



Meeting of
East Sussex County Council
on Tuesday, 8 October 2024
at 10.00 am

NOTE: As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website and the record archived. The live broadcast is accessible at: www.eastsussex.gov.uk/yourcouncil/webcasts/default



EAST SUSSEX COUNTY COUNCIL

To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held in the Council Chamber, at County Hall, Lewes, **on Tuesday, 8 October 2024 at 10.00 am** to transact the following business

1. **Minutes of the meeting held on 9 July 2024** (*Pages 5 - 16*)
2. **Apologies for absence**
3. **Chairman's business**
4. **Questions from members of the public**
5. **Report of the Cabinet** (*Pages 17 - 30*)
6. **Report of the Governance Committee** (*Pages 31 - 38*)
7. **Notice of Motion - Motion for East Sussex County Council to be an active participant in the City of Sanctuary Local Authority Network** (*Pages 39 - 40*)

The Chairman has directed under Standing Order 36.9 (1) that the following Notice of Motion submitted by Councillor Cross shall stand referred to the County Council.

This motion calls on East Sussex County Council to declare that we understand the important role it plays in welcoming people who are fleeing violence and persecution by offering them safety and sanctuary and therefore resolves to adopt these Core Principles:

1. All asylum seekers, refugees and migrants should be treated with dignity and respect.
2. A fair and effective process to decide whether people need protection should be in place.
3. No one should be locked up indefinitely.
4. No one should be left sick or destitute in our society.
5. We should welcome the stranger and help them to integrate.

This motion calls on East Sussex County Council to commit to applying to become a member of the City of Sanctuary Local Authority Network, with the aim of becoming a recognized Council of Sanctuary.

Becoming recognised as a County Council of Sanctuary involves the following:

- developing a strategic place-based approach to supporting new arrivals to integrate and rebuild their lives
- building on existing partnerships across public and voluntary sectors providers to enable development of a wholistic offer of support
- engaging with people with lived experience to ensure that services meet the needs to people seeking sanctuary

This motion further calls on East Sussex County Council to join the Migrant Champions Network and appoints a councillor to act as a Migrant Champion. That this councillor is

recognised within our Council as an advocate for migrant constituents, and for migrants' rights issues within the local council and beyond.

8. Questions from County Councillors

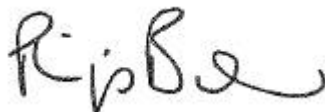
- a) Oral questions to Cabinet Members
- b) Written questions of which notice has been given pursuant to Standing Order 44

9. Report of the East Sussex Fire Authority (Pages 41 - 46)

Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by the Reverend James Knowles - Vicar, All Saints' Church Eastbourne. The Chairman would be delighted to be joined by any members of staff and Councillors who wish to attend.

County Hall
St Anne's Crescent
LEWES
East Sussex BN7 1UE

PHILIP BAKER
Deputy Chief Executive



30 September 2024

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EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 9 JULY 2024 at 10.00 am

Present Councillors Roy Galley (Chairman), Abul Azad (Vice Chairman), Matthew Beaver, Colin Belsey, Nick Bennett, Bob Bowdler, Charles Clark, Chris Collier, Anne Cross, Johnny Denis, Penny di Cara, Chris Dowling, Claire Dowling, Gerard Fox, Nuala Geary, Keith Glazier, Alan Hay, Julia Hilton, Ian Hollidge, Stephen Holt, Johanna Howell, Tom Liddiard, Philip Lunn, Wendy Maples, Sorrell Marlow-Eastwood, Carl Maynard, Matthew Milligan, Sarah Osborne, Peter Pragnell, Paul Redstone, Christine Robinson, Pat Rodohan, Daniel Shing, Stephen Shing, Alan Shuttleworth, Bob Standley, Colin Swansborough, Georgia Taylor, David Tutt, John Ungar, Trevor Webb and Brett Wright

18. Minutes of the meeting held on 7 May 2024

18.1 RESOLVED – to confirm as a correct record the minutes of the County Council meeting held on 7 May 2024.

19. Apologies for absence

19.1 Apologies for absence were received on behalf of Councillors Sam Adeniji, Godfrey Daniel, Kathryn Field, Eleanor Kirby-Green, Carolyn Lambert, James MacCleary, Steve Murphy and Phil Scott.

20. Chairman's business

CHAIRMAN'S ACTIVITIES

20.1 The Chairman congratulated the new and returning MPs on their success in the General Election.

20.2 The Chairman reported that he had attended a number of engagements since the last County Council meeting including: a Reception with the Lord-Lieutenant, a D-Day Anniversary Remembrance dinner, the Royal Voluntary Service Business and Community Networking lunch, the Ashdown Forest Conservators Board meeting, and officiated at two citizenship ceremonies in the absence of the Lord Lieutenant.

20.3 The Chairman thanked the Vice Chairman for his ongoing support, including his attendance at the Lord Lieutenant's King's Award for Voluntary Service, the Mayor of Eastbourne's Thank You party, the D-Day Remembrance Service held by the Mayor of

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Peacehaven, the Wealden DC D-Day 80th Anniversary Event held in partnership with ESCC, Rother DC, Eastbourne BC, and Lewes DC, and the Annual Chattri Service.

PETITIONS

20.4 The following petitions were presented before the meeting by members:

Councillor Bennett - Full traffic safety survey through the villages of Arlington and Caneheath.

PRAYERS

20.5 The Chairman thanked Reverend Danny Pegg, Associate Vicar for Mission & Discipleship, St Mary's Church, Church Street, Willingdon for leading the prayers before the meeting.

21. Questions from members of the public

21.1 A copy of the question from the member of the public and the answer from Councillor Nick Bennett (Lead Member for Resources and Climate Change) is attached to these minutes. There was no supplementary question.

22. Declarations of Interest

22.1 There were no declarations of interest.

23. Reports

23.1 The Chairman of the County Council, having called over the reports set out in the agenda, reserved the following for discussion:

Cabinet Report – paragraph 1 (Council Monitoring), paragraph 2 (Reconciling Policy, Performance and Resources – State of the County), and paragraph 3 (East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review – Adoption).

Report of the East Sussex Fire Authority – paragraph 8 (Mayfield Options Appraisal) and paragraph 9 (Mayfield options appraisal – consultation and communications plan).

NON-RESERVED PARAGRAPHS

23.2 On the motion of the Chairman of the County Council, the Council agreed to remit paragraph 1 of the Governance Committee report back to the committee for reconsideration before coming back to Full Council, and adopted those paragraphs in reports that had not been reserved for discussion as follows:

Governance Committee – paragraph 2 (Amendment to Constitution – Scheme of delegation to officer) and paragraph 3 (Amendment to Constitution – Employee Code of Conduct).

24. Report of the Cabinet

Paragraph 1 (Council Monitoring Q4 2023/24 Year End)

24.1 Councillor Bennett moved the reserved paragraph.

24.2 The paragraph was noted after the debate.

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Paragraph 2 (Reconciling Policy, Performance and Resources (RPPR) – State of the County)

24.3 The Chairman indicated that there would be a single debate on the Cabinet Priorities for 2024/25 (Item 6) and the State of the County report.

24.4 Councillor Glazier outlined the priorities for the forthcoming year and introduced paragraph 2 of the Cabinet report. The other Group Leaders commented on these, following which there was a debate.

24.5 The paragraph was noted after the debate.

Paragraph 3 (East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review – Adoption)

24.6 Councillor Claire Dowling introduced the reserved paragraph in the Cabinet's report.

24.7 Councillor Claire Dowling moved the adoption of paragraph 3 of the Cabinet's report. The motion was CARRIED after debate.

25. Cabinet priorities for the forthcoming year

25.1 This item was taken with paragraph 2 of the Cabinet report.

26. Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Shuttleworth	Councillor Claire Dowling	Council parking strategy – continuing legality of Ringo additional payments.
Councillor Tutt	Councillor Glazier	Representation to Central Government in relation Metrics for Office of Local Government
Councillor Holt	Councillor Claire Dowling	Levelling up fund – Exceat bridge and Terminus Road
Councillor Robinson	Councillor Bowdler	Education otherwise than at/in a school (EOTAS) – support to families who would qualify for free school meals.
Councillor Maples	Councillor Claire Dowling	Parking restrictions outside schools
Councillor Stephen Shing	Councillor Claire Dowling	Complaints received against Parking Enforcement Officers.

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27.2 Seven written questions were received from Councillors Hilton, Taylor, Tutt and Wright for the Lead Member for Transport and Environment. The Lead Members responded to supplementary questions.

28. Report of the East Sussex Fire Authority

28.1 Members commented on paragraphs 8 and 9 of the East Sussex Fire Authority's report.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.19pm

The reports referred to are included in the minute book.

COUNTY COUNCIL – 9 JULY 2024

QUESTIONS FROM MEMBERS OF THE PUBLIC

1. Question from Roger Nutkins, Barcombe, East Sussex

I have been a council tax payer in Lewes for 4 years. The payment I have to make to LDC is the third highest council tax in the country and the bulk of this payment (ca 70%) goes to ESCC. Thus ESCC are responsible for the fact that all Lewes council tax payers are having to pay a lot more in council tax than around 98% of all other authorities. What is the justification for this and what actions are ESCC taking to reduce this payment?

Answer by the Lead Member for Resources and Climate Change

Local authorities are funded from a combination of council tax, business rates and government grants. On average, council tax funds about half of what local authorities spend, although that proportion can vary significantly between different authorities. For East Sussex, this is much higher, at approximately 70%, as the level of business rates we are able to generate is low and government grants have been reduced over many years.

Significant cuts to funding from government grants has meant that East Sussex has had to make nearly £140m of savings to enable balanced budgets to be set each year since 2012. The basis for allocating the remaining grant funding has not been updated for many years, barely reflecting the current differing needs of councils, such as levels of deprivation or other local demographic characteristics. A “fair funding” review was originally planned for 2019 but has been delayed for a number of years leaving many councils, like East Sussex, with no choice but to increase council tax by the maximum allowable amount each year.

In addition, East Sussex has a number of pressures that increase the cost of providing services to which we are legally obliged.

- Parts of East Sussex suffer high levels of deprivation. More than 30,000 people here live in areas among the 10% most deprived in England.
- We have a much higher than average population of older people and this is rising. Older people add hugely to the life of the county yet are also more likely to need our support.
- The cost of providing home-to-school transport for children with Special Educational Need and Disability (SEND) in rural counties like ours has doubled in the last five years.
- Our constrained economy means the average annual earnings of someone who lives and works here are just over £29,000, compared to the England average of £33,280.

We continue to benchmark our service costs against national metrics and review the cost effectiveness of services to ensure we are achieving value for money for our residents.

Government has requested that all councils provide a new Productivity Plan that sets out how they deliver services in the most effective ways. The Council’s Productivity Plan has been published in the State of the County Report, at Appendix 5: [Appendix 5.pdf \(eastsussex.gov.uk\)](#)

Separately, through our membership of the County Council Network and the Local Government Association, we lobby central government to undertake an urgent review of council funding.

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

1. Question from Councillor Julia Hilton to the Lead Member for Transport and Environment

Can the Lead Member please provide a list of all active travel infrastructure installed by ESCC and in use by across East Sussex within the last three years?

Answer by the Lead Member for Transport and Environment

It should be recognised that the delivery of transport infrastructure, including active travel infrastructure, is the responsibility of a number of partners within the county, including ESCC. Other key partners include Sustrans, with the delivery of and maintenance of the National Cycle Network, National Highways, local planning authorities (district and borough councils and SDNPA) and local communities. In addition, active travel infrastructure has and will also be delivered through development.

One of the major active travel schemes that has been delivered by National Highways is the shared use path alongside the A27 between Polegate and Firle, linking to the existing facility and now providing continuous route to Lewes which has been extremely well received. Whilst we have not constructed new active travel infrastructure over the last three years during this time, we have been focussed on developing designs for Bexhill Route A within the Hastings & Bexhill Movement & Access Programme (HBMAP), two cycle routes within the Eastbourne & South Wealden Walking & Cycling Package and on part of Regional Route 90 (RR90) in Lewes. We have been developing school street scheme proposals at three primary schools across the county and we will also be commencing work on an Eastbourne Seafront Cycle Route feasibility study during 2024/25.

In addition, we have also been completing design work on two phases of the Eastbourne town centre pedestrian improvement scheme focussed on Terminus Road between the rail station and seafront which will augment the £8m Phase 1 improvements completed in early 2020.

This development work will enable us to deliver these various active travel infrastructure schemes over the next couple of years.

2. Question from Councillor Julia Hilton to the Lead Member for Transport and Environment

- A.** A number of sites in Hastings are blighted by anti-social parking, on double yellow lines, double parking and illegal parking outside schools. Is there any sort of breakdown by area of the number of parking fines issued for parking on double yellow lines, double parking and illegal parking in general over the past year, ideally down to street level and is there any tracking/monitoring of hot spots/repeat offenders?

Answer by the Lead Member for Transport and Environment

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The parking team can provide the detail of number of Penalty Charge Notices, locations and contraventions that you have asked for. The enforcement team prioritise locations using a number of factors, including local knowledge and complaints. Vehicles parked in contravention can be reported to NSL by telephone on 01273 335500 (option 1). If no one is available to take your call, please leave a message as they are checked regularly throughout the day. Or by email to parking.information@eastsussex.gov.uk. Contacting NSL directly will allow them to respond to requests for enforcement faster.

- B.** Could a business case be made for increasing the number of parking wardens in Hastings, funded by the parking fines they impose?

Answer by the Lead Member for Transport and Environment

All parking schemes are required to be self-financing, income from PCNs cannot be expected to finance an increase of CEOs as it is not a guaranteed source of income.

3. Question from Councillor Georgia Taylor to the Lead Member for Transport and Environment

First of all I would like to thank you and the Highways team for delivering a really good foundation stabilisation and re-surfacing of the A22 on the north side of Forest Row. Residents are extremely pleased with the quality of the work and grateful for the new safer surface.

My question relates to quality assurance of road repairs. I am aware that the last highways contract ended with a negotiation between Costain and ESCC around a number of poorly delivered repairs. Not all of the low quality pieces of work were charged to Costain, and I believe that ESCC remains out of pocket because of this. I would like to know how we can avoid such a situation in the future with this new contract. It is essential that officers pick up on poor quality work immediately, and that the highways contractor is held to account immediately. As the area is so huge it is difficult for officers to check on even a fraction of the repairs, so resident reports need to be relied on also. It is my experience, that even when residents, the highways steward and the officers all agreed that a highways repair was poor quality, Costain was still not made to pay for the poor work they had done, and I believe, this is partly because it took so long to make any claim against them.

Please can you tell us how quality assurance and accountability has been improved in this new contract and provide some examples of how it is working well (specific repairs that were not good enough and then were improved at the contractor's cost – including timing). Also please provide information about whether this quality assurance system is working to improve the overall contract delivery – and particularly improving the quality of “first time” repairs.

Answer by the Lead Member for Transport and Environment

Thank you for your question, and I am pleased to hear residents are happy with the recent reconstruction of the A22 through Forest Row.

The point you make about the quality of workmanship was a key consideration during the procurement of the new contract with Balfour Beatty and quality assurance is provided through a rigorous suite of service performance indicators (SPI). A summary of the first year's SPIs will be presented to Places Scrutiny Committee on 12th July. These SPIs include targets for quality of workmanship and defect correction. As well as monitoring these SPIs, the ESCC officer team has been reinforced with additional supervisory staff who carry out random quality checks and planned audits of maintenance and road schemes, and in doing so hold Balfour Beatty to account and ensure they adhere to their "right first time" commitment.

4. Question from Councillor David Tutt to the Lead Member for Transport and Environment

Did the Lead Member for Highways watch the Dispatches programme about road repairs broadcast on Channel 4 on 23 May 2024? Does she agree with their assertion that East Sussex is one of the 3 worst counties in the UK for potholes and, if so, how is she planning to address this?

Answer by the Lead Member for Transport and Environment

I did see the Dispatches programme and I agree it did not paint a good picture of the roads in East Sussex. However, I note that an RAC policy officer interviewed by the programme was clear that a similar situation can be seen on roads across the country: this is a national issue. It is perhaps also worth noting that while ESCC was identified as the third-highest for compensation paid to motorists for pothole damage, not all councils responded to requests for this information.

Even so, we do not take this situation lightly. There is no doubt that recent winters have taken their toll on the county's roads, but the Council continues to invest in highway maintenance, and far more than the Government maintenance grant. Funding from the Department for Transport (DfT) accounting for only £60m out of a total investment in highway capital maintenance over the last four years of £120m. Whilst additional funding is always welcome, one-year local government financial settlements from Government make it more difficult to carry out more cost-effective, planned maintenance.

You will be aware that in 2023/24 we increased investment in highway maintenance by £15.7m over and above the planned programme, making a total investment in 2024/25 of almost £34m. You will also be aware that the estimated cost of improving all roads in the county to a 'good' condition would exceed £300m. There are other significant and vital demands on the Council's budgets for adult social care and for children's services in particular, and therefore prioritisation across all of our statutory obligations is always required.

The Council's highway maintenance contractor, Balfour Beatty, repaired over 25,000 potholes in the 2023/24 financial year, with over 50 miles of repairs and resurfacing carried out across the County. At their meeting on 16 July, Cabinet will be asked to consider investing more money into patching on roads, and to double the size of this year's patching programme to prepare our roads ahead of the 2024/25 winter.

5. Question from Councillor Brett Wright to the Lead Member for Transport and Environment

East Sussex has historically experienced a higher rate of serious road traffic collisions compared to the national average. For instance, from 2017 to 2019, the rate of people killed or seriously injured (KSI) in East Sussex was 68.1 per 100,000 people, whereas the national average for England was 43.2 per 100,000 (Source - East Sussex County Council).

- (a) Has there been a 'lessons learnt' review of the county against similar 'Shire counties' especially those who have seen larger reductions?
- (b) Has the findings of any such review been implemented?

Answer by the Lead Member for Transport and Environment

Whilst the figures relating to the number of collisions have fluctuated on an annual basis, the KSI rate for the majority of County Councils has remained higher than the average for England. For the three-year period 2020–2022, the average rate of KSIs for England was 42.3 per 100,000 of the population, compared to a rate of 76.6 for Lincolnshire, 63.0 for East Sussex, 62.9 for Dorset, 57.9 for Hampshire, and 57.4 for West Sussex. It should however be noted that whilst East Sussex has historically had a higher level of KSIs than other areas, it is difficult to make direct comparisons due to both methods of data collection and recording across police forces, and the differences in road networks and infrastructure.

With national figures showing 9 out of 10 collisions are caused by driver behaviour, it was decided in 2016 to use one-off funding from East Sussex Public Health to look at how we could inspire road users to change behaviour. As a result, since then we have implemented a number of behaviour change initiatives with the Behavioural Insights Team, which have been developed in partnership with Sussex Police and Sussex Safer Roads Partnership to improve road safety through targeted behaviour change interventions and infrastructure schemes at high risk sites.

One of these initiatives was the Notice of Intended Prosecution pilot. In partnership with Sussex Police, we trialled an amended version of the letter (Notice of Intended Prosecution) and leaflet received by drivers caught speeding. The amendments were based on behavioural insight techniques aimed to persuade people to change their driving behaviour by using an emotive headline and photograph, addressing the misconception that collisions are out of drivers' control and explaining the rationale behind speed limits. The results of this trial were that those drivers receiving the amended letter and leaflet were 23% less likely to re-offend compared to those who received the old letter and leaflet. If the project was upscaled to cover England and Wales, speeding re-offences could be reduced by 25,000 each year. The learning from this trial has been shared nationally.

The high-risk sites trial made physical changes to the way roads appear to drivers at certain sites, to test how this changes their behaviour. The sites were selected based on their relative priority and their suitability for low-cost traffic management type of interventions. The aim of the interventions was to produce a consistent message along each section of road so that a driver is aware of the road environment and character, and able to moderate their driving so that it is

appropriate to the potential hazards present. This type of intervention is sometimes termed as producing a 'self-explaining' road environment. 25 sections of road were targeted, based on their casualty rate. Analysis undertaken on those treated routes demonstrated a 49 per cent reduction in collisions over a 36-month period.

The learning from the High Risk Sites trial has been incorporated into our annual road safety programme which identifies sites that have the most personal injury crashes (PIC's) and puts in place a programme of works to help reduce the number of casualties on these roads. As part of this year's Road Safety Programme, 21 locations have been identified where four or more PIC's have occurred in the three-year assessment period of 01/01/2021 to 31/12/2023. Analysis of the before and after crash data from previous years has evidenced that this targeted approach has reduced the number of collisions at those sites identified and treated as part of this programme.

In February this year, we launched the DVSA trial which targets newly qualified drivers who have recently passed their test (addressing both the high risks associated with younger and more inexperienced drivers). The results of this trial will be known during 2025, and we will share these again nationally with stakeholders.

6. Question from Councillor Brett Wright to the Lead Member for Transport and Environment

What evidence is there that ESCC ensure that the 'Hierarchy of Users' (Highway Code) is being supported by road design, speed limits and signage (Pedestrians being at the top of the hierarchy)?

Answer by the Lead Member for Transport and Environment

Whilst a significant number of the rules in the Highway Code are legislative requirements, the various changes in the Highway Code are advisory rules with the emphasis that they 'should' rather than 'must' be adhered to.

Amongst the 2022 updates to the Highway Code is guidance requiring improvement in care and attention from motorists and cyclists towards pedestrians giving a hierarchy of road users. We of course recognise the revisions to the hierarchy and are supportive of these.

From a strategic perspective, the draft East Sussex LTP4 is helping to guide the development of new transport schemes with the inclusion of a user hierarchy that outlines how consideration will be given to the needs of different transport modes. This plan prioritises vulnerable users and 'active modes' over other users and forms of transport as this aligns with the LTP4 objectives. This therefore reflects the hierarchy of users in the Highway Code.

From a practical perspective, we do and will continue to consider existing guidance such as the Government's Local Transport Note 1/20 on cycle infrastructure design, Inclusive Mobility, Healthy Streets and Manual for Streets which all focus on active travel modes, as well as Design Manual for Roads & Bridges, in the development and design of the walking, wheeling

and cycling schemes that come through our annual capital programme for local transport improvements.

As an example, we have developed proposals for permanent school street schemes outside three primary schools in the county which will give priority in these spaces towards vulnerable road users in accordance with the highway code changes. In addition, we are finalising the designs for two further sections of pedestrianising Terminus Road in Eastbourne which seeks to provide a pedestrian focussed corridor between the rail station the seafront. These schemes very much put the pedestrian first and at the top of the hierarchy.

The learning from these proposals and other schemes in our capital programme for local transport improvements will continually help to inform our approach towards supporting the changes to the road hierarchy set out in the updated Highway Code with pedestrians at the top of the hierarchy.

7. Question from Councillor Brett Wright to the Lead Member for Transport and Environment

A In terms of cycling, East Sussex, after Medway, has the lowest cycling numbers in the South East (Source DfT annual review). Does the Council believe that this is due to a lack of cycling infrastructure?

Answer by the Lead Member for Transport and Environment

People decision's on whether they choose to walk, wheel or cycle for all or part of regular journeys are influenced by several factors, with linkages between many of these factors.

These factors include safety and the perception of safety, which can often differ across genders, age groups etc. Other factors are more personal to the individual can include the ability to fit the use of active travel into their personal routines alongside their perceptions of this and whether it is something that they can see themselves doing or wanting to do.

However, the availability of active travel infrastructure and its quality is also a fundamental factor which influences people's decisions on whether to walk, wheel or cycle. Investment has been made over several years in a network of routes in our major towns to improve the availability of especially cycle routes as well as pedestrian focussed schemes such as pedestrianisation schemes, but clearly it is recognised that there is further work required to continually improve these networks.

Therefore, the County Council is working to bring forward schemes to increase the number of people who walk, wheel and cycle through its Local Cycling & Walking Infrastructure Plan, with a review of this document due to commence later in 2024. The review of the Local Cycling & Walking Infrastructure Plan will reflect the policies for active travel which have been strengthened and set out robustly in the draft East Sussex Local Transport 4, wand will be presented to Cabinet and Full Council in the autumn for adoption. Reflecting its importance, the draft LTP4 includes a themed chapter on active travel and health alongside policies to support the delivery of active travel infrastructure.

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The combination of the updated East Sussex LCWIP and adoption of LTP4 will place ESCC and their partners in a stronger position to secure future funding to deliver and improve the overall network of active travel infrastructure available in the county.

B How much money is being spent annually on physically building tangible cycling infrastructure in East Sussex and how much money is being spent on the planning, review, assessment and consultations of schemes?

Answer by the Lead Member for Transport and Environment

The funding for local transport schemes delivered by the county council through the capital programme for local transport improvements presented to the Lead Member for Transport & Environment normally around March each year comes from a range of funding sources.

We receive an annual grant from Government of circa £3m per annum for integrated transport schemes. This grant funding can be used but is not exclusively available for active travel schemes and is also used for public transport infrastructure, traffic management and road safety schemes. In addition, we have been successful over several years in bidding and securing funding through the now dissolved Local Enterprise Partnerships and from the Department for Transport towards active travel infrastructure, and more recently through Active Travel England. Furthermore, we receive development contributions through section 106 contributions and Community Infrastructure Levy which can augment the other funding sources we receive and secure. S106 contributions will be geographic and sometimes scheme scope specific, which can include active travel infrastructure, whilst we have to bid for CIL funding through the respective charging authorities.

The amount of funding being spent on active travel schemes will be dependent on where each scheme is in its development and delivery cycle and the extent of funding we have available in a given year. Consequently, the spend will vary from year to year- where schemes are in development the spend will be lower, whilst when schemes are being delivered, the spend will be higher.

For the current financial year, 2024-25, and as set out in the capital programme of local transport improvements approved by the Lead Member in March this year, we are anticipating spend of £987,000 on scheme design for schemes that will deliver walking and cycling infrastructure in subsequent financial years.

REPORT OF THE CABINET

The Cabinet met on 16 July and 26 September 2024. Attendees: -

Councillor Glazier (Chair) (2)
Councillors Bennett (2), Bowdler (2), Penny Di Cara (2), Claire Dowling (2), Maynard (1), and Standley (2).

1. Council Monitoring Q1 2024/25

1.1 The Cabinet has considered a report on the Council's position and year-end projections for the Council Plan targets, Revenue Budget, Capital Programme, and Savings Plan, together with Risks at the end of June 2024.

1.2 Broad progress against the Council's four strategic priority outcomes is summarised from paragraph 1.10 and an overview of finance and performance data is provided in the Corporate Summary at Appendix 1. Strategic risks are reported at Appendix 8.

Carry over report for Council Plan 2023/24

1.3 Outturns are now available for the 7 Council Plan measures for 2023/24, which were carried over from quarter 4. Measures are carried over when action has been completed but outturn data is not available for reporting at year-end. Outturns for these measures are provided in Appendix 3 Adult Social Care and Health and Appendix 4 Business Services Department. Overall, 71% of targets (41 of the 58 Council Plan measures) for 2023/24 were met or exceeded.

Council Plan 2024/25 amendments and variations

1.4 The Council Plan 2024/25 and the Portfolio Plans 2024/25 – 2026/27 have been updated with available 2023/24 outturns and final performance measure targets. All plans are published on the Council's website. The Corporate Summary (Appendix 1) contains a forecast of performance against targets.

1.5 The Strategic Risk Register, Appendix 8, was reviewed and updated to reflect the Council's risk profile. The 'Care Act reviews and Deprivation of Liberty Safeguarding (DoLS) assessments' risk has been included as a new risk to the Strategic Risk Register. Risk 1 (Roads) and Risk 4 (Health) have updated risk definition and risk controls. Risk 5 (Reconciling Policy, Performance and Resources) and Risk 8 (Capital Programme) have updated risk definitions. Risk 6 (Local Economic Growth), Risk 9 (Workforce), Risk 12 (Cyber Attack), Risk 15 (Climate) and Risk 20 (Placements for Children and Young People in Our Care) have updated risk controls.

Budget Outturn

1.6 The detailed revenue projections for each department are set out in the relevant appendices which show an aggregate total overspend of £23.4m. All departments are overspending, reflecting the difficult financial situation that the Council, along with many others, face. The main headlines are:

- Children's Services (CSD) is forecast to overspend by £12.5m; the main areas of projected overspend being Early Help and Social Care and Home to School Transport. The Early Help and Social Care overspend of £7.4m is due in the main to pressures around agency

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placements and Children's Homes within Looked After Children, and staffing costs within Localities. Home to School Transport has a forecast overspend of £4.8m due to growth in numbers of pupils and unit costs for transport that have far outstripped what was estimated during the budget setting process. Proposals for cost avoidance are being developed by Communities, Economy and Transport and CSD.

- The forecast overspend for Adult Social Care is £9.8m which largely relates to the Independent Sector, where the overspend is forecast to be £10.3m. This is due to a combination of factors, primarily being increasing complexity of need and pressures arising from demand and demographic growth returning to pre-pandemic levels. Mitigations to manage the overspend down include improving income collection and reviewing high-cost packages to ensure care is at the appropriate level for clients. There is a forecast underspend in Directly Provided Services of £0.5m due to staffing vacancies which reflects the difficulties in recruitment.
- Communities, Economy and Transport is showing a forecast overspend of £0.2m. The largest overspend is in Highways where the cost of electricity for streetlighting and depots is much higher than budgeted.
- There is a forecast overspend of £0.7m for Business Services, mainly in Property Services, as a result of increased accommodation and reactive maintenance costs.
- Governance Services is expected to overspend by £0.2m; mostly in Legal Services due to the cost of locum cover for staff vacancies and maternity leave.

1.7 Within Centrally Held Budgets (CHB), including Treasury Management (TM), and corporate funding there is an underspend of £14.0m, which includes the general contingency:

- There is currently an estimated £1.6m underspend on TM, based on a robust investment strategy approach and slippage on the capital programme reducing the need to borrow in 2024/25. It should be noted that there has been a fall in cash investment balances; whilst above benchmark returns are being achieved, the level of balances has fallen by 29% in one year to £213.7m at the end of June 2024.
- Within CHB the forecast underspend of £6.5m is due to the General Contingency of £5.3m, and £1.3m available from not transferring this contribution to the Capital Programme.
- Corporate Funding budgets are underspending by £5.9m, due to the additional allocations of Social Care Services Grants totalling £5.4m, approved by Cabinet on 25 June 2024, plus an additional £0.5m received for business rates 2023/24 pooling and reliefs.

1.8 The net impact of the above is an unplanned draw from the financial management reserve of £9.4m in 2024/25. This is in addition to the planned £14.3m draw to present a balanced position in setting the 2024/25 budget. The Council's projected level of strategic reserves was last assessed to be £16.7m as of March 2029. Making this additional draw would reduce this to £7.3m. For comparison, the latest published budget gap after likely funding scenarios for 2025/26 is £26.6m. Any reduction in unallocated reserves reduces the flexibility available in dealing with the challenge of addressing next year's projected deficit and setting a balanced budget, without having to seek further savings. In this context, to address the projected in-year overspend and reduce the required draw from reserves, the Council is taking a number of actions to reduce spending in 2024/25, including:

- Additional controls on purchase orders, including the requirement for orders above £1,000 to be supported by a business case and approved by a reviewing board.
- An updated recruitment protocol, including CMT approval of non-core role recruitment.

- A review of P-Card expenditure and reset of card spend limits.
- Reviewing proposed savings for 2025/26 to identify whether actions can be brought forward into 2024/25.
- Asking departments to identify any further actions to reduce in-year spend across all budgets.

1.9 Capital Programme net expenditure for the year is projected to be £84.7m (gross £104.7m) against a budget of £84.2m (gross £108.5m), a net variation of £0.5m (gross £3.8m). The main headlines are:

- A slippage risk factor has been applied to the capital programme to reflect likely slippage based on a risk assessment of historic levels of actual expenditure and slippage at a project/programme level. The risk factor will be held at a corporate level to enable services / project managers to manage project budgets at a local level, whilst ensuring greater robustness to the planning and monitoring process at a corporate level.
- Total slippage of £10.7m across a number of projects relating to various project specific factors. The largest areas of slippage include Bridge Assessment and Strengthening (£4.4m), Exceat Bridge Replacement (£2.4m), Eastbourne Town Centre Phase 2a (£1.2m) and the IT&D Strategy Implementation programme (£0.8m).
- Total spend in advance of £6.4m, mainly relating to integrated transport projects that are planned based on a revised programme agreed by Lead Member.
- A net overspend of £0.5m, relating to house adaptations at disabled children's homes where demand is managed through the capital reserve (£0.3m) and Bexhill and Hastings Link Road (£0.2) where project costs remain for post excavation archaeology, landscaping, and compensation.

Progress against Council Priorities

Driving sustainable economic growth

1.10 The Council has spent £349m with 904 local suppliers over the past 12 months. This was 63% of our total spend exceeding our target of 60%. During quarter 1, we have continued to work with suppliers to maximise the social value delivered by our contracts. The benefits seen from these contracts were equal to 13% of the applicable contract values achieved, against a target of 10%. The social value commitments made by suppliers during quarter 1 included apprenticeships, creating jobs for local people and initiatives to reduce carbon emissions (Appendix 4).

1.11 Work on our highways has continued in quarter 1, using the extra funding approved by the Council in recognition of the deterioration of the network following the last prolonged, wet and cold winter. We completed 40 patch repairs across 26 sites in quarter 1. This has had an impact on the condition of the network and has enabled us to carry out works above and beyond our usual programmes. We also delivered 196 drainage schemes. These included replacing gully covers and clearing significant blockages. We completed 68 road improvement schemes in quarter 1, and repaired 7,450 potholes (Appendix 6).

1.12 165 pupils attended Open Doors visits during quarter 1, giving them experience of a workplace. The Careers Hub ran training for schools and colleges in June 2024, with over 50 people attending. The training focused on future skills, the visitor economy, health and social care, construction and the green industries (Appendix 6).

1.13 Council delivered business support programmes have helped to create a number of jobs. The Newhaven Business Grants Programme created 10 full-time equivalent jobs in quarter 1. We expect that the programme will create over 20 full-time equivalent roles (Appendix 6).

Keeping vulnerable people safe

1.14 The rate of Looked After Children has increased in quarter 1 from 655 (61.5 per 10,000) at the end of March 2024, to 684 (66.6 per 10,000) at the end of June 2024. There has been a continued focus on returning children to their families in quarter 1. However, there has also been a significant increase in admissions to care. 67 children were admitted to care in quarter 1, with 38 discharged from care. There was a 6.7% reduction in the number of children with a Child Protection Plan in quarter 1. The figure fell from 688 (64.6 per 10,000) at the end of March 2024, to 642 (62.5 per 10,000) at the end of June 2024 (Appendix 5).

1.15 The Council's Connected Families Intervention Practitioners (CFIP) have continued to provide dedicated support to parents, support families to stay together and improve the wellbeing and life chances of children. In quarter 1, CFIP delivered specialist interventions with 160 Children in Need or Child Protection cases. Since the launch of CFIP in January 2024 there have been a 14% reduction in the number of children with a Child Protection Plan. The average number of Children in Need case closures has also increased by 91%, from 60 per month in early 2024, to 115 per month in May 2024 (Appendix 5).

1.16 In February 2024, the Council agreed to invest an extra £1.7m in our inhouse foster care programme. During quarter 1, the Council introduced a new payment structure for foster carers. The new structure included a commitment for payments to keep pace with the National Minimum Allowance. We are also working with 19 other local authorities in the South East to launch a new regional fostering hub. During quarter 1, there has been a 47% increase in the number of enquiries about becoming a foster carer, when compared to quarter 1 2023/24. 8 new households also became a foster carer, providing 11 new places for vulnerable children (Appendix 5).

1.17 The Lansdowne secure children's home reopened in February 2024. The number of children in the home has increased as staffing numbers have grown, with 4 children resident at the end of quarter 1. The education provision at the home is operating well and delivering a creative and comprehensive curriculum. Sussex Partnership NHS Foundation Trust is commissioned to provide health services at Lansdowne. The Trust has experienced delays in recruitment which has had some impact on which children we have been able to place in Lansdowne. The Trust has recently recruited to critical roles which will support us to meet the needs of a more diverse group from September 2024 (Appendix 5).

1.18 The Supporting Families transformation programme has continued to be a key part of the drive to develop a joined-up whole family, whole system approach to Early Intervention. The number of families Children's Services are working with has continued to increase as they broaden the programme. In quarter 1, 560 families received a family support intervention. There were also 184 successful payments by results claims (Appendix 5).

1.19 During quarter 1 the Safer East Sussex Team, in partnership with colleagues from Trading Standards and Get Safe Online, attended the 999 Event in Eastbourne. The teams helped raise awareness of fraud and scams with hundreds of members of the public, to try and keep vulnerable people safe (Appendix 3).

Helping people help themselves

1.20 We supported 57 carers by short-term crisis intervention in quarter 1. The service relies on receiving referrals either directly from carers or via other organisations. However, we received fewer referrals than usual in quarter 1. The provider is continuing to promote the service, while a review is undertaken to understand whether the level of demand and need has changed (Appendix 3).

1.21 The Tribe app and website, which makes it easier for people to volunteer across the county, has continued to grow. There were over 2,500 listings for volunteer opportunities and activities and 23,000 views by users during quarter 1. The Council and Tribe led a social media campaign during Volunteers Week in June 2024. This campaign led to over 6,000 views of the Youth Justice Services opportunities and the recruitment of 16 new volunteers (Appendix 3).

1.22 During 2023/24 (reported a quarter in arrears) 2,066 NHS Health Checks were delivered to people in the most deprived communities in East Sussex, against a target of 2,300. We did see the expected increase in Health Checks in a number of areas during 2023/24. However, this didn't occur in the Hasting & St Leonards Primary Care Network area. This area has the highest number of patients from areas ranked among the most deprived in the country (Appendix 3).

Making best use of resources now and for the future

1.23 During quarter 1 the Leader and Chief Executive continued to raise issues and priorities for the county with our local MPs. In June, Cabinet agreed the Council's productivity plan. The plan provided an opportunity to put forward a range of financial, legislative and policy burdens and barriers that Government could reduce or remove. We submitted the plan to the Department for Levelling Up, Housing and Communities. We also submitted the plan to the Local Government Association to support it in its sector wide lobbying (Appendix 7).

1.24 We completed 6 energy efficiency schemes in quarter 1. These schemes included 1 LED lighting project, 4 Solar PV energy generation projects and 1 heat decarbonisation scheme. The Council is reviewing its capital programme as part of the RPPR process. This review may result in some projects planned for 2024/25 being deferred into later years. Total carbon emissions for 2023/24 (reported a quarter in arrears) saw a 36% reduction compared to the baseline year 2019/20, against a target of 43%. Calculated carbon emissions from the Council's electricity consumption increased during 2023/24. This was despite a fall in the amount of electricity being used. This was due to changes in the carbon emission factor. This is the figure used to convert electricity consumption from the national grid into equivalent carbon emissions. The carbon emission factor for electricity fell by over 24% between 2019/20 and 2022/23 as renewables increasingly replaced coal in the generation mix. However, for 2023/24, this trend reversed, and the carbon emissions factor increased (Appendix 4).

1.25 The Council has continued to work with a range of partners to develop and deliver carbon reduction and climate change adaptation work in quarter 1. This included completing an assessment of county-wide risks and vulnerabilities to climate change. We will use this assessment to inform how adaptation can be integrated into service plans. A salary sacrifice scheme was also implemented to encourage the adoption of electric vehicles by staff. The Council worked with a local farming partnership to secure funding from the Environment Agency's Natural Environment Investment Readiness Fund to enable the partnership to begin to develop local carbon offsets (Appendix 6).

1.26 The quarter 1 sickness absence figure is 2.17 days per Full Time Equivalent employee, an 11.9% increase on the same period in 2023/24. The predominant reason for the increase in absence rates is a rise in days lost due to cold/flu absences (Appendix 4).

1.27 HM Inspectorate of Probation (HMIP) undertook an inspection of the Council's youth justice service in June 2024. The HMIP report gave the service a rating of Good, and recognised the commitment and motivation of the partnership and youth justice service and the work they do to support children, young people and their parents and carers. The report highlighted four areas for improvement, three for the service and one for the Police. An action plan has been developed to address these areas (Appendix 5).

2. East Sussex Local Transport Plan 4 2024-2050

2.1 The Cabinet considered a report on the East Sussex Local Transport Plan 4 (LTPA).

Local Transport Plan Context

2.2 Under the Transport Act 2000, Local Transport Authorities are required to have a Local Transport Plan (LTP) for their geographical area. The overall purpose of this is to set out the strategy and policy framework for transport, alongside enabling the transport, economic,

social, and environmental challenges, and opportunities to be identified, whilst identifying the transport investment priorities; and establishing how to manage, maintain and improve the transport network.

2.3 The current East Sussex Local Transport Plan 3 (LTP3) was adopted in May 2011 and covers the period 2011 to 2026. It is supported by a series of five-year implementation plans which set out the intentions for transport investment for this period of time.

2.4 The requirement to update LTP3 has been influenced by several major changes in Government policy and priorities at a national, sub-national and local level. These include greater emphasis on the need to decarbonise transport; economic recovery following the Covid 19 pandemic, greater emphasis and integration of health and wellbeing policy, and the need to align with the Transport for the South East's (TfSE) Transport Strategy and Strategic Investment Plan.

2.5 The Department for Transport had initially proposed to issue updated Local Transport Plan guidance to local authorities in spring 2023. However, the publication of the draft guidance was continually delayed and has yet to be published. In lieu of the published draft guidance, DfT continued to urge local authorities to progress the review and update of their LTPs and provided local authorities with a strong indication of the likely contents. Prior to the public and stakeholder consultation, East Sussex County Council (ESCC) officers met with the DfT to discuss our draft LTP4 and they confirmed that the plan aligned with the draft guidance.

2.6 From a transport planning perspective, there has been an increased emphasis on the need to move away from 'planning for vehicles' towards planning for 'people and places', which is referred to as a 'decide and provide' approach. LTP4 has embraced this approach by developing a preferred vision of the future alongside a strategy to work towards the delivery of, whilst enabling the management of uncertainty about the future.

2.7 Importantly this approach provides flexibility. Whilst the preferred vision will stay constant, the strategy and accompanying policies and measures can be adjusted or adapted to manage any uncertainties and changes wider Government policy on transport that arise during the plan period. This is critical when considering, for example, the newly elected government has identified five emerging strategic priorities for transport - rail reform (and the establishment of Great British Railways, which will bring rail infrastructure improvements and the delivery of services together), improving and expanding bus services, transforming infrastructure, making transport greener, and integrating transport networks of active travel measures.

2.8 This approach will enable us to adapt the East Sussex LTP4 strategy and investment plan to take account of any policy changes and the availability of new funding streams that are brought forward over the life of the plan.

Supporting information

2.9 The process to develop LTP4 involves three key project stages:

- Stage 1 - Scoping (Completed – August 2022 - December 2022)
- Stage 2 - Strategy Development (Completed - January 2023 – September 2024)
- Stage 3 - Delivery (October 2024 onwards)

2.10 We are currently in the final phase of Stage 2 and propose to move to Stage 3 subject to LTP4 being adopted. Given the longevity of LTP4 (2024-2050), it will be important that it is treated as a live document. Therefore, the Strategy will continue to be reviewed, updated and monitored periodically to take account of changes in priorities and policies at a national, sub-national and local level as outlined in paragraphs 2.7 and 2.8, and the availability of funding.

Strategy Development (Stage 2) update

2.11 Following the Stage 2 public and stakeholder consultation undertaken between late November 2023 and late February 2024, we have reviewed all of the consultation feedback

received from over 1,000 engagements, developed draft responses to these comments and identified where LTP4 needs updating.

2.12 We have continued to work closely with officers and key external stakeholders on proposed updates to the plan to ensure that the LTP strategy reflects partners emerging strategies and plans (e.g. District and Borough Local Plans, the East Sussex Prosperity Strategy, etc.).

2.13 The LTP4 Member Reference Group, comprising members of the Place Scrutiny Committee, have been engaged throughout the Strategy's development. The proposed updates to the draft final LTP4 were presented to the cross-party Reference Group in late June 2024, and a summary of the final changes in early September 2024 as part of the governance process for LTP4's adoption.

Updates to the LTP and supporting documents following consultation

LTP4 Strategy (Appendix 9)

2.14 In response to the consultation outcomes the following changes to the draft Strategy document have been undertaken:

- relocated and strengthened the reference to the 'decide and provide' approach, as referred to in paragraph 2.6, that is set out in the strategy;
- improved references to inclusive engagement and communication, outlining the critical importance of this from the outset, at the early stages of scheme design through to scheme delivery;
- improved references relating to different non-motorised users (people walking, wheeling and cycling, equestrian users);
- strengthened references regarding the opportunities for travel behaviour change initiatives alongside the delivery of transport infrastructure, subject to the availability of funding;
- improved references to accessing healthcare;
- highlighted that the opportunities for infrastructure and service improvements, specifically for active travel and buses, will be included as part of the review of the Local Cycling & Walking Infrastructure Plan (LCWIP) and Bus Service Improvement Plan (BSIP);
- strengthened the references to sustainable development and links to the current review of District and Borough Council's Local Plans;
- reviewed highway maintenance and links to active travel;
- strengthened references to coastal management and flooding and links to transport infrastructure; and
- Strengthened reference to biodiversity net gain and the local nature recovery strategy.

Supporting documents

2.15 In relation to the supporting assessments, the Equalities Impact Assessment has been strengthened with evidence from local residents and protected characteristic groups to enable the use of the LTP4 EqIA by teams developing transport infrastructure measures and services. We are not proposing to make any changes to the Integrated Impact Assessment, Health Impact Assessment and Habitats Impact Assessment as these will be required to be reviewed throughout the delivery of LTP4.

2.16 As outlined in paragraph 2.7 the new government has provided an early indication of their transport priorities. This is alongside other policies which transport will align to, including the development of an industrial strategy and a 10 year infrastructure plan as well as updates to national planning policy to ensure the planning system meets the needs of a modern economy. The draft LTP4 Strategy has been updated to reflect these emerging policy areas, alongside the County's Economic Prosperity Strategy, a link to which can be found [here](#).

LTP4 Investment Plan

2.17 To support the delivery of the LTP4 Strategy the following updates to the draft LTP4 Implementation Plan have been made:

- amended the name from 'Implementation Plan' to 'Investment Plan' to indicate that the plan is largely unfunded, but importantly to demonstrate our ambition particularly to government and other funding providers in relation to the opportunities for scheme delivery as and when funding becomes available. This also aligns with terminology used by Transport for the South East (TfSE) with the 'Strategic Investment Plan' which supports their Transport Strategy. From a public and stakeholder perspective, it will also support with managing expectations on the delivery of the plan, as it will clearly set out the opportunities for scheme delivery subject to either the County Council and/or our partners securing funding;
- highlights that the LTP4 is an aspirational strategy that will be used to secure investment as outlined above (but needs to demonstrate ambition to help secure funding);
- to manage expectations around deliverability of the plan, strengthened references to the availability of funding (especially in the current financial climate) and that the plan is subject to the ability of ESCC internal teams and external partners to work collaboratively to seek and secure external funding;
- strengthened the text focussed on scheme scale (i.e. localised measures or strategic schemes) and likely types of funding that will be required to be secured;
- strengthened explanation of the roles and responsibilities in delivering the plan, with a separate section related to this;
- included new sub section covering engagement and consultation to demonstrate the approaches that may be required to bring schemes forward that align with a stronger policy context relating to the decarbonisation of transport;
- included new sub section on the proposed governance of the LTP4 in terms of the management of the delivery and the continued collaborative engagement with officers and stakeholders who have supported the development of LTP4;
- rename the monitoring and evaluation section to 'measuring success' to potentially include specific indicators to enable the future monitoring of the plan's success. We have not included targets in the plan as the achievement of any such targets is subject to the level of funding being secured and available; and
- expanded the forward timescales of the Investment Plan to indicate short-, medium- and longer-term timescales for the study, develop and deliver stages of schemes identified in the Investment Plan.

2.18 We have also liaised with other local authorities in the south-east to benchmark, learn and understand how others have developed their LTP's Investment Plan's alongside consultants Steer and apply this learning to the development of a robust LTP4 Investment Plan for the county. This benchmarking has helped inform several of the updates reflected above. A copy of the draft final LTP4 Investment Plan is included in Appendix 10.

Document accessibility

2.19 The finalised version of the LTP4 Strategy, Investment Plan and accompanying documents will be accessible and web-based documents available through the East Sussex County Council website. This approach will be applied to all modal strategies developed, where feasible.

Further work

Carbon Assessment of LTP4

2.20 A high level carbon assessment was undertaken as part of the scenario planning exercise used to develop the draft LTP4 strategy. The carbon assessment of the 'preferred future' scenario indicated that there would be a significant contribution towards achieving net zero transport. The Department for Transport's baseline forecasts are for a 50% reduction on

2019 levels; the East Sussex LTP4 'preferred future' forecast identified a further 19% to 30% reduction on the Department for Transport's forecasts.

2.21 Since then, work has been undertaken by several sub national transport bodies, including TfSE, to develop a Carbon Assessment Tool for local authorities to use to assess the carbon impacts on specific schemes and scheme types in their LTPs and Investment Plan's. The assessment tool was made available in August 2024 for use by local authorities. Officers are now reviewing the Carbon Assessment Playbook, before confirming an approach to the carbon assessment of LTP4. Therefore, a further detailed carbon assessment of the LTP and its specific schemes and scheme types will need to be undertaken after the adoption of LTP4.

LTP4 Scheme Prioritisation Framework

2.22 A framework to assess transport schemes for inclusion in the Council's annual capital programme of local transport improvements was developed as part of LTP3. This scheme prioritisation framework is currently being reviewed and updated to reflect the themes in the LTP4 Strategy. This will be tested over the next 6 to 9 months prior to bringing into effect to inform the development of the 2026/27 capital programme of local transport improvements.

Governance – delivery of LTP4

2.23 As outlined in paragraph 2.10, given the longevity of the plan we are proposing that LTP4 is managed as a live document. Partnership working is a critical approach underpinning the plan as responsibility for the delivery of the LTP rests not just with the County Council but with multiple organisations. It is proposed that the relationships with internal officers and partners established throughout the LTP co-development process will be maintained and enhanced in order to support the ongoing delivery of the plan.

Modal Strategies

2.24 Further work is also being undertaken to either review or develop a series of mode specific strategies supporting the LTP4 which will provide a greater granularity to the policies and schemes included in the plan:

- Rail Strategy – updated draft strategy being finalised with key stakeholders and a public/stakeholder consultation is proposed after local elections in May 2025;
- Freight Strategy – new draft being finalised with key stakeholders and a public/stakeholder consultation is proposed after local elections in May 2025;
- Bus Service Improvement Plan (BSIP) – An update on the BSIP progress was submitted to the Department for Transport in June 2024;
- Local Cycling and Walking Infrastructure Plan – Work on updating this strategy will start in September 2024, with a public/stakeholder consultation is anticipated in summer/autumn 2025;
- Electric Vehicle Strategy – A draft strategy was developed to support the recently successful Local Electric Vehicle Infrastructure (LEVI) funding application to enable on-street charge points to be delivered in the county.

Adoption of LTP4

2.25 Once the LTP4 has been adopted, we will share a copy of the final plan with DfT.

2.26 Should the government subsequently issue guidance on LTPs, we will review the plan against this guidance and agree with the DfT any identified updates required to our plan.

2.27 Local Transport Authorities are required to have a Local Transport Plan (LTP) in place which sets the strategy and policy framework for transport across their geography. The East Sussex LTP4, which will cover the period 2024 to 2050, will ensure that we have an up-to-date LTP that is reflective of current national, sub national and local policy, which will place us in a stronger position to seek future funding.

2.28 Over the last two years, significant progress has been made in developing, consulting upon and finalising a robust transport strategy for the county which, following the outcomes of stakeholder engagement and public consultation undertaken between 27 November 2023 and 25 February 2024, for the most part has been supported. The changes made to the draft final LTP4 strategy and Investment Plan in response to the public and stakeholder consultation are set out in paragraphs 2.14 and 2.17 respectively. We have also received cross party consensus on the draft final plan through ongoing engagement with the LTP4 Member Reference Group comprising members of Place Scrutiny Committee.

2.29 In view of the approach that we have used in developing the plan and the flexibility that this provides, we have been able to demonstrate that the plan can adapt easily to align to future changes in transport policy, including the emerging policy areas being proposed by the newly elected government and potential future funding streams.

2.30 With the longevity of the plan covering a 25-year period, and that the delivery of the plan does not wholly rest with the County Council but also with key stakeholders, we have set out the need to monitor the plan more closely. This will involve continuing with the successful relationships and collaboration developed with both internal officers and external partners during the development of the Plan, and specifically to maximise the opportunities to secure funding and enable scheme delivery.

2.31 The Cabinet recommends the County Council to:

✧ approve (1) the East Sussex Local Transport Plan 4 (LTP4) and Investment Plan for 2025 - 2050

3. Annual progress report to full Council on the Council's progress towards net zero

3.1 The Cabinet considered an annual progress report on the County Council's Climate Emergency Plan.

3.2 In October 2019 the Council declared a climate emergency. It set a target of achieving carbon neutrality from its activities as soon as possible and in any event by 2050 and committed to reporting annually to full Council on its progress towards meeting this target. Appendix 11 of this report sets out the draft progress and once approved, the progress report will be published on the Council's website.

Supporting Information

- 3.3 In October 2019 the Council agreed the following Motion, that the Council:
- (i) supports the aims and implementation of the UN Sustainable Development Goals.*
 - (ii) recognises and declares a Climate Emergency.*
 - (iii) will set a target of achieving carbon neutrality from its activities as soon as possible and in any event by 2050, in line with the new target for the UK agreed by Parliament in 2019.*
 - (iv) will build upon the work we have undertaken to date, will commit resources where possible and will align our policies to address the Climate Emergency.*
 - (v) will set out a clear plan of action to reduce our carbon emissions.*
 - (vi) will report annually at the May Council Meeting on its progress towards the target.*
 - (vii) will investigate all possible sources of external funding and match funding to support this commitment, as well as writing to central government with respect to the emergency to request funding to implement swift appropriate actions.*

(viii) will use our Environment Strategy to provide a strong unified voice in lobbying for support to address this emergency, sharing best practice across East Sussex and more widely through other partners.

3.4 In line with the commitment made in the Motion agreed in 2019, Cabinet agreed a Climate Emergency Plan in June 2020, which set out how the organisation would continue to reduce its carbon emissions, building on work undertaken since the first Carbon Management Plan was put in place in 2009. The Action Plan covered 2020-22 and set out the scale of the Council's carbon footprint, described the carbon budget that the Council will aim to keep within, and included a set of actions. In 2021/22 Cabinet agreed a further £9.945m to support the work to enable the Council to become carbon neutral and agreed that climate change be considered a basic need requirement within the Council's Capital Programme and Capital Strategy. Climate change has been embedded in the Council Plan and is recognised as a strategic corporate risk. In February 2023 an updated corporate Climate Emergency Plan, covering 2023-25, was agreed by full Council. This report sets out the progress achieved in 2023/24 in delivering the actions set out in the Plan.

Assessing the Council's Carbon Emissions

3.5 A clear understanding of the carbon emissions generated by our activities is a key foundation for working towards carbon neutrality. The corporate Climate Emergency Plan sets out the carbon emissions from the Council's activities using the Greenhouse Gas (GHG) Protocol, an accepted global standard for measuring and reporting on an organisation's GHG emissions. The Protocol divides GHG emissions into three categories, referred to as Scope 1, 2 and 3. Together, these represent the total GHG emissions related to an organisation and its activities. Each scope covers the following emissions:

- Scope 1 – emissions from the combustion of gas, oil, petrol, diesel, coal, or wood. For the Council this covers buildings and vehicles where the Council is responsible for paying for the fuel.
- Scope 2 – emissions from the electricity purchased by the Council.
- Scope 3 – emissions that result from all other activities of the Council. There are 15 different scope 3 categories defined in the Protocol, some of which do not apply to a local authority (e.g. emissions from manufactured goods). The categories that do apply include emissions from business travel, water usage, waste, procurement and staff commuting. In other words, the Council's scope 3 emissions mostly comprise the scope 1 and 2 emissions of other organisations (e.g. contractors).

3.6 The Council has measured scope 1, 2 and some scope 3 emissions since 2008-9. Data on scope 1 and 2 emissions is of higher quality than data on most scope 3 emissions, largely because the Council relies on third parties to provide their carbon emissions under scope 3. The Climate Emergency Plan highlights that scope 3 emissions are by far the largest part of the Council's estimated carbon footprint, notably through the supply chain i.e. the goods, works and services that are purchased by the Council in order to deliver its statutory functions. This is typical for a local authority, as most of the Council's revenue and capital budgets are used to procure goods, services and works from third parties. For an upper tier authority this includes major services such as highways maintenance, waste disposal, and education, as well as social care provision commissioned from a myriad of relatively small independent providers. The Climate Emergency Plan also highlights that the largest proportion of scope 1 and 2 emissions is from schools. Overall, this means that the majority of carbon emissions generated by the Council's activities are from sources over which the Council has influence but limited direct control.

3.7 The Council therefore has a large and complex carbon footprint. Further work is being carried out to quantify scope 3 emissions, notably from our extensive supply chain, before

they can begin to be integrated reliably into the Council's carbon footprint and targets set. Consequently, the Climate Emergency Plan focusses primarily on reducing scope 1 and 2 emissions, for example carbon emissions from buildings. This is also typical for most local authorities.

Working Towards Carbon Neutrality From Our Activities

3.8 The approach adopted in the Climate Emergency Plan is that, in order to make its fair contribution to reducing county-wide emissions, the Council will aim to cut its own emissions in half in the 5 years between 2020-25. This is based on a recognised methodology developed by the UK's Tyndall Centre for Climate Change Research for calculating the carbon budget by local authority area. A carbon budget represents the total quantity of greenhouse gases which can be released to the atmosphere if we are to contain temperature rises to a given level – this can be calculated globally and then broken down into national and sub-national budgets. The Tyndall model, based on current scientific understanding, indicates that to stay within a budget based on a rise of no more than 1.5 degrees centigrade above pre-industrial levels (as set out in the UN Paris Agreement on Climate Change) requires cutting emissions from East Sussex by half every 5 years.

3.9 This science-based reduction target is what the Council is working towards, rather than a fixed end date by which it will become carbon neutral. This approach is in line with advice to Councils from the Local Government Association, which has stated that: *“There is no science to picking an end year where emissions are zero. Setting a target year by which emissions will be zero can be symbolically important. However, what counts is the trajectory of the commitments to carbon reduction between now and the target zero emissions year. This defines the actual level of emissions reduction being promised over the budget period. This is what matters to climate change”*.

3.10 Cutting emissions in half every 5 years is extremely challenging. This is highlighted by modelling carried out by independent experts in 2022, which indicated that the Council would need approximately £200m up to 2050 to pay for capital intensive interventions to keep within the science-based target for just its scope 1 and 2 emissions. Many of the simpler and cheaper measures, and those within the Council's direct control, have already been implemented through the Council's carbon reduction programme that has been delivered for many years and which is summarized in Appendix 11. In addition, the last two years have seen significant cost increases through the supply chain, as well as delays to delivery with some projects due to bottlenecks in the supply of particular items and the limited availability of consultants and contractors with the right skills and experience. Some of these pressures have been partly mitigated by the Council successfully securing £1.9m of additional external funding since 2020. Bids for further external funding continue to be made, however there is intense competition for funding. In view of the challenging financial position for local government, which is highlighted in the Council's State of the County report in June 2024, lobbying of government to encourage larger scale and longer-term sustained funding for public sector decarbonization continues to take place.

3.11 Despite the challenging circumstances, Appendix 11 illustrates that the Council has reduced its emissions by 35% between 2019/20 and 2023/24, against the cumulative target of 43%. This is a shortfall of about 950 tonnes of CO₂e, which is equivalent to the average annual per capita emissions of about 170 people in the UK, based on the latest government data. The 35% reduction has largely been achieved through a combination of the carbon reduction measures that the Council has invested in, the decarbonization of the national electricity grid and changes to the Council's buildings portfolio. Other County Councils have not yet reported publicly on their performance in 2023/24, so it's not currently possible to compare the Council's performance with that of other local authorities. However, the most recent independent assessment of local authority performance in addressing climate change, carried out by Climate Emergency UK in 2023, ranked the Council as 7th amongst English

county councils and the highest performer amongst county councils in the South East in its overall approach to climate change.

3.12 Progress towards becoming a carbon neutral council is overseen by the Climate Emergency Board, which has senior representatives from every department and is co-chaired by the Chief Operating Officer and the Director for Communities, Economy and Transport. Reporting on progress is made quarterly to the Corporate Management Team, annually to Full Council and is published on the Council's website.

3.13 The Council has recognised the severity of the climate crisis by declaring a climate emergency, by setting a clear science-based target and by committing an additional £9.9m of funding up to March 2025 to cutting corporate carbon emissions. The scale of the Council's functions and the diversity of providers the Council works with makes this a complex and substantial task. Significant work has already been undertaken to reduce emissions and will continue to be undertaken. The report sets out the further progress made during 2023/24.

4. Ashdown Forest Trust Fund

4.1 The Ashdown Forest Trust, a registered charity, was set out by declaration of Trust in 1988. East Sussex County Council is the trustee and agrees grants made to the Ashdown Forest Conservators, from the Ashdown Forest Trust Fund.

Supporting Information

2022/23 Accounts

4.2 Subsequent to the 2022/23 accounts being approved, the independent Examination process has now been completed in accordance with Section 145 of the Charities Act 2011. The Examiner's report is attached as Appendix 12. It does not identify any issues that require any further action by the Council as the trustees.

2023/24 Accounts

4.3 The Trust's Income and Expenditure Account and Balance Sheet are set out in the attached Appendix 13. The Income and Expenditure Account shows a surplus in 2023/24 of £7,196, as a result of no legal cost being incurred during the year.

4.4 The main source of income to the Trust relates to the rent from the Royal Ashdown Golf Club at £70,000 per annum. The only other income this year was from bank interest. The expenditure mostly relates to the £65,100 grant paid to the Ashdown Forest Conservators. The remaining expenditure was for audit fees.

4.5 The accumulative General Reserve totalled £179,284 at 31 March 2024.

4.6 A formal annual report and statement of accounts will be compiled in accordance with the Charity Commission's Statement of Recommended Practice (SORP) by the end of January 2025, once the Independent Examiner report has been received.

4.7 The trust made an operating surplus of £7,196 during 2023/24. The General Reserve as at 31 March 2024 amounts to £179,284. This fund is available to finance expenditure which meets the Trust's objectives.

26 September 2024

KEITH GLAZIER (Chair)

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REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 16 July and 26 September 2024. Attendances:

Councillor Glazier (Chair) (2)

Councillors Bennett (2), Bowdler (2), Collier (2), Denis (1) and Tutt (2) and Cross (1)

1. Flexible Retirement Policy

1.1 The Governance Committee considered a report at its meeting on 25 June 2024 proposing the implementation of a Flexible Retirement Scheme. The report noted a number of key principles, including that the implementation of the Scheme would present no additional costs to the Council. A link to the report can be found [here](#).

1.2 The Governance Committee considered a subsequent report at its meeting on 16 July 2024. The East Sussex Pension Team further advised that whilst the LGPS regulations permit for an actuarial reduction to be applied to a retiree over age 55 years and under 60 years, who has satisfied the '85 year rule' in circumstances of voluntary retirement, they do not allow employers to levy such a reduction in circumstances of flexible retirement. Instead, where flexible retirement is awarded to an individual prior to age 60, those benefits that meet the '85 year rule' would be payable without reduction. As a result, this would generate a revenue cost to the Council.

1.3 Each individual case will have a range of unique factors, for example, age, length of service, number of years contributing to the LGPS etc. and as such, any costs arising will need to be calculated on an individual basis. The previous report noted the requirement for a business case to be agreed, demonstrating how the arrangement would support the business needs of the service. As mitigation for the issue identified above, it is now proposed that the business case requirements are amended to include consideration of any revenue costs arising out of the proposed flexible retirement arrangement. Full details of the costs will need to be set out, along with an explanation as to how and why the proposed retirement represents best value for money from an economy, efficiency and effectiveness perspective.

1.4 It was previously proposed that as the consideration was in relation to the needs of the service and business impact, approval to a flexible retirement arrangement would only require the agreement of the service Assistant Director. In light of the issue now identified, the approval requirements will be changed to include the Chief Finance Officer and Assistant Director, HR&OD, in line with all other HR related business case approvals.

1.5 The draft 'Flexible Retirement Policy' will need to be amended to reflect the correct position. The proposed amendments are highlighted on the draft 'Flexible Retirement Policy' attached as Appendix 1 to this report.

1.6 Notwithstanding the issue now identified for some flexible retirement cases to have the potential to incur revenue costs to the Council, there is still value in having a flexible retirement scheme as part of the suite of flexible working options for staff approaching retirement age. In circumstances where business needs can continue to be met by a flexible

retirement arrangement and any costs have been subject to a value for money test, the scheme can retain skills and help services plan resources into the future. A flexible retirement scheme has the potential to provide a degree of security and stability for both employees and services particularly in the context of a changing operating environment.

1.7 The Committee recommends the County Council to:

✧ approve (1) the implementation of a flexible retirement scheme for employees (excluding those on Teaching terms and conditions) as set out in Appendix 1 of the report; and

(2) that the Local Government Pension Scheme Employer Discretions Policy is updated accordingly to allow for this.

2. DBS Checks for Members

2.1 In 2022 the Government announced an Independent Review of the Disclosure and Barring Regime. The purpose of the review was to provide assurance to Ministers on the effectiveness of the Disclosure and Barring Service regime in safeguarding children and vulnerable adults. The subsequent review was published in 2023 and is attached at Appendix 2.

2.2 The review included consideration of the eligibility of local councillors for criminal record checks provided by the Disclosure and Barring Service ('DBS checks'). On this point the review made the following recommendation:

Recommendation 5: local councillors

That an enhanced criminal record check is made mandatory for all councillors in Unitary and Single Tier Authorities who are being considered for appointment to any committee involved in decisions on the provisions of children's services or services for vulnerable adults. I accept that this would require legislation and therefore some inevitable delay, so I further recommend that these authorities are encouraged to adopt this procedure as best practice pending legislation.

2.3 The Minister for Local Government, subsequently wrote to the Leaders of all Unitary and Upper Tier Authorities in England urging enhanced DBS checks to be adopted as best practice for all Councillors being considered for appointment to any committee 'which discharges education or social services'.

Disclosure and Barring checks

2.4 The Disclosure and Barring Service (DBS) provides a procedure through which organisations may carry out criminal record checks relating to individuals who may, on behalf of the organisation, undertake work or hold positions or responsibilities which may bring them into contact with vulnerable persons.

2.5 When considering matters relating to criminal record checks, it should be kept in mind that Councillors are not required to undergo a DBS check by virtue of their role as a

GOVERNANCE

Councillor generally. The County Council must therefore take care not to seek too much information since, for example, an organisation can only ask for a check where the nature of the role makes it appropriate.

2.6 There are various levels of checks depending on the nature of the role:

Type of check	Description
Basic check	This check shows unspent convictions and conditional cautions. Cost: £18
Standard check	This checks for spent and unspent convictions, police cautions, reprimands and final warnings. Cost: £18
Enhanced check	This includes the same as the standard check plus any additional information held by local police (such as complaints or third party referrals) that is considered relevant to the role. Cost: £38.
Enhanced check with Barred List check	This is like the enhanced check, but includes a check of the two DBS lists of people barred from working with (1) children and (2) vulnerable adults. Cost: £38

2.7 A standard or enhanced DBS check can only be requested for specific roles, primarily those where there is direct contact with vulnerable people or access to confidential and sensitive information. A basic DBS can be requested for any role.

2.8 The Council's DBS Policy Statement (attached at Appendix 3) states that DBS Disclosures for Councillors fulfilling the roles set out below will be monitored by Business Administration and refreshed every 4 years. Disclosures are then sent to the individual. The unique reference number and date of issue of a Councillor's disclosure will be recorded as evidence of the check having been undertaken, but this will not indicate whether the check has resulted in a positive disclosure.

At its meeting in October 2017 the Council agreed that the roles set out below required an enhanced criminal record check:

- Members of the Fostering Panel
- Members of the Corporate Parenting Panel
- Lead Member for Children and Families
- Lead Member for Education and Inclusion, Special Educational Needs and Disability
- Lead Member for Adult Social Care and Health

2.9 Where a DBS check results in a positive disclosure (i.e. a criminal background or details that may be of concern) the Councillor would be requested to meet with the Chief Executive and Monitoring Officer to discuss the disclosure and its impact on their suitability to undertake certain roles. If the outcome of those discussions is that there should be a

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restriction in their role, then this would be additionally shared with the Member's group leader where relevant.

2.10 As part of the review of the Council's practice we have sought information as to the practices of other Councils:

Organisation	Approach	
	All Members	Specific Roles
Brighton & Hove City Council	None	Enhanced check
Hampshire County Council	Enhanced check	Enhanced check
Kent County Council	Enhanced check without Barred List check	Enhanced check with Barred List check
Surrey County Council	None	Enhanced check on Cabinet members and Chairs of Adults' and Children's Scrutiny Committee
West Sussex County Council	Standard check	Enhanced check on: <ul style="list-style-type: none"> • Chairman and Vice-Chairman of the County Council, • Regulation 44 Visitors • Cabinet Members for Children and Young People, Education and Skills, Adults and Health • Corporate Parenting Panel members • Foster Panel members

Matters for consideration

Corporate Parenting Panel

2.11 The Corporate Parenting Panel (CPP) monitors and ensures the well-being of children who are looked after by the Council (in children's homes or as fostered children). The Panel meets four times a year and is comprised of seven members.

2.12 Whilst members of the CPP are already required to undertake enhanced criminal record checks, no such requirement is in place for substitutes. It is recommended that each political group is asked to have a nominated substitute for the Panel and that they be required to undertake an enhanced criminal record check. In the event that a member of the CPP was not able to attend a meeting only the nominated substitute would be able to replace them at the meeting.

2.13 An alternative approach which has been adopted by some local authorities is to prohibit substitutes on their Corporate Parenting Panels. This would mean fewer councillors

would be required to undertake an enhanced criminal record check, but risks the meeting being inquorate.

Discretionary Transport Appeal Panel

2.14 The Discretionary Transport Appeal Panel makes decisions on the award of transport assistance to local students. The Panel is comprised of three members and meets approximately nine times a year. Members of the Panel are not currently required to undertake enhanced criminal record checks however they have voluntarily agreed to be subject to an enhanced check. Given the nature of the issues it considers, it is inevitable that the Panel are provided with confidential information relating to families and their children and it is therefore recommended that Panel Members are the subject of an enhanced check.

Criminal Record checks for all Members

2.15 The Member Reference Group considered the specific roles of Members set out in this report earlier this year and agreed with the proposals that enhanced DBS checks should be required for substitutes for the Corporate Parenting Panel and for members of the Discretionary Transport Appeal Panel. The Reference Group also suggested that all Members should be required to undertake an enhanced check. The main reasons given in support of this view are:

- all Members have the potential to come into contact with vulnerable individuals via their roles in their local community.
- that members of the public would expect councillors, who hold a position of trust, to have a DBS check,
- DBS checks would offer a level of assurance to members of the public; and
- DBS checks for all councillors could help protect the Council's reputation.

2.16 As the table in 2.6 shows, some local authorities do have arrangements in place requiring all councillors to have criminal record checks. However, there is some variation in the type of DBS check which is applied. As set out in paragraph 2.10, Councillors are not required to undergo a DBS check by virtue of their role as a Councillor generally, and failure to agree to one would not debar them from being a Member of the authority. Putting in place requirements for DBS checks should not be approached lightly and checks should only be required where there is clear justification. Therefore, it is proposed that all Members are requested to agree to a basic check, with only specified roles being required to undertake enhanced DBS checks. This option seeks to balance the need to protect individual Councillors' private data and giving some level of assurance to the members of the public.

Timing of checks

2.17 If changes to the Council's current approach to DBS checks for councillors are taken forward and agreed by Full Council, it is proposed that following the elections in May 2025 those elected councillors will be contacted about DBS checks.

2.18 The Committee recommends the County Council to:

✧ approve (1) Approve that an Enhanced Disclosure and Barring service check be undertaken for Members performing the following roles:

- i. nominated substitutes for the Corporate Parenting Panel (as set out in paragraph 2.12) and;
- ii. members of the Discretionary Transport Appeal Panel (as set out in paragraph 2.14).

(2) Approve that all Members are requested to undertake a basic criminal record check after the County Council elections in May 2025;

(3) That the Council's DBS Policy Statement is updated to include reference to the changes proposed in Recommendations 1 and 2 as set out in Appendix 3.

3. Amendment to the Constitution

3.1 As part of an ongoing internal review of East Sussex County Council's Constitution it is necessary to update references to legislation in the Constitution where the legislation has been amended or repealed.

3.2 The proposed changes to the Constitution are set out in red in Appendix 4.

Terms of Reference of the Health and Wellbeing Board

3.3 During 2024 a number of changes have been implemented in the governance arrangements of the East Sussex Health and Care Partnership. These changes were reported to the East Sussex Health and Wellbeing Board (HWB) at the meeting held on 16 July 2024.

3.4 One of the main changes was the merging of the Health and Social Care Executive Delivery Group with the Health and Care Partnership Board to form a single body called the East Sussex Health and Care Partnership Executive Board. Consequently, a minor amendment to paragraph 5 of the HWB terms of reference is needed to reflect this change in governance arrangements.

3.5 The proposed amendment is shown in red on a copy of the HWB terms of reference in Appendix 5.

Code of Practice for Good Governance for Local Authority Statutory Officers

3.6 SOLACE, CIPFA and Lawyers in Local Government have published a Code of Practice for Good Governance for Local Authority Statutory Officers. The Code provides advice and sets expectations for local government's statutory roles.

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3.7 The Code sets out that the Head of Paid Service (the Chief Executive) or the authority should make arrangements for the deputisation of their role. The Code states that, in nominating a deputy, the statutory officer should ensure that those individuals will have sufficient skill, expertise and knowledge to perform their roles. The Chief Executive has nominated the Assistant Chief Executive as her Deputy and the Committee is therefore recommended to recommend the Council to amend the Constitution to change references to the 'Assistant Chief Executive' to the 'Deputy Chief Executive'. There is no cost to this.

Conclusion and Reason for Recommendation

3.8 It is considered that the proposed amendments to the Constitution are necessary to ensure that the Council's Constitution reflects the changes to legislation, the Terms of Reference of the Health and Wellbeing Board and the arrangements in place regarding the Deputy Chief Executive.

3.9 The amendment to the Terms of Reference of the Health and Wellbeing Board is considered necessary in order to reflect the changes implemented by the East Sussex Health and Care Partnership, namely the newly formed East Sussex Health and Care Partnership Executive Board.

3.10 The Committee recommends the County Council to:

✧ approve (1) to amend the Constitution as set out in the report and appendices 4 and 5.

26 September 2024

KEITH GLAZIER
(Chair)

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NOTICE OF MOTION – MOTION FOR EAST SUSSEX COUNTY COUNCIL TO BE AN ACTIVE PARTICIPANT IN THE CITY OF SANCTUARY LOCAL AUTHORITY NETWORK.

MOTION WORDING

This motion calls on East Sussex County Council to declare that we understand the important role it plays in welcoming people who are fleeing violence and persecution by offering them safety and sanctuary and therefore resolves to adopt these Core Principles:

1. All asylum seekers, refugees and migrants should be treated with dignity and respect.
2. A fair and effective process to decide whether people need protection should be in place.
3. No one should be locked up indefinitely.
4. No one should be left sick or destitute in our society.
5. We should welcome the stranger and help them to integrate

This motion calls on East Sussex County Council to commit to applying to become a member of the City of Sanctuary Local Authority Network, with the aim of becoming a recognized Council of Sanctuary.

Becoming recognised as a County Council of Sanctuary involves the following:

- developing a strategic place-based approach to supporting new arrivals to integrate and rebuild their lives
- building on existing partnerships across public and voluntary sectors providers to enable development of a wholistic offer of support
- engaging with people with lived experience to ensure that services meet the needs to people seeking sanctuary

This motion further calls on East Sussex County Council to join the Migrant Champions Network and appoints a councillor to act as a Migrant Champion. That this councillor is recognised within our Council as an advocate for migrant constituents, and for migrants' rights issues within the local council and beyond.

Further information on the Migrant Councillor Network is available here

<https://www.migrantchampionsnetwork.org/>

MOTION BACKGROUND INFORMATION

This summer saw some of the worst riots in a generation on the streets of the UK. Using disinformation about the horrific murders of children in Southport, the far right spread hatred and fear mobilising many to come on to our streets causing frightening scenes of violence across the country.

Here in East Sussex threats were made to Mosques in Hastings and Peacehaven. And here in East Sussex, as in towns and cities across the country, our wonderful communities came out in force to defend and protect those under threat with demonstrations of solidarity, support and love.

It is important that we as a council join our communities in declaring, with them, that there is no place in our County for separation and hatred. But that we are committed to supporting all refugee and migrant communities who have fled violence and persecution and have been offered safety and sanctuary in our County.

This motion calls on East Sussex County Council to declare that we support the initiative to make East Sussex a recognised 'County of Sanctuary'.

Background to City of Sanctuary UK

City of Sanctuary UK is a charitable organisation that provides a focus for coordination and development of a network of groups that are focused on bringing about both local and national social change. It started in Sheffield in 2007 and now involves over nearly 70 Local Authorities alongside Cities and Towns and Counties.

In December 2020, the City of Sanctuary Local Authority Network was launched. Its aims are to support the development of a network of local authorities that are working towards the City of Sanctuary vision; and to promote the embedding of a culture and practice of welcome in local authorities to support the City of Sanctuary theory of change.

[COS Theory of Change 10-1-20.indd \(cityofsanctuary.org\)](#)

Local Authority Council of Sanctuary Network Principles:

- Offer a positive vision of a culture of welcome and hospitality to all;
- Create opportunities for relationships of friendship and solidarity between local people and those seeking sanctuary;
- Recognise and encourage partnership working and network development across localities;
- Identify opportunities for practical action and work on common cause issues to effect change within and across communities (turning empathy into action);
- Celebrate and promote the welcome and contribution of people seeking sanctuary;
- Engage people seeking sanctuary in decision making processes at all levels and in all activities;
- Promote understanding of asylum and refugee issues, especially by enabling sanctuary seekers voices to be heard directly.

EAST SUSSEX FIRE AUTHORITY

Report of a meeting of the East Sussex Fire Authority held at County Hall, St. Anne's Crescent, Lewes BN7 1UE at 10:30 hours on Thursday, 5 September 2024.

Councillors Evans (Chair), Lambert (Vice-Chair), Asaduzzaman, Azad, Geary, Hill, Hollidge, Maples, Marlow-Eastwood, O'Quinn, Osborne, Pragnell, Redstone, Rodohan, Shing and Theobald

The agenda and non-confidential reports can be read on the East Sussex Fire & Rescue Service's website at <http://www.esfrs.org/about-us/east-sussex-fire-authority/fire-authority-meetings/> A brief synopsis and the decisions relating to key items is set out below.

1 REVENUE & CAPITAL BUDGET 2024/25 AND CAPITAL PROGRAMME 2024/25 TO 2028/29 MONITORING AT MONTH 4 (END JULY)

- 1.1 The Fire Authority received a report providing an update on the revenue and capital budget 2024/25 and capital programme 2024/25 to 2028/29. This was the second report to Members for the 2024/25 financial year and highlighted the findings from the month 4 monitoring. A net revenue overspend of £1.1million had been identified and was due to pressures including £926,000 on overtime and on-call costs within Safer Communities, £230,000 in Service Training Centre and £118,000 of at risk savings, primarily from Future Foundations. There were also underspends including £100,000 of Treasury Management interest and £50,000 reduction in borrowing costs.
- 1.2 There would be a significant impact on reserves at year end if the overspend could not be reduced; the financial position was regularly reviewed and work was in progress via the Safer Communities Action Plan to reduce the reliance on fixed term contracts and overtime, the Strategic Review of Training to reduce the impact of training on availability, and to identify options for further spend controls across the Service. As part of budget setting for 2025/26 the Service was also looking at re-baselining staffing budgets within the operational Groups. The current year forecast a spend of £8.956 million out of the £11.245 million Capital Budget approved by the Fire Authority. This included the renovation works at Preston Circus and Design Guide projects at Bohemia Road and Eastbourne. It was noted that the Engineering Workshop Hub project at Fort Road Newhaven had received final planning permission.
- 1.3 Members enquired about overtime costs and the flexible resourcing pool (FRP). Due to changes to crewing models there had been an increase in staff movement between watches this year and as a consequence annual leave had been honoured leading to additional shortfalls in cover over the summer. There were plans to review training delivery ensuring the number of staff committed to training each day does not exceed agreed levels and was minimised at peak annual leave times. The Strategic Review of Training would see an increase in training being undertaken on station rather than at Service Training Centre. There would always be a need for overtime but current levels would reduce; overtime should be for short term, unplanned events and the detailed crewing plan would see the levels reduce by the end of the financial year. The FRP had an establishment of 5 people; it was working well but refinements would be needed to maximise the impact. Work was underway to identify the optimal affordable position in respect to core establishment, FRP establishment and overtime budget to secure the delivery of the core station policy.

- 1.4 With regards to reducing the number of long term absences Members were reminded that staff had access to the Service's Occupational Health and a trial of the Benenden scheme was assisting with some of the time delays in dealing with staff sickness. There had been a significant change in employment regulations over the past five years and firefighters, who used to be allowed to retire at 50, were now expected to work operationally until they were 60 years old. As a direct result, it was anticipated there would be an increase in the number of ill-health retirements and other age-related illnesses including hearing and sight problems. Members appreciated the update, they were concerned about future impacts of the changed retirement age as this had the potential to be a huge problem for fire services. They were pleased to hear the Service was updating its well-being offer and seeking to be as preventative as possible. However, it was understood there was a limit to what a single employer could do and individuals would continue to be supported in work as well as being directed to the NHS, Benenden, the Firefighters Charity and others to seek additional assistance.
- 1.5 Members were pleased there had been successful bids for Community Infrastructure Levy (CIL) payments from Lewes District Council (LDC) for Seaford and Barcombe Fire Stations but queried why there were none from Brighton & Hove City Council (B&HCC). CIL funding was actively pursued but the national regime was stacked against emergency services accessing these funds. Lobbying had taken place to change the guidance. It was hoped there would be further successful bids through LDC, particularly for Lewes Fire Station, although this was dependent on matching CIL funding being granted by the South Downs National Park Authority (SDNPA). There were also two much bigger bids that had been made to LDC and SDNPA for Lewes Fire Station but these had been unsuccessful and a meeting was being sought to plan a new approach. Bids had been made to other Local Authorities in the Service's area but all were unsuccessful and until national changes were made it would remain difficult for the Service to access them.
- 1.6 There was some discussion regarding borrowing and investment including the use of 95 day investments and ethical considerations regarding banks that were used. The approved Treasury Management Strategy prioritised security and liquidity over yield and that ESG (environmental, social and governance) investments were considered where they matched or exceeded the rates offered by non ESG investments. The Service had invested in ESG products and continued to explore new options however at the moment returns were not comparable and/or investment thresholds were too high. With regards to the 95 days investment in question it had been held for some time and had been made due to the interest rate being above the Bank of England base rate. The Fire Authority agreed to the recommendations set out in the report in full.

2 2025/26 TO 2029/30 STRATEGIC SERVICE PLANNING AND MEDIUM TERM FINANCIAL PLAN

- 2.1 The Fire Authority were provided with an update on the financial planning position in advance of the start of the service planning and budget setting process for 2025/26 onwards. Whilst the main purpose was to set the financial context for the service planning process the fundamental aim was to determine how best to deliver the Authority's purpose and commitments, the Integrated Risk Management Plan (IRMP) and the targets and priorities that underpinned them within the context of the current estimate of available financial resources for the period 2025/26 to 2029/30.

- 2.2 The report would normally set out a full review of the Authority's existing five-year Medium Term Financial Plan (MTFP). But, given the continued level of uncertainty, over the future of local government funding, it set out an assessment of the 2025/26 revenue budget only. A full review of the MTFP would be presented in December 2024 and February 2025. There remains significant uncertainty for Local Authority funding. It is anticipated that the Government would provide a further one year settlement for 2025/26, with a multi-year settlement from 2026/27 onwards, following a Comprehensive Spending Review in Spring 2025. The Budget Statement in October would set out spending limits for 2025/26 for Government Departments and may indicate the Government's intentions regarding council tax referendum thresholds. It was unlikely that the budget would provide detail on individual fire authorities settlements, this would be received on a provisional basis in late December.
- 2.3 The Authority remained reliant on one-off grants and as the existing comprehensive spending review cycle ended this year it meant even more uncertainty and made planning extremely difficult. There were a number of risks including that the Grenfell Tower one report outcomes remained not fully funded and the recent publication of the Grenfell Tower two would have impacts that were currently unknown. Pay remained a risk, for the last three years the Authority had budgeted 2% to cover pay awards and each year the pay award agreed by the National Joint Council had exceeded the Authority's budget provision. The Fire sector continued to lobby government for cash real settlements, retention of one off grants, funding for new burdens and for capital funding to be re-instated.
- 2.4 Lobbying continued for Fire Authorities to again be permitted £5 council tax flexibility rather than the current 2.99% limit. Appendix 2 of the report contained the 2025/26 Revenue Budget modelling and presented the best and worst case scenarios with regards to the funding gap which ranged from £1.1m to £3.7m. Members were reminded that around 70% of the Authority's annual budget was spent on staff and most of those were operational. Savings options were currently being explored which were estimated could deliver £1 - 1.5 million, however there would be far more work to do to meet the savings required by the worst case scenario. The Assistant Director Resources/Treasurer felt it was essential to record the difficult and stark message that the Fire Authority needed a settlement that matched or was close to the best case scenario otherwise there was a very real risk that the Authority may have to cut community facing services.
- 2.5 Lobbying remained essential, changes to legislation often meant more work and up until now these changes were funded by one-off grants which can be removed but the work associated continued, the expectations on the Service increased every single year. Officers were making requests to Government that these grants be included in base budgets. Collective meetings with MPs had been arranged and there were specialist meetings planned with the MPs for the Brighton & Hove City Council area with a focus on high-rise buildings and for Hastings with reference to flooding. There was further discussion on pay awards and whether there had been increased claims. The green book staff pay award had not yet been agreed for this year; grey book staff had agreed this year's pay award but no claim had yet been submitted for next year. For the past three years the award for both had been greater than the amount that had been budgeted, each extra percentage increase in pay equated to £413,000.

- 2.6 The Authority discussed the likely need to raise council tax precepts, it was undesirable but, if it were necessary they would appreciate the option of greater flexibility. Officers assured them that, where possible, alternative ways of funding were always being sought including consideration of sponsorship for the Cadets programme, applying for CIL funding, funding for sustainability improvements and reviewing the application of fees and charges for non-statutory functions. Members were very concerned at the possibility of cuts to services and requested that if these were needed that a list of options be prepared for them, but it was accepted that the Service may have to make changes to ensure that its budget was spent efficiently.
- 2.7 Members were reminded that currently there were some incidents that the Service attended when it had no statutory responsibility to do so. Most notably this included flooding, the statutory duty for which sat with the Environment Agency. Members agreed there needed to be efforts from Government and elected representatives to ensure other agencies were enabled and obliged to exercise their responsibilities and undertake all work necessary with regards to flood prevention to ensure flood defences were built, rivers and gullies were clear and extraction systems were working. ESFRS was a small part of the flooding response and lobbying was underway for those agencies to be forced to do their duties. The Fire Authority agreed in full to the recommendations as set out in the report.

3 FLEET & EQUIPMENT STRATEGY 2025-2030

- 3.1 The Fire Authority considered a report seeking approval for the refreshed Fleet & Equipment Strategy 2025-2030. The strategy sought to ensure that the workforce had the necessary fleet and equipment to make sure it could deliver excellent service to our communities. It identified key areas of work that had commenced and once implemented would ensure greater intra-operability with 4F partners. It also ensured that the Service made appropriate efficiencies. Updates included fleet agility and updating specialist vehicles e.g. wildfire response, the aim was to develop vehicles that were targeted, but had the ability to be more overarching and respond to more incidents.
- 3.2 Members were concerned with regards to finances as there was a lot in the strategy that was dependent on increased funding, and recognising that a functioning, viable fleet was essential the Service needed to be confident that it could achieve at least some of the “wish list.” Once multi-year funding was available again the Authority could be more confident in its ability to deliver this strategy, it was accepted that there was currently no pot of spare money and spending would have to be decided on a priority basis but the request today was for the Fire Authority to approve the strategic intent but not approve funding. The Fire Authority approved the Fleet & Equipment Strategy 2025-2030 and the other recommendations as set out in the report.

4 RESPONSE & RESILIENCE STRATEGY 2025-2030

- 4.1 The Fire Authority considered a report seeking approval for the Response & Resilience Strategy 2025-2030. The refreshed strategy had been based on the Strategic Assessment of Risk and the Community Risk Management Plan as well as in support of other Service strategies. The deliverables took into consideration findings from the third round of HMICFRS inspections and the 2023 HMICFRS State of Fire and Rescue Services report published in May 2024. Key points of note from the new strategy included the increased risk of lithium-ion batteries, the increased risk of wildfires and flooding and also increased collaboration an operational alignment with our neighbouring authorities.

- 4.2 There was some discussion regarding the context for the response times set out in the strategy and particularly the national standard versus local targets and whether the strategy document could be refreshed throughout the process. Members were reminded that the Annual Plan provided the context of what would be undertaken throughout the year and that the Service strategies would not be revised as they were statements of intent rather than actions. The Authority approved the Response & Resilience Strategy 2025-2030 and the other recommendations set out in the report.

5 PREVENTION & PROTECTION STRATEGY 2025-2030

- 5.1 The Fire Authority considered a report seeking approval for the Prevention & Protection Strategy 2025-2030. Whilst this strategy was not out of date it was timely to revise it based on the publication of the second Grenfell Tower report; both Grenfell Tower reports instigated changes within the protection department, and it was key to set these out clearly. The Fire Authority approved the Prevention & Protection Strategy 2025-2030 and noted that regular reports on the delivery of the strategy would be presented to the Scrutiny & Audit Panel.

6 2023/24 ANNUAL PERFORMANCE OUTCOME REPORT

- 6.1 The Fire Authority were presented with the annual performance results for 2023/24, year-end results demonstrated improved performance across a number of areas with 13 indicators achieving their targets, five being within the agreed tolerance and four falling outside of the agreed tolerance. The number of accidental dwelling fires had plateaued in recent years, this represented good performance in the context of the number of homes increasing without fires doing so at the same speed. In 2023/24 the Community Safety teams and operational crews had undertaken 9075 Home Safety Visits (HSV), exceeding the target of 9000. 91.2% of these HSVs were to vulnerable members of the community. Sickness absence remained a priority for the Service and performance had decreased against previous year with 10.8 shifts lost against 10.2 in 2022/23.
- 6.2 Members were informed that 47.5% of our total incidents in 2023/24 were to false alarms, and of these a third were due to automatic fire detector systems this was an increase against the previous year. In 2023 the Authority had agreed to not respond to all low risk commercial premises with automatic fire alarms and during 2023/24 task force had been stood up to implement these changes. As a result, the Service was already seeing a substantial reduction in the number of these incidents being attended and it was anticipated that this would continue throughout the year. Appendix 2 to this report contained the 'Every Contact Counts' document and Members were asked to share it with their residents and their constituent authorities.

6.3 Members asked if work was being done with repeat offenders regarding automatic fire alarm call outs, they were informed that there was a “top ten” list who were written to on a monthly basis and targeted by local crews, there was also a focus on careline premises where appropriate. Members felt there was a lot to celebrate within the report and asked whether the reduction in accidental dwelling fires aligned with prevention work and education schemes. 60% of accidental dwelling fires originated in kitchens and there was a huge amount of preventative work related to this but a relationship was hard to determine with any certainty. HSVs were undertaken based on highest risk areas and there was some evidence that this prevention activity was working. There was some concern regarding apparent increases in some geographical areas, but it was accepted that presentation of these figures as a percentage could make things look worse than they really were, the increases that were queried represented very small numbers indeed. The Fire Authority considered and noted the performance results and progress towards achieving the services purpose and commitments as contained in Appendix 1 of the report.

7 LOCAL COUNCIL TAX REDUCTION SCHEMES CONSULTATION ON PROPOSED CHANGES FOR 2025/26

7.1 The Fire Authority considered a report requesting agreement to the Authority’s response to consultations by local billing authorities on proposed changes to their Local Council Tax Reduction Schemes (LCTRS) for 2025/26. Billing authorities were required to review their LCTRS annually and to consult publicly on proposed changes, precepting authorities with statutory consultees in this process but the decision to set or change an LCTRS rested solely with each billing authority.

7.2 Eastbourne Borough Council (EBC) was consulting on changes to their LCTRS for 2025/26 and confirmation was awaited from the other five billing authorities as to whether they planned to consult on any changes to theirs. The report set out the financial impact of the proposed changes and recommended an Authority response to the consultation. Changes proposed by EBC aligned them with the position of the four other Districts and Boroughs who had a maximum discount of 100%. Brighton & Hove City Council currently had a maximum discount of 82%. The draft response included in the report was consistent with that provided to Rother District Council this time last year. Members noted the proposed changes to LCTRSs and approved the Authority’s consultation response as set out paragraph 2.7 of the report.

**COUNCILLOR AMANDA EVANS
CHAIR OF EAST SUSSEX FIRE AUTHORITY**

5 September 2024