

Meeting of
East Sussex County Council
on Tuesday, 20 May 2025
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: <https://www.eastsussex.gov.uk/your-council/videos-of-council-meetings/webcasts>



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, County Hall, Lewes, **on Tuesday, 20 May 2025 at 10.00 am** to transact the following business

1. **To elect a Chairman of the County Council**
2. **To appoint a Vice Chairman of the County Council**
3. **Minutes of the meeting held on 20 March 2025** (*Pages 7 - 18*)
4. **Apologies for absence**
5. **Chairman's business**
6. **Record of Delegations of Executive Functions**

The Leader to present to the County Council their written record of delegations of executive functions to Cabinet members including:

- (a) names of the County Councillors appointed to the Cabinet;
- (b) the extent of any authority delegated to cabinet members individually as portfolio holders;
- (c) appointment to the position of Deputy Leader;
- (d) the terms of reference and constitution of the Cabinet and any executive committees together with the names of cabinet members appointed to them;
- (e) the nature and extent of any delegation of executive functions to local committees;
- (f) the nature and extent of any delegation to officers.

7. **Report of the Governance Committee** (*Pages 19 - 22*)
8. **To allocate places on the following committees to political and independent groups in accordance with the provisions of the Local Government and Housing Act 1989 and to appoint members to those committees in line with the allocations**

- (a) Scrutiny Committees

Health Overview and Scrutiny
People
Place

- (b) Audit Committee
- (c) Governance Committee
- (d) Regulatory Committee
- (e) Planning Committee
- (f) Standards Committee
- (g) Pension Committee

(Note 1: The proposed nominations from political and independent groups will be tabled at the meeting)

(Note 2: In accordance with the statutory provisions, the proposed allocation of places to political and independent groups is set out in the report of the Governance

Committee)

- 9. To allocate places on the following committees to political and independent groups in accordance with the provisions of the Local Government and Housing Act 1989 and to appoint members to those committees in line with the allocations**

- (a) County Joint Consultative Committee (5 members of the County Council)
- (b) County Consultative Committee (Governors) (5 members of the County Council)
- (c) Joint Advisory Committee (Schools) (5 members of the County Council)
- (d) Standing Advisory Council for Religious Education (5 members of the County Council)
- (e) Corporate Parenting Panel (7 members of the County Council)

[The memberships proposed by the political and independent groups will be circulated to members in advance of the meeting]

- 10. To confirm the continuation of the following bodies that have a fixed membership or to which members are appointed by the Chief Executive as the need arises and to agree (with no member voting against) that the political balance provisions shall not apply to the Panels**

Approved Marriage Premises Review Panel
Recruitment Panel (Chief Executive, Directors and Deputies)
Commons and Village Green Registration Panel

[The composition of these bodies is set out in the Constitution]

- 11. To agree (with no member voting against) that the political balance provisions shall not apply to the membership of the Discretionary Transport Appeal Panel and to appoint three members of the Regulatory Committee to serve for the ensuing year**

[The membership of the Panel, proposed by the political groups will be tabled at the meeting]

- 12. To appoint:**

- (a) Chair of the Regulatory Committee
- (b) Chairs and Vice-Chairs of the Scrutiny Committees
- (c) Chair and Vice Chair of the Audit Committee
- (d) Chair of the Governance Committee
- (e) Chair and Vice-Chair of the Planning Committee
- (f) Chair of the Pension Committee
- (g) Chair of the Standards Committee

- 13. Questions from members of the public**

- 14. Report of the Cabinet (Pages 23 - 26)**

- 15. Report of the People Scrutiny Committee (Pages 27 - 32)**

- 16. Report of the Standards Committee (Pages 33 - 36)**

- 17. Questions from County Councillors**

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

18. Urgent decisions (Pages 37 - 38)

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 Right Reverend William Hazlewood, Bishop of Lewes. 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

A handwritten signature in black ink, appearing to read 'P. Baker', written in a cursive style.

12 May 2025

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MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held in the Council Chamber, County Hall, Lewes on 20 MARCH 2025 at 10.00 am

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

54. Minutes of the meeting held on 11 February 2025

54.1 RESOLVED – to confirm as a correct record the minutes of the County Council meeting held on 11 February 2025.

55. Apologies for absence

55.1 Apologies for absence were received on behalf of Councillors Bob Bowdler and Georgia Taylor.

56. Chairman's business

CHAIRMAN'S ACTIVITIES

56.1 The Chairman reported that he had attended a number of engagements since the last County Council meeting including: Ashdown Forest Board Meeting and Covid 19 Day of Reflection with the Mayor of Eastbourne; and hosted a tea for Ashdown Forest staff and Volunteers at Babylon ECO Centre at Duddleswell.

MINUTES

56.2 The Chairman thanked the Vice Chairman for his ongoing support, including his attendance at the UN Association: Bexhill and Hastings Branch AGM and Public Seminar.

PETITIONS

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

Name of Presenting Councillor	Subject of Petition
Councillor Hilton	Divest from Israel and stop support for genocide
Councillor Milligan	Can we have our children's bus passes back, please

PRAYERS

56.4 The Chairman thanked Councillor Belsey for leading the prayers before the meeting.

57. Questions from members of the public

57.1 A copy of the question from a member of the public and the answer from Councillor Glazier, Leader and Lead Member for Strategic Management and Economic development is attached to these minutes. A supplementary question was asked and responded to.

58. Declarations of Interest

58.1 The Chairman stated that all Members have been granted with a dispensation, in relation to their membership of the Council and any membership of a district or borough council under the Localism Act 2011 and the Council's Code of Conduct to enable them to participate and vote on the items on the agenda which relate to devolution and local government reorganisation.

58.2 Councillor Maples declared an interest in item 7 as a Member of Lewes District Council and Lewes Town Council.

58.3 Councillor Holt declared an interest in item 7 as the Leader of Eastbourne Borough Council.

58.4 Councillor Ungar declared a personal interest in item 7 as having a member of family who works as a local government officer in the county of East Sussex. He did not consider this to be prejudicial.

59. Reports

59.1 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 Report - Q3 2024/25).

Leader and Lead Member for Strategic Management and Economic Development report – paragraph 1 (Proposed response to consultation on the proposed Mayoral Combined County Authority across East Sussex, West Sussex and Brighton and Hove) and paragraph 2

(Proposed response to Government invitation for proposals for a single tier of local government in East Sussex).

NON-RESERVED PARAGRAPHS

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

Governance Committee report – paragraph 1 (Amendment to the Constitution – Place Scrutiny Terms of Reference) and paragraph 2 (Amendment to the Constitution - Procurement and Contract Standing Orders).

60. Report of the Cabinet

Paragraph 1 - Council Monitoring Report - Q3 2024/25

60.1 Councillor Bennett moved the reserved paragraph of the Cabinet's report.

60.2 The paragraph was noted after the debate.

61. Report of the Leader and Lead Member for Strategic Management and Economic Development

Paragraph 1 - Proposed response to consultation on the proposed Mayoral Combined County Authority across East Sussex, West Sussex and Brighton and Hove

61.1 Councillor Glazier introduced and moved the reserved paragraph in the Leader and Lead Member's report.

61.2 Council agreed to note the draft response to the Government consultation after the debate.

Paragraph 2 - Proposed response to Government invitation for proposals for a single tier of local government in East Sussex

61.3 Councillor Glazier introduced and moved the reserved paragraph in the Leader and Lead Member's report.

61.4 Council agreed to note the Interim Plan after the debate.

62. Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Wright	Councillor Claire Dowling	Road closures at Grand Parade, Eastbourne.
Councillor Tutt	Councillor Claire Dowling	Potential use of Bus Service Improvement Plan (BSIP) funding for the Exceat Bridge replacement project.

MINUTES

Councillor Wright	Councillor Claire Dowling	The effectiveness of the Sussex Safer Road Partnership.
Councillor Daniel	Councillor Claire Dowling	Highway expenditure for the next financial year having regard to the increased funding from central government.
Councillor Stephen Shing	Councillor Claire Dowling	Highway licencing fees for Parish and Town Councils.
Councillor Collier	Councillor Claire Dowling	Changes to the development at the Meridian site at Newhaven regarding the library.

62.2 Four written questions were received from Councillor Wright, two for the Lead Member for Transport and Environment. One for the Lead Member for Resources and Climate Change and one for the Leader and Lead Member for Strategic Management and Economic Development. The Lead Members responded to supplementary questions.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.31 pm

The reports referred to are included in the minute book

COUNTY COUNCIL – 20 MARCH 2025

QUESTIONS FROM MEMBERS OF THE PUBLIC

Question 1 – Bernard Brown, Battle, East Sussex.

CONTEXT STATEMENT

PUBLIC QUESTION TO THE LEADER OF THE COUNCIL

All data used and quoted in this context statement are fully verifiable and are on the public record - not necessarily just those of ESCC. Claims of commercial sensitivity do not apply.

Since 2021 questions have been raised, in the public interest, about the management of a series of Service Level Agreements made by ESCC related to projects with East Sussex Energy Infrastructure and Development Ltd operating under the trading name of Sea Change Sussex. These questions could have been used to constructively improve the management of these projects. Regrettably they provoked responses of obfuscation and denial. Today gives the opportunity to put these matters right.

It is a matter of public record that a Director of the Council publicly stated “the Queensway Gateway Road is not our project.” ESCC was admonished by SELEP, the body responsible for distributing Central Government funds used in this project and was instructed not to repeat such claims. It said, without qualification, ESCC was responsible for the delivery of the projects covered by these Service Level Agreements. The QGR was scheduled to open in November 2016. There has been massive disruption and the people of Battle are still suffering intolerable congestion as a result. And the project remains incomplete at today’s date, 10 March 2025 even with new delivery partners and the Service Level Agreement remains unfulfilled.

Since 2011 more than £57.6 million of public money has been paid to Sea Change Sussex.

These projects were supposed to produce 6000 NEW jobs by 2025. Even allowing for Covid, 3032 of these NEW jobs should have been in place by 2022. The actual number in March 2025 of audited NEW jobs created is less than 350. The original planned cost per job created was circa £19000. The actual cost is close to £250,000 per job.

On average the projects were delivered 20 months late and budgets were exceeded by more than £9.5million.

ESCC officers are on record as saying these projects were justified as “the market had failed”.

As an example, in 2013, the Queensway Innovation Park project was stated to be essential to “open up the site to meet the high-demand for self-build plots for light industrial units’ and would create 865 new jobs. In the 12 years since the infrastructure project was completed, using £1.9m of public money, not one unit has been built, not one new job has been created.

Perhaps “the market” knew better than a Council Officer what manufacturers and industry really needed.

Because ESEID Ltd/ Sea Change Sussex is a Private Limited Company questions about it’s operations, finances and governance cannot be asked at Council meetings. But the conduct of the Council’s relationship to the Company can be subject to public questioning. Members of

MINUTES

Place Scrutiny attempted to examine these matters but a successful coalition of Administration and Officers kicked these concern into the most distant of long grass.

Along with Hastings Borough Council and Rother District Council, ESCC are “Members” of the Company with the right to appoint a Director to the Board.

Cllr Bennett was appointed as the ESCC Director from 30 June 2021

ESCC had been registered as a person with **significant control** way back in April 2016

Cllr Bennett resigned as a Director on 16 October 2024

East Sussex County Council registered on 4 February 2025 it had relinquished it's position to be a person of **significant control** on from 21 January 2025.

Pacific House at Sovereign Harbour was held ‘in stock’ on the Balance Sheet by Sea Change Sussex at a value of £7,232,000. It cost more than £7.9 m (including site access infrastructure) to build in 2015 (£10.7m at 2025 prices). It is a fact Sea Change Sussex failed to maintain repayment of the loans to ESCC (for onward repayment to SELEP) when due in 2022. Despite two years of extra time no payments were made. The loans were secured by way of a charge on the property. On 9 November the outstanding loans of £6,625,000 were discharged by transferring ownership of Pacific House to ESCC. It is noted this was on 9 November, just three weeks after Cllr Bennett’s resignation as a Director from the Company.

ESCC effectively paid £6,625,000 for Pacific House. Attempts to sell the building for £5m for two years had failed, indicating it’s true value being less than £5m. This transaction means ESCC is immediately incurring a loss of £1,625,000 on the transaction. No amount of creative accounting, no amount of mellifluous claims of investing for the future can hide this fact. The ESCC Taxpayer has paid £6,625,000 for a property worth less than £5,000,000. To add another dimension ESCC is still liable to repay £3.575m to the other Upper Tier Authorities involved in the granting of this loan to ESCC by SELEP. Another Sea Change Sussex “success story” which ESCC have failed to manage. A project justified because “the market failed”. The true and full costs are unknown and the taxpayer is prevented from knowing the full picture as items regarding this project have been made “exempt”.

At the Governance meeting of 10 December a decision was made to appoint the Director of Communities, Economy and Transport as the ESCC nominated Director of East Sussex Energy Infrastructure and Development Ltd. This has not been implemented (at 10 March 2025) and ESCC has no Director on the board of the Company.

It has been claimed this company was a primary partner of ESCC in development projects. Accordingly it is in the public interest to know why Cllr Bennett’s resignation has not been publicly announced or explained; it is in the public interest to know why the decision to appoint the Director of Communities, Economy and Transport as the ESCC Director on the Company has not been implemented; it is in the public interest to know why it was decided for East Sussex County Council to cease to be a person of significant control of the company on 21 January 2025 and why this has not been reported publicly to Members; it is in the public interest to know the justification for paying £6,625,000 for a building proven to have a market value of less than £5,000,000 as this has not been presented to members nor to those eventually picking up the bill, the council taxpayer.

With this catalogue of failures It is unclear why the Council Taxpayer should have any confidence that the changes in local government following the planned reorganisation will produce any better results for the taxpayer in developing so called infrastructure projects.

Question to the Leader of the Council - 20 March 2025

East Sussex County Council has incurred a significant financial liability due to Sea Change Sussex failing to repay loans granted to fund the construction of the building known as Pacific House. The resignation of an ESCC Councillor from the Board of this company, nor the reason for the resignation, has not been publicly announced. At the December Governance meeting the decision was made for the

Director C,E & T would take up this role. This decision has not been implemented.

The decision of ESCC to cease to be a person of Significant Control from 21 January has not been recorded in any traceable public report or document of the Council. Will the Leader take this opportunity to give a clear update on these matters to the people picking up the tab for these failures - the Council Taxpayers of East Sussex.

Answer by the Leader of the Council

Thank you for the question and I will address the County Council's response in two parts the first covering the outstanding loan repayments on Pacific House and the second referring to the County Council's relationship with the Sea Change Sussex board and company.

1) On Pacific House:

We do not recognise the figure of £6,625,000 quoted as being paid by the County Council for Pacific House.

Sea Change Sussex received £4.6m, of the total £6m budget, for the project from the South East Local Enterprise Partnership (SELEP) in the form of a Growing Places Fund (GPF) loan in 2014. Eastbourne Borough Council contributed £1.25m of the remaining budget via a loan. The GPF programme was set up and funded by the Ministry for Housing, Communities and Local Government (formerly the Department for Communities and Local Government) and the Department for Transport (DfT).

Following completion of the project, £1.025m of the GPF loan was repaid by Sea Change Sussex to SELEP.

As part of the original GPF loan agreement, the County Council took ownership of the asset and responsibility for repaying the outstanding £3.575m of this loan to the other former members of SELEP (which has since been dissolved). Repayments totalling £1,424,000 have been made over the 2024/25 financial year, leaving an outstanding balance of £2.151m to be repaid over 2025/26.

The property is an on going concern that the County Council will manage going forwards as per the decisions made at the Lead Member for Resources and Climate Change meeting on behalf of Councillor Bennett by Councillor Standley on the 14 January 2025.

2) On Sea Change Sussex Board and company

Firstly, with regards to the resignation of an East Sussex County Councillor from the Board a letter was issued to SCS in October 2024 with reasons but not disclosed to the public as

exemptions apply under the Freedom of Information Act with reference to Section 40 (2) Third Party Personal data and Section 43(2) information whose disclosure would, or would be likely to, prejudice the commercial interests of any legal person (an individual, a company, the public authority itself or any other legal entity).

Secondly, with regards to the appointment of future directors of the Company, based on the number of current directors of ESEID, the Company's Articles of Association now limits the number of directors representing the local authority members to just one between the three authorities (Rother District Council, Hastings Borough Council and ESCC). As Cllr Bayliss from Rother District Council was appointed as a director of the Company on 17 December 2024 it was not open to the other authorities to appoint a new director. Currently the local authority members are in conversation about the appointment of a long term director to the company.

Thirdly, East Sussex Energy Infrastructure and Development Limited (known as Sea Change Sussex) (**ESEID** or the **Company**) is responsible for the filing, maintenance and accuracy of its own company records. This includes ESEID's Register of Persons of Significant Control (PSC) which appears in the records at Companies House (**PSC Register**). It would have been the decision of the Company and its advisers (not ESCC) as to whether ESCC's name was originally included in the PSC Register. ESCC was not involved in the decision to change the Company's PSC Register.

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

1) Question from Councillor Wright to the Lead Member for Transport and Environment

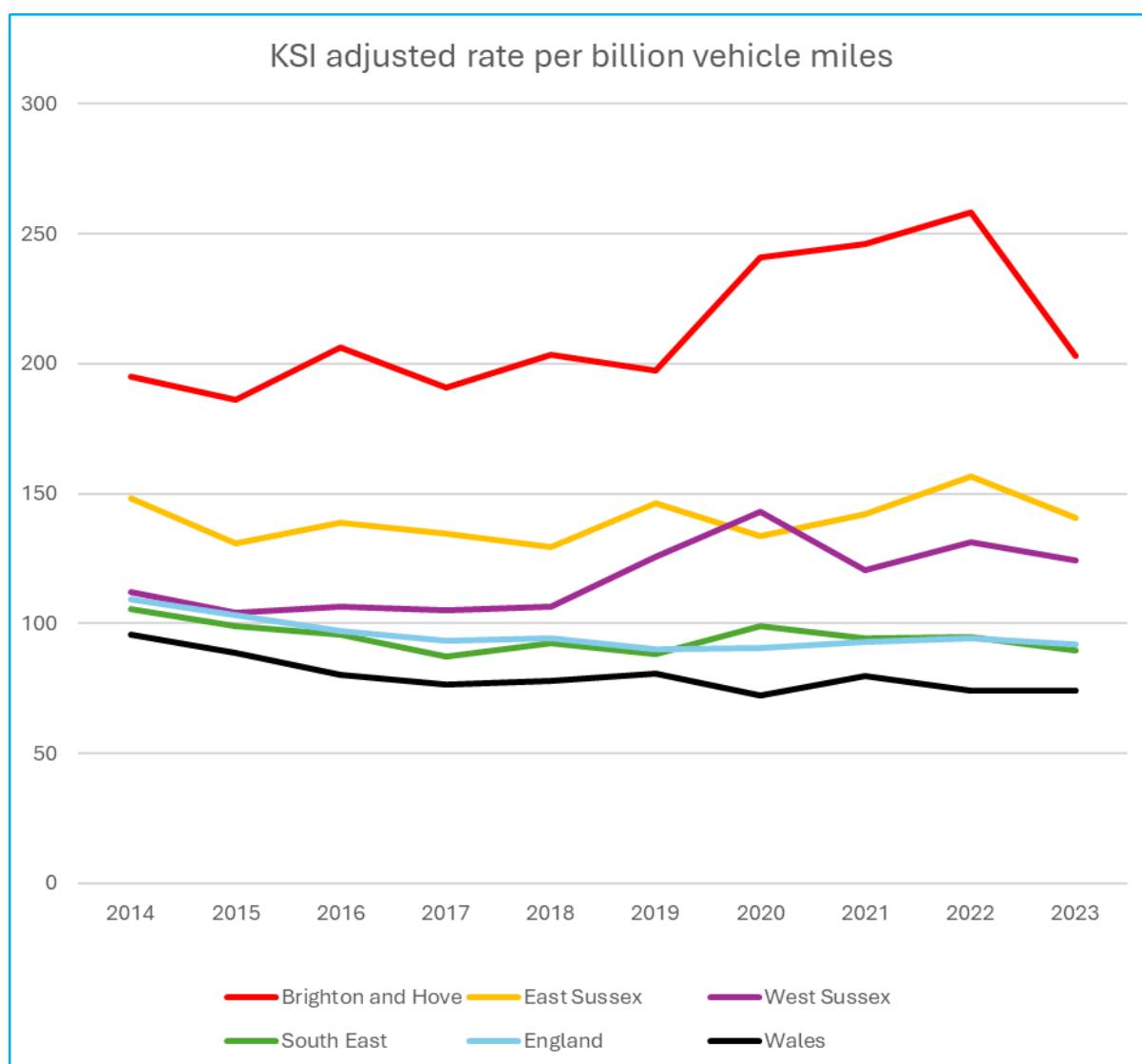
Can you please provide the annual data for the Killed & Seriously Injured (KSIs) casualty rate per billion miles travelled in East Sussex over the last decade. Then compare it to the baseline average for England and Wales (and Southeast) over time, to see if there have been any changes compared to other councils. "

"This would be similar to the data in:

<https://performance.westsussex.gov.uk/stories/s/41-Killed-and-seriously-injured-casualties-per-bil/sjp5-2pt3/>"

Answer by the Lead Member for Transport and Environment

Please find below the data for Sussex, South East England, England and Wales.



We are aware that the proportion of people Killed and Seriously Injured (KSI) on roads in East Sussex is higher than the average rate for England. However, in common with East Sussex the

majority of County Councils in England over this period had a KSI rate higher than the England average.

For the three year period 2021-2023 the average rate of KSIs for England was 93 per billion vehicle miles, compared to a rate of 236 in Brighton and Hove, 147 for East Sussex and 125 for West Sussex.

It should however be noted that whilst East Sussex has historically had a higher level of KSIs than many other areas, it is difficult to make direct comparisons with other areas due to both methods of data collection and recording across police forces, and the differences in road networks and infrastructure. East Sussex has no motorways, and limited dual carriageways, and we know that statistically these are the safest roads. In addition, in 2019 a new national data reporting system CRASH was introduced which means that data is not directly comparable with previous years.

2) Question from Councillor Wright to the Lead Member for Transport and Environment

Statistics are now available for the first full year after the default speed limit in Wales reduced to 20mph (sign only). In that year, around 100 fewer people were killed or seriously injured on roads with 20mph and 30mph road speed limits than in the 12 months a year before. The number of casualties on 20mph and 30mph roads was 28% lower than in the prior year (Ref LTT 908 3 02 25).

Do these statistics make DfT Circular 01/2013 on local speed limits and ESCC PS05/02 policy in regard to 20 mph no longer fit for purpose and if so, what does ESCC intend doing about it.

Answer by the Lead Member for Transport and Environment

East Sussex County Council (ESCC) supports 20mph speed limits where appropriate. Adopted Policy PS05/02 does not prevent the implementation of 20mph speed limits and allows for signed only 20mph zones or speed limits to be considered where they are likely to be self-enforcing. An effective and self-enforcing 20mph speed limit can be achieved with signs alone on roads where the mean (average) speed of traffic is below 24mph. This policy aligns to DfT guidance on setting local speed limits.

When considering how ESCC assesses and prioritises road safety concerns including requests for lower speed limits, it is important to consider not only the Local Speed Limit Policy PS05/02 but also the wider policy and operational context. This includes ESCC's Local Transport Plan, and the processes and criteria followed when setting the annual Capital Programme for Local Transport Improvements, and the Annual Casualty Reduction, Community Focused Road Safety and Speed Management Programmes.

The Council has a finite amount of funding to develop local transport improvements, and we need to ensure that we target our resources towards those schemes which will be of greatest benefit to our local communities.

Earlier this year the Scrutiny Speed limit Review Board considered examples of the approach taken to 20mph speed limits by Oxfordshire, Cornwall, Surrey, and Buckinghamshire councils and the Welsh Government. The Board noted that those that have prioritised the roll out of 20mph speed limits and zones have allocated significant additional funding to enable this. For example, Cornwall have invested £4million and Oxfordshire £8million. In Wales, £34m was

allocated to implement the default signed only 20mph policy, with a further £5m allocated last year to reverse some of the 20mph limits.

Within East Sussex, requests for lower speed limits or traffic calming schemes are funded from the Capital Programme of local transport Improvements, which has an annual budget of £3m. Schemes funded from this budget historically have been assessed against their contribution towards delivering the Local Transport Plan (LTP3).

With the adoption of LTP4 by the Council in October 2024, and the emphasis on vision led planning for people and places in the Strategy, officers are developing a revised scheme assessment and prioritisation process to reflect the objectives and priorities set out in our new Local Transport Plan.

Nationally, KSI statistics are considered over a 3 year period rather than 1 year, due to annual fluctuations. Whilst initial reports of reduced KSIs in Wales are encouraging, it is too soon to fully understand the impact of the 20mph scheme here. Three years' worth of casualty and speed data would allow a more accurate assessment, and we will keep a close eye on this to help us better understand where signed only 20mph limits can be most effective.

3) Question from Councillor Wright to the Lead Member for Resources and Climate Change

The Capital Programme budget for the year is £104.7m, net expenditure for the year is projected to be £91.3m. After applying a slippage factor to reflect likely slippage based on a risk assessment of historic levels of actual expenditure the net forecast expenditure after applying this risk factor is £84.6m. (Ref: Council Monitoring Report – Q3 2024/25). The net forecast expenditure after applying the risk factor is therefore 19% below budget.

Does this 19% reduction indicate a failure in ability to implement planned capital projects at ESCC?

Plus, bearing in mind that project costs increase substantially when the capital budget is not spent in a timely way, what actions are ESCC taking to make sure that capital budgets for the year and for years going forward are spent as scheduled? Is there a timeline to get net expenditure and net forecast expenditure back on budget in the future?

Answer by the Lead Member for Resources and Climate Change

The Council, through the Capital Board, looks to implement capital projects in line with planned timescales. In support of this, capital projects have detailed plans and timeframes in place with resources allocated against them.

However, given the complex nature of these projects there are often factors outside of the Council's control which are above and beyond what could reasonably be anticipated at the outset. Examples include inherent challenges in securing materials and the supply chain, weather constraints, and the time taken to secure planning or permissions from third parties where this is necessary.

Whilst this can result in the slippage of project work to later periods, the capital programme budget available to those projects remains the same, and in this way the Council is able to control costs. In circumstances where prices have risen in the period beyond what could have

MINUTES

been reasonably anticipated at the outset, those projects are 'value engineered' to ensure that they remain within the same budget envelope wherever possible.

4) Question from Councillor Wright to the Leader

How much money has ESCC spent on External Consultants for each of the last three years split by each of the Directorates, Adult Social Care and Health, Business Services, Chief Executive's Office, Children's Services, Communities Economy and Transport, Governance Services and in total.

Response by the Leader

The term "consultant" can be interpreted in a variety of ways, and whilst we seek a consistent approach, there is likely to be a range of interpretations across departments. For example, this can include employing short term agency staff, programme managers for specific projects and experts brought in for specific knowledge (e.g. Inner Circle Consulting's work on the future options for County Hall).

SAP has a code for consultants and across revenue and capital though there is a caveat to these numbers as they are reliant on the interpretation of "consultant". The following expenditure has been coded to "consultants":

Directorate	2021/22	2022/23	2023/24	2024/25 to 10.03.25
Adult Social Care & Health	621	971	679	2,028
Business Services / Orbis	2,763	5,129	6,334	3,491
Children's Services	2,135	1,624	2,872	6,751
Communities, Economy & Transport	4,050	5,354	5,535	3,839
Governance Services	59	45	23	33
Total	9,629	13,123	15,444	16,142

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 22 April 2025. Attendance:

Councillor Bennett (Chair),
Councillors Bowdler, Denis, Standley and Tutt

1. Appointment of Members to Committees, Sub-Committees, Panels and Other Bodies

1.1. In appointing members to committees, sub-committees, most panels and some outside bodies, the Council must comply with section 15 of the Local Government and Housing Act 1989 and subsequent Regulations. These provide that places on committees must be allocated to political groups in proportion to the number of seats on the Council held by each group, unless there is agreement, without dissent, that the provisions of the Act should not be applied.

1.2. The allocation of places to party groups must, so far as is reasonably practicable, give effect to the following principles:

- a) not all the seats on the body can be allocated to the same political group;
- b) where more than half the members of the Council belong to one political group, that group shall have a majority on all committees, sub-committees, etc;
- c) subject to (a) and (b) above, the total number of seats on the ordinary committees (including sub-committees) allocated to a political group reflects that group's proportion of the members of the Council;
- d) subject to (a), (b) and (c) above, the number of seats on each body allocated to a political group reflects the proportion of the seats on the Council held by the group.

1.3. The rules require seats to be allocated on a proportional basis "so far as practicable" and inevitably there must be some rounding up and rounding down. It is open to the Council to review the size and number of committees and sub-committees at any time.

1.4. Members of the Cabinet may not serve on the Scrutiny Committees, or the Regulatory Committee and the Leader and Deputy Leader of the Council may not serve on the Standards Committee.

1.5. The Leader of the Council appoints the Cabinet and allocates portfolios to those Cabinet Members. Political balance provisions do not apply to the Cabinet.

1.6. The principle in paragraph 1.2 (c) above applies to appointments to ordinary committees (including sub-committees). Accordingly, before considering the allocation of places to political groups the Council will need to consider whether it wishes to recommend any changes in committees, including their size. The tables in Appendix 1 show the proposed allocation of seats for 2025/26. The proposals in relation to the ordinary committees and sub-committees, their total membership and

the number of seats on each to which the groups will be entitled follows the principles set out in paragraph 1.2 above.

1.7. The party group leaders and independent members have been asked to let the Deputy Chief Executive have nominations to fill the places on committees, sub-committees, panels and other bodies covered in this report provisionally allocated to their group. The final list of nominations received will be circulated to members of the County Council prior to the annual council meeting, for approval by the Council.

1.8. The allocation of seats to the Governance Committee has been proposed to take into account the importance of having one member from each of the four largest political groups. Membership of this Committee normally includes the Group Leaders.

Other Committees and Panels

1.9. There is no obligation in relation to other committees and panels to aggregate the total number of places and to adjust allocations so that the total number of places allocated to each group reflects its proportion of the members of the Council. It is proposed that places should be allocated on a proportionate basis, unless the Council agrees to waive the political balance provisions which has been the custom for certain panels over many years.

1.10. The practical effect of the proportionality rules for a committee, panel or group of members of 5 and 7 is set out in Appendix 2, together with the list of committees and panels to which appointments will need to be made and their membership.

Chairs and Vice Chairs of Scrutiny Committees

1.11. The Council's Constitution provides that the Chairs and Vice Chairs of Scrutiny Committees and Audit Committee should be added together and the positions then allocated to groups in accordance with the number of seats they have on the Council. Within this allocation the Chair of the Audit Committee shall be appointed from the members of the largest Group not represented on the Cabinet. On this basis the allocation of the 8 places would be as follows:

Conservative – 4
Liberal Democrat – 2 (including the Chair of the Audit Committee)
Labour – 1
Green - 1
Independent Democrat – 0

1.12. The proposed list of Chairs and Vice Chairs to be appointed by the County Council is:

Committee	Chair	Vice-Chair
Regulatory	Conservative	
People Scrutiny Committee	Conservative	Liberal Democrat
Place Scrutiny Committee	Conservative	Green

GOVERNANCE

Audit Committee	Liberal Democrat	Conservative
Health Overview and Scrutiny Committee	Conservative	Labour
Governance Committee	Conservative	
Planning Committee	Conservative	Conservative
Pension Committee	Conservative	
Standards Committee	Conservative	

1.13. The Committee recommends the County Council to:

- ❖ (1) allocate to the political and other groups the places on, and membership of, the main committees as set out in Appendix 1;
- (2) allocate places on the other committees and panels as set out in Appendix 2; and
- (3) allocate the Chair and Vice Chair positions on committees as set out in the table in paragraph 1.12.

22 April 2025

NICK BENNETT
(Chair)

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REPORT OF THE CABINET

The Cabinet met on 22 April 2025. Attendees: -

Councillors Bennett (Chair), Bowdler, di Cara, Claire Dowling, Maynard, and Standley

1. Area Special Educational Needs and/or Disabilities (SEND) Inspection of East Sussex Local Area Partnership

1.1 The Cabinet considered a report on the Area SEND inspection of East Sussex Local Partnership (ESCC and NHS Sussex Integrated Care Board) by Ofsted and the Care Quality Commission (CQC) from 18 – 22 November 2024. The purpose of the inspection was to:

- provide an independent, external evaluation of the effectiveness of the local area partnership's arrangements for children and young people with SEND; and
- where appropriate, recommend what the local area partnership should do to improve the arrangements.

1.2 This inspection was the second iteration of the regulatory framework since the implementation of the Children and Families (C&F) Act 2014; the previous inspection in East Sussex was in December 2016.

1.3 It is important to note that this round of Local Area SEND inspections comes at a time of significant challenge for local authorities, the vast majority of whom are struggling to implement the full breadth of the 2014 reforms due to increasing demand and insufficient resources. Over several years, East Sussex (along with other local authorities) has been lobbying the government for changes in the SEND system to address the unintended consequences of the original Act which, in addition to leading to unprecedented demand, have created a fragmented SEND system that has not delivered better outcomes for children.

1.4 The key challenges in the system remain as they have for a number of years, specifically that:

- There have been significant increases in the number of requests for Education and Health Care Plan (EHCP) assessments and in EHCPs that are issued. It is recognised nationally that the threshold for statutory assessment has been lowered and the requirement to have input from specific professionals who are in short supply, contributes to delays in outcomes.
- The tribunal system does not have to take account of the resource implications for local authorities and has exacerbated the conflict between councils and families of children with SEND. This has also led to:
 - A significant growth in the independent sector which is catering for children who would otherwise be provided for in state-run provision, but are unable to do so because local special schools are full. The average cost of

independent schools is over twice that of state-run provision and the Local Authority (LA) has no lever over the fees that they charge. In East Sussex, over one-quarter of the overall SEND budget funds placements in the independent and non-maintained sector.

- The law does not prescribe accountability from Health bodies and, therefore, the legislative burden of the Act falls solely at the doors of the local authority.
- The funding of SEND does not take into account levels of demand and relies on an out-dated formula. This means that there is significant disparity across the country in terms of how different LAs are funded.

1.5 In recent years, there have been a number of reviews of the SEND system which, most recently, led to the publication of a [Green Paper in March 2022](#). As a result of this, the SEND Change Programme was established to look at different areas that could be reformed to make improvements to the system. Along with the other Sussex LAs and Portsmouth City Council, East Sussex has been part of the South East Change Programme. The main challenge with this programme is that, from the outset, it stated that there would be no legislative reforms, but rather adjustments would be made within the framework of the C&F Act. As the key barriers with the system rely on changes to the legislation, this meant that the programme was significantly limited in its ability to deliver wholesale improvement.

1.6 The new Secretary of State for Education has stated publicly that SEND is a priority for her Department and, since the autumn, we have seen a shift in the work of the Change Programme towards workplans that have a focus on improving inclusive practice in mainstream schools. This shift in focus to more children with SEND attending their local mainstream school, along with proposed changes to the school inspection framework, will support improvements to the financial viability of the SEND system. However, we are still awaiting a clear policy direction from the DfE on the broader issues around SEND and how the system will be funded in the future. A White Paper is anticipated in the coming months.

1.7 The current system, nationally, is not delivering better outcomes for children and young people with SEND in its current form. Despite many more children having Education, Health and Care Plans (rapidly approaching 5% nationally), we are not seeing any improvements in outcomes for these children. Indeed, in many areas they have deteriorated. For this reason, lobbying for SEND reform is a key priority for ESCC and we would like to see revised SEND legislation that has a strong focus on:

- Promoting and properly resourcing inclusive practice in mainstream schools. This would give confidence to parents and ensure that children with a wide range of needs are educated in their local school, affording them the same opportunities as children without SEND.
- Realigning the threshold for statutory plans and admission to special schools so that those with the greatest need get the help that they need in a more timely way.
- Reforming the tribunals system so that councils, schools and families can spend more time in productive dialogue about overcoming barriers to accessing education outside of an adversarial process.

- Establishing the roles and responsibilities (including financial) of all partners in the SEND system to ensure that everyone plays their role in supporting and resourcing SEND provision.
- Regulating the costs of provision in the independent sector to give Local Authorities the right commissioning controls that they need to ensure best value for money.
- Supporting the SEND workforce to have the skills and knowledge that they need to provide children with SEND the best possible provision.
- Ensuring that interventions that have been robustly evaluated and proven to be effective are delivered to children with SEND.
- Changing the requirements for professionals in statutory assessments so that they can use their time supporting children and schools.

1.8 A copy of the ASEND inspection report, published on 4 February 2025, is attached at Appendix 1.

1.9 There are three possible outcomes for an ASEND inspection, these are set out in Appendix 2. East Sussex has been given the middle outcome. 'The local area partnership's arrangements lead to inconsistent experiences and outcomes for children and young people with special educational needs and/or disabilities (SEND). The local area partnership must work jointly to make improvements.' The next full inspection will be within approximately 3 years.

1.10 The report notes that children and young people with SEND in East Sussex have variable experiences. *'Many families describe the excellent support that they receive from some individual practitioners, but report that the system as a whole can be confusing and difficult to navigate'.*

1.11 The report recognises East Sussex's self-assessment and the journey that we are on to improve the outcomes for children and young people with SEND in a more consistent way:

- *'Leaders have rightly identified the areas that need to improve. However, for many children and young people the impact of these improvements is still emerging'.*
- *'Support for the most vulnerable children and young people and their families is rightly prioritised by the local partnership.'*
- *'The local partnership recognises that children and young people with SEND have mixed experiences of inclusion in mainstream schools. Although there is more to do in this area, the partnership is committed to making improvements and has made significant strides.'*

1.12 The report highlights what the area partnership is doing well and identifies what the partnership needs to do better, as set out in Appendix 1. The inspection also identified four areas for improvement.

1. The local area partnership should continue to improve the quality of Education, Health and Care (EHC) plans, so that there is consistent input across all agencies to better identify the provision that children and young people require to meet their needs. This should include:

- improving joint working of practitioners, particularly health, to contribute to EHC plans; and
- ensuring a more timely and precise annual review process.

2. The local area partnership should take further action to reduce overall waiting times in relation to neurodevelopmental pathways, Child and Adolescent Mental Health Services (CAMHS) interventions and the provision of wheelchairs. They should ensure that the support that they provide to families while waiting is well used and beneficial.

3. The local area partnership should develop and embed its work with education settings on improving inclusion, so that the proportion of children and young people achieving strong outcomes increases.

4. The local area partnership should continue to work with relevant stakeholders to ensure that there is sufficient and suitable Alternative Provision and post-16 options for children and young people with SEND.

1.13 The existing East Sussex SEND strategy 2022-2025 is being updated to include an ASEND inspection improvement plan to address the areas for improvement, building on work to date and in line with the Ofsted and CQC requirements. The plan has been shared with the SEND Strategy Governance Board prior to publication. The current SEND strategy has also been extended for an additional year, to the end of the 2025/26 academic year. This will provide additional time to deliver improvement and to understand the policy direction of the new government on SEND. Work across the local area partnership will begin in 2026 on our next SEND strategy and the new strategy will be shared with Cabinet.

22 April 2025

NICK BENNETT
(Chair)

REPORT OF THE PEOPLE SCRUTINY COMMITTEE

The People Scrutiny Committee met on 17 March 2025.

Present: Councillors Johanna Howell (Chair), Colin Belsey, Anne Cross, Nuala Geary, Steve Murphy (substituting for Kathryn Field), Paul Redstone (substituting for Peter Pragnell), Stephen Shing, Colin Swansborough, Trevor Webb, Brett Wright (substituting for Carolyn Lambert), and John Hayling (Parent Governor Representative)

Also Present: Councillor Bob Standley, Lead Member for Education and Inclusion, Special Educational Needs and Disability)
Councillor Bob Bowdler, Lead Member for Children and Families (via MS Teams)
Councillor Kathryn Field (via MS Teams)
Councillor Carl Maynard, Lead Member for Adult Social Care and Health (via MS Teams)
Councillor David Tutt (via MS Teams)

1. Call-in: decision made by Cabinet regarding the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service

1.1 The decision made by Cabinet on 25 February 2025 in relation to the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service, was called in by four Members of the People Scrutiny Committee - Councillor Cross, Councillor Field, Councillor Lambert and Councillor Webb on 4 March 2025. A copy of the call-in request, specifying the grounds of concern requiring consideration by scrutiny, is at Appendix 1.

1.2 On 17 February 2025 a report to Cabinet setting out the outcome of a consultation on the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service was published, with a recommendation to proceed with the closure of the Linden Court Day service and to re-provision this service at Beeching Park in Bexhill (Appendix 2).

1.3 A People Scrutiny Pre-decision Board met on 20 February 2025 to consider the proposal that was set out in the report. The Pre-decision Scrutiny Board provided the Committee with an opportunity to consider the proposal and ask questions of officers, and to express their views to Cabinet before a decision was taken. The summary of comments agreed by the Board that was considered by Cabinet on 25 February as part of its decision making process is attached at Appendix 3. Issues discussed by the Board included the impact of the proposal on vulnerable adults; increased travel time for clients and carers; and alternative provision. Members of the Committee did not raise the issue of the impact on District and Borough Councils in relation to this proposal at the meeting of scrutiny and therefore no concerns were recorded in the Committee's comments that were subsequently considered at the Cabinet meeting. No such concerns were raised at the meeting of the Cabinet, at which a number of Members attended and made representations.

1.4 The minute outlining Cabinet's decision is contained in Appendix 4.

1.5 On 4 March 2025 the call-in request was received and was based on the following areas of concern in relation to the decision:

- Did not sufficiently consider that in principle, the agreement that has been made between the District, Borough and County Council leaders in preparation for unitarisation processes, includes this: ‘...Decisions made by all sovereign bodies until vesting day [when the Unitary Authority takes control] will have the interests of future unitary council as an explicit consideration.’; and
- Whether the impact of the proposal on District and Borough councils was sufficiently considered.

1.6 The Director of Adult Social Care and Health (ASCH) provided information to the Committee in relation to the points raised in the call-in request (Appendix 5). In summary this set out that while working principles had been drafted with the District and Borough Councils regarding how we will work together, including having regard to the interests of the future unitary as a consideration, these had yet to be considered through the Council’s decision making process and therefore did not form part of the Council’s policy framework; proposals for a unitary authority are still at formative stage, it is not yet known what proposals will be considered by Government (these will be submitted in September) and, if agreed, the changes will not come into being for a number of years. This proposal is not anticipated to impact on any future unitary in any different way to how it would impact on the County Council now. In addition, officers do not consider that there will be any material impact of this proposal on District and Borough Councils.

1.7 The People Scrutiny Committee met on 17 March 2025 to consider the call-in in relation to the decision made by Cabinet regarding the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service and the information provided by the Director of ASCH.

1.8 At the meeting the Committee discussed and raised questions on a range of issues including the impact of the decision on a future unitary authority and on District and Borough Councils; the impact of the decision on future consultations; alternative provision; ongoing costs of Linden Court, respite provision and alternative savings. Responses provided by the Director of ASCH at the meeting were also considered. In summary, the Director noted that the consultation had sought to understand the impacts of this proposal on clients, carers, families and partners and the impacts identified had been fully considered. Where possible, mitigations to limit these impacts would be put in place and clients’ eligible needs would continue to be met by reprovisioning care. However, the proposal was put forward in light of the Council’s statutory duties to set a balanced budget and meet Care Act eligible needs for all clients. The Director also stated that there were no anticipated impacts from this proposal on the District and Borough Councils, and that the implications for any Unitary, which may come into being at a future date, were no different to those for the County Council, nor was there expected to be any increase in demand for residential or respite care. The minutes of the meeting are attached at Appendix 6.

1.9 A motion moved by Councillor Cross and seconded by Councillor Webb that the matter be referred to the County Council on the grounds that a full financial assessment of the impact on a future unitary council and on District and Borough Councils was needed, including any additional costs for respite care, was carried.

1.10 The Committee therefore RESOLVED to refer the matter in relation to the decision made by Cabinet on 25 February to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service to the County Council.

1.11 The Scrutiny Committee has considered the call-in and referred the matter to the County Council for further consideration. Council cannot change the decision which, as an Executive decision, rests with the Cabinet. The role of the County Council is to consider the referral by People Scrutiny Committee, and whether to:

- take no further action – in which case the original decision will take effect; or
- refer the matter back to the Cabinet setting out the Council's views. On receipt of a referral from the County Council, Cabinet may then decide whether to proceed with the original decision or make an amended decision.

1.12 The People Scrutiny Committee recommends the County Council to –

✧ consider the matter in relation to the decision made by Cabinet on 25 February to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service and what action, if any, to take.

2. Call-in: decision made by Cabinet regarding the proposal to reduce the funding for the Housing-Related Floating Support Service

2.1 The decision made by Cabinet on 25 February 2025 in relation to the proposal to reduce the funding for the Housing-Related Floating Support Service was called in by five Members of the People Scrutiny Committee - Councillor Cross, Councillor Field, Councillor Lambert, Councillor Shing and Councillor Webb on 4 March 2025. A copy of the call-in request, which specified the grounds of concern for consideration by scrutiny, is at Appendix 7.

2.2 On 17 February 2025 a report to Cabinet setting out the outcome of a consultation on the proposal to reduce the funding for the Housing-Related Floating Support Service was published, with a recommendation to proceed with the reduction in funding for the service (Appendix 8).

2.3 A People Scrutiny Pre-decision Board met on 20 February 2025 to consider the proposal that was set out in the report. The Pre-decision Scrutiny Board provided the Committee with an opportunity to consider the proposal and ask questions of officers, and to express their views to Cabinet before a decision was taken. The summary of comments agreed by the Board that was considered by Cabinet on 25 February as part of its decision making process is attached at Appendix 3. Issues discussed by the Board included the responsibilities of a possible future unitary authority, including housing support; the impact of the proposal on partners, including the voluntary, community and social enterprise (VCSE) sector and District and Borough Councils; and priority referrals, including care leavers.

2.4 The minute outlining Cabinet's decision is contained in Appendix 4.

2.5 On 4 March 2025 the call-in request was received and was based on the following areas of concern in relation to the decision:

- Did not sufficiently consider that in principle, the agreement that has been made between the District, Borough and County Council leaders in preparation for unitarisation processes, includes this: '...Decisions made by all sovereign bodies until vesting day [when the Unitary Authority takes control] will have the interests of future unitary council as an explicit consideration.'; and

- Whether the impact of the proposal on District and Borough Councils was sufficiently considered.

2.6 The Director of ASCH provided information to the Committee in relation to the points raised in the call-in request (Appendix 9). In summary this set out that while working principles had been drafted with the District and Boroughs regarding how the councils will work together, including having regard to the interests of the future unitary as a consideration, these had yet to be considered through the County Council's decision making process and therefore did not form part of the Council's policy framework; proposals for a unitary authority are still at formative stage, it is not yet known what proposals will be considered by Government (these will be submitted in September) and if agreed, the changes will not come into being for a number of years.

2.7 The response from the Director of ASCH also acknowledged that this proposal may impact other organisations including District and Borough Councils, but set out that, as part of the consultation process, the Council attended a number of meetings (as detailed in Appendix 9) to ensure colleagues from the District and Borough Housing Authorities were fully briefed. Feedback from these meetings was gathered and their views were included in the papers for Cabinet. The Director's response went on to set out that Council officers were continuing to engage with the District and Borough Housing Authorities in this regard. The impact of the proposal on the District and Borough Councils was fully considered and the Cabinet paid due regard to the impact on external agencies when making its decision.

2.8 The People Scrutiny Committee met on 17 March 2025 to consider the call-in in relation to the decision taken by Cabinet to reduce the funding for the Housing-Related Floating Support Service and the information provided by the Director of ASCH.

2.9 At the meeting the Committee discussed and raised questions on a range of issues including the impact of the decision on a future unitary authority and on District and Borough Councils; the impact of the decision on future consultations; the draft homelessness strategy; the future of the service provider; and the impact on Children's Services. Responses provided by the Director of ASCH at the meeting were also considered. In summary, the Director recognised the impact this decision would have District and Borough Councils and commented that this had been extensively consulted on and fully considered. However, the proposal had been put forward in light of the Council's statutory duties to set a balanced budget and meet Care Act eligible needs and there was no statutory requirement for the County Council to provide a housing support service. The Director also reported that final proposals for a single tier of local government would not be agreed by the Council and submitted until September 2025 but commented on the ongoing engagement with partners, including District and Borough Councils, on future funding arrangements for homelessness prevention. The minutes of the meeting are attached at Appendix 6.

2.10 A motion moved by Councillor Cross and seconded by Councillor Webb that the matter be referred to the County Council on the grounds that a full mediated assessment of the position of the district and borough councils on the proposal was needed, and that further consideration was needed about the impact of this proposal on a future unitary authority, was carried.

2.11 The Committee therefore RESOLVED to refer the matter in relation to the decision made by Cabinet on 25 February to reduce the funding for the Housing-Related Floating Support Service to the County Council.

2.12 The Scrutiny Committee has considered the call-in and referred the matter to the County Council for further consideration. The County Council cannot change the decision which, as an Executive decision, rests with the Cabinet. The role of the County Council is to consider the referral by People Scrutiny Committee, and whether to:

- take no further action – in which case the original decision will take effect; or
- refer the matter back to the Cabinet setting out the Council's views. On receipt of a referral from the County Council, Cabinet may then decide whether to proceed with the original decision or make an amended decision

2.13 The People Scrutiny Committee recommends the County Council to -

☆ consider the matter in relation to the decision made by Cabinet on 25 February to reduce the funding for the Housing-Related Floating Support Service and what action, if any, to take.

17 March 2025

JOHANNA HOWELL
Chair

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STANDARDS

REPORT OF THE STANDARDS COMMITTEE

The Standards Committee met on 22 April 2025.

Present Councillor Colin Belsey (Chair),
Councillors Godfrey Daniel, Ian Hollidge, Johanna Howell,
Georgia Taylor, David Tutt and Matthew Beaver

1. Annual Report of the Standards Committee

1.1 The Standards Committee is required to submit an annual report to the County Council on its work during the previous year. The Committee is therefore asked to consider the draft report for submission to the County Council. Between 1 April 2024 and 31 March 2025 two complaints were received against Members of the County Council, a log of the complaints considered by the Standards Committee is attached at Appendix 1.

1.2 It is considered that the standards of conduct among Members and co-opted members of the Council remain high and maintaining good standards is taken seriously. The table below shows the number of complaints resolved by the Assessment Sub-Committee over previous 10 years:

Year	No. of complaints received	No. of complaints resolved
2024/25	2	2
2023/24	2	3
2022/23	2	2
2021/22	3	2
2020/21	0	0
2019/20	0	0
2018/19	2	2
2017/18	0	0
2016/17	1	1
2015/16	1	1
2014/15	3	3

Applications for Dispensation

1.3. In limited circumstances, Members can apply in writing for dispensations to take part in business that they would otherwise have been unable to participate in through having prejudicial interests. During 2024/25 49 Members applied for a dispensation in relation to their membership of this Council and in a number of cases membership of a district or borough Council to be able to participate and vote in any discussions relating to the Government's proposals for either devolution and/or local government re-organisation. The dispensations were applied for under the Localism Act 2011 and the Council's Code of Conduct in relation to potential Disclosable Pecuniary Interests and/ or Prejudicial Interests. After considering all relevant

STANDARDS

factors, the Monitoring Officer granted dispensation to all Members who had applied as he was satisfied that:

- without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
- granting the dispensation is in the interests of persons living in the authority's area; and
- it is otherwise appropriate to grant a dispensation.

There were no other applications for a dispensation made in 2024/25.

1.4 All dispensations are entered on the register of Members' interests and remain there for the appropriate period.

Register of Members' Interests

1.5 The Monitoring Officer is required to establish and maintain a register of interests of Members of the Council. All Members have completed and returned their registers and are reminded every three months of the need to notify the Monitoring Officer of any changes. The registers are available for public inspection and are available on the Council's website.

1.6 During 2024/25 Members were reminded that there is provision for information considered to be sensitive not to be published on their register of interest form. Sensitive information is that which, if disclosed, could lead to the Member, or a person connected to the Member, being subject to violence or intimidation. If a Member considers that the information relating to any personal interest is sensitive, and the Monitoring Officer agrees, the register available for inspection will not include the details of that interest other than stating that the Member has an interest and that the details are withheld. Members were reminded that if they consider an interest to be sensitive, they should still declare the matter and request that it be treated as sensitive information. The fact that a Member considers the information to be sensitive is not a reason for failing to declare the interest.

1.7 A register of Gifts and Hospitality is also maintained by the Monitoring Officer. Members have to register gifts and hospitality received with an estimated value of £50 or more. Members are reminded every three months of the need to declare gifts and hospitality of such a value.

1.8 There is an ongoing requirement to keep the information on the register of interest form up to date. Members must, within 28 days of becoming aware of any new registerable personal interest or change to any registered interest, give written notification to the Monitoring Officer.

Code of Conduct

1.9 The Committee reviewed the Council's Code of Conduct (attached at Appendix 2) and concluded that the current Code works well, is understood by Members and reflects Codes of the District and Boroughs, with the exception of

STANDARDS

Rother District Council, ensuring a consistent approach with dual hatted members. The Committee has not proposed any changes be made to the Code at the current time.

Training

1.10 Following the election on 6 May 2021, training was given to Members on the Code of Conduct including register of interests, personal interests, disclosable pecuniary interests and gifts and hospitality. Further training on the Code in relation to 'Confidentiality and the Code of Conduct' was delivered to Members in September 2022. Following the by-elections in July and August 2023 new Members undertook training on the Code of Conduct in September which included register of interests, personal interests, disclosable pecuniary interests and gifts and hospitality. The session was made available to all Members and a number were in attendance. All Members have signed a declaration undertaking to comply with the County Council's Code of Conduct for Members.

Consultation response on strengthening the standards and conduct framework for local authorities in England

1.11 In December 2024 the Government opened a consultation on strengthening the standards and conduct framework for local authorities in England. The consultation asked for views on introducing measures that aim to ensure consistency of approach amongst councils investigating serious breaches of their member codes of conduct, including the introduction of the power of suspension. In addition, the consultation sought views on how to empower victims affected by councillor misconduct to come forward and what additional support would be appropriate to consider.

1.12 The consultation sought the views of local authorities as well as individual members of the public. Prospective and current local authority members were also able to respond on an individual basis if they wished. The Standards Committee considered the consultation at a non-statutory meeting on 18 February 2025, with a copy of the responses submitted attached as Appendix 3. The consultation closed on 26 February 2025. The Committee will be provided with further information once the outcome of the consultation is known.

1.13 The Committee **recommends** the County Council to –

☆ agree the Annual Report

COLIN BELSEY
(Chair)

22 April 2024

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REPORT OF URGENT DECISIONS

1. Local Government Reorganisation

1.1 The Chairman agreed that the decision taken by the Cabinet at a meeting on 20 March 2025 was urgent. The Cabinet RESOLVED to:

- 1) agree in principle the Interim Plan set out at Appendix 2 of the report;
- 2) delegate to the Chief Executive, in consultation with the Leader, authority to finalise the content of the Plan for submission to Government; and
- 3) approve the continued development of proposals for the establishment of a single tier authority for the East Sussex area including public and stakeholder engagement.

1.2 The urgency arose due to deadlines imposed by the Central Government, which were outside the Council's control. Through extensive collaboration with District and Borough Councils, an interim plan was developed. This plan was recommended by the Lead Member for Strategic Management and Economic Development on 11 March for consideration by the Full Council on 20 March. The plan was subsequently reviewed by the Cabinet on the same day, one day before the deadline set by the Central Government.

2. Exceat Bridge

2.1 The Chairman agreed that the decision taken by the Cabinet at a meeting on 22 April 2025 was urgent. The Cabinet RESOLVED to:

- 1) note the estimated costs and options for replacing Exceat Bridge;
- 2) agree to continue with the proposals for an offline two-lane replacement bridge ('Option A');
- 3) agree to re-direct £11.128m grant funding from the Newhaven and Peacehaven bus priority schemes set out in the Council's Bus Service Improvement Plan (BSIP) to the Exceat Bridge Replacement Project;
- 4) approve the amendments to the 2025/26 BSIP funding allocation, reflecting the reallocation of £4m of funding to the Newhaven bus priority scheme; and
- 5) delegate authority to the Director of Communities, Economy and Transport to take all actions necessary to achieve the completion of the offline two-lane replacement bridge ('Option A'), including but not limited to awarding any required construction contracts for the Bridge.

2.2 The reason for urgency arose because of the need to have certainty of funding ahead of the Compulsory Purchase Order (CPO) Inquiry.

COUNCILLOR ROY GALLEY
(Chairman of the Council)

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