Markings, including details of the work undertaken with additional expenditure in this area of work.	Assistant Director, Operations
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
Future Items – to be scheduled		Witnesses
Electricity Grid Capacity	A report on the capacity and constraints of the electricity grid in East Sussex to accommodate Electric Vehicle charging infrastructure and other developments such as solar farms and new housing developments. Timescale to be agreed, dependent on agreement with potential witnesses UK Power Networks/electricity distributors.	UK Power Networks
Queensway Gateway Project	A report on the Queensway Gateway project, covering the current position regarding delivery of this project.	Director of Communities Economy and Transport / Assistant Director Economy / Head of Economic Development, Skills and Infrastructure

Scrutiny Review Terms of Reference Document

Scrutiny Review	Scrutiny Review of Pothole Management
Responsible Committee	Place Scrutiny Committee
Author	Martin Jenks
Version	1. 2 draft
Date	07/03/2023

Background

The Place Scrutiny Committee and its predecessor the Economy, Transport and Environment Scrutiny Committee have previously carried out scrutiny reviews on Road Repairs and Highway Drainage. Both reviews made recommendations to Cabinet to improve the condition of highways and protect the Council's investment in the surfacing of roads and pavements in the County.

However, residents continue to be concerned about the number of highway defects in the County's roads and in particular the repeated repair of potholes in the same location and the repair of clusters of potholes. Despite improved communications, residents do not consider the Council's approach to repairing potholes represents best value.

This is especially the case when only potholes that meet the Council's intervention standard are repaired and other potholes developing around the original repaired pothole appear not to be tackled. Although repeated visits do not cost the Council more money under the lump sum pricing arrangements of the highway maintenance contract, residents see this as inefficient and a waste of resources.

The repair of these clusters of potholes remains one of the issues most often raised with Councillors by residents, despite the additional Council funding for the patching programme to address this.

Councillors have also highlighted their view that the Council's current intervention policies and defect reporting system might not sufficiently take into account other vulnerable road users such as cyclists, motorcyclists, wheelchairs users and pedestrians, who may be at risk from defects that would otherwise not meet the current intervention criteria.

Scope of the Review

The scope of the review is to include:

1. Alternative pothole intervention levels and costs;
2. Quality of pothole repair works;
3. Alternative pothole repair techniques and costs;
4. Review of current policies to take into account vulnerable road users (cyclists, pedestrians, wheelchair users, and motorcyclists) and promotion of Active Travel and alternative methods of travel; and

5. Review of budgets for pothole repairs and safety defects
6. Review of the effectiveness of the Council's patching programme.

The lines of enquiry of the review are:

1. Alternative pothole intervention levels and costs:

- Are the current pothole intervention policies, the policy on advisories, and the council's patching programme sufficient to tackle sections of road heavily affected by potholes?
- What are the existing intervention levels and costs, and how would they change if different criteria were to be adopted?
- How do the condition surveys and the red, amber, green road condition classification feed into the planned maintenance programmes and priorities for maintenance?

2. Quality of pothole repair works:

- Does the quality of pothole repairs meet the service specification and what measures could be taken to improve the quality and longevity of repairs?
- Why is the surfacing around highways drains and utility service covers prone to failure, who is responsible for repairing potholes and defects around utility service covers and who pays for them?
- Are there issues with the quality of the sub-base of roads and the development of sink holes where the sub base has failed?

3. Alternative pothole repair techniques and costs:

- Are there alternative techniques to repair potholes that our contractor could adopt, how effective are they and what would they cost?

4. Review of current policies and risk assessment to take into account vulnerable road users and promotion of Active Travel and alternative methods of travel:

- Do the intervention policies and the defect reporting system need to be modified to take better account of a range of defects and their location in the highway that affects vulnerable road users such as cyclists, motorcyclists, wheelchairs users and pedestrians?

5. Review of budgets for pothole repairs:

- What are the current budgets for repairs and resurfacing? Is there sufficient budget allocated for pothole repairs and advisories / wider patching repairs?
- What are the outcomes of the visibly better roads programme?

6. Review of the effectiveness of the Council's patching programme:

- What have been the outcomes from the patching programme in terms of the number of defects/potholes fixed, value for money, impact on road condition and the geographical spread of the work?

The desired outcomes of the review are:

- To improve the repair of potholes and tackle pothole clusters;
- To have a visibly better highway network; and
- To ensure the needs of vulnerable road users are taken into account in the defect reporting system and when carrying out repairs.

Areas outside the scope of the review.

The review will not look at the management of highways vegetation, utility reinstatement work and highways drainage. Although these topics are also important the scoping board decided to focus on the management and repair of potholes as this appeared to be the area of most concern to residents and councillors. The other topics can be considered for later reviews, including shorter ‘task and finish’ style reviews.

Review methods

It is anticipated that the Review Board will review documentary evidence, question witnesses and undertake research in order to gather evidence to inform its recommendations.

The following list is not exhaustive and will change and develop as the review progresses. As part of the review the Board members will:

1. Alternative pothole intervention levels and costs;

- Examine with officers and contractor staff the existing intervention policies and criteria together with the existing costs of pothole repairs. (e.g. where the 40mm depth standard comes from, how widely is it used, and are there examples of other local authorities who use different standards).
- Take evidence on the use of alternative intervention levels and what this would mean in terms of cost to the authority.
- Examine the Highways Asset management approach and how this is applied to the County’s roads for planned maintenance works.

2. Quality of pothole repair works;

- Review with officers and contractor staff the current quality control measures and quality inspection regime for pothole repairs and the contractor’s performance against the contract specification. Examine the changes that will be introduced with the new contract and explore potential changes to the quality control mechanisms and the impact on the cost of the contract.
- Examine the issue of the surfacing failing around utility covers to understand what can be done about this, who is responsible and who should be bearing the cost of any repairs.

- Examine with officers the causes of sub-base failure and identify if there is more ESCC can do to tackle this issue (e.g. through enhanced reporting to Water companies where sewer and water leaks may be responsible; links to highways drainage; preventative maintenance techniques?)

3. Alternative pothole repair techniques and costs;

- Review existing techniques and costs, and what the contract requires.
- Meet with the new contractor, Balfour Beatty to hear what their plans are for pothole repair techniques and any innovation they can bring to the new contract.
- Examines case studies of alternative pothole repair techniques being used or trialled by other local authorities e.g. Kent CC.

4. Review of current policies and risk assessment to take into account vulnerable road users (cyclists, pedestrians, wheelchair users, and motorcyclists) and promotion of Active Travel and alternative methods of travel.

- Explore with officers the work that is underway that is looking at potential changes to the defect reporting system and intervention policies to support vulnerable road users and promote Active Travel/alternative travel methods.
- Establish the potential costs and affordability of any changes with officers.

5. Review of budgets for pothole repairs.

- Examine the current level of revenue and capital budgets for pothole repairs and re-surfacing works, and how these budgets are prioritised.
- Speak to officers and Chief Finance Officer about financing options and sustainability e.g. could we increase the capital programme and what would that cost? Is there scope to increase the revenue budget for Highways maintenance through the RPPR process?

6. Review of the effectiveness of the Council's patching programme

- Examine the outcomes of the work by speaking to officers and Members to seek their views.
- Review the outcomes of the Visibly Better Highways work programme and in particular the impact for the additional £2.5m for patching work (advisories) to see if there is a case for further investment.

Documents and research:

Asphalt Industry Alliance annual report.

Highways intervention policies

Highways Asset Management Plan

Review Organisation and Responsibilities

Review Board

The Review Board is comprised of: *To be confirmed* – Councillors Matthew Beaver, Ian Hollidge, Eleanor Kirby-Green and Philip Lunn, plus other Committee members.

The Chair of the Review Board is: *To be confirmed* – Cllr Ian Hollidge.

The Review Board is responsible for:

- Making decisions regarding the scope and direction of the review;
- Monitoring and control of the overall progress of the review;
- Agreeing where Board members will undertake evidence gathering activities as required by the review;
- Considering and providing challenge to all evidence presented to it; and
- Developing and agreeing the final report, including the findings and recommendations of the review.

Scrutiny Review Support

Support for the review will be provided by the Policy Team to:

- Manage the review process;
- Undertake research as agreed by the Board;
- Draft the final report

The Lead Officer who will support the review from the Policy Team is Martin Jenks, Senior Scrutiny Adviser. Their role is to manage the review, ensuring its aims and objectives are met and that the final report is delivered to the Place Scrutiny Committee within the agreed timescales.

Scrutiny Review Completion

When the review has been completed the Lead Officer will co-ordinate the production of a final report outlining the findings and recommendations for agreement by the Review Board. Once agreed, the Review Board will present this to the Place Scrutiny Committee for it to agree the recommendations.

The report will then be presented to Cabinet for comment and County Council for approval. Progress updates on how the recommendations are being implemented by the department will be presented to the Place Scrutiny Committee in due course (usually six and twelve months after the review has been approved by County Council).

Review Timetable

Based on the initial scoping of the review, the Review Board aims to submit the final report to the Place Scrutiny Committee at the meeting to be held on 23 November 2023 (tbc).

An initial timetable of the meetings and activities required to complete the review is outlined below. [*The number of review board meetings is not fixed and there can be more or less depending on the nature of the review. The Review Board should agree the number and content of the meetings and review activity*].

Activity	Timescale/Date
<u>Review Board Meeting</u> <ul style="list-style-type: none"> • Consider initial evidence • Review lines of enquiry/terms of reference • Agree further evidence gathering/requirements. 	Late May onwards
<u>Review Board Activity/Meeting</u> <ul style="list-style-type: none"> • To be agreed. 	To be agreed
<u>Review Board Activity/Meeting</u> <ul style="list-style-type: none"> • To be agreed. 	To be agreed
<u>Review Board Activity/Meeting</u> <ul style="list-style-type: none"> • To be agreed. 	To be agreed
Draft scrutiny review report and finalise findings and recommendations of the review.	To be agreed
<u>Final Review Board Meeting to agree Report</u> Review Board meeting to agree draft report, findings and recommendations with input from key officers.	October 2023 (to be agreed)
Deadline for Report Dispatch	15 November 2023
<u>Report to Place Scrutiny Committee for agreement</u>	23 November 2023 – To be confirmed
Report to Cabinet	To be agreed
Report to Council	To be agreed

EAST SUSSEX COUNTY COUNCIL'S FORWARD PLAN

The Leader of the County Council is required to publish a forward plan setting out matters which the Leader believes will be the subject of a key decision by the Cabinet, individual Cabinet member or officer in the period covered by the Plan (the subsequent four months). The Council's Constitution states that a key decision is one that involves

- (a) expenditure which is, or the making of savings which are, significant having regard to the expenditure of the County Council's budget, namely above £500,000 per annum; or
- (b) is significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions.

As a matter of good practice, the Council's Forward Plan includes other items in addition to key decisions that are to be considered by the Cabinet/individual members. This additional information is provided to inform local residents of all matters to be considered, with the exception of issues which are dealt with under the urgency provisions. Only key decisions to be taken by officers are included.

For each decision included on the Plan the following information is provided:

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- the name of the individual or body that is to make the decision and the date of the meeting or relevant time period for an officer decision
 - the title of the report and decision to be considered
 - groups that will be consulted prior to the decision being taken
 - a list of documents that will be considered when making the decision
 - the name and telephone number of the contact officer for each item.

The Plan is updated and published every month on the Council's website two weeks before the start of the period to be covered.

Meetings of the Cabinet/individual members are open to the public (with the exception of discussion regarding reports which contain exempt/confidential information). Copies of agenda and reports for meetings are available on the website in advance of meetings. Key decisions taken by officers will not be taken at a meeting – documents listed can be made available on request to the contact officer, with the exception of those which contain exempt/confidential information.

For further details on the time of meetings and general information about the Plan please contact Stuart McKeown at County Hall, St Anne's Crescent, Lewes, BN7 1UE, or telephone 01273 481583 or send an e-mail to stuart.mckeown@eastsussex.gov.uk. For further detailed information regarding specific issues to be considered by the Cabinet, individual Member or officer please contact the named contact officer for the item concerned.

EAST SUSSEX COUNTY COUNCIL
County Hall, St Anne's Crescent, Lewes, BN7 1UE

For copies of reports or other documents please contact the officer listed on the Plan or phone 01273 335274.

FORWARD PLAN – EXECUTIVE DECISIONS (including Key Decisions) –1 March 2023 TO 30 June 2023

Additional notices in relation to Key Decisions and/or private decisions are available on the [Council's website](#).

Cabinet membership:

- Councillor Keith Glazier - Lead Member for Strategic Management and Economic Development
- Councillor Nick Bennett – Lead Member for Resources and Climate Change
- Councillor Rupert Simmons – Lead Member for Economy
- Councillor Claire Dowling – Lead Member for Transport and Environment
- Councillor Carl Maynard – Lead Member for Adult Social Care and Health
- Councillor Bob Bowdler – Lead Member for Children and Families
- Councillor Bob Standley – Lead Member for Education and Inclusion, Special Educational Needs and Disability

Date for Decision	Decision Taker	Decision/Key Issue	Decision to be taken wholly or partly in private (P) or Key Decision (KD)	Consultation	List of Documents to be submitted to decision maker	Contact Officer
2 Mar 2023	Lead Member for Adult Social Care and Health	Market Sustainability Plan Department of Health and Social Care requires local authorities with responsibility for Adult Social Care services to submit a Market Sustainability Plan. The Lead Member is asked to approve the draft Market Sustainability Plan for East Sussex County Council.			Report, other documents may also be submitted	Samantha Williams 01273 482115
2 Mar 2023	Lead Member for Adult Social Care	Household Support Fund 2023 This is a key decision due to the value of			Report, other documents may	Paul Rideout 01273 482911

	and Health	the grant the local authority will receive.	KD		also be submitted	
6 Mar 2023	Lead Member for Strategic Management and Economic Development	Regulation of Investigatory Powers Act ('RIPA') and Investigative Powers Act ('IPA') update Set the policy for the year ahead as required by the Policy in relation to the use of covert investigative techniques.			Report, other documents may also be submitted	Robert Freeman 01273 336715
7 Mar 2023	Cabinet	Transport for the South East - final Strategic Investment Plan Following consultation on the draft SIP in summer 2022, the amended final SIP was approved by TfSE's Board in November 2022 As a constituent authority of Transport for the South East, it is imperative that we seek Cabinet's approval of the Strategic Investment Plan to ensure that the final document (currently programmed for publication in March 2023) includes the transport investment priorities for East Sussex for the period up to 2050.	KD		Report, other documents may also be submitted	Jon Wheeler 01273 482212
7 Mar 2023	Cabinet	Council Monitoring: Quarter 3 2022/2023 To consider the Council Monitoring report for the third quarter of the financial year 2022/23 as part of the Council's Reconciling Policy, Performance and Resources process.			Report, other documents may also be submitted	Victoria Beard 07894 708914
13 Mar 2023	Lead Member for Transport and Environment	Petition: To create a safe crossing on Sutton Avenue to access South Coast Road and Dell Park			Report, other documents may also be submitted	Kelly Burr 01273 482824

		To decide a response to a petition to create a safe crossing on Sutton Avenue to access South Coast Road and Dell Park. Petitioners have requested formal pedestrian crossings in the vicinity of the Sutton Avenue and A259 South Coast Road roundabout, Peacehaven. Exact locations have not been specified although the Lead Petitioner has suggested consideration of crossings on the A259 South Coast Road, between Lincoln Avenue and Dorothy Avenue. The petition objective is to improve safer crossings and therefore access for pedestrians to the Dell and the shops on South Coast Road.				
13 Mar 2023 Page 76	Lead Member for Transport and Environment	Capital Programme for Transport Improvements 2023/24 To seek Lead Member approval, following consultation with local members, of the list of transport schemes and associated expenditure included in the programme for design and/or delivery in 2023/24.	KD		Report, other documents may also be submitted	Andrew Keer, Chris Tree 01273 336682, 01273 482247
28 Mar 2023	Lead Member for Education and Inclusion, Special Educational Needs and Disability	Proposed Specialist facility at Denton Community Primary School To consider the outcome of a consultation to establish a specialist facility at Denton Community Primary School, and, if appropriate, to seek approval to publish a statutory notice.			Report, other documents may also be submitted	Gary Langford 01273 481758
28 Mar 2023	Lead Member for Education and Inclusion, Special Educational Needs	Proposed Specialist facility at Meridian Community Primary School To consider the outcome of a consultation to establish a specialist facility at Meridian			Report, other documents may also be submitted	Gary Langford 01273 481758

	and Disability	Community Primary School, and, if appropriate, to seek approval to publish a statutory notice.				
28 Mar 2023	Lead Member for Education and Inclusion, Special Educational Needs and Disability	Approval to publish statutory notice for lowering school age range at Punnets Town Community Primary School To seek Lead Member approval to publish statutory notices in respect of a proposal to lower the age range at Punnets Town Community Primary School to enable the governing body to take over the management of the voluntary run early years provision currently on the school site.			Report, other documents may also be submitted	Jane Spice 01323 747425
31 Mar 2023 Page 77	Lead Member for Resources and Climate Change	Exceat Bridge Improvement Scheme land acquisition and compensation Various parcels of land subject to acquisition and/or compensation in connection with the Exceat Bridge Improvement scheme.	P KD		Report, other documents may also be submitted	Zoe Tweed 07701 021868
31 Mar 2023	Lead Member for Resources and Climate Change	Write-off of Debts 2022/23 To seek Lead Member approval for writing off certain debts in excess of £10,000.	P		Report, other documents may also be submitted	Alina Dunn 01273 481250
31 Mar 2023	Lead Member for Resources and Climate Change	Telephony Services procurement Approval to proceed with a joint procurement with Brighton and Hove City Council, and Surrey County Council for: a Call Plan (the main telephone service), a replacement Contact Centre telephony solution (including licences), implementation services (specialist knowledge and expertise) and Microsoft Teams telephony	KD		Report, other documents may also be submitted	Matt Scott 07552 286752

		licences (enabling the dial pad and unified comms experience to be added to the existing Teams interface). With delegated authority given to the Chief Operating Officer to award.				
March 2023	Director of Communities, Economy and Transport	BSIP Bus Stop Infrastructure Improvements, Key Interchanges & Mobility Hubs Provision of new or replacement shelters (and associated works), maintenance, and refurbishment of ESCC public transport infrastructure, predominantly bus shelters, bus stop hardstands, bus stop poles and flags. Works required to support the delivery of the East Sussex Bus Service Improvement Plan (BSIP).	P KD		Report, other documents may also be submitted	Craig Lamberton 01273 337525
4 Apr 2023	Director of Adult Social Care and Health	Future Technology Enabled Care (TEC) service provision Contract Award To make the contract award for Future Technology Enabled Care service provision to allow the new contract to commence on 1 September 2023. This key decision is to be taken by the Director Adult Social Care and Health under the scheme of delegation. The decision to delegate was made at the Lead Member for Adult Social Care And Health meeting on 31st October 2022.	KD		Report, other documents may also be submitted	Thomas Skilton 07701 394691

18 Apr 2023	Cabinet	Value for Money External Auditors Report	KD		Report, other documents may also be submitted	Ian Gutsell 01273 481399
18 Apr 2023	Cabinet	External Audit Plan 2022/2023 This report sets out in detail the work to be carried out by the Council's External Auditors on the Council's accounts for financial year 2021/22.			Report, other documents may also be submitted	Ian Gutsell 01273 481399
18 Apr 2023 Page 79	Cabinet	Internal Audit Strategy and Plan 2023/24 This report sets out the Council's Internal Audit Strategy and Annual Plan of internal audit work to be carried out during the financial year 2022/23 for approval by Cabinet.			Report, other documents may also be submitted	Russell Banks 01273 481447
18 Apr 2023	Cabinet	Scrutiny Review of Procurement: Social Value and Buying Local To consider and comment on the report of the Place Scrutiny Committee and agree the response to the recommendations of the review.			Report, other documents may also be submitted	Martin Jenks 01273 481327
20 Apr 2023	Lead Member for Adult Social Care and Health	Procurement of specialist sexual health The Lead Member agreed on 22 March 2022 an extension of the current contract of the Specialist Sexual Health Service to March 2024 with the current provider East Sussex NHS Trust. This extension was required due to	KD		Report, other documents may also be submitted	Tony Proom 01273 335252

		receiving no provider bids in the last tender process in 2021. This paper requests approval to now re-commence the procurement of Specialist Sexual Health Services for award April 1 st 2024.				
April 2023	Chief Operating Officer	Decarbonisation of Heat Works at Rotherfield Primary School Decision to award a contract for replacement and upgrades to the heating system, lighting and building fabric improvement works, following tendering, which based on consultant pre-tender estimate will exceed £500k. These works will reduce heat loss, energy use and carbon emissions and achieve a transition from the existing fossil fuel boiler heating system to clean low carbon air source heat pumps in line with our net zero commitment. An application for a Public Sector Decarbonisation Scheme Phase 3b grant has been made, to meet part of the costs of the works, with a decision to award anticipated by 31 March 2023.	KD		Report, other documents may also be submitted	Nigel Brown 07394 410630
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April 2023	Chief Operating Officer	Heating and Ventilation Improvements at Rocks Park Primary School, Uckfield Decision to award a contract for the package of works following tendering, which based on consultant pre-tender estimate will exceed £500k. These works will reduce ventilation heat loss and enable a transition from the existing fossil fuel boiler heating system to clean low carbon heat pumps in line with our net zero commitment and in	KD		Report, other documents may also be submitted	Nigel Brown 07394 410630

		order to qualify for a Public Sector Decarbonisation Scheme Phase 3b grant. An application for a Public Sector Decarbonisation Scheme Phase 3b grant has been made, to meet part of the costs of the works, with a decision to award anticipated by 31 March 2023.				
April 2023	Chief Operating Officer	Award of Contract for the provision of a modular building at Wadhurst CE Primary School to accommodate a new nursery provision (subject to planning permission) To provide a 60ft nursery provision on site at Wadhurst CE Primary School. This will allow the current provision in the village to move to the school site and the existing building to be made surplus to requirements. Funding has been allocated in the Capital Programme to provide a modular building to accommodate the new facilities at Wadhurst School and allowing education to be provided for pupils between the ages of 2 to 11 years. A contractor needs to be appointed to start in June 2023 for opening in September 2023.	KD		Report, other documents may also be submitted	Nigel Brown 07394 410630
April 2023	Chief Operating Officer	Freehold Disposal of the former Firstfield Resource Centre, 42 London Road Hailsham The Council own the freehold of the former Firstfields Resource Centre and it is adjacent to an operational asset owned by SEACamb. Both public sector landowners agreed to a joint disposal to maximise the capital receipt. The joint disposal will occur	KD		Report, other documents may also be submitted	Nigel Brown 07394 410630

		<p>once SEACamb move to their new accommodation which is being procured. Both organisations have jointly marketed for disposal via a property agent and offers have been received and evaluated. The officer decision report will be finalised, recommending a joint disposal to a purchaser on a conditional basis, subject to planning permission. This is subject to SEACamb finalising their vacation of their current operational asset. The Council will secure 70% of the capital receipts on completion.</p>				
<p>April 2023 Page 82</p>	<p>Chief Operating Officer</p>	<p>Former Etchingham Primary School site - Disposal Agreement to Auction sale terms and sales capital receipt achieved at auction for the sale of the former Etchingham Primary School site.</p>	<p>KD</p>		<p>Report, other documents may also be submitted</p>	<p>Zoe Tweed 07701 021868</p>
<p>April 2023</p>	<p>Director of Children's Services</p>	<p>Award of the Youth Employability Service (YES) contract Decision to award the Youth Employability Service contract in May once re-tendering process has been completed, with new contract to commence 1st October 2023. The Youth Employability Service help meet East Sussex County Council's statutory duties to encourage, enable and assist young people to participate in education or training. The service provides good quality support to a significant number of vulnerable young people, ensuring they</p>	<p>KD</p>		<p>Report, other documents may also be submitted</p>	<p>Caroline McKiddie 01323 463729</p>

		have the opportunity to progress into and through post 16 education, training or employment improving their life chances and choices.				
22 May 2023	Lead Member for Education and Inclusion, Special Educational Needs and Disability	Post-16 Transport Policy Statement 2023-2024 The Lead Member is recommended to approve the Post-16 Transport Policy Statement for the 2023-24 academic year following the required consultation.	KD		Report, other documents may also be submitted	Ian Crudge 0300 3309472
23 May 2023	Lead Member for Resources and Climate Change	To approve the granting of a new Lease to the Trustees of the West Hills & District Community Centre The current Lease dated 12 March 2008 expires 11 March 2023 and it is proposed that ESCC grant the Trustees a new Lease for a period of 25 years which will allow the Trustees to be able to seek grant funding.	P KD		Report, other documents may also be submitted	Joanne Johnston, Zoe Tweed 01273 336621, 07701 021868
23 May 2023	Lead Member for Resources and Climate Change	Former Hindsland Playing Fields, Eastbourne Road, Polegate - Disposal of Freehold The land known as Former Hindsland Playing Fields was declared surplus in 1989. At the end of an appropriate marketing period, Officer recommendations for the preferred purchaser will be presented in a Lead Member report to formally declare the site to be surplus, approve the sale and to ask the Chief Operating Officer be granted authority to agree detailed terms with the preferred	P KD		Report, other documents may also be submitted	Rebecca Lewis 07955 312 371

		purchaser and if they don't complete the purchase, to move the next prospective purchaser(s) if appropriate.				
6 Jun 2023	Cabinet	<p>East Sussex, Brighton & Hove and the South Downs NPA Waste and Minerals Plan Review</p> <p>To recommend to Full Council that; the modifications proposed to the Submission version of the Waste and Minerals Plan Review are published for statutory public consultation. These modifications are deemed necessary in order for the Plan to be found 'sound' and are in response to feedback received from the Planning Inspectorate following the Public Examination into the Plan in November 2022.</p>	KD		Report, other documents may also be submitted	Ed Sheath 01273 481632
12 Jun 2023	Lead Member for Adult Social Care and Health	<p>Retender of Integrated Health and Wellbeing Service</p> <p>Seeking Lead Member approval to commence re-tendering of the Integrated Health and Wellbeing Service in July 2023. The service provides evidence-based support to enable people across East Sussex to make changes to their lifestyle to improve their health.</p>	KD		Report, other documents may also be submitted	Nicola Blake 01273 335060