



PLACE SCRUTINY COMMITTEE

TUESDAY, 12 MARCH 2024

10.30 am COUNCIL CHAMBER, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Matthew Beaver (Chair)
Councillors Chris Collier, Penny di Cara (substituting for Councillor Eleanor Kirby-Green), Julia Hilton (Vice Chair), Ian Hollidge, Philip Lunn,
Steve Murphy, Paul Redstone, Stephen Shing, David Tutt and Brett Wright

A G E N D A

1. Minutes of the previous meeting (*Pages 3 - 12*)
2. Apologies for absence
3. Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
4. Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
5. Reconciling Policy, Performance and Resources (RPPR) 2024/2025 (*Pages 13 - 18*)
Report by the Chief Executive.
6. Scrutiny Review of Procurement: Social Value and Buying Local - update report
(*Pages 19 - 62*)
Report by the Chief Operating Officer.
7. Update on the SPACES Programme (*Pages 63 - 78*)
Report by the Chief Operating Officer.
8. Community Assets update (*Pages 79 - 116*)
Report by the Chief Operating Officer.
9. Food Waste & Environment Act 2021 requirements update report (*Pages 117 - 124*)
Report by the Director of Communities, Economy and Transport.
10. Scrutiny Review of Road Markings - update report (*Pages 125 - 142*)
Report by the Director of Communities, Economy and Transport.
11. Work programme (*Pages 143 - 168*)
Report by the Assistant Chief Executive.
12. Any other items previously notified under agenda item 4

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4 March 2024

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PLACE SCRUTINY COMMITTEE

MINUTES of a meeting of the Place Scrutiny Committee held at Council Chamber, County Hall, Lewes on 23 November 2023.

PRESENT	Councillors Matthew Beaver (Chair) Councillors Chris Collier, Ian Hollidge, Eleanor Kirby-Green, Philip Lunn, Paul Redstone, David Tutt and Brett Wright
LEAD MEMBERS	Councillors Claire Dowling
ALSO PRESENT	Rupert Clubb, Director of Communities, Economy and Transport Ros Parker, Chief Operating Officer Ian Gutsell, Chief Finance Officer Karl Taylor, Assistant Director Operations Nick Claxton, Team Manager Flood Risk Management Dr Nick Mills, Head of Clean Rivers and Seas Taskforce, Southern Water Chris Braham, Head of Wastewater Asset Strategy and Planning, Southern Water Sue Cobb, Stakeholder Engagement Manager - East Sussex, Southern Water

17. MINUTES OF THE PREVIOUS MEETING

17.1 The Committee RESOLVED to agree the minutes of the meeting held on 26 September 2023 as a correct record.

18. APOLOGIES FOR ABSENCE

18.1 Apologies for absence were received from Councillors Julia Hilton, Steve Murphy and Stephen Shing.

19. DISCLOSURES OF INTERESTS

19.1 Councillor David Tutt declared a personal non-prejudicial interest under item 5, Sothern Water use of storm water overflows, as he is a member of the Southern Water Consumer Challenge Group. Councillor Matthew Beaver declared a personal non-prejudicial interest under item 5, Southern Water use of storm water overflows, as he is the Local Member for Maze Hill and West St. Leonards, which includes Bulverhythe.

20. URGENT ITEMS

20.1 There were none.

21. SOUTHERN WATER STORM OVERFLOWS AND REDUCTION OF DISCHARGES - UPDATE

Presentation from Southern Water

21.1 Dr Nick Mills, Head of Clean Rivers and Seas Taskforce and Chris Braham, Head of Wastewater Asset Strategy and Planning, from Southern Water gave a presentation to update the Committee on the work taking place on storm overflows in East Sussex and the responses to a number of written questions submitted to Southern Water by the Committee in advance of the meeting.

Responses to Written Questions

21.2 The Committee were presented with responses to the following written questions, with additional information provided by Dr Nick Mills and Chris Braham.

1) What plans are there in East Sussex to reduce surface water entering your Combined Sewers during heavy rainfall?

Dr Nick Mills outlined that Southern Water had published a Storm Water Investment Plan on its web site and would welcome any feedback on the investment proposals. The Investment Plan was submitted to the regulator, Ofwat, in October for approval and work will continue on sharing the plans for investment with stakeholders. The focus of these plans is managing water that should not be in the sewer system such as run-off from roads and domestic properties. Southern Water will work closely with East Sussex County Council (ESCC) on this work and is testing a number of approaches through a series of Pathfinder Projects including the one at Fairlight in East Sussex.

There is over £220 million pounds of investment contained in the next Asset Management Plan investment period (AMP8 2025 – 2030) targeted at developing sustainable drainage systems to deal with grey water run-off. The approach is to take water out of the sewer system first before increasing the 'end of the line' capacity at water treatment facilities. This will include work on permeable solutions such as sustainable urban drainage systems (SUDs) and slowing the flow of water into the system by using smart water butts. During AMP 8, Southern Water hope to reduce releases from 21 outfalls, 17 of these are activating primarily due to excess surface water entering the combined sewer.

2) Are 100% of your storm overflow discharges now monitored as the committee understands that is the Government's new target?

Southern Water is very close to monitoring 100% of overflows, and all overflows will be monitored by the end of 2023.

3) After the public outcry over the 3million litres of untreated water spillage in August 2022 at Galley Hill pumping station there were plans to provide signage to stop misinformation being circulated. Along Bexhill Seafront signs for the thirteen outfall pipes were designed, and agreement was reached with Rother District Council on positioning them. Please could you inform us when these will be erected?

Southern Water has decided not to continue with the signs for the outfall pipes as it may lead to confusion about what the outfalls are for, and will need to re-think the best way of providing this information. This could be through other awareness and education activities.

4) A sewer pipe at Bulverhythe in St. Leonards on Sea burst again on the 20 October 2023 (Cinque Ports Way to Amsterdam Way). This is the 5th time in the last 2 years. Please could you provide an update on the actions being taken to resolve the problems with this pipe?

Work started in the summer to replace the sewer pipe and is around 40% complete. Some sections are well advanced where the access is easier, and Southern Water's contractor is working extended hours and weekends on multiple sections of the pipe to speed up completion of the work. The plan is to change over to the new route and overland pipe in January 2024 with a view to completing the work in April 2024. Overall, £8 million has been invested in replacing the main sewer pipe.

5) As Rye has experienced water supply interruptions recently could you please give us a written explanation as to how it occurred and the likelihood of any such similar incident? If it was caused by a water leak, what increased inspection procedures are you putting in place to reduce any future leaks?

The water supply problem was caused by a leak in a section of water main, which was in a difficult to access section of pipe. The leak was isolated and repaired together with the installation of two new isolation valves. In the future, the frequency of inspections of the trunk main will be increased.

Update on Storm Overflows including Sussex Investment and Fairlight Pathfinder Project

21.3 Dr Nick Mills outlined that storm overflows were a legacy part of the sewer system, and they will not be eliminated entirely by the planned investment, but there will be a significant reduction in their use. He showed the Committee a map of the planned investment in reducing the spills from storm overflows during the next investment period (AMP8) from the Southern Water web site. Investment was targeted at coastal areas and where spills were more frequent. A number of the early sites for investment were coastal sites and represented more than Southern Water were required to do. The remaining sites which had overflow spills of more than 10 spills per year would be included in the next investment period.

Fairlight Pathfinder

21.4 Dr Nick Mills explained that the work on the Fairlight Pathfinder included measures to slow flow in times of peak rainfall, optimisation measures, work on surface water connections and sustainable urban drainage systems (SUDs) schemes as well as capital investment in the Fairlight Water Treatment Works. Work would also enhance the ability to monitor and control the network.

Investment in East Sussex

21.5 Chris Braham outlined the investment projects that were taking place in East Sussex. This is part of a £7.8 billion package of investment contained in the Business Plan Price Review 2024. The investment is split into two types of investment:

- Maintaining the existing service assets
- Enhancing the way wastewater is treated (storm overflows are part of this work).

21.6 There is also work to increase water supply as part of the work on the Water Resources Management Plan, and the Environment Plan represents a particularly large part of the work to deliver up to 2030. The enhancement investment work will have an impact on consumer bills. The work on storm overflows will be undertaken over a seven year period and will start by looking at reducing surface water in the sewer network and the accelerated coastal overflow projects.

21.7 Chris Braham explained the work that is being undertaken on the Environmental Enhancement Plans (PR24) which are based on water catchment areas. Some of these are bathing water quality improvements (e.g. at Bexhill) and others are nutrient reduction schemes. He outlined that pollutants come from a number of sources:

- 24% from the water industry - treatment works.
- 23% from agriculture.
- 53% from other sources.

21.8 Southern Water has undertaken a large amount of customer communications and engagement work on the Price Review 2024 Business Plan. This has included speaking to over 25,000 different customers and there has been a lot of stakeholder engagement. Southern Water will continue to test and refine what is in the Plan going forward.

Feedback on the Hastings Stakeholder Event

21.9 Sue Cobb, Stakeholder Engagement Manager (East Sussex) from Southern Water provided the Committee with some feedback from the Your Water Matters drop in event that was held in Hastings on 12 October 2023. During the day around 650 people attended the event and were able to speak to a range of Southern Water staff. Some of the most frequently raised issues were wastewater and the clean rivers and seas task force; town centre flooding, problems with the Cinque Ports Way rising main and; blockages and un-flushables in sewers. Feedback from the event was positive with over 50% saying it was good or very good. Perceptions also changed after speaking to Southern Water staff, with 53% saying their views had improved. The plan is to roll out more of these events next year and to try to deliver one every two months.

Hastings Town Centre Flooding

21.10 Chris Braham provided the Committee with more information on the Hastings town centre flooding event that happened on the 27th and 28th October 2023. Extreme weather conditions resulted in 60mm of rain falling over a 24 hour period. Southern Water worked with the Fire Service, local council and the Environment Agency to tackle the incident, and alternative accommodation was arranged for those worst affected by the surface water flooding in the town centre. Compensation is be arranged for domestic customers through their bills.

21.11 Following the incident, and before Storm Ciaran arrived, temporary over pumping facilities were installed on the outfall on the beach and a manhole cover sealed in South Terrace. Regular checks were made to make sure the Pelham pipe outfall remained clear.

21.12 Southern Water have been modelling the surface water systems and more work is underway. Going forward there will be a hydraulic report to re-verify the sewer network and to determine what needs to be done to resolve the flooding issue. The over pumping will be kept in place until a solution is found. Meetings have been held with the Chief Executive and Leader of Hastings Borough Council and the local MP. There will be quarterly meetings with the council going forward. Previous work on the outfall had been to extend it and more work may be needed on the non-return valve. In future, work may be needed to double up the outfall if this would help solve the situation. Information will be provided on the future plan to deal with this situation now that plans have been firmed up.

21.13 Councillor Hilton commented that there are plans for public realm improvements in Hastings town centre and asked how to ensure those plans are co-ordinated with Southern Water's plans to provide a solution to the flooding. Dr Nick Mills responded that Southern Water plan to do some modelling and are working closely with Hastings Borough Council and ESCC on the solutions. There will be opportunities as part of the place making schemes to put in place suitable measures to deal with the flood water issues. Southern Water can work together with the Regional Flood and Coastal Committee (RFCC), Environment Agency and other funders on the solution and contribute towards it.

21.14 Councillor Hilton also commented that the internal communications between different Southern Water teams during the incident could have been better, so all teams knew what was going on. Dr Nick Mills responded that during an incident, the Incident Team will try and get communications out as well as they can, but also need to focus on fixing the problem. In future Southern Water will improve the front line communications as part of the incident response.

Questions from the Committee on the Southern Water Presentation.

21.15 The Committee asked a number of questions based on the presentation given by Southern Water. A summary of the questions and responses is given below.

Communications and mis-information

21.16 The Committee thanked Southern Water for the improved communications and asked what was being done about the misinformation that was being circulated about storm overflows containing raw sewage when usually they had low levels of dilute sewage (less than 5%). Dr Nick Mills commented that it was difficult for Southern Water to tackle mis-information as it was not always trusted as an information source. An independent climate change group does fact check the information Southern Water provides and Southern Water is working with the Surfers Against Sewage campaign group on solutions together with other parties. Sue Cobb commented that the mis-information is a challenge but will continue work on it. Local engagement work has been undertaken, such as the tours of wastewater treatment facilities, where the final effluent is very clean.

21.17 Some Committee members expressed disappointment that the signs on Bexhill seafront were not going ahead and asked what further work could be done on this issue. Sue Cobb responded that she would look at what might be possible as part of a redesigned scheme.

Highway surface water drainage

21.18 The Committee asked what work Southern Water was doing with East Sussex County Council (ESCC) and the District and Borough councils to assist with the flow of surface water off the highway. Chris Braham responded that to deal with highway surface water, different ways of working need to be found as there needs to be a multi-agency/organisation approach. There is a mixture of drainage systems, some connected to the sewer and others connected to other outfalls. This includes private landowners where surface water drains off their land onto the highway and where outfalls are on their land. Dr Nick Mills commented that sustainable drainage systems have an important part to play. It will be necessary for Southern Water to work in partnership with ESCC to deliver roadside drainage systems and the two organisations do work successfully together.

Eastbourne bathing water quality

21.19 The Committee noted that one of the overflows in Eastbourne had over 65 releases a year which has an impact on the local tourist economy, but it will not be addressed until after 2030 under the current investment plans. The Committee asked if prioritisation could be speeded up for all coastal areas. Dr Nick Mills encouraged Committee members to give feedback directly to Southern Water on the investment plans. In the case of the warning signs placed on the Eastbourne seafront by the Environment Agency in July at the beginning of the school summer holidays, the high reading levels were not related to the storm overflow. This has been discussed with the MP and it is an issue with mis-connections. It happens when there is a high rainfall event, and the pollution is coming from surface water drainage and not from the sewer system.

21.20 It was clarified that the Environment Agency carry out water quality testing for E-coli and other bacteria in line with the Bathing Water Quality Directive. In this case the high levels are not coming from the storm overflow, which is a long outfall away from the beach. The pollution is originating from other sources from surface water drainage that are not connected to the sewer system. So even if the storm overflow was turned off, there would still be water quality risks from other sources. Southern Water is committed to tackling this issue together with other partners and it will involve a lot of surveying and testing to identify the sources of the pollution. Southern Water would be happy to provide more detail on what the problem is after the meeting.

Measuring the volume of spills from Storm Water Overflows

21.21 The Committee asked when Southern Water was going to measure the volume of spills from storm overflows as well as the duration of spills. Dr Nick Mills responded Southern Water do have some flow measurements and some more measurement instruments will be provided in the next investment period. The volume of spills can also be estimated, and Southern Water is working with user groups to develop a methodology for this which could be used to update the information displayed on the Beach Buoy system. Southern Water has not worked out how to provide the estimates yet and committee members can input into the process via Sue Cobb if they have suggestions.

Surface water run-off from Housing Developments

21.22 The Committee asked what Southern Water was doing to address surface water run-off from housing developments and the need to address the problems created by increased heavy rainfall events. Dr Nick Mills outlined that newer housings developments tended to have SUDs which used attenuation ponds, swales and soak aways etc. to deal with run-off. The roof run-off is equivalent to the run-off from roads and is very fast flowing especially in heavy rainfall events. This can be slowed down by the use of smart water butts, as used in the Fairlight Pathfinder Project. Work is also targeting larger properties such as warehouses, retail units etc. that have the roof drainage connected to the sewer system.

21.23 Tackling surface water run-off from older housing estates is the biggest challenge. For some properties the run-off from rooves is connected to the sewer system. In the 1960s and 1970' dual pipe systems were used for foul and surface water which suffer from problems with mis-connections where foul water is entering the surface water system.

21.24 New developers are well aware of the requirements to deal with surface water run-off and comply with them. Southern Water also provide incentives for developers to go above and beyond the minimum requirements and can wave connection fees as an incentive. Smaller developments of less than ten dwellings, run-off from drives, and mis-connections from extensions are more of a problem. Many home owners are unaware of the requirement to gain planning permission for new driveways over a certain size and the requirement for measures to deal with surface water run-off (e.g. permeable surfacing, drains and soak aways etc.) There is a need to address this issue with joint communications from planning authorities, the highway authority, and Southern Water. With the need to park Electric Vehicles close to properties for

charging, this may accelerate the paving over of front gardens and thereby increase the amount of surface water run-off.

Investment

21.25 The Committee asked how much of the investment was targeted at removing foul (brown) water from the surface water system, how the investment was funded and whether dividends would be paid to shareholders in the next five years. Chris Braham outlined that the Storm Overflow investment plan was just under £700 million with some schemes delivered through alternative programmes. The accelerated programme for coastal overflow schemes was around £200 million and the rest of the investment was targeted at areas where there are shellfish, potential ecological harm and high flows from overflows. Over the last two year period the figures for the number of spills was an average of 20 spills per overflow per year. The target is to reduce this to between an average of 15-18 spills per year, and to 6 spills per year in the longer term.

21.26 Southern Water would like to make progress faster but is limited by the amount of investment needed. The investment planned in the AMP8 investment period tackles the easier to deliver schemes first. Southern Water has not paid dividends to shareholders since 2017. Shareholders will be paid a sensible rate commencing in the late 2020s and this information is published on the Southern Water website.

21.27 The Committee asked what percentage of the investment going forward will have to be funded by customers through increased charges and how much will be funded by Southern Water. Sue Cobb agreed to take this question away and provide a response after the meeting.

Cinque Ports Way / Bulverhythe problems with main sewer.

21.28 Councillor Beaver commented that communications with residents affected by the sewage pipe leak, especially those in Bulverhythe Road, could have been better. Residents would like to know why the problem was not tackled earlier when the condition of the pipe became apparent. They would also appreciate an acknowledgement of the problem, information on what is being done about it and an apology. Sue Cobb responded that she is working with the capital team on communications for the work that is taking place, and staff from the customer team have attended each incident. The capital communications team have been talking to residents about the works and Sue will provide feedback about an apology. Southern Water have also met with the Leader of Hastings Borough Council and officers about this issue and are holding quarterly meetings with the council going forward. Chris Barham added that the condition of the burst pipe was not appreciated initially and then it took time to plan and deliver the works to replace the pipe.

21.29 The Committee thanked Southern Water for attending the meeting and the presentation on the storm overflow work and other East Sussex issues.

21.30 The Committee RESOLVED to note the presentation and will advise Southern Water whether the Committee wishes to have further updates in the future.

22. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR)

22.1 The Committee considered a report on the Reconciling Policy, Performance and Resources (RPPR) process. The Chair introduced the report which provided the opportunity for the Committee to consider the latest position outlined in the November RPPR Cabinet report and identify any information it would like to consider at the RPPR Board meeting in December or further work to be included in the Committee's future work programme.

22.2 The Chief Finance Officer outlined that since the Cabinet report the Autumn Budget Statement had been published, but did not include any additional funding for local government or measures to address the pressures in Children's and Adult Social Care. The increase in National Living Wage at 9.8% was much higher than expected. This will need to be factored into the budget and may have an impact on Adult Social Care as costs in the independent care sector are likely to go up. The Local Government Provisional Settlement is expected to be announced later in December, closer to Christmas, which will contain more detail on local authority funding.

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

22.4 The Committee asked about the transition of funding and responsibilities from the South East Local Enterprise Partnership (SELEP) to ESCC and what will happen to the ongoing programmes. The Chief Finance Officer outlined that the Council was still awaiting Government guidance, which is expected to be published in January 2024, on what will happen once the Local Enterprise Partnerships are disbanded. Work is underway with SELEP to work through the disaggregation of funding and responsibilities to understand what this means for the Council.

22.5 The Committee asked how the Council can join up the Department for Levelling Up, Housing and Communities (DLUHC) funding awarded to Bexhill and Hastings with other economic growth projects. The Director of Communities, Economy and Transport responded that the Levelling Up funding allocated to Hastings and Rother councils is their funding not ESCC's, but ESCC has some involvement with the projects and is providing advice on some schemes to the District and Borough councils. It will be for DLUHC and the District and Borough councils to agree the schemes.

22.6 The Committee asked about the capital programme which appears to have higher capital receipts for next year and the spending on the Bus Service Improvement Plan (BSIP) which makes up a large proportion of capital expenditure. The Chief Finance Officer outlined that there is a report being considered by the Audit Committee on 24 November 2023 regarding the capital receipts for next year which provides more information. A review of the capital programme is being undertaken which will look at any potential slippage, and subject to the review there may be some re-phasing of the capital expenditure.

22.7 The Committee RESOLVED to:

- 1) Note the information in the RPPR Cabinet report of 7 November 2023; and
- 2) Discuss the RPPR process further at the RPPR Board on 6 December 2023.

23. SCRUTINY REVIEW OF POTHOLE MANAGEMENT - REPORT OF THE REVIEW BOARD

23.1 Councillor Hollidge, Chair of the Review Board, introduced the report. He outlined that the review had been established due to the condition of roads in the County and the impact this was having on vehicles, people, and the public realm. The review looked at the causes of potholes and the areas that the Council could influence by considering the existing policies, procedures, and funding. The Review Board had good conversations with Balfour Beatty Living Partnerships (BBLP) who are the new highways maintenance contractor. Councillor Hollidge thanked the Board members and officers their work on the review. He recommended the Committee endorse the report and make recommendations to Cabinet for comment and Full Council for approval.

23.2 The Committee discussed the report and thanked the Review Board for its work on the review. The Committee made a number of comments and raised some questions which are summarised below.

Improvements and monitoring

23.3 The Committee noted that there had been a noticeable improvement in pothole repairs since the start of the new contract with BBLP, but it was uncertain whether this level of performance would continue. It was commented that the Council is in the early days of the new contract and the Committee can monitor progress and performance of the contract through future monitoring reports and annual reports on performance.

Recommendation 13

23.4 The Committee discussed recommendation 13 and whether there should be a specific recommendation around improving information for councillors and members of the public on defect reporting, as it was not possible to see all reported defects at present. It was explained that work was already in progress to rectify this, which was why it was not included as specific recommendation in the report.

Drainage and footway maintenance

24.5 The Committee welcomed the recommendation on drainage and that the review had considered the issue of drainage as it is a contributing factor to the number of potholes. It was noted that the report highlights that more work is needed on the topics drainage and footway maintenance, and these topics should be considered as part of the future work programme of the Committee.

Utility company reinstatement works

23.6 The Committee members noted the recommendation regarding utility company reinstatement work and questioned whether this might increase costs for utility company customers and whether it would lead to improvements. The Assistant Director Operations commented that one of the biggest causes of potholes is utility company reinstatement work. The Council can only operate within the current legislation which allows utility companies to make a temporary repair and gives them six months to carry out a permanent repair. Officers support the recommendation for changes to the regulations which would lead to better quality reinstatement work.

Cluster of potholes and advisories

23.7 The Committee asked what percentage of advisory requests were approved within two to three working days and how long it takes for work to take place once approved. The Assistant Director Operations explained that advisories are approved by the Asset Team who check to see if there is any existing planned maintenance work for that area. If the advisory is approved, it will be added to the patching programme which received an extra £2.5 million of funding this year. Unfortunately, a figure for the number of advisories that area approved within 2-3 days is not available. At the moment there is a backlog of work for the patching programme, and it can take up to six months for the work to be carried out once an advisory has been approved.

Cost of borrowing and capacity.

23.8 The Chair commented that everyone would like to see more money spent on potholes, but the cost of borrowing more money to fund pothole repairs was a constraint on what the Council could affordably do. There is also the issue of capacity to carry out additional work when additional funding becomes available.

23.9 The Committee RESOLVED to endorse the report of the Review Board, and to make recommendations to Cabinet for comment, and County Council for approval.

24. WORK PROGRAMME

24.1 The Chair introduced the report and outlined the purpose of the agenda item.

Local Transport Plan (LTP) Reference Group

24.2 Councillor Redstone gave an update on the work of the LTP Reference Group, which had considered the draft LTP prior to the public consultation which starts on 27 November 2023 for 12 weeks. He outlined that the Reference Group was one of the stakeholder groups who had commented on the draft LTP and would be considering some interim feedback from the consultation at their next meeting in January 2024.

24.3 As the timescales for the development of LTP may not fit in with the future meeting dates of the Committee, the Committee agreed that authority be delegated to the LTP Reference Group to comment on the draft LTP on behalf of the Committee, prior to approval later in 2024.

Economic Growth Strategy (EGS) Reference Group

24.4 Councillor Hilton gave an update on the work of the EGS Reference Group which had held an initial meeting at the beginning of November. The consultants who are working on the Strategy are running a number of place-based and topic-based workshops and the Reference Group will be able to see the feedback from these stakeholder engagement sessions. Future work will also include commenting on the draft Strategy as it is developed.

24.5 The Committee discussed potential items for the work programme and topics for future scrutiny reviews. It was agreed that the Senior Scrutiny Adviser would circulate a list of potential review topics and reports for consideration and prioritisation by the Committee, which would then be brought back to the March 2024 meeting for approval.

24.6 The Committee RESOLVED to:

- 1) Note and agree the work programme; and
- 2) Delegate authority to the LTP Reference Group to comment on the draft Local Transport Plan on behalf of the Committee.

The meeting ended at 12.40 pm.

Councillor Matthew Beaver (Chair)

Report to: Place Scrutiny Committee

Date of meeting: 12 March 2024

By: Chief Executive

Title: Reconciling Policy, Performance and Resources (RPPR)

Purpose: To review scrutiny's input to the Reconciling Policy, Performance and Resources process for the financial year 2024/25 and to consider related items for inclusion in the committee's work programme.

RECOMMENDATIONS

The Place Scrutiny Committee is recommended to:

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

1 Background

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

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

2 Scrutiny engagement in Reconciling Policy, Performance and Resources

2.1 This time of the year provides a good opportunity for the Committee to take stock and reflect on its involvement in the RPPR process to date, and to consider any areas arising from the scrutiny discussions that took place.

2.2 By way of background, attached at Appendix 1 is a diagram setting out the RPPR cycle and below is a timeline of the Committee's involvement to date.

2.3 July 2023 - Place Scrutiny Committee considered relevant parts of the quarter 4 2022/23 (end of year) monitoring report and the 2023 State of the County report. This enabled scrutiny to consider performance achievements and challenges over the preceding year, alongside the forward-looking demographic, policy and financial analysis in the State of the County report.

2.4 September 2023 - the Committee considered an update on the RPPR planning process, including scrutiny engagement. Members were asked to identify any additional information or scrutiny work required to support the Committee's ongoing contribution, for consideration at future meetings.

2.5 September 2023 - The Committee held a work planning awayday to enable further consideration of issues arising from State of the County for the services within the Committee's remit and to ensure that key issues were incorporated into the Committee's ongoing work programme.

2.6 November 2023 - the Committee considered an updated version of the Council's Medium Term Financial Plan (MTFP), an update on the capital programme and significant updates to the policy context since State of the County, as set out in a report considered by Cabinet on 7 November 2023. The meeting provided a further opportunity to request any information required by scrutiny to inform its engagement with RPPR, for consideration at the RPPR Boards in December or as part of the wider work programme.

2.7 December 2023 - the RPPR Board that the Committee established to provide more detailed input into the RPPR planning process met to consider the draft 2024/25 Portfolio Plans and the latest financial position. The Board:

- considered the emerging financial outlook based on Government announcements during the autumn;
- considered any amendments to the draft Portfolio Plans and how priorities were reflected against the proposed key areas of budget spend for the coming year;
- considered the remaining planned savings 2024/25-2026/27 in Business Services;
- considered the interim feedback from the public engagement survey; and
- agreed comments and recommendations to Cabinet.

2.8 Appendix 2 summarises the comments and recommendations made by the Place Scrutiny Committee RPPR Board to Cabinet.

3. Conclusion and reasons for recommendations

3.1 The Committee is invited to:

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

3.2 Scrutiny's input to planning, through RPPR, for 2025/26 will begin at the July meeting with consideration of relevant parts of the quarter 4 2023/24 (end of year) monitoring report and the 2024 State of the County report.

BECKY SHAW
Chief Executive

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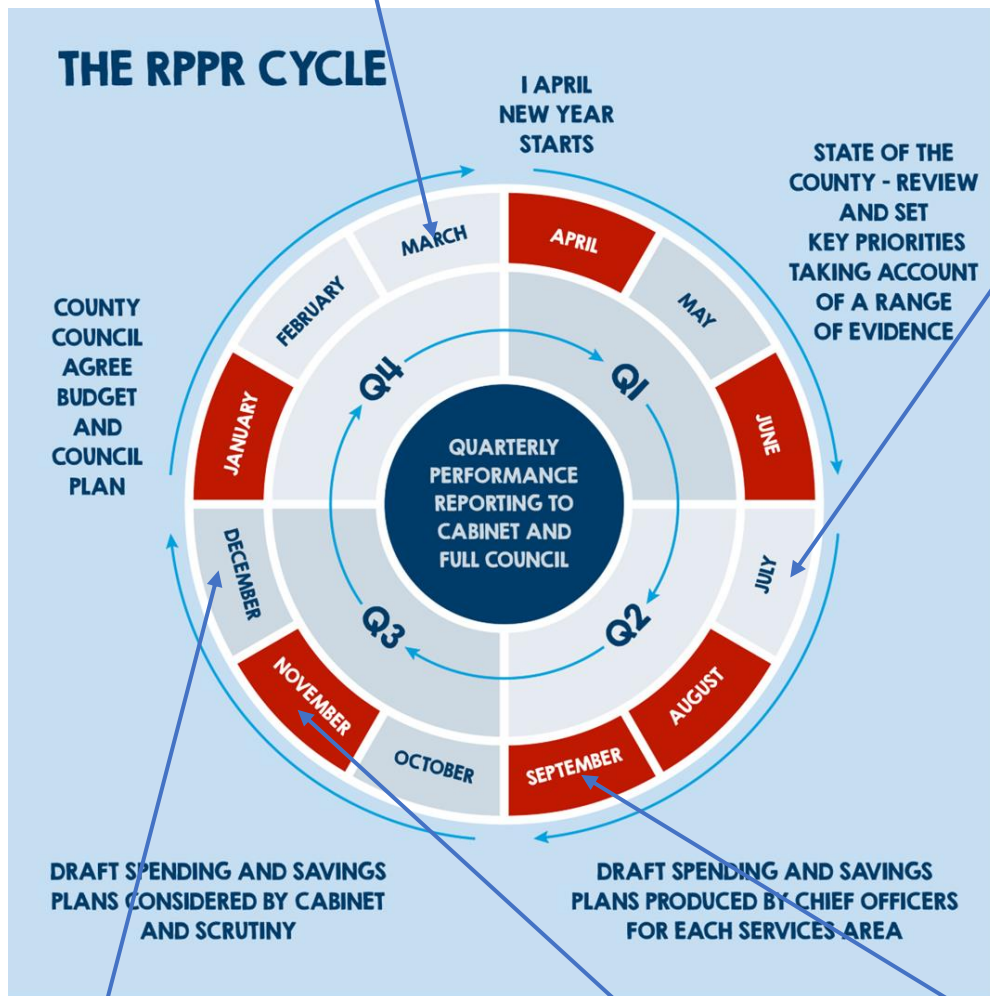
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5. March scrutiny committee meetings

Scrutiny committees review their input into the budget setting and business planning process, receive feedback on any specific recommendations and consider any potential improvement to the way they are involved in the process for the coming year, including the information they receive and the way they scrutinise the planning process.

1. July scrutiny committee meetings

Scrutiny committees review the Q4 Council Monitoring report (backward look) and the State of the County report (forward look) with a focus on services within their remit. The Q4 report enables committees to scrutinise performance in relation to the Council's targets, financial performance and risk issues over the previous year. The State of the County report enables scrutiny to consider the key issues in the policy, financial and operating environment for the relevant service areas in the coming planning period. The committees identify any aspects of performance, policy, budget or service issues that they would like to explore in more detail through their autumn business planning (RPPR) agenda items or via their broader work programme.



Scrutiny input is embedded throughout the annual budget setting and business planning (RPPR) cycle

4. December RPPR Boards

The committees' RPPR Boards scrutinise the latest information on the overall financial position, including the provisional settlement if available, relevant draft updated Portfolio Plans and savings plans. Scrutiny comments and recommendations on financial and service plans for the coming year are agreed and submitted for consideration by Cabinet in January.

3. November scrutiny meetings

The committees continue to consider the latest available information on the policy and financial context, review any additional information requested in September and agree any further information required for committees' RPPR Boards.

2. September scrutiny meetings

The committees consider the latest available information on the policy and financial context for the coming year and review any additional budget or service information requested in July. Further information or scrutiny work is agreed as required.

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Appendix 2 – Place Scrutiny Committee RPPR Board Comments to Cabinet

- 1.1. The Place Scrutiny RPPR Board met on the 6 December 2023 and agreed comments to be put to Cabinet, on behalf of the parent Committee, for its consideration in January 2024. The information supplied to the Board to support its discussions comprised of:
- an RPPR Board overview report;
 - a Local Government Association (LGA) briefing on the Autumn Statement 2023;
 - the draft portfolio plans for the Communities, Economy and Transport (CET), Business Services (BSD) and Governance Services (GS) Departments; and
 - an interim report on the responses to the public survey.
- 1.2. The Board met before the provisional local government finance settlement 2024 to 2025 was published and therefore the Board was not able to comment in detail on the Council's budgetary position.
- 1.3. The comments of the Place Scrutiny RPPR Board are set out below:

Financial outlook

- 1.4. The Board noted the impacts of the announcements made in the Government's Autumn Statement on council finances, in particular that there was no further funding for Children's Services where there were particular pressures, and the confirmation of existing grant arrangements for social care. The Board understood that the announced increase in the National Living Wage was likely to have an impact on the Council's financial position through increased wage costs particularly for commissioned services in Adult Social Care.
- 1.5. The Board noted that the Autumn Statement included an announcement on plans for public sector productivity measures and the expectation to increase productivity growth by at least half a per cent a year. The Board suggested that Cabinet seeks to clarify what this might mean for local authorities and any potential financial impact on the Council.
- 1.6. The Board also noted the Government's announcement on offering Level 2 devolution powers to some councils that cover a whole county area. The Board suggested that the Council keeps a watching brief on developments in this area.

Communities, Economy and Transport draft portfolio plan

- 1.7. Footway Maintenance - The Board discussed whether there was potential to add a performance target for footway (pavement) maintenance, similar to the one used for roads, and the practical constraints in relation to this. The Board suggested that the Place Scrutiny Committee give further consideration to this as part of its ongoing work programme.
- 1.8. Artificial Intelligence (AI) – The Board noted the potential opportunities and risks of increasing the use of AI in providing council services. The Board suggested that Cabinet explores the opportunities for AI to achieve further efficiencies and improvements in the delivery of services. The Place Scrutiny Committee would wish to be involved in any future work to explore the increased use of AI.

- 1.9. The Board noted that the recent Local Government Association (LGA) Peer Challenge made a number of recommendations to which the Council has published a response. The Board suggested that actions to address the Peer Challenge recommendations are included in the relevant Portfolio Plans where appropriate (e.g. a review of the partnership arrangements for countywide action on climate change).

Report to: **Place Scrutiny Committee**

Date of meeting: **12 March 2024**

By: **Chief Operating Officer**

Title: **Scrutiny Review of Procurement: Social Value and Buying local**

Purpose: **To provide an update on the action plan from the Scrutiny Review of Procurement: Social Value and Buying Local report dated March 2023**

RECOMMENDATIONS:

To note the updates to the recommendations and action plan set out in Appendix 1 of this report.

1. Background

1.1 The Place Scrutiny Committee at the meeting on 23 March 2022 agreed to establish a Review Board to undertake a Scrutiny Review of Procurement focussing on Social Value and Buying Local initiatives. The scope of the review included an investigation of various aspects of the current policy and approaches including:

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

1.2 The lines of enquiry which were explored in the review were:

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

1.3 The recommendations of the Scrutiny Review were presented to Cabinet for comment on 18 April 2023 and were accepted at Full Council on 9 May 2023. A copy of the full scrutiny review report and Cabinet's response to the recommendations can be found on the Council's web site here: [Agenda for Cabinet on Tuesday, 18th April, 2023, 10.00 am | East Sussex County Council](#).

2. Supporting information

2.1 The Scrutiny Review of Procurement: Social Value and Buying Local was welcomed by the Department and in particular the opportunity afforded by the review to examine possible improvements in policies and procedures and explore how the Council could take the next steps in moving to a more qualitative approach to meeting social value requirements in contracts and procurement.

2.2 The Department's response to the Review's recommendations and an update to the action plan are set out in Appendix 1. A copy of the Scrutiny Review of Procurement: Social Value and Buying Local report has been included in Appendix 2 for information.

3. Conclusion and reasons for recommendations

3.1 The Scrutiny Review highlighted where further work may be needed in this area and a way forward in developing the Council's approach to social value. Progress has been made against the recommendations as highlighted in Appendix 1.

3.2 The Place Scrutiny Committee is recommended to note the updates to the action plan contained in Appendix 1 of the report.

ROS Parker
Chief Operating Officer

Contact Officer: Anne Epsom
Email: Anne.Epsom@surreycc.gov.uk

LOCAL MEMBERS

ALL

PLACE SCUTINY COMMITTEE - SCRUTINY REVIEW OF PROCURMENT: SOCIAL VALUE & BUYING LOCAL – ACTION PLAN				
SCRUTINY RECOMMENDATION		DIRECTOR'S RESPONSE AND ACTION PLAN	TIMESCALE	UPDATE 14 th February 2024 (6-month update)
R1.	<p>The Review Board recommends that the Council undertakes further communications, training and engagement activity, informed by feedback from the Board's survey, with:</p> <p>a) departments – focused on social value requirements and using the Social Value Charter including examples of what 'good' looks like; and</p> <p>b) with organisations in the supply chain, including providing case studies to ensure the Council's approach to social value requirements is well understood.</p>	<p>Regarding (a)</p> <ul style="list-style-type: none"> • Relating to Recommendation 9 - the pilot using qualitative approaches in ASC (see end of table) - engagement with the service will take place to support that pilot. • In areas not immediately impacted by the pilot, material is being developed for the Procurement Academy – a learning platform that will be available to procurement and non-procurement staff – concerning social value. <p>Regarding (b)</p> <ul style="list-style-type: none"> • Material for external suppliers has been developed for Surrey County Council and is available on their external website and their Social Value Marketplace. The intention is to utilise this material, tailored where appropriate, for the ESCC website. Note however the ESCC website is being reviewed and revised by the website owners and this may delay 	12 months from Cabinet's acceptance of recommendations	<p>Regarding (a)</p> <ul style="list-style-type: none"> • Engagement with stakeholders in terms of the pilot has been positive – see update to R9(a) below (last row of table). • Social Value guidance has been developed and is currently under review prior to publication. <p>Regarding (b)</p> <ul style="list-style-type: none"> • The lack of a Social Value Lead (currently on maternity leave) has hindered progress on enhancing externally facing material to aide suppliers with the current ESCC SV approach. • Please note that, should the trial be successful, and the recommendation be made to adopt the model more widely, then the approach of making a web-based version of the ultimately adopted social value model (i.e. a version tailored to ESCC's needs) for inclusion on the ESCC website - in line with current developments in BHCC - would take the place of any previously planned external comms. Any such proposal will be included in the final end-of-trial report. • Supplier engagement where it has taken place under the SVM trial has been positively received - see update to R9(a) below (last row of table).

		<p>progress as it is beyond Procurement's control.</p> <ul style="list-style-type: none"> • Procurement is working with the ESCC comms team to raise awareness of the Councils approach to Social Value. • Engagement for ASC suppliers will be considered as part of the pilot and is likely to include workshops provided by Cabinet Office (dependent on Cabinet Offices willingness to deliver sessions previously suggested by them). 		
R2.	The Board recommends that social value commitments are recorded in future via the PM3 procurement software system, to better enable monitoring of what is delivered.	<ul style="list-style-type: none"> • PM3 was implemented in October 2022, and the "hyper-care" of implementation support is nearing an end. For all projects started in FY23/24, social value benefits committed to as part of the tender process will be recorded in the system. • At 6 and 12 months a KPI showing percentage of projects with recorded SV commitments will be provided to show progress on this recommendation. 	Implementation from point of acceptance of recommendations by Cabinet. KPI for success to be reviewed in 6 and 12 months.	<ul style="list-style-type: none"> • Recording of Social Value commitments obtained through procurement are now routinely recorded in PM3. • For FY22/23, the year in which the system was implemented mid-year, 8.3% of projects in-scope for social value had benefits recorded by year-end. • At this point in FY23/24 just under 30% of projects started and awarded this year have recorded SV benefits, a number that will increase before the end of the FY.
R3.	The Board Recommends a service-based reporting requirement is introduced on the delivery of social value commitments which is reviewed quarterly at departmental	<ul style="list-style-type: none"> • A report of SV commitments made at the point of contract can be generated from PM3 from whenever stakeholders require it, and at an agreed frequency (suggest quarterly). • Note this is for in scope projects, i.e. those commenced post PM3 	Can be implemented upon CLT confirming they wish to proceed.	<ul style="list-style-type: none"> • Reporting infrastructure now in place. • Testing of output of report (e.g. data quality and usability of output) still to be completed. • Trial of SV reporting therefore remains to be undertaken. • Some questions over extent to which Contract Management Advisory Service (CMAS) in ESCC may supersede this; the

	management team meetings.	<p>go live, and suggest from start of FY23/24.</p> <ul style="list-style-type: none"> • It would then be for contract managers to complete the degree to which these benefits had been delivered. • Agreement to be reached with service stakeholders and senior officers to whom this report is to be made and when, and the mechanisms for services to complete information on the delivery of SV commitments, and whom to report to. 		<p>SCC CMAS trial includes gathering SV commitments made at contract stage into service contract management dashboards, however the current scope of the ESCC trial has not allowed for this (due to limited scope and budget).</p> <ul style="list-style-type: none"> • Please note this update is linked to that for R4 below.
R4.	The Review Board recommends that the Business Services Department assesses the business case for providing additional resources to monitor, track and support the delivery of contractual commitments including social value through enhanced contract management support.	<p>This could be added to an existing business case being presented for a pilot 'Contract Management Advisory Service'. A similar pilot service is already underway in SCC and adding additional specific Social Value resource would mean that:</p> <p>A) As the post would be on a fixed term basis to prove the concept, this will reduce the long term financial risk.</p> <p>B) By embedding this within the CMAS team, the Social Value lead would have support from the wider team.</p>	<p>Resource could be in place within three months of the business case being approved - Circa July 2023 if approved in April – and is to be considered alongside other draws on resources.</p>	<ul style="list-style-type: none"> • The CMAS pilot on ESCC did succeed in securing funding, but the value of funding and the scope of work attached to it has not allowed for enhancements to SV monitoring at this stage. • Decisions will therefore have to be taken as to whether securing additional resource as per this recommendation is considered as part of future CMAS developments, or independently of it, in circumstances where it is understood there is limited to no funding for such additional posts at this point in time. • Any such resource would support the delivery of R3 and R4.
R5.	The Board recommends that suppliers are required to monitor and report on their delivery of social	<ul style="list-style-type: none"> • Commitments of SV should be included in contracts by way of attaching the agreed charter 	<p>Ongoing</p> <p>Outcome of trial in 12 months from</p>	<ul style="list-style-type: none"> • SV Charters, when used in tenders, form part of contractual commitments made by suppliers.

	<p>value as part of their contract through the use of Key Performance Indicators (KPIs).</p>	<p>and, where appropriate, by the inclusion of a specific SV KPI.</p> <ul style="list-style-type: none"> • Procurement to undertake spot checks that this is occurring by way of retrospective quality review process due to commence in April 2023 (and run every 6 months). • Such contractual commitments would be a pre-cursor required to oblige suppliers to report on SV delivery. • Procurement is looking to trial supplier SV reporting in two upcoming procurements, subject to commitments from contract managers to support the trial. 	<p>date of acceptance of recommendations (to allow time for tender completion and time under contract).</p>	<ul style="list-style-type: none"> • Scope of procurement QA review process reduced to annual due to resource constraints. • There has therefore not been a QA review since confirmation of this Action Plan. • The next QA review is therefore due to occur in April 24 and will include spot checks of SV commitments in contracts. • The first project for which to trial SV reporting has been identified (Electric Vehicles Chargepoint Infrastructure). • Those tenders involved in the SVM trial have had their SV commitments forwarded to the relevant Service Contract Manager and follow up enquiries will consider how effective this was.
R6.	<p>The Review Board recommends that service leads, commissioners and staff involved in contract management are included in the review process of Needs and Strategies document which sets out priority areas for social value offers.</p>	<ul style="list-style-type: none"> • The Social Value Review Group – comprised of various stakeholders across ESCC – update the Needs and Priorities (Strategies) document periodically (target 6 monthly), to reflect the overall needs and priorities of ESCC. • Procurement recommends that it is then down to the Service Leads, Commissioners etc to consider what SV is most appropriate to target within their service areas and would implore Senior Officers to require them to do so (as Procurement does not have a mandate to do this, though could support via 	<p>Needs and Priorities document updated 6 monthly.</p>	<ul style="list-style-type: none"> • Scheduled update to Needs and Priorities document winter 23/24 has been delayed due to SV Lead's maternity leave. • Next refresh due to commence July 2024 on her return.

		<p>Procurement Partners and SV Lead).</p> <ul style="list-style-type: none"> For example, ESCC could consider Social Value Champions across commissioners / service leads, mirroring the structure in place in SCC to support in the process; the key requirement though is service / commissioner participation in the process. 		
R7.	<p>The Board Recommends guidance is given on narrowing the focus or number of social value measures included in contract specifications to support the Council's priorities and promote a collaborative approach within the Council.</p>	<ul style="list-style-type: none"> This is linked to recommendation 1 and will be included in all applicable guidance. The Charter is due its annual refresh in Spring 2023, and guidance will be enhanced in tandem with this refresh. 	12 months from Cabinet approval of recommendations	<ul style="list-style-type: none"> Enhancement of guidance drafted and under review (as per R1(a)). See more detailed trial update against R9(a) for details of working with stakeholders on narrowing down SV requirements in any given tender.
R8.	<p>The Review Board recommends that:</p> <p>a) Clear guidance is given to suppliers and commissioners on where to include carbon reductions measures in contracts and bids.</p> <p>b) Consideration is given to amending the Orbis Social Value Measurement</p>	<p>Regarding (a):</p> <ul style="list-style-type: none"> This will be developed as further implementation and embedding of the Environmentally Sustainable Procurement Policy, and the new ESCC Senior Policy Lead – Carbon Reduction (scope 3), due to commence post April 2023. <p>Regarding (b)</p> <ul style="list-style-type: none"> This can be addressed in supporting guidance (as per 	Progress to be reported in 12 months	<p>Regarding (a):</p> <ul style="list-style-type: none"> Lead Member currently being briefed on proposed revisions to the Environmentally Sustainable Procurement Policy, which includes adding the requirement for Carbon Reduction Plans, where applicable, in line with Central Government Procurement Policy. Engagement has been undertaken in several sectors of the Councils' supply chain on the Policy and carbon reduction requirements and has been included in a number of procurements during 2023/24.

	<p>Charter to make it clear that carbon reduction measures should be included in the specification of contracts in the first instance, rather than including them as social value measures, except where using social value measures would be more appropriate for smaller suppliers.</p> <p>c) The Council explores ways of continuing to provide support to local suppliers, such as training, to help them develop carbon reduction measures and adopt carbon reduction pathways, thereby promoting a more sustainable supply chain.</p>	<p>recommendation 1), and in collaboration with the new ESCC Senior Policy Lead – Carbon Reduction (scope 3).</p> <ul style="list-style-type: none"> Note carbon reduction plans only really serve a purpose where there is a baseline to measure against, often a challenge for smaller suppliers and those in certain sectors. <p>Regarding (c)</p> <ul style="list-style-type: none"> Select ESCC suppliers in the top 4 highest emitting categories are in the process of being surveyed and invited to workshops on this topic. This work will continue and be developed further by the new ESCC Senior Policy Lead – Carbon Reduction (scope 3). 	<p>Regarding (b):</p> <ul style="list-style-type: none"> The ESCC Senior Policy Lead – Supply Chain Decarbonisation has proactively been through Procurement Forward Plans to engage with colleagues and stakeholders on those procurements that need to target carbon reduction. Carbon reductions measures, when included in procurements and contracts, are done outside of the Social Value Measurement Charter and linked to standalone specification, criteria and contractual requirements. Re: Note – comprehensive analysis and baselining of emissions has been undertaken for the last 3 financial years allowing us to better understand and target high impact contracts and suppliers. The collection of carbon reduction plans and data from suppliers will help us report more accurately and measure progress of requirements and targets included in specifications and contracts against this baseline. <p>Regarding (c):</p> <ul style="list-style-type: none"> A trial of a carbon reporting platform is about to kick-off in SCC. The ESCC Senior Policy Lead – Supply Chain Decarbonisation has been closely involved in the development of the pilot, as the belief is should the platform be a success, it can be easily replicated in ESCC. The platform includes a mechanism that, if successful, will allow any supplier signed up
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				<p>to it to generate a proposed carbon reduction plan based on the metrics they input into the system.</p> <ul style="list-style-type: none"> • Suppliers from 4 key sectors were engaged in collaboration with Surrey CC giving us greater insight and understanding of the maturity, opportunities and barriers in each one, this has been used to inform our Scope 3 reduction strategy and pathway which has been presented to the Climate Emergency Board. • Supplier and contract manager/ commissioner engagement has been undertaken in several areas including support and guidance for local SMEs (for example construction and FM) allowing us to make progress on measuring and reporting emissions. This will be rolled out further and wider, in collaboration with SCC and BHCC colleagues.
R9.	<p>The Review Board recommends that:</p> <p>a) The Procurement Team explores in more detail how the Council could move to a more qualitative approach to measuring social value by conducting a sector based 12 month trial with the ASCH department to pilot a more qualitative approach that might be more suitable for VCSE</p>	<p>Regarding (a):</p> <ul style="list-style-type: none"> • Design of proposed pilot underway. <p>Regarding (b):</p> <ul style="list-style-type: none"> • Outcome of pilot to be reported as required. 	<p>12 months from approval of pilot + 2 months for completion of report.</p> <p>Interim updates as required to CMT</p>	<p>Regarding (a):</p> <ul style="list-style-type: none"> • Four potential projects were identified for the pilot, though 1 was subsequently dropped due to no responses to the tender. • Projects ultimately in scope of the Trial were: <ul style="list-style-type: none"> ○ Plan ID 2647 - Direct Payment Support Services ○ Plan ID 8656 - Integrated Health and Wellbeing Service ○ Plan ID 2653 - Mental Health Support Service • All of these tenders have now concluded, contracts have been awarded, and the team are now feedback gathering and reviewing the pilot.

	<p>organisations, including the development of evaluation criteria for the trial (e.g. comparison with the previous 12 month period).</p> <p>b) Once the trial has been completed and evaluated, a report on the next steps in moving to a qualitative approach across the Council is produced.</p>			<ul style="list-style-type: none"> • Summary of findings thus far includes: <ul style="list-style-type: none"> ○ The model allowed for a wide range of responses; some more experienced bidders can offer firm commitments within their responses in addition to the core service, others used examples of what would be provided within the service remit. ○ The model was positively received at market engagement as there was no requirement to assign a financial envelope to the response meaning smaller organisations and charities felt they could offer ideas and solutions as well as commitments to employment. It also gave the market the opportunity to focus on specific SV options that were in relation to the service being provided which is not always clear when using the charter for social care procurement. ○ The use of the questions and the guidance was received well by the evaluators, and they found the scoring matrix easy to use and clear. Although they found it harder with some responses to identify clear commitments, however there is scope to address these through clarifications. ○ The qualitative (question-based) approach was favoured by the tender evaluators as it gave an option to review how the bidders viewed the social value requirements and allowed SME/charities the option to offer social value in a varied way with the option to
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				<p>fully explain what they are wishing to achieve with their proposal.</p> <ul style="list-style-type: none"> ○ Stakeholders reported feeling like they got a lot more information on Social Value in the Bidder response than we would previously receive when using the Social Value Charter. ○ It may have been advantageous to request the commitments to be clearly identified as part of the response to help support meeting the KPI. ○ The 'Social Value Model themes with their corresponding Outcome and Model Award Criteria (MAC)' document was helpful in guiding possible themes to then detail the questions and prompts - it was effective to break up the panel for the SV evaluation and the score methodology was clear. ○ Essentially this new process for SV is more relevant and where the outcomes were linked better in relation to this tender, the bidder's responses are more deliverable. <p>Regarding (b):</p> <ul style="list-style-type: none"> ● Action pending and full evaluation of trial is underway.
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Appendix 2

Scrutiny Review of Procurement: Social Value and Buying Local

Report by the Review Board:

Councillor Chris Collier (Chair)

Councillor Julia Hilton

Councillor Paul Redstone

March 2023

Place Scrutiny Committee – 28 March 2023

Cabinet – 18 April 2023

Full Council – 9 May 2023

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

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Recommendations

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

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

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

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

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

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

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

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

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

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

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

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

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

Background

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

Social Value

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

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

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

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

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

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

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

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

Buying Local – using local suppliers

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

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

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

Review Board Findings

Social Value

Social Value policies, processes and procedures

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

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

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

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

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

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

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

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

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

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

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

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

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

Recommendation 1

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

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

Monitoring the delivery of Social Value commitments

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

Recommendation 2

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

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

Recommendation 3

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

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

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

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

Monitoring

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

Support

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

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

Recommendation 4

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

Recommendation 5

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

Social Value and the Council's priorities

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

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

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

Recommendation 6

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

Recommendation 7

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

Social Value and climate change

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

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

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

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

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

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

Recommendation 8

The Review Board recommends that:

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

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

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

Quantitative vs. qualitative approach to measuring social value

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

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

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

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

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

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

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

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

Recommendation 9

The Review Board recommends that:

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

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

Buying Local initiatives and the use of local suppliers

Policies, processes and procedures

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

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

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

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

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

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

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

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

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

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

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

Conclusions

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

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

Appendix 1

Scope and terms of reference of the review

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

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

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

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

Board Membership and project support

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

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

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

Review Board meeting dates

Scoping meeting – 22 February 2022

Board meetings

26 July 2022

4 October 2022

20 October 2022

7 November 2022

15 November 2022

20 February 2023

8 March 2023

Witnesses providing evidence

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

ESCC officers

Darron Cox, Director of Procurement, Orbis Procurement

Anne Epsom, Head of Policy and Modernisation, Orbis Procurement

Lee Redmond, Head of Contract & Commercial Advisory

Rozie McPhrazier, Social Value Lead, Orbis Procurement

Andy Arnold, Environment Team Manager

Holly Aquilina, Employability & Skills Strategy Manager

Paul Rideout, Policy Manager (Third Sector)

Angela Yphantides, Strategic Commissioning Manager

Kenny MacKay, Strategic Commissioning Manager (Mental Health)

Fraser Cooper, Strategic Commissioning Manager (Learning Disability)

Evidence papers

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

Contact officer: Martin Jenks, Senior Scrutiny Adviser

Telephone: 01273 481327

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

Appendix 2 – Summary of staff survey results

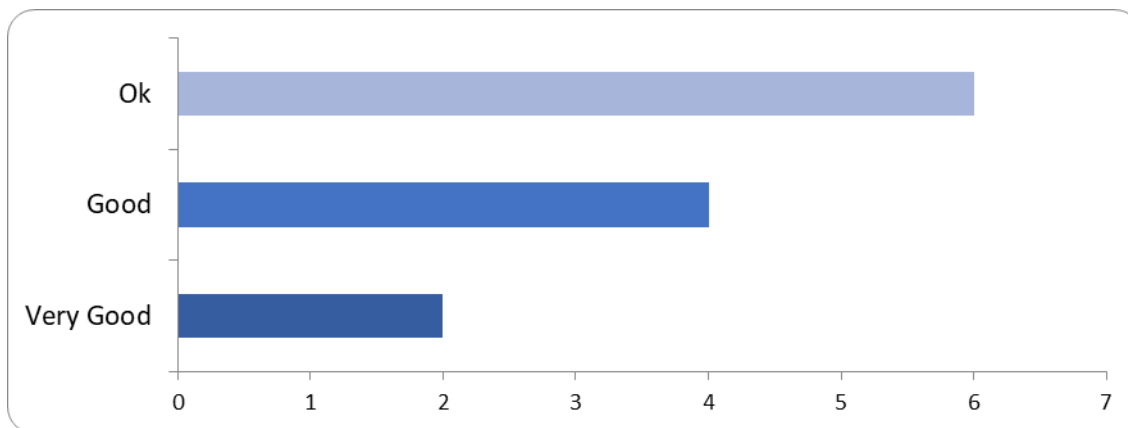
Understanding Social Value in Procurement – Survey Results Summary

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

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

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

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



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

There were 12 responses to this question.

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

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

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

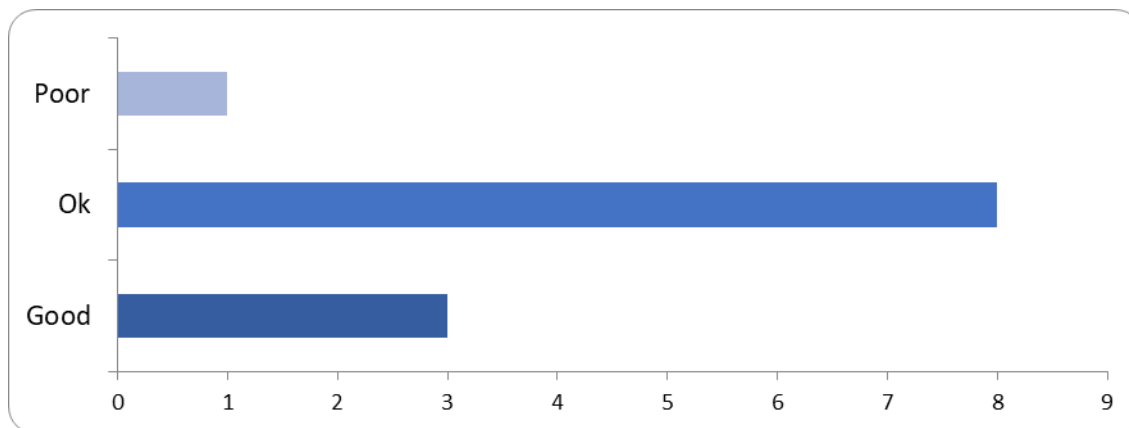
- Providing updates on what social value ESCC is achieving through contracted services across departments.
- Collective discussions in teams about how best to use the social value approach.
- More detailed discussion at start of a tendering/retendering process between commissioners and procurement colleagues.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

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

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

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

There were 12 responses to this question.

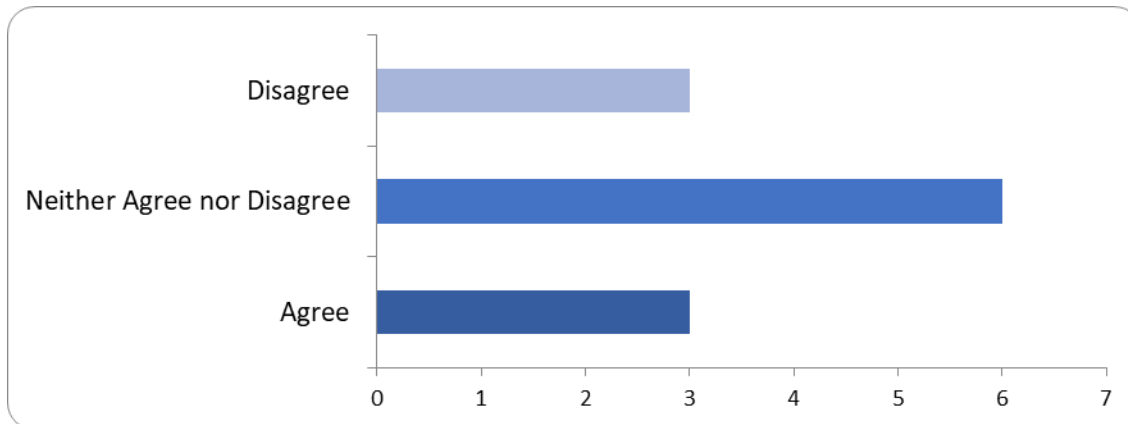


Option	Total	Percent
Very Poor	0	0.00%
Poor	1	8.33%
Ok	8	66.67%
Good	3	25.00%
Very Good	0	0.00%
Not Answered	0	0.00%

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

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

There were 12 responses to this question.

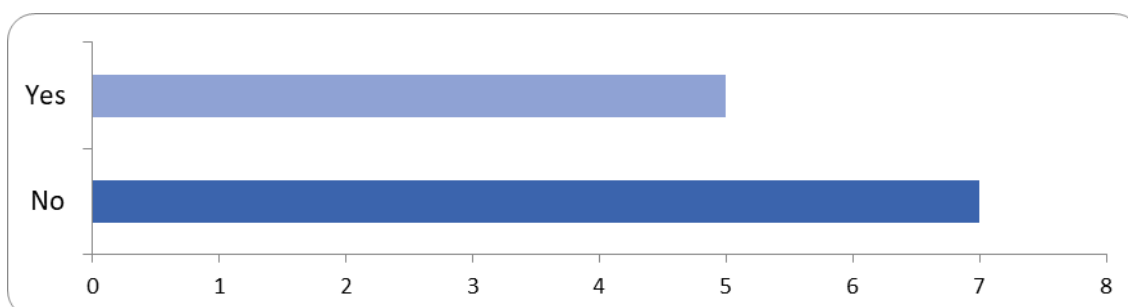


Option	Total	Percent
Strongly Disagree	0	0.00%
Disagree	3	25.00%
Neither Agree nor Disagree	6	50.00%
Agree	3	25.00%
Strongly Agree	0	0.00%
Not Answered	0	0.00%

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

Question: Have you used the Orbis Social Value Charter?

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

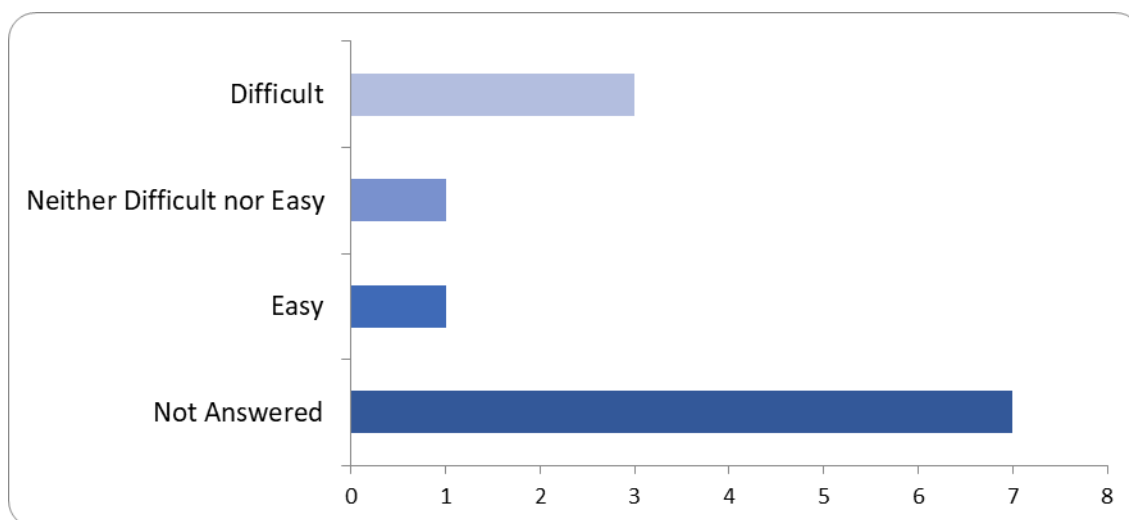


Option	Total	Percent
Yes	5	41.67%
No	7	58.33%
Not Answered	0	0.00%

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

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

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



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

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

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

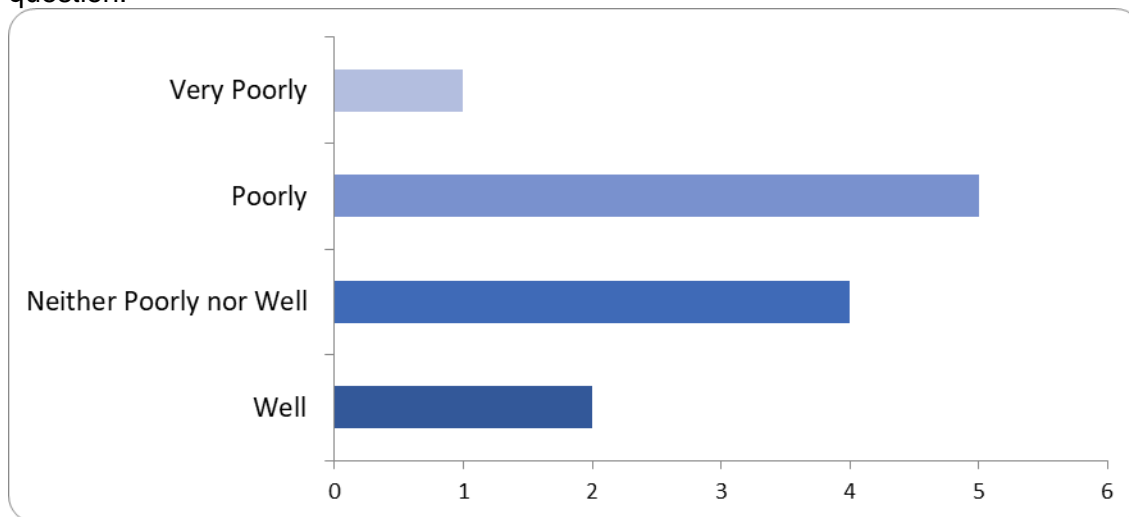
- Having examples of social value gained from contracts by service area would enable commissioners to better understand the art of the possible.
- Having discussions in teams about how best to use the social value approach, including what has worked and not worked against the specific TOMs.
- Having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

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

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

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

There were 12 responses to this question.



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

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

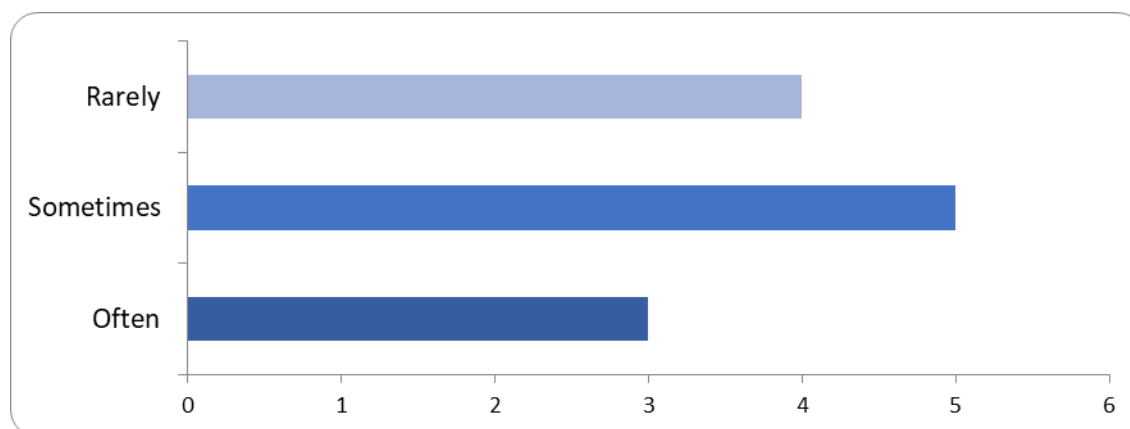
When asked if there were any improvements they would like to see, some of the suggestions for improvements included:

Suggestions for improvement included:

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

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

There were 12 responses to this question.



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

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

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

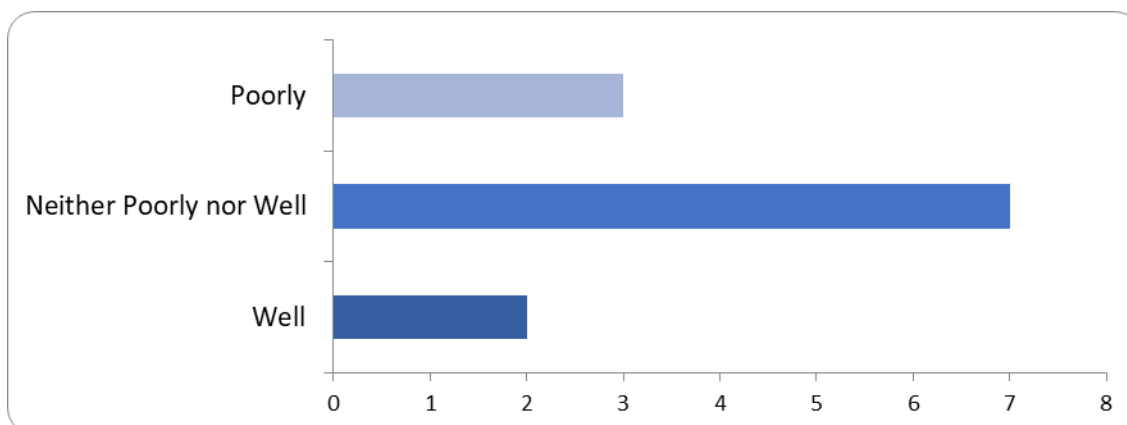
Just over 90% (11 responses) said **Yes** it would be beneficial to have some central resources.

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

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

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

There were 12 responses to this question.



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

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

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

Those who answered **Poorly** said:

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

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

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

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

Appendix 3 – Keep it Local

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

Principle 1: [Think about the whole system not individual service siloes](#)

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

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

Principle 2: [Co-ordinate services at a neighbourhood level](#)

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

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

Principle 3: [Increase local spend to invest in the local economy](#)

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

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

Principle 4: [Focus on early intervention now to save costs tomorrow](#)

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

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

Principle 5: [Commit to your community and proactively support local organisations](#)

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

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

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

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

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

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Report to: Place Scrutiny

Date of meeting: 12 March 2024

By: Chief Operating Officer

Title: Update on the SPACES Programme

Purpose: To provide and update on the work of the SPACES programme, including its successes and future focus.

RECOMMENDATIONS

Place Scrutiny is recommended to:

- 1) Note the update report on the work of the SPACES programme, including its successes and future focus.**

1 Background

1.1 The Strategic Property Asset Collaboration in East Sussex (SPACES) Programme was formed in 2011 by a number of public and third sector organisations with the aim to improve the customer journey, whilst creating efficiencies and more effective environments to deliver services. The original focus was largely on co-locations and collaboration around property assets and strategies. SPACES remit has since extended to become the One Public Estate (OPE) Partnership for East Sussex, now with a broader focus on regeneration, housing and sustainability priorities, based around continuing collaboration and utilisation of public sector assets. Further information about Partner organisations, OPE, and SPACES objectives are included in Appendix 1.

1.2 The SPACES Programme Team (1.6fte, hosted by ESCC) manages and drives the Programme activities on behalf of member organisations. As per the current funding model, the roles are funded through a combination of grant and annual financial contributions by partner organisations.

2 Supporting information

Strategy and Delivery

2.1 The most recent SPACES Strategy was developed for the period May 2021 – 2024, based around a set of Themes (following stakeholder engagement to identify priorities). An accompanying Implementation Plan set out the actions for each Theme, with 6-monthly progress reports provided to the SPACES Programme Board.

2.2 Appendix 2 sets out a snapshot of information relating to the delivery and progress of the SPACES Programme, including:

- Benefits Summary from SPACES Programme since 2012 across all partners of SPACES (p.2)
- Successful funding awards following bids by the SPACES Programme Team (p.3-4)
- ‘Heatmap’ showing geographical distribution of live SPACES projects (p.5)
- Key areas of progress against SPACES Strategy Themes 2021-2024 (p.6-11)

2.3 The SPACES Programme Team is proactive in engaging with other related teams or Programmes, such as the East Sussex Housing Partnership, Environment Board, Skills East Sussex, and the Sussex Integrated Care Board (ICB) including recently supporting the development of the Sussex Integrated Care System (ICS) Estates and Infrastructure Strategy. Understanding respective objectives and activities helps to maximise synergies and avoid duplication.

2.4 SPACES also actively engages with the Voluntary, Community and Social Enterprise (VCSE) Alliance to raise awareness of the service offer and understand the sector requirements. This includes the 'Space Needs and Available' process whereby VCSE organisations can inform SPACES of their requirements, and the Programme Team facilitates exploration of whether solutions can be found through public sector collaboration. The VCSE Alliance also has Board member representation on SPACES and is an active partner.

Looking forward

2.5 As the current SPACES Strategy period draws to a close, the Programme Board are considering the key Themes looking forward for the future iteration of the Strategy. Engagement to date indicates that there will be minimal change to the overall Themes, and therefore will continue to include a focus on areas such as health and social care, net zero, regeneration and housing, alongside asset collaboration and utilisation.

2.6 In the context of the financial pressures facing the public sector, collaborative solutions identified and delivered through partnerships are a key mechanism for making best use of public sector resources.

2.7 For example, several planned SPACES activities support Local Authorities in the context of the housing crisis. Brownfield Land Release Fund (BLRF) applications worth £2,830,000 were submitted through SPACES in February 2024. If successful, this would result in additional BLRF projects under the Programme Management, and ultimately deliver a total of 142 new housing units in the county (award outcome from DLUHC due Summer 2024). Further housing related activities are included on Appendix 2, slide 10.

3 Conclusion and reasons for recommendations

3.1 The SPACES Programme has achieved significant progress and delivered significant benefits (quantitative and qualitative) to partners since inception in 2011. There has been enhanced momentum on supporting wider outcomes such as regeneration and sustainability since the inception of the SPACES Strategy in 2021. Looking forward, the Programme will be a vital mechanism for partners to identify and deliver collaborative asset solutions to financial and other challenges facing the public sector partners.

3.2 Place Scrutiny is recommended to note the update report on the work of the SPACES Programme, including its successes and future focus.

ROS PARKER

Chief Operating Officer

Contact Officer: Nigel Brown, Assistant Director - Property

Tel. No: 07394 410630

Email: Nigel.Brown@eastsussex.gov.uk

An introduction to SPACES

SPACES is the acronym for the **Strategic Property Asset Collaboration in East Sussex** Partnership Programme. The partnership was formed in 2011 with a number of public and third sector organisations coming together with the aim to improve the customer journey, whilst creating efficiencies and more effective environments to deliver services. The focus was largely on co-locations and collaboration around property assets and strategies.



SPACES has since become the One Public Estate (OPE) Partnership for East Sussex, and continues to grow from strength to strength, with broadening support for regeneration and housing priorities, as well as continuing collaboration and utilisation of public sector assets.

SPACES Programme is supported by a dedicated Programme Manager and Programme Support officer, who work on behalf of all partners.

Our Partners:

Local Authorities



Government Bodies



VCSE Partners



Strategic Property Asset
Collaboration in East Sussex



Health Partners



Education and Enterprise



Emergency Services



We currently have 20 partners including all East Sussex Local Authorities, NHS Health, Emergency Services (Blue Lights), Education and Enterprise, VCSE, and other central government bodies. Each organisation is represented by a SPACES Programme Board Member, who meet bi-monthly to discuss existing project progression, strategic opportunities and explore current priorities and challenges.

What is the One Public Estate (OPE)?

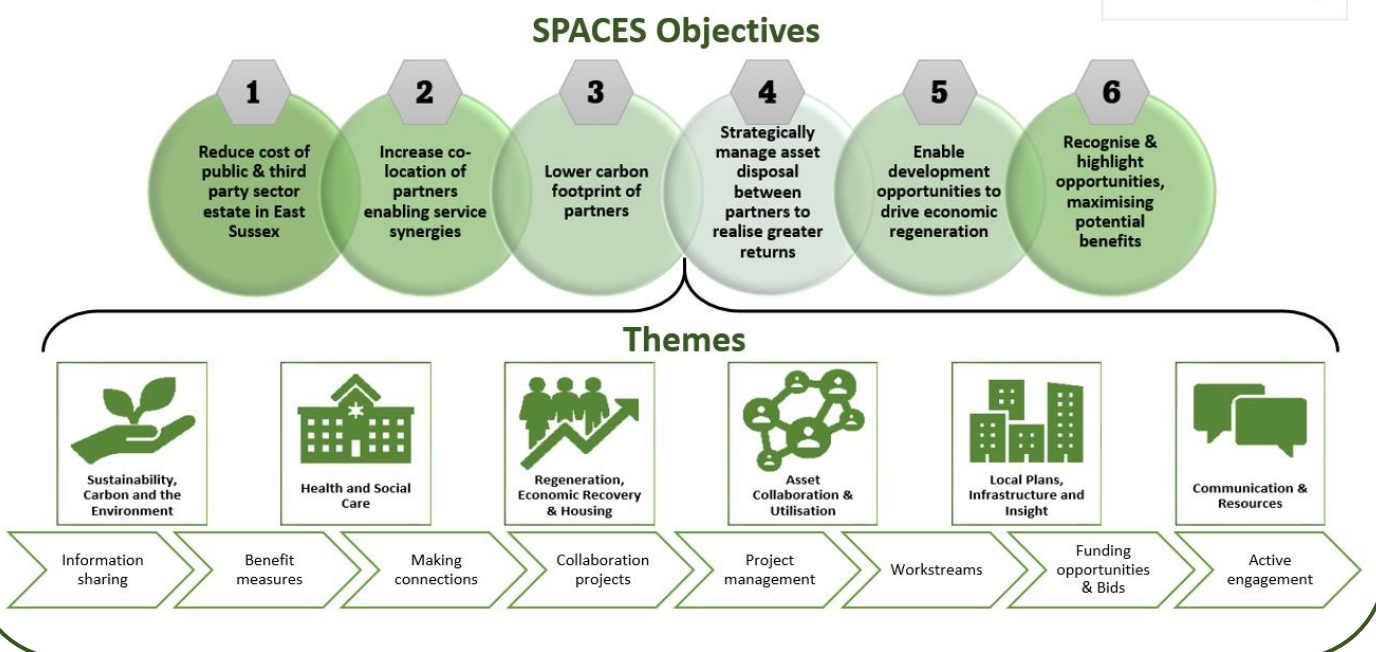
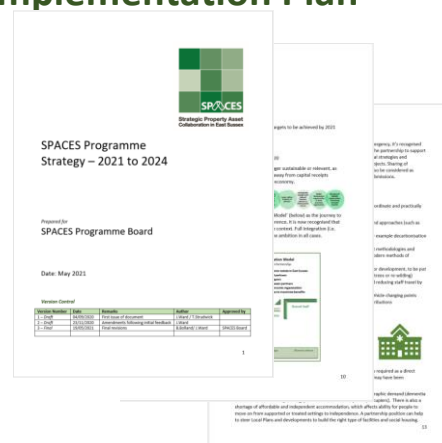
OPE is a national Programme that recognises and supports locally-led partnerships of public sector bodies to collaborate around their public service delivery strategy and estate needs. SPACES forms the OPE Partnership for East Sussex. Benefits of being part of OPE include access to capital and



revenue funding opportunities for projects including the repurpose of surplus public estate for housing, regeneration, and other locally determined uses. It also provides access to information from national learning, and to a vast network of other OPE partnerships. For more details on OPE, visit www.local.gov.uk/onepublicestate

SPACES Objectives, Strategy Themes and the Implementation Plan

In May 2021, the Programme Board approved its first **SPACES Strategy (2021 to 2024)**, which outlines the Partnerships' key priorities in supporting the six **Objectives** that continue to ring true for SPACES 10 years on. Partners collectively identified and developed six strategic Themes which represent their organisations priorities over the 3 years. To deliver the Strategy, an Implementation Plan was developed (approved in October 2021), which details different activities under each theme to deliver benefits – both direct outputs and wider impacts.



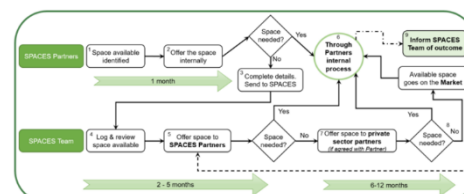
As well as the SPACES Strategy and Implementation Plan, the SPACES Programme Team also support in delivering a number of business-as-usual activities, including:



Space Needed and Available (SNAAP) process

A key part of SPACES partnership has been the ability to match space needs and availability of the partners, to make best use of public sector assets to support staff and service users. This opens opportunities for co-location and collaboration between partners, as well as generated revenue income and potentially release assets for capital gain. Utilising this workstream, partner benefits include:

- Better utilisation of public assets
- Saves time
- Reduces need to go to privately owned assets
- Keeps financial spend within public sector
- Neutral perspective to ensure the right asset is selected



For more information or to request copies of the SPACES Strategy, Implementation Plan or Programme Board Terms of Reference, email the team at

SPACES@eastsussex.gov.uk



Strategic Property Asset
Collaboration in East Sussex

Appendix 2

Update on the SPACES Programme

Prepared for Place Scrutiny

12 March 2024

Benefits Summary from SPACES Programme (since 2012)

Quantitative Benefits*

Quantitative Benefit	Delivered	Projects in Progress
Capital Receipt	£16,126,000	£1,585,000
Revenue Reduction	£1,427,250	£65,707
CO2 Reduction	385	0
Revenue Receipt	£1,892,953	£3,976,082
Cost Avoidance	£358,829	£222,790
Investment - Regeneration	£2,200,000	£0
Investment - Community Grants	£38,000	£0
Grants Awarded	£3,516,000	£0
Housing	138	984
Employment	207	570
Gross Internal Area Reduction (m ²)	12,986	0

Qualitative Benefits

Type of qualitative benefit	Projects/Outcomes Delivered	Projects In Progress
Joint disposals	2	1
Co-location cross sector services	27	2
Co-location response services	3	3
Land swap	3	0
Co-location related services	9	1
Disposal and community provision	6	0
Joint procurement	6	0
Shared workspace provision	5	0
Regeneration	0	7
Sustainability	3	0
Health Improvement	1	1
Brownfield development	2	11
Networking/ Shared information	13	-
Resource/ support provision to Partners	12	-
Sourcing of space solutions	10	-
External funding awards	11	-
TOTALS	113	26

Potential projects also plan to deliver:



**Generate
£4.2m capital**



**Build 293
homes**



**Create 440
jobs**



**£2.83m of grant
applications submitted**

(*All figures are partnership wide and have been reported to the Programme Team by the relevant project leads from partner organisations)

Successful funding awards

Fund type	Round (year)	Amount	Summary
Transformation Challenge Award (TCA)	2014	£420,000	Funding used to enable the Collaborative Workspace initiative, the Link Wi-Fi network in 'Shared Spaces', Programme Resource and consultancy work on the 'Future of Public Sector Office' (post-Covid).
One Public Estate (OPE)	Phase 5 (2016)	£175,000	Projects include Blue Lights co-locations, Regeneration (incl. housing provision), Redevelopment, Programme Management, Office consolidation/co-locations, and Health, Leisure facilities and/or community provisions.
	Phase 6 (2017)	£135,000	
	Phase 7 (2018)	£450,000	
	Phase 8 (2020)	£325,000	
	Phase 10 (2024)	£150,000	
Brownfield Land Release Fund (BLRF) and Self & Custom Build (S&CB)	Phase 1 (2021)	£1,112,000	2 projects were completed in 2023, delivering 26 affordable homes. Current live projects are anticipated to deliver another c91 housing units when completed.
	S&CB Phase 2 (2022)	£164,000	
	Phase 2.1 (2022)	£485,000	
Opportunity Development Fund (ODF)	2022	£100,000	Split across 2 workstreams: 1) Land Release for housing, 2) Health and Wellbeing hubs.



Successful funding awards (cont.)

- To date, a total of £3,366,000 government funding has been successfully obtained through SPACES bid applications
- Recent BLRF Phase 2.3 (February 2024) applications submitted are worth **£2,830,000**. If successful, this would deliver a total of **142** new housing units. *(Award outcome from DLUHC due end of Summer 2024)*

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SPACES Programme Resource's role in One Public Estate projects/ funding:

Bid development

(Stakeholder management, timetables, arranging sign off, QA feedback, advice and guidance)

Programme Management

(Reporting, project board meetings, relationship management, risks and issues)

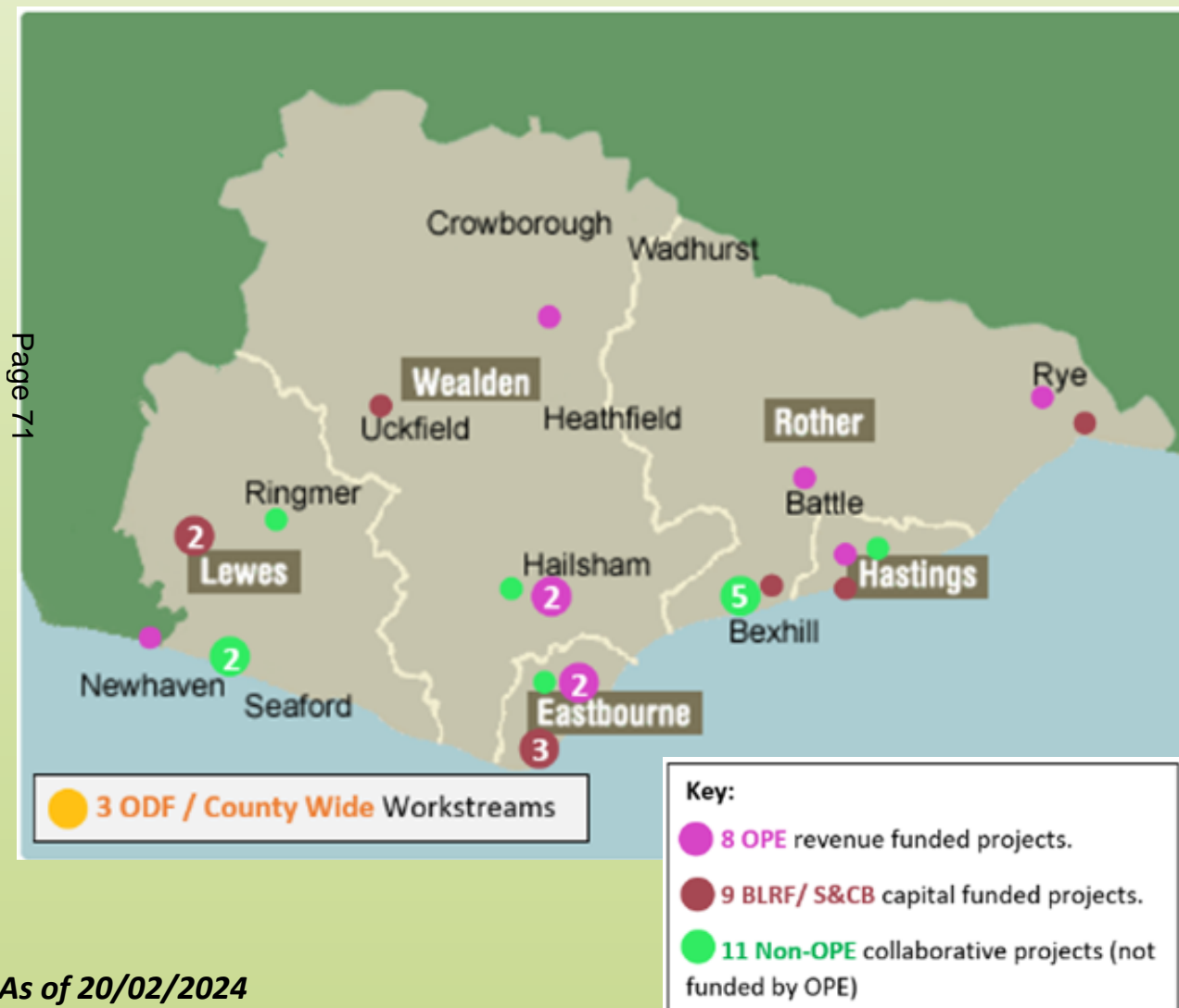
Pipeline development

(Partner engagement, commissioning and managing consultants/ specialist advice)

National best practice

(Sharing information, making connections, networking)

Live Projects Heatmap



Examples of projects supported by SPACES include:

- Hastings Leisure, Wellbeing and Cultural Hub (Hastings)
- Mayfield GP Surgery & Community Centre (Mayfield)
- 'Combe Valley' new mental health hospital (Bexhill)
- Hailsham Aspires (Hailsham)
- King Offa Residential Development (Bexhill)
- Calvary Crescent 100% affordable housing development (Eastbourne)
- Streatfeild House 100% affordable housing development (Uckfield)
- The Marine Workshops (Newhaven)

SPACES Strategy 2021-2024

Summary of progress

Asset Collaboration and Utilisation



Identification and facilitation of collaborative opportunities	Future of Public Sector Office
<p>Page 73</p> <ul style="list-style-type: none"> Managing the Space Needs and Available (SNAA) process. Ongoing reporting and improvements to maximise potential. Engagement with VCSE Alliance to identify requirements, priorities and develop scope (including presentation to Alliance, June 2023). Topics include Community Asset Transfer, identification of space needs and Social Value commitment via SPACES contracts. 	<ul style="list-style-type: none"> Established Future of Public Sector Office (FPSO) Joint Working Group (JWG) with Greater Brighton OPE partnership (June 2021). To maximise synergies (for all partners) and reduce duplication (for pan-Sussex partners). Manage JWG forward plan. Jointly commissioned external support to deliver asset mapping/ opportunity identification activity (report approved June 2022). Produced learning from previous 'Collaborative Workspace' project (June 2022 Board) to inform FPSO projects. Developed resources setting out options and learning on related topics (including resource booking systems and furniture disposal/reuse).

Sustainability, Carbon and the Environment



Coordinated approach to electric vehicle charge points	Sharing best practice on decarbonisation of buildings	Other
<ul style="list-style-type: none"> Established, Chaired and coordinated EVCP Task and Finish Group (Jan - November 2022). Mapping and planning of EV charge points across County, engaging with relevant experts and organisations. EV Blueprint report produced. Transitioned into the EVCP Working Group (TOR produced by Programme Team) which held its first meeting Nov 2022 (handed over to ESCC to lead). 	<ul style="list-style-type: none"> Established 'SPACES FM carbon reduction' group in July 2023. Chaired and coordinated by Programme Team. Sharing information on projects/ initiatives and peer learning discussions (including site consolidation, measuring performance, behaviour change, contractual arrangements, Salix funded projects, solar projects, etc). Managed Partner Survey regarding decarbonisation funding streams (May-June 2023) to identify positions and areas for collaboration. Topics raised through Board including Carbon Offsetting – on the forward plan to explore. 	<ul style="list-style-type: none"> Shared information on 'Carbon Literacy' training or equivalent development (including free of charge opportunities) with partner members to increase 'Carbon Literacy' within the partnership (May 2023). Exploring sustainable uses for underutilised land (such as Solar PV farms/ re-wilding).

Health and Social Care



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Enhancing Integrated Care System strategic initiatives	Facilitating solutions to health space requirements
<ul style="list-style-type: none"> • Commissioned research into Health and Wellbeing Hub best practice/ models (ODF funded, 2023). • Pilot project on integrated health hub operating model (ODF funded, 2024). • Informed development of Sussex Integrated Care System (ICS) Estates & Infrastructure Strategy development and connected key stakeholders (late 2023/ early 2024). • Provided ODF grant contribution to Strategy development. • Produced successful OPE Phase 10 bid for a GP and Community Centre project (Jan 2024). 	<ul style="list-style-type: none"> • Support Covid-19 health recovery including search for spaces for vaccination and testing sites, and 'catch up' programmes. • Engaged with Health colleagues (formally and informally) to identify primary care space requirements. • Incorporated NHS Property Services 'Open Spaces' process and vacant spaces procedure to SPACES processes.

Regeneration, Economic Recovery & Housing



Regeneration and economic recovery

- Engaged with Skills East Sussex to identify opportunities of how project delivery can support employability and skills in the county (Jan 2023 Board).
- Engaged with Apprenticeship Team (Jan 2024 Board) to enhance understanding and take-up of Levy.
- Engaged with Business East Sussex enabled mutual awareness of BES/SPACES partnership structures, priorities and activities (Board attendance Feb 2023).
- Engaged with Locate East Sussex regarding space requirements (and July 2022 Board).
- Reviewing partner methods of disposal and acquisition to ensure best value for local need (2024).

Housing

- Produced Brownfield Land Release Fund (BLRF) bids for 21 projects. Successfully awarded £1,761,000 to deliver 147 housing units to date (another £2.83m pending outcome, to deliver 142 homes).
- Programme management of BLRF projects.
- Commissioned and managed consultants to develop pipeline of BLRF bids (ODF funded, 2022/23).
- Engaged with East Sussex Housing Partnership (ESHP).
- Commissioned and managing consultants to review assets and identify opportunities to release land for housing. Pilot to be based on ESHP priority needs (2024).

Communications and Resources



Resources	Communication
<p>Page 77</p> <ul style="list-style-type: none"> • Production and regular updates to Funding Opportunities spreadsheets to highlight funding streams available to partners linked to SPACES Themes areas. • Produced of bids/proposals for One Public Estate (OPE) funding streams, including OPE revenue, ODF revenue and BLRF Capital. • Collated and shared information on apprenticeship frameworks relating to property sector roles (Jan 2024). • Collating information on relevant procurement frameworks that support synergies (i.e., use of SMEs and sustainable methodologies). 	<ul style="list-style-type: none"> • Developing the SPACES Shared Information Platform (SIP) to improve accessibility of relevant information and communication between partners. • Producing comms relating to the Programme (benefits dashboard) and individual projects (case studies) to learn lessons and celebrate achievements.

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Report to: Place Scrutiny Committee

Date of meeting: 12 March 2024

By: Chief Operating Officer

Title: Community Assets – Update

Purpose: To provide an update on how East Sussex County Council's assets have been used for community asset transfer by community and voluntary groups.

RECOMMENDATIONS

Place Scrutiny is recommended to:

- 1) note the update report and;
- 2) agree suggestions outlined in paragraph 2.18 of the report to provide greater awareness of community asset opportunities.

1 Background

- 1.1 East Sussex County Council's (the Council) Asset Management Plan (AMP) 2020-2025 provides the strategic framework in relation to how the organisation manages its assets. The AMP links to the wider Council Plan (2023/24) which sets out the ambitions and what is planned to be achieved by 2026 with four overarching outcomes including *making best use of resources now and in the future*.
- 1.2 The Council's asset portfolio comprises operational assets including maintained schools, its office estate and non-operational estate. The operational assets are used for delivery of the County Council's services or joint delivery with its public sector partners or it's outsourced contractors. All local authorities, including East Sussex County Council undertake regular business and service transformation and therefore the asset footprint for various operational services has altered over the last 10 years. In addition, in 2018, the Council reviewed all its services in consultation with residents on its "core offer". The outcome of the Council's core offer and also specific business and service transformation resulted in a reduced requirement for assets/land in respect of the delivery of operational service needs.
- 1.3 Once an asset is not used directly for Council service delivery it is declared surplus for a particular service then it is offered to other directorates if they have a service need. Over the last 10 years, assets have become surplus to service need after confirmation that no wider operational use is needed from all directorates.
- 1.4 The Council has sought to maximise its capital receipts, reduce its ongoing revenue from its leasehold estate (as a tenant). However, this is balanced with opportunities for community and voluntary groups to utilise the wider set of local authority assets when they become surplus.
- 1.5 The Council agreed it's Community Asset Transfer policy in 2016 and this is attached as Appendix 1. This was prepared before the Council's 2018 Core Plan review and the new 2020-2025 Asset Management Plan.

2 Supporting information

Community Asset Policy 2016

- 2.1 The Community Asset Transfer Policy 2016 sets out that the process of asset transfer could be initiated in two ways:

a) Option 1 – The Council identifies an asset which has been formally declared surplus following service transformation.

b) Option 2 - A request from the voluntary and community sector to lease or acquire an asset if it becomes surplus to operational requirements.

- 2.2 In the case of option 1, following a review of the Council's assets and relevant engagement and approval on which community assets are suitable for transfer, the asset will be advertised and the local voluntary and community sector will be made aware. For option 2, the Council will assess the initial request to determine whether the asset is suitable for potential asset transfer.
- 2.3 For option 1, interested parties are directed towards completing an initial Expression of Interest providing details about the organisation, identifying the building proposed to be transferred, identifying the organisation's plans for the building and identifying any local support for the proposal (amongst local members and the local community). The Council set out the terms of occupation it proposes including a short term lease. When there are a number of interested parties in an asset that has been made available for transfer, the Council will aim to encourage collaboration. However, when this is not possible a competitive process is used to decide the outcome and the successful organisation will become the Council's preferred partner in the transfer process. The grant of short leases allows community groups to build capacity and skills to provide viable and sustainable models. A number of short term leases granted in 2019 have been renewed on a like for like basis.
- 2.4 For option 2, the Council seeks to market a surplus asset for either a short lease or freehold transfer, through a property consultant. The Council seeks offers from all potential bidders and this includes community and voluntary groups. The Council will review offers and consider the overall Council objectives and s123 Local Government Act 1972 provisions (see below). For any property transactions, with leases over 7 years or a disposal of a freehold below market value, a Lead Member decision is required.
- 2.5 Since 2019, under option 1, there have been nine cases, where assets have been let on short term leases to community, voluntary or non-profit organisations.
- 2.6 Since 2019, under option 2, there have been two successful community asset transfers. This includes Isabel Blackman Centre (freehold transfer) and 12 Claremont (long lease).
- 2.7 There have been other property transactions, where existing lettings to external not-for-profit organisations have sought longer leases than 5-7 years to enable access to external funding to refurbish or improve energy efficiency at the property. These transactions sit outside options 1 and 2 but reflect the Council's support for community and voluntary groups who already have a lease granted for a number of years. If longer leases are being proposed, over 7 years with heads of terms that reflect lower rent or modified lease terms, these have been subject to Lead Member approval, including Braybrook Arches (Hastings) and Tilling Green Centre (Rye). The Council is currently negotiating a longer lease at West Hill Community Centre to allow the Trust to refurbish the existing building and this will require Lead Member approval in late Spring 2024.

Statutory considerations

- 2.8 When considering potential community lettings or disposals, it is important to have regard to S123 Local Government Act 1972. This Act enables the Council to dispose of land in its assets in any manner it sees fit. However, this power is limited such that the Council must obtain best consideration except with the consent of the Secretary of State. It has generally been held that open market value of the land in question is relevant when determining whether best consideration has been achieved. The definition of a disposal of land/building includes a freehold transfer or the grant of a lease over 7 years.

- 2.9 However, the Local Government Act 1972 General Disposal Consent Order 2003 removes the requirement for the Council to seek the consent of the Secretary of State where it wishes to dispose of land below best consideration in specified circumstances Where it can likely contribute to:
- (i) wider promotion or improvement for economic well-being,
 - (ii) social well-being or,
 - (iii) environmental well-being.
- 2.10 Any reduction in value cannot exceed £2 million, otherwise formal Secretary of State consent is required. The Council needs to undertake due diligence to ensure a future owner or lessee has a robust business plan, governance and financial support in managing an asset and community focused service.
- 2.11 The undervalue is the difference between the unrestricted value of the asset land being disposed of and the restricted value (the restricted value to include the monetary value of any voluntary conditions).
- 2.12 The General Disposal Consent gives local authorities autonomy to carry out their statutory duties and functions, and to fulfil such other objectives as they consider to be necessary or desirable. However, when disposing of land at an undervalue, authorities must remain aware of the need to fulfil their fiduciary duty in a way which is accountable to local people.

Asset of Community Value

- 2.13 Local authorities are obliged to maintain a list of assets of community value in their area. In East Sussex, the five district and borough councils maintain the lists for their respective areas. An asset of community value ('ACV') is land that has been nominated by a community group or parish council and which the local authority considers has community value on the basis that the primary current or recent use of the land furthers the social well-being or social interests of the local community. This covers both private sector assets and public assets. There is a strict process for each respective district or borough to test if a community organisation, parish council or other group nominate an asset and whether it meets the criteria.
- 2.14 A number of Council owned assets have been listed by East Sussex boroughs and districts as Assets of Community Value (ACV). The Localism Act 2011 does not place any restriction on what the owner of an ACV can do with the property after it has been listed. However, under s.95 of the Localism Act 2011, a person who is an owner of land included in the local authority's list of ACVs must comply with a number of conditions before entering into a relevant disposal of the land. In relation to any landowner (including the County Council) it cannot enter into a relevant disposal of the property unless the following two conditions are met:
- (i) It has notified the appropriate district/borough in writing of its wish to enter into a relevant disposal of the property.
 - (ii) A full moratorium period of six (6) months beginning with the date on which the appropriate district/borough has received notification of the intended disposal has ended.
- 2.15 As an example, the former Household and Refuse Waste Recycling Centre, Forest Row was listed within Wealden District Council (WDC) as an Asset of Community Value. The County Council wished to dispose of the asset, so it triggered the process letting Forest Row Parish Council and WDC know. The site was marketed, and offers were made by the private sector and Forest Row Parish Council. A Lead Member decision was made after consideration of financial, social value and economic benefits for the disposal to a private sector organisation.

Community Hubs Vision

- 2.16 In September 2022, Cabinet agreed a strategy working with Partnership Plus and Voluntary, Community and Social Enterprise (VCSE) focusing on five core community hubs across five districts/boroughs and working with all partners. East Sussex County Council, District and Borough Councils, VCSE organisations and the NHS Sussex have worked together with an action plan. The action plan promotes wider community group usage of existing community hubs and promotes virtual service delivery. This has allowed some community groups to deliver support in existing community hubs without the requirement for their own accommodation.

Strategic Property Asset Collaboration in East Sussex (SPACES)

- 2.17 A separate report on SPACES is included within the 12 March Place Scrutiny Committee agenda. The SPACES programme team have established a strong partnership relationship with VCSE representatives who are responsible for raising awareness of VCSE needs with SPACES partners. The SPACES programme team have successfully facilitated finding solutions for a number of community and voluntary groups needs (including interim uses) with under-utilised assets across the agencies through the partnership 'space needs and available' process. SPACES has also previously facilitated a CAT.

Reflections on community asset transfers and suggested way forward

- 2.18 There has been engagement with a number of stakeholders, including Members on the County Council's future approach to community asset transfers. There has been engagement with Voluntary, Community and Social Enterprise (VCSE) lead from SPACES, as well as Members and community groups who have benefitted from community asset transfer. The feedback was that the Community Asset Policy 2016 needs to be streamlined. Some revised guidance will be proposed for the Council's website by late Spring 2024, subject to this committee's suggestions. The key elements will be:
- a) The Council's website will have a schedule of assets planned for disposal where the Council's objective is to secure a capital receipt. This doesn't preclude community groups or voluntary groups bidding.
 - b) The Council's website will have a schedule of assets that are surplus that are offered for community or voluntary groups under a short lease agreement.
 - c) The Council seeks to dispose of an asset if listed as an Asset of Community Value by one of the five districts or boroughs.
 - d) A detailed checklist will be added to the website to allow community groups or the voluntary sector to collate information so if assets become surplus they are aware.
 - e) Links to the five district and borough Asset of Community Value lists will be added.
 - f) The local Ward Member will be notified of any approach by a community group or voluntary group for a community asset transfer request.
 - g) SPACES will continue to work with partners to process any VCSE emerging community or voluntary group accommodation needs. The requirements can be put forward directly by the individual voluntary or community organisation, the VCSE Alliance representatives, District or Borough Council or other partner on their behalf.
 - h) A dedicated contact within Property so queries can be raised by community and voluntary groups.

3 Conclusion and reasons for recommendations

- 3.1 The Community Asset Policy has delivered outcomes for community and voluntary groups to provide community services since 2016. Whilst the Core offer in 2018 did present opportunities for community asset transfer with short leases being granted following children centre, libraries and other service transformation, there are fewer assets now available at present that fall under option 1 or 2 above.

3.2 The Place Scrutiny Committee is recommended to:

3.2.1 note the update report and;

3.2.2 agree suggestions outlined in paragraph 2.18 of the report to provide greater awareness of community asset opportunities.

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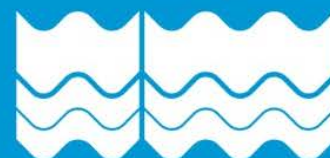
Chief Operating Officer

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Community Asset Transfer Policy

March 2016

G

Property Policies Pack 2016 update

Amendments history sheet

Issue Number	Changes Made	Issue Date
1	Created	March 2013
2	Amended	June 2013
3	Amended	July 2014
4	Amended	March 2016

Policy name: Asset Transfer Policy

Policy Reference in the Pack: G

Date created: March 2013

Sent for Review: 26/2/16

Deadline for update:

Name of Responsible Property Manager: Graham Glenn

Have any changes been made? Yes

If Yes:

Name of Officer reviewing	Paragraph name or Page number	Nature of changes made
Chris Reed	Various	Various updates & corrections

Contents

- 1 Introduction
- 2 Background
- 3 Our Principles
- 4 Our approach to Community Asset Transfers
- 5 Conclusion

Appendices

Appendix G17	The Process for Asset Transfers
Appendix G18	Key considerations when assessing a transfer proposal
Appendix G19	Risk Assessment
Appendix G20	Community Assets – Grants available

1 Introduction

The Council wants to support the development of the transfer of assets to third sector as part of the Government's agenda to encourage devolution to local people and communities.

The transfer of occupation of Council owned premises to the voluntary and community sector is not new to ESCC. Currently several properties are used/occupied by a variety of organisations ranging from voluntary support groups to sporting and youth organisations.

The purpose of this policy is to build upon current experience and best practice and provide a clear policy framework for responding to requests or identifying opportunities for asset transfer to the community. This includes how the Council considers the risks and benefits of asset transfer as part of its overall corporate asset management planning process.

Due to the diverse nature of the Council's property holdings which includes land, buildings, structures, and monuments it is clear that one policy will not fit all circumstances. However a number of common themes will need to be considered: for example the nature and capacity of the applicant, adoption of robust option appraisals including financial implications to the authority, contribution to corporate objectives, assessment of risks and sustainable business cases before contemplating the transfer of any asset.

The Council will consider the community and voluntary sector using its assets for short term use or to cultivate organisations that can be self sustaining. Whilst these are not transfers as such, the principles of this policy will be observed in such arrangements as demonstrated in this policy

This policy has been shared with the Third Sector and developed with support from Localities and the Department of Communities & Local Government.

2 Background

Scope of the Policy

The policy applies to all land and buildings in the ownership of ESCC. Any potential transfers will be considered on a case-by-case basis against the criteria outlined in this policy. The Council will not consider applications for transfer in respect of:

- Buildings which accommodate fixed or core service - eg schools, social care establishments, integrated service centres
- Assets deemed not to hold a community value and so disposal on the open market is in the best interest of the tax payer.

The Council will consider asset transfer solutions through proactively working with the voluntary and community sector, or consider applications in respect of:

- Buildings currently delivering community-based services, where there is a demonstrable need for the building and associated services to continue. For these buildings there may be mutual benefit to explore a transfer. The Council would, however, place a condition that the organisation taking ownership of the building does so for community use and continue to provide access to the community and voluntary groups currently using the premises.
- Buildings which have been identified by the Council as potentially surplus or where there is no clear rationale for retention due to; a) the cost to maintain, b) the condition of the building, c) low levels of participation or utilisation, or d) the potential to use nearby facilities to provide services.

Whilst the Council does not rule out transfer of the freehold, this will be carefully considered as it increases the level of risk to both the Council and the third sector organisation. Freehold transfer could reduce the Council's control in the long term over the benefits achieved through its assets. Transfer of freehold would also require a more complex assessment and justification process. Any asset permanently transferred to a third sector organisation would also need to be removed from the Council's balance sheet thus reducing the Council's financial strength.

"Transfer" is primarily considered to relate to leasehold arrangements at less than best consideration or potentially freehold with relevant covenants. The terms of transfer will typically be as a long lease of between 25 and 99 years, and shall be assessed on a case by case basis.

The Council can grant an initial 3-5 year lease with a view to eventual transfer to allow the voluntary and community sector organisation to, for example, explore options for the management and refurbishment of the building. The same process will be followed but it will be a one stage process based on the principles above.

Groups may be local, regional or national organisations but their work programme must have clear benefits to the residents of East Sussex. Groups must be able

to demonstrate good governance with an appropriate legal structure. Transfer to social enterprises will be considered but will be subject to additional commercial analysis.

Purpose of the strategy

The transfer of assets can have a significant impact:

- It can contribute towards the regeneration of communities and can act as a catalyst for social, environmental and economic regeneration
- Changing ownership or management offers opportunities to extend the use of a building or the piece of land, increasing its value in relation to the number of people benefiting and the range of opportunities it offers
- It can stimulate the involvement of local people in shaping and regenerating their communities, and can be a catalyst for local volunteering and increasing community cohesion; can build confidence and capacity amongst the individuals involved, and can support the creation of community leaders, and inspire others to improve their community
- It has potential to create stronger, more sustainable voluntary and community sector organisations (VCOs), which can create a wide range of benefits for the communities they serve. An asset can provide VCOs with financial security, recognition, and management capacity
- It can result in the creation of new organisations, joint ventures or collaborations with the ability to lever in additional resources, which would be unavailable to the Council acting independently
- The activities that are stimulated or safeguarded by community asset transfer will contribute to council objectives. Working in partnership with VCOs can help the Council to achieve its outcomes set out in key place shaping strategies
- It can contribute towards efficiency savings (e.g. achieving revenue savings by releasing surplus property), and drive the diversification of public services in an era of austerity spending settlements for local government
- It can contribute to the Council's objective of rationalising its estate and facilitate more effective and efficient use of its asset base placing the focus on better services and community outcomes as a result of its strategic asset management
- It can act as a stimulus for partnership working between the voluntary and community sectors, the Council and other partners so improving the provision and accountability of services within communities.

To maximise the benefits the Council must have a clear and transparent approach to how it will address asset transfers to the community.

National policy context

The development of this policy has regard to:

- Localism Act (Part 5 Community Empowerment) 2011
- Public Services (Social Value) Act 2012
- Local Government Deficit Reduction

Local policy context and links to other strategies

The operation of this policy will need to have regard to the desired outcomes in other Council strategies including:

- Sustainable Community Plan
- Corporate Plan
- Local Development Framework
- Empowerment and Engagement Framework
- Property Asset Management Plan
- The Compact
- Capital Strategy

The Council will also have regard to specific local issues.

There may be conflicting needs and the Council will in such cases have regard to priorities and core responsibilities.

Ultimately Cabinet will take the final decisions on any transfers to the community.

3 Our Principles

The Council's Property Asset Management Plan 2012/13 identified the following four key principles that will underpin the management of our property assets in the ownership of East Sussex County Council. By adopting these principles we will strive to rationalise the estate, reduce backlog maintenance and provide "fit for purpose" buildings which are efficiently used and support service delivery. Therefore the adoption of this policy will support these principles as follows;

Principle 1 – Improve or replace

Investment to ensure retained properties are fit for purpose, efficient and sustainable.

Out of scope

Principle 2 - Release

To identify poorly performing assets to rationalise the corporate Estate

Those properties that are assessed as no longer being fit for ESCC's service delivery purposes can be released by transferring into the ownership of a community association. The council will expect specific criteria to be met most notably that the association's purpose supports our core priorities.

Principle 3 – Reduce our Carbon Footprint

To identify and implement changes to reduce our carbon footprint

Out of scope

Principle 4 – Work in partnership

And empower our communities

The authority aims to provide services across the county, alongside and in collaboration with, other organisations, enabling local people to access a range of services from one place. This is an important issue in the provision of services for children and young people, and those using adult care services, where the ability to access a range of support facilities in one location is beneficial.

The Council is a member of the Strategic Property Asset Collaboration in East Sussex group (SPACES) which brings together public, private, voluntary and community sector organisations in the county. One of the core priorities of the Council is to also create sustainable communities.

For more information see

<http://www.eastsussex.gov.uk/community/helping/partnerships/default.htm>

Challenges

- To identify opportunities for greater efficiencies in service delivery and building use in key towns across East Sussex.
- To reconcile organisational timescales and strategies with partners, alongside agreeing partnership principles.
- To build greater resilience and self-sustaining capacity to support delivery of joint objectives with the voluntary and community sector.
- To balance the benefits of asset transfers and community empowerment with the need to generate resources to fund the Capital programme.

Pledges

- To build and strengthen existing partnerships between the public, voluntary and community sector throughout East Sussex
- To support the delivery of the SPACES priorities
- To work with partners to further develop area based asset plans
- To work strategically with our partners to ensure that we learn from our common experience and share best practice

Strengthening our Principles

Our principles will be further enforced by these pledges relating to the Community Asset Transfer policy:

- We will work with the voluntary and community sector to achieve an appropriate asset transfers that can enhance community engagement and empowerment and encourage development and sustainability in the sector
- We will take a strategic approach to community asset transfers and identify those assets that could be transferred through regular reviews of the Council's asset base and undertake option appraisals
- We will have in place a transparent process for responding to requests for individual asset transfers
- We will seek to implement the policy proactively to encourage appropriate groups to consider transfer
- We will seek the engagement and empowerment of the local communities as a key component for the asset transfer

- We will require clear and demonstrable benefits for the community as part of the asset transfer process showing how the community will benefit, how current services will be supported and enhanced and how a clear contribution to the priorities within the Sustainable Community Strategy and/or the Council Plan can be demonstrated
- We will recognise and develop the Council's dual but independent roles as a supporter of the third sector, but also as a steward of publicly owned assets
- We will assess the benefits of the transfer in association with our corporate priorities in comparison with a market disposal -
- We will seek to extend our approach to community asset transfer and positively promote it to other public bodies and service providers
- We will take a community wide perspective when involving other public partners through our SPACES programme
- We will have a clear process and timescale for dealing with asset transfers.
- We recognise the advantage of long and flexible terms of tenure (with appropriate and proportionate safeguards) to enable the voluntary and community sector to adapt and change over time, in response to community needs, and to achieve long term sustainability

Points to note:

- There must be a clear proposal, business case and rationale for transfer, which may be required to include opportunities for new and innovative ways of supporting the Council provide services to the community
- The decision to transfer an asset will not be considered as setting of a precedent. Each asset transfer will be considered on its own merits and the detail of the transfer arrangements will be arrived at through individual negotiation.
- All Council departments will endorse and help to deliver this agenda
- The Council will negotiate two sets of documentation in respect of any transfer, those being a **Lease** and a **Partnership Agreement**. The aim will be to empower the VCS organisation, in an appropriate timescale, to take on the full legal responsibilities of an asset transfer.
- **The lease** will therefore be "aspirational" and commercial in nature in that it will set out the eventual position on shared responsibilities.
- **The Partnership Agreement**, however, will clearly set out the support (financial or otherwise) being provided to the organisation to enable it to meet its responsibilities. These may change over time in recognition of growing capacity within the organisation to take on more responsibility for the asset. The Partnership Agreement will also detail any monitoring regime, together with remedies available to both parties if the terms of the partnership agreement are not met.

4 Our Approach to Community Asset Transfer

Council's Related Policy

The implications of this policy will be reflected in the other policies, specifically the Disposals and Leases & Licences policy. Any implications arising from this policy will inform decisions on future disposals which are deemed suitable for a community transfer. An option appraisal will consider the suitability of transferring an asset to the community on a variety of criteria. For example the amount of capital investment for continued operational use by another service, income from rental, disposal to support the capital investment programme, transfer of asset to the third sector, opportunity for collaborative working. Appraisals will also need to address economic, regeneration, and sustainability issues.

The priority will always be to obtain the best outcome to help deliver Council objectives and this will require balancing the best price reasonably obtainable to support the Capital Programme against the benefits being offered through alternative use including asset transfer. All Council property disposals will be in accordance with the Localism Act 2011 and will consider if the surplus property has been registered as an "asset of community value" and if it has the Council will ensure that there is opportunity for a Community to Right to Bid.

The Council does have the opportunity, under the General Disposals Consent 2003, to dispose of land or buildings at less than market value provided the disposal is likely to contribute to the economic, social or environmental well-being of the area, and the difference between the market value and the actual price paid is less than £2million. Any disposal for less than market value would need to be transparent, justifiable and have the appropriate Cabinet/Lead Member approval. In some cases the consent of the Secretary of State is required.

Aims of Community Asset Transfer

The Council's Property Portfolio includes land, buildings and other structures held to support direct service delivery, support delivery by partners including the voluntary and community sector, stimulate economic activity and regeneration. Through the ownership of assets it achieves a variety of different economic, regeneration, social, community and public functions. For some of these assets community management and ownership could deliver a variety of further benefits.

For the Council and other public sector service providers, the potential benefits from asset transfers include:

- Promotion of community empowerment
- Area wide benefits for the citizens of East Sussex
- A sustainable third sector
- Improvements to local services including more accessible and responsive services
- Delivery of corporate objectives
- Providing a catalyst for inward investment and local multipliers through local purchasing and employment
- Transfer can help to solve building management problems and can lower ongoing costs
- Helping to progress neighbourhood planning priorities
- Providing opportunities for long-term working between sectors
- Creating the opportunity for investment in the asset that may not be possible within Council ownership.

The potential benefits of asset transfer for **VCS organisations** include:

- physical assets can provide sustainable wealth
- strengthening the organisation's confidence
- strengthening the organisation's community ties
- strengthening the organisation's ability to raise money. There may be access to funding to refurbish the building or to support staff training and development
- greater financial sustainability to help the organisation to escape short term grant-dependency
- an ability to develop the asset to meet the organisation's needs and aspirations

Public assets are rarely used by everyone: their 'value' being locked in to a particular use or a particular group of people. Changing ownership or management offers opportunities to expand the use of a building or piece of land, increasing its value in relation to the numbers of people that benefit and the range of opportunities it offers. Community-led ownership offers additional opportunities to secure resources within a local area and to empower local citizens and communities.

How asset transfers can take place

The process of asset transfer may be initiated in two ways:

- By the Council identifying an asset as appropriate to consider for transfer either to sustain the current building and service delivery where a building has been deemed surplus; or
- A request from the voluntary and community sector

In the case of the former, following a review of the Council's assets and relevant engagement and approval on which community assets are suitable for transfer, these will be advertised and the local voluntary and community sector will be made aware.

In the case of the latter, the Council will assess the initial request to determine whether the asset is suitable for transfer. Speculative transfer requests will be subject to an initial assessment of the suitability of the asset for transfer. Should the asset be deemed suitable it will be advertised as being so to ensure an open and transparent process. Interested parties will be directed towards completing an initial Expression of Interest providing details about the organisation, identifying the building proposed to be transferred, identifying the organisation's plans for the building and identifying any local support for the proposal (amongst local members and the local community).

When there are a number of interested parties in an asset that has been made available for transfer, the Council will aim to encourage collaboration. However, when this is not possible a competitive process will be used to decide the outcome and the successful organisation will become the Council's preferred partner in the transfer process.

Where there are current lease arrangements in place, the transfer process will need to consider the terms of this lease and this may limit the opportunity to advertise on particular buildings.

Members' involvement

We will consult and keep our Members informed of any matters that may impact on community interests in their local area. It is recognised that Members, because of the local knowledge of the district that they represent, will be able to contribute to those discussions to ensure that our community strategy reflects the needs of the communities to whom we provide services. Therefore engagement will be sought and encouraged at an early stage of the process.

Potential funding sources for community groups

Grants are available towards the purchase/refurbishment of community assets depending on the location, status of the organisation applying and the use of the asset, some of which are listed in Appendix G20. For more information, please contact our external funding team: external.funding@eastsussex.gov.uk or phone 01273 482859.

Conclusion

This Policy sets out how the Council approaches asset transfer. It will be reviewed regularly and at least once a year

Appendix G17

The Process for Asset Transfer

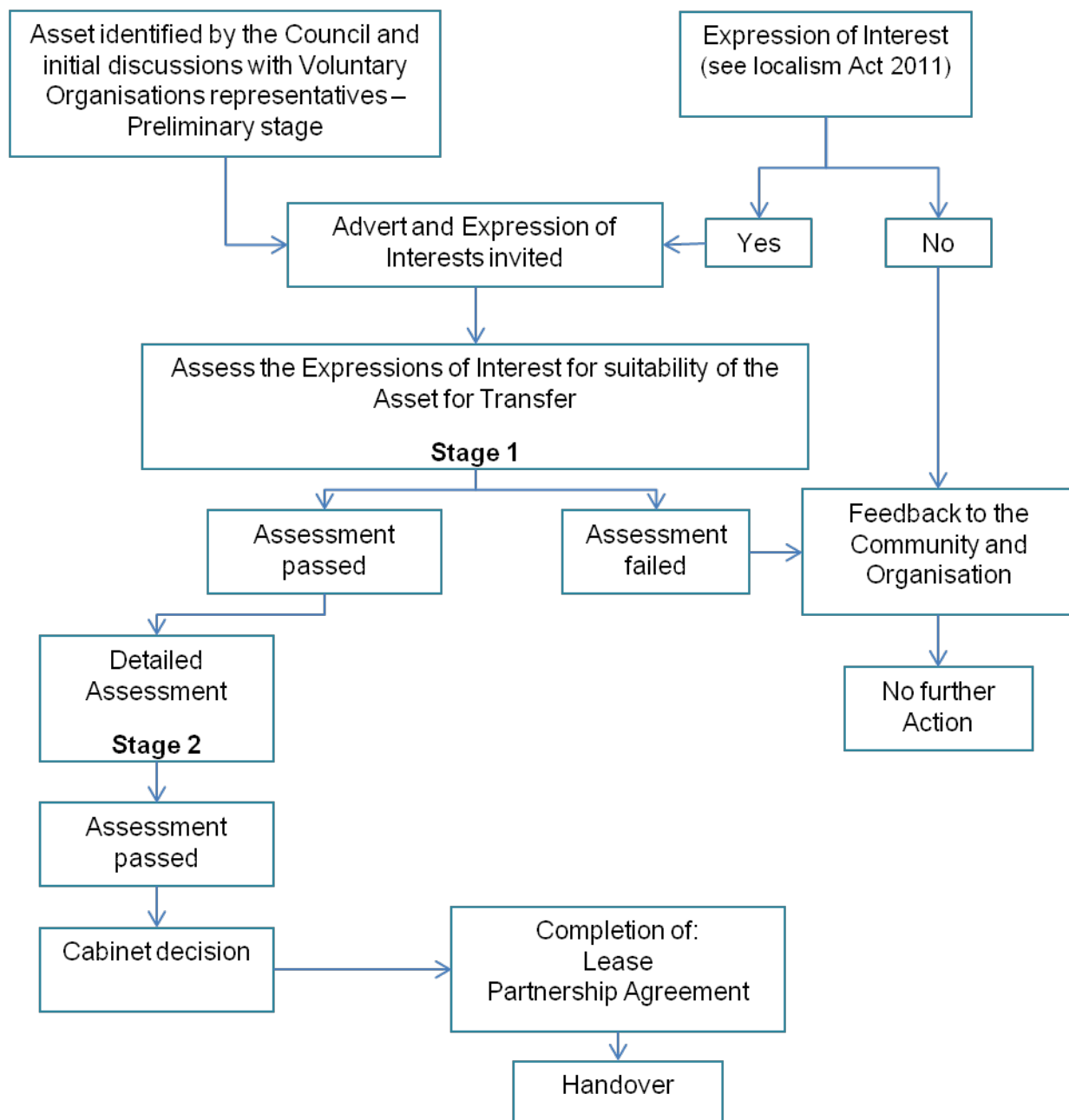
The asset transfer decision is essentially a choice between:

- do nothing;
- realise a capital receipt as a result of a 'commercial' disposal;
- realise benefits that could be generated by the transfer of the asset to a VCS organisation and local communities more widely.

In identifying assets proactively and in assessing proposals for asset transfer, the Council will attempt to measure the relative benefits and risks of these three options in order to justify its decision and the level of discount proposed. It will also relate these benefits to Council priorities such as objectives of Vision 2030 and the Corporate Plan.

The Council will operate a two-stage process for asset transfer. Where a decision is made not to transfer – either at stage 1 or stage 2 – the Council will provide feedback to the third sector organisation. As part of the feedback, the Council may put forward alternative proposals for working with the organisation to help build capacity or to find an alternative property solution.

The process can broadly be described as:



NB Short Term Lease of 3 to 5 years will follow single stage process based on stage 2.

Criteria to be adopted for considering requests for Community Asset Transfer

Preliminary Stage

Where the preliminary approach is being undertaken by the Council, this will be based on:

- Any known needs in the area with input and engagement from appropriate representatives of the voluntary and community sector
- Current status of the asset e.g. surplus
- Value of a commercial decision
- Asset is not currently needed or identified for future investment value or use for direct service delivery which could be best provided directly by the authority rather than through the community
- Transfer will deliver the strategic priorities of the Council
- The asset is fit for purpose and would not impose an unreasonable liability to a third sector organisation or the Council
- Transfer or management of an asset would not be contrary to any obligation placed on the Council
- The asset is in the freehold/leasehold ownership of the Council

Requesting Expression of Interest

This will be issued by advertisement. Where an organisation approaches the Council with an Expression of Interest, the Council will consider whether this should be advertised more widely or whether the Expression of Interest will proceed to stage 1 and can hence be evaluated.

Stage 1 - Suitability Assessment: key criteria

The outline assessment will take place for:

- a) those opportunities proactively identified by the Council and advertised
- b) those expressions of interest made by

The suitability decision will be made on the suitability of the asset for transfer and the standing of the third sector organisation based on their expression of interest.

The suitability of the asset for transfer would consider:

- Current status of the asset
- Any future intentions
- Value of a commercial decision, financially and non-financially, eg creation of housing
- Risks of status quo or commercial decision

In assessing the organisation, the Council will consider its constitution, how long it has been operating, its aims and objectives and its management and staffing:

- What does the organisation want the asset for?
- Does the organisation have a business case supporting their bid? How well developed are the proposals?
- Does the organisation have the capacity to take on the asset?
- What benefits might arise from the proposed transfer?
- What are the risks of the proposed asset transfer?
- How does the proposal contribute to corporate priorities?

Responsibility - this will be undertaken by the Community Asset Group along with other representation from relevant and appropriate service departments.

Stage 2 - Detailed Assessment: key criteria

The second stage decision will be made based on a detailed business case submitted by the third sector organisation and a detailed assessment of the potential benefits and risks made by the Council.

The stage 2 assessment covers 5 main areas, the details of which are set out in Appendix G18.

Consideration by the Council

In view of the diverse nature of assets within the Council's ownership, there is no sole disposal methodology that suits all circumstances. However the Council's asset transfer policy is that asset transfers will be by means of leases or licenses. The nature of the tenure offered will be determined on a case by case basis having regard to the particular circumstances of the project, strength of the applicant and sustainability of the business case etc.

As the management of assets and the support to communities falls across a range of Council departments and services it is considered that the asset transfer process be initially managed by the Community Asset Group cross service internal officer group.

The decision whether to charge an open market consideration for the benefit of an interest in an asset will be determined on a case by case basis. Factors influencing such a decision will include proposed uses, extent of revenue producing opportunities, benefits to the community. In all cases involving transfer of ownership /occupation appropriate legal mechanisms will be put in place to protect the Council's financial position. Any proposed asset transfer at less than best consideration will be subject to formal valuation in accordance with the Royal Institution of Chartered Surveyors Valuation Standards.

The Council's intention will be to transfer responsibility of all repairs and maintenance unless there is a compelling case that responsibilities remain with The Council. The provision of a dowry may be considered.

Legal Issues

Asset transfers will generally be by means of a long term lease: the terms of which will be agreed at the time of each individual transfer. Freehold transfer will only be considered in exceptional circumstances.

The organisation taking ownership will be responsible for

- Upkeep, repair and maintenance of the building
- All running costs
- Health and safety requirements, including compliance with any statutory obligations

In all cases involving transfer of ownership/occupation an appropriate legal mechanism will be put in place to protect the financial position of the Council; such as restrictions on use, break clauses, etc. For example, in the case of a long term lease we will write into such leases an appropriate clause (forfeiture or break clause) under which the asset would revert back to the Council, such as:

- In the case of bankruptcy/insolvency
- In the case of corruption
- In the case of none payment of rent (if applicable)
- In the case of none performance of other terms such as serious repairs and maintenance (if applicable)
- The Council requires vacant possession of the asset as it forms part of a regeneration scheme
- If the transfer agreement is breached
- If the organisation wishes to develop and move into bigger premises.

In the case of all asset transfers, the property may not be sold or transferred to another organisation without written permission from the Council. The decision of the Council would be primarily based on ensuring that the benefits of the transfer as set out in the Partnership Agreement (see below) would be maintained or improved by the proposed sale or transfer.

Other issues may arise with regard to:

- Domestic law applicable to disposals at an undervalue
- EU law applicable to procurement issues, treaty obligations and state aid
- Domestic law relating to judicial review
- Domestic law applicable to employment contracts

All the above will need to be considered on a case by case basis and a guidance note is to be prepared by legal services.

Timescales

The Council will endeavour to process applications promptly and will set a timeframe and milestones for each transfer.

Risk Assessment

It is important that both the Council and the receiving organisation are sufficiently equipped to understand, assess and manage the risks that are inherent in the process of asset transfer and its policy. In managing this policy the Council will manage the associated risks as set out in Appendix G19.

Statutory powers of acquisition

The Council has the ability to utilise Compulsory Purchase Orders (CPO) to acquire land within the County for specified purposes.

Crichel Down Rules

In particular the General Rule of these guidelines states that “where a department wishes to dispose of land to which the Rules apply, former owners will, as a general rule, be given the first opportunity to repurchase the land previously in their ownership, provided that its character has not materially changed since acquisition.”

Local Authorities are not under a statutory obligation to comply with the Crichel Down rules. Therefore any compliance with these rules will be at the discretion of the Chief Property Officer in consultation with the Lead Member for Resources.

Appendix G18

Key considerations when assessing assets for transfer

The following key items should be considered when assessing the suitability of transferring an asset to the community:

- There is a legal interest owned by the Council from which the transferee can demonstrate community benefit.
- The asset is in the freehold/leasehold ownership of the Council.
- An options appraisal has been carried out to identify that the asset is suitable for community transfer as the sole or one of the viable options. This process will be adopted in response to requests or properties identified through internal reviews. This will cover:
- The asset is not currently needed or identified for future investment value or use for direct service delivery, which could best be provided directly by the authority rather than through the community.
- The transfer will deliver the strategic priorities of the Council.
- The asset is fit for purpose and would not impose an unreasonable liability to the Third Sector organisation or the Council
- Transfer or management of an asset would not be contrary to any obligation

placed on the Council

- Details of current use, occupation and circumstances
- Details of the condition of the asset
- Suitability of the asset for existing use
- Whether any other organisations will be affected by the ownership of the asset?

Organisation Assessment

- Community-led, ie its governance arrangements must ensure that it has strong links with the local community and that members of the community are able to influence its operation and decision-making processes;
- Have stated community benefit objectives
- Be a voluntary and community sector organisation which is a legal entity
- Be appropriately constituted and not for profit (eg a registered charity, community interest company or charitable incorporated organisation, a not for profit company)
- Have a strong financial background and/or a demonstrable financial plan moving forward. The Council will wish to review copies of audited accounts and forward projections where appropriate.
- Exist for community/social/environmental/economic benefit - the Council will want to review annual reports.
- Be non-profit distributing and reinvest any surpluses to further its social aims/community benefits
- Demonstrate strong governance by operating through open and accountable co-operative processes, with strong monitoring evaluation, performance and financial management systems
- Demonstrate it has the skills and capacity within, or available to, its managing body to effectively deliver services and manage the asset;
- Have a management proposal which includes a specific plan on health and safety issues and compliance with legislation and any statutory requirements arising from ownership or management of the building or running a service;
- Have a clear purpose and understanding of the activities it wishes to deliver and demonstrate how the asset transfer will enable and support these activities.
- Embrace diversity and work to improve community cohesion and reduce inequalities
- Abide by the principles and undertakings in the Third Sector Compact
- Demonstrate it is well established and/or track record of delivering services or property management.

Assessment of the Proposal, including finance and business plan

For any transfer, the Council would require a proposal outlining the business case, covering financial viability, proposed utilisation, benefits to the organisation and community and evidence of wider community consultation and support. The decision on transfer will be made by the Council's Cabinet in all cases.

As a minimum the business case will need to clearly identify:

- At least three/five years revenue or capital funding plans and projections of managing and operating the asset
- How it will invest in and maintain the asset including a specific plan as to how all health and safety responsibilities will be met
- The planned outcomes and benefits to result from the asset transfer
- Demonstrate a community governance structure with capability to sustain asset transfer and has the identified necessary capacity building requirements within their organisation
- Any sources of finance asset transfer will release or attract
- Track record of delivering services and or managing property
- Financial sustainability and forward planning
- Risk assessment and mitigation plan
- Evidence of consultation on the proposals
- Details of how the proposed use and benefits of the asset will be monitored and details of 'fall back' arrangements should the transfer prove to be not sustainable
- Whether they would wish to start on the phased transfer of the asset and agreed milestones to justify progression to the next phase.
- Justification for transfer at less than market value either freehold or leasehold the applicant has justified and quantified the benefits to the community and Council to justify the subsidy. The Council will separately need to satisfy that any transfer is within its legal and financial powers
- How proposed use will demonstrably help in the delivery of the Council's community strategy, corporate needs and facilities for the use by the people of ESCC
- How the proposed use will ensure extensive and inclusive reach into the community and will be open to all
- How the proposed use will be maximised
- The applicant has established how much space it requires to deliver its proposals, and how they will make good use of such facilities
- Clear management structure demonstrating how premises will be managed on a day to day basis, and legislation affecting occupation of premises
- Demonstrate that the buildings will continue to support community and voluntary activities within the area and protect the use of the facility by other voluntary organisations
- Outline the future opportunities for enhancing the use of the building as a community facility that transfer would bring

Assessment of potential benefits

- Increasing/maintaining community empowerment
- Demonstrating clear area and neighbourhood agendas
- Promoting a sustainable third sector
- Promoting economic development and social enterprise
- Providing improvements to local services
- Providing value for money
- Create efficiency savings
- Implementing corporate and partnerships priorities

Assessment of risks

- Potential to disadvantage particular individuals or impact negatively on the local community or communities of interest
- Potential for a negative impact on community cohesion
- Potential loss of existing community services
- Capacity of recipient to manage asset
- Potential for the asset to become a financial liability for recipient
- Capacity of recipient to deliver promised services/outcomes
- Capture of asset by unrepresentative/extremist minority
- Transfer contravenes State Aid rules
- Conflict with other legal, regulatory constraints
- Potential for ongoing Council liability
- Lack of value for money
- Conflict with other funders

Appendix G19

Risk Assessment

Risk	Potential Solution
Organisation does not have the capacity /skills to take over and manage the asset	Agree expectations document at the outset incorporating skills audit and management plan, organisational development plan, detailed business plan, ongoing management plan, marketing plan, level of support offered and agreed at the outset
Community organisation cannot raise the cash needed to purchase or refurbish the asset offered	Identify extent of repair cost by detailed survey, prepare detailed business plan, identify and secure funding sources, phased transfer in line with finances available
The ability of the Council to support a particular project is limited by state aid rules or other restrictions or legal constraints which will impact on organisation's operation of the asset impact	Identify up front any issues that need to be addressed and allow time in programme for resolution
Inability of the community organisation to manage the asset effectively	Robust business plan identifying secured revenue streams, agreed organisational development plan, skills audit and training development plan
Asset not used in public interest, taken over by an unrepresentative or unaccountable minority, access to the asset is not inclusive	Adoption of ongoing expectation document, legally binding service level agreement or other legal agreement, council board members. Local Authority to ensure management group reflects diversity of local community interest
Community organisation is not able to invest in the asset to meet its longer term liabilities for upgrading and cyclical maintenance	Robust long term business plan. Agreed organisational development plan. Organisation has demonstrated appropriate financial skills or access thereto. Minimise liabilities through appropriate legal structures.
Reliance of smaller receiving organisations on volunteers through lack of resources or professional/ support staff	Adequate support/advice on organisational structure /management. Use of role descriptors for trustees.
Fragmented ownership of assets across an area could impair strategic objectives of local authority and/or its LSP partners	Council adopting strategic approach to use of its asset base. Use of LSP to engage /encourage joint working

Confusion and lack of awareness over roles, responsibilities and liabilities between landlord and community organisations	Use of expectations document at the outset setting out roles and responsibilities of each party.
Community empowerment objectives of the receiving organisation are vague, weak, or not aligned to those of the Council	Organisation needs to undertake community needs survey to assess the needs /interests of the community; working in partnership with other groups
The Council does not have sufficient capacity either financially or through personnel to support the initiative	Support for the third sector should be part of a broader partnership with the third sector. Role of local authority to be set out in expectations document

Appendix G20

Community Assets – Grants available

A number of grants are available towards the purchase/refurbishment of community assets depending on the location, status of the organisation applying and the use of the asset. Please bear in mind that where a capital element is requested there will be an expectation that the organisation applying for the grant owns the building/land or the freehold for a certain period of time.

Below is a summary of key funders for generic buildings and lands projects. Please note that whilst lottery funding is likely to remain unchanged, other funders will update their criteria every so often.

If funding is required for a particular scheme (i.e. listed building, energy saving features, etc), a search would be carried out and additional funders would be identified. Please contact external.funding@eastsussex.gov.uk or phone 01273 482859.

The funders listed below are for capital grants, which also include some revenue costs and they are also the larger funders. There are however smaller grants available that would support small capital projects, for example:

[Awards for All](#) which supports projects that meet one or more of the following outcomes:

- People have better chances in life – with better access to training and development to improve life skills
- Stronger communities – with more active citizens working together to tackle issues within the community
- Improved rural and urban environments – which communities are able to better access and enjoy
- Healthier and more active people and communities

www.biglotteryfund.org.uk/global-content/programmes/england/awards-for-all-england

Rye Harbour Village Hall £10,000

This organisation used the funding to improve the facilities at their village hall for the wider community. This enabled more people to be able to use the hall for social activities.

[Sussex Community Foundation](#) which awards grants to community and voluntary groups. They are particularly interested in supporting smaller community based groups where a small grant can make a significant difference.

The majority of grants are in the region of £1,000 to £5,000.

www.sussexgiving.org.uk/apply-for-grants/

Community Wise

£3,500

This Eastbourne based organisation received a grant to refurbish their kitchen and toilets.

[Gatwick Airport Community Trust](#)

www.gact.org.uk

The priorities of the trust include improvements to community facilities and they have funded village hall improvements in Newick and Forest Row. Eligibility to apply depends on project location and a list of eligible areas is available on their website (in broad terms the area is bounded by the A272 to the south; the A283/A281 to the west, the A25 to the north and the A21 to the east.)

The normal level of grants is from £1,000 to £5,000. Occasional larger may be considered if the impact is targeted to benefit a significant number of people and is considered to make a valuable and noticeable difference longer term.

As well as grant opportunities, other sources of income might be available through:

- applying for a loan, for example through the [Charity Bank](http://www.charitybank.org), www.charitybank.org, if your project will generate an income that will help repay it
- raising a precept tax through local taxation in a Parish or Town, as long as the local Council can demonstrate that the area in question would benefit from the updates to the community facility - funds can cover buildings or revenue projects
- renting out space in the building, charging a fee, etc

It is worth noting that there are various organisations offering support with community assets, including:

- [My Community Rights](http://www.mycommunityrights.org.uk) website which has details on Community Assets Transfer www.mycommunityrights.org.uk/community-right-to-bid
- [Locality](http://www.locality.org.uk) which offers advice on asset-based development to achieve long term social, economic, and environmental improvements to local areas www.locality.org.uk/our-work/assets/
- the Joseph Rowntree Foundation which published the "[Community Organisations controlling assets: a better understanding](http://www.jrf.org.uk/publications/community-organisations-controlling-assets)" report <http://www.jrf.org.uk/publications/community-organisations-controlling-assets>

Lottery

[Reaching Communities](http://www.biglotteryfund.org.uk/prog_reaching_communities)

www.biglotteryfund.org.uk/prog_reaching_communities

Reaching Communities funds projects for up to 5 years and up to £500,000 that help people and communities most in need. Projects can be new or existing, or be the core work of an organisation. All projects have to meet at least one of the four outcomes of the programme – same as Awards for All (see above).

The Reaching Communities programme has two strands:

1. Reaching Communities revenue and small capital – funding from £10,000 to £500,000 for revenue projects and/or smaller capital projects up to £100,000 for which all organisations can apply to

Wave Leisure Trust Limited

£180,986

This project aims to save an essential youth facility Shakespeare Hall in Newhaven Sussex. It will form a community hub incorporating a skate park BMX course, outdoor green gym, cricket and bowls clubs, employability training, walking groups healthy living classes and Friday night discos. A number of volunteers will provide sports training in football, BMX, swimming and basketball and participants will have the opportunity to gain national qualifications in sporting activities nutrition and IT.

Not for profit organisations, town or parish councils, statutory bodies, including schools can apply and there is no deadline.

2. Reaching Communities Buildings – funding of between £100,000 and £500,000 for large capital projects where only selected geographical can apply to. Geographical eligibility is at super output level and postcodes need to be entered to check eligibility as one area in a town might be eligible whilst another might not.

Peasmarsh Parish Council**£270,000**

The Peasmarsh Revived project aims to create a community hub to host services and activities to enhance and improve the opportunities and social wellbeing of residents. The memorial hall will be refurbished and extended to meet modern requirements. It will provide a meeting place for people to engage in a variety of activities including Guides, an over 60s choir, a luncheon club, a youth club mother and toddler group and Zumba. Other plans include adult education classes.

Not for profit organisations and town or parish councils can apply and there is no deadline.

Heritage Lottery Fund**www.hlf.org.uk**

The Heritage Lottery Fund gives grants to heritage projects (including parks and buildings) of all sizes, with grants from £3,000 to over £5million. All of the funding programmes expect projects to achieve one or more of the following outcomes

Outcomes for heritage - so that heritage will be better managed, in better condition, better interpreted and explained and identified/recorded

Outcomes for people - so that people will have developed skills, learnt about heritage, changed their attitudes and/or behaviour, had an enjoyable experience and volunteered time

Outcomes for communities – where environmental impacts will be reduced, more people and a wider range of people will have engaged with heritage, the local area/community will be a better place to live, work or visit, the local economy will be boosted and organisations will be more resilient.

Kings Road, St Leonards**£1.8m**

Hastings Borough Council's conservation team stumbled across artwork believed to have been by the campaigner and author of The Ragged Trousered Philanthropists, Robert Tressell, also known as Robert Noonan.

Through two Townscape Heritage Initiative schemes and Heritage Lottery Fund grants the Council have been able to restore shop fronts, install public art and bring back to life several decaying properties.

<http://www.bbc.co.uk/news/uk-england-sussex-18592103>

Sport England**www.sportengland.org.uk**

Sport England invests in organisations and projects that will grow and sustain participation in grassroots sport and create opportunities for people to excel at their chosen sport. They do this through a number of programmes, in terms of capital funding [Playing Protecting Fields \(PPF\)](#) is one of the programmes they run which could be of interest.

www.sportengland.org.uk/funding/protecting_playing_fields.aspx

Chailey Sports Club**£50,000**

The grant will be used towards the building of a new pavilion.

The programme will fund capital projects (between £20,000 and £50,000) that create, develop and improve playing fields for sporting and community use and offer long term protection of the site for sport. Local authorities, schools, voluntary or community organisations, sports clubs and playing field associations can apply.

They will pay for purchase of land, Improvements to existing pitches through levelling, drainage, reseeding and realignment.

The fund has an annual deadline, please check the website for details of next round.

[Inspired Facilities](#) is another programme which focuses on making it easier for local community and volunteer groups to improve and refurbish sports clubs or transform non-sporting venues into modern grassroots sport facilities.

www.inspiredfacilities.sportengland.org

- Community and voluntary organisations, including parish and town councils can apply for grants worth between £20,000 and £50,000. At least 70% of the available funding available is set aside for these groups
- Local authorities, statutory bodies and education establishments such as schools, can apply for grants between £20,000 and £150,000

However, £150,000 grants will be exceptional and only given to projects that can demonstrate a strategic rationale to their application - for example, a review of a local authority's sports facility stock that identifies this project as a top priority. No more than 30% of the total amount available will be invested through these organisations.

There are two deadlines per year, the next one is 3rd November 2014.

Robertsbridge Community College

£150,000

The award will contribute towards a new dual use sports hall with changing areas and a reception office area, all with disability access. This public sports facility will be the only facility of its kind in the local community.

Landfill Communities Fund

Funding programmes are available through the [Landfill Communities Fund](#), an initiative which allows landfill operators to release tax credits to environmental and community groups.

<http://www.entrust.org.uk/landfill-community-fund/finding-funding/>

A number of schemes exist to benefit local communities in the vicinity of a landfill site.

Grants are normally available for physical improvements to community and sports facilities, and to historic buildings/structures to a maximum of £500,000 for a "flagship" project.

A postcode checker is available to ensure that applicants are eligible. The following are the key schemes that are available to some East Sussex organisations.

[Veolia Environmental Trust](#)

www.veoliatrust.org

Birling Gap Café

£27,725

This project aims to make use of redundant space to create and expand the facilities, enabling the National Trust to meet the high demand for meeting spaces for groups, and creating new and diverse volunteering opportunities.

[Biffaward](#)

www.biffa-award.org

Beechwood Hall, Cooksbridge

The applicant is engaged in a major project which involves the building of a new village hall and the creation of multi activity rural park.

[SITA Trust](http://www.sitatrust.org.uk)
www.sitatrust.org.uk

Trinity Church, Willingdon

£30,000

The Church received the funding to refurbish their kitchen.

Trusts and Foundations

Below are examples of Trusts and Foundations that will fund community buildings:

[Henry Smith Charity](http://www.henrysmithcharity.org.uk)
www.henrysmithcharity.org.uk

Capital grants of £10,000 or more are available through the Main Grants Programme towards the purchase of equipment, or for the purchase or refurbishment of a building.

St Wilfrid's Hospice

£50,000

The grant was used towards the costs of building and furnishing a new hospice in Eastbourne.

[Garfield Weston Foundation](http://www.garfieldweston.org)
www.garfieldweston.org

The Foundation makes a large volume of grants every year to community projects covering the following categories: Arts, Education, Youth, Health, Community, Environment, Religion and Welfare.

They award capital grants, for example for restoration of village halls and community centres.

[Percy Bilton Charity](http://www.percybiltoncharity.org.uk)
www.percybiltoncharity.org.uk

Registered charities whose primary objectives are to assist one or more of the following groups:

- Disadvantaged/underprivileged young people (persons under 25)
- People with disabilities (physical or learning disabilities or mental health problems)
- Older people (aged over 60)

They offer one off payments for capital expenditure of approximately £2,000 and over for items such as furniture and equipment (excluding office items); building or refurbishment projects.

[Charles Hayward Foundation](http://www.charleshaywardfoundation.org.uk)
www.charleshaywardfoundation.org.uk

The Foundation only funds capital costs. Project funding may be offered for start-up or development activities where these are not part of the on-going revenue requirement of an organisation.

Grants are between £1,000 and £25,000, but from time to time, they may make larger grants to fund projects of an exceptional nature which show outstanding potential.

If you would like a copy of the document in a different format, such as large print, Braille or a different language, please contact us.

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Report to:	Scrutiny Committee
Date of meeting:	12 March 2024
By:	Director of Communities, Economy and Transport
Title:	Food Waste – Environment Act 2021 requirements
Purpose:	To update Place Scrutiny Committee on the Council's preparations for future district & borough food waste collection services.

RECOMMENDATIONS:

- (1) The Place Scrutiny Committee is asked to note the report.**
-

1 Background Information

- 1.1. Government's Waste and Resources Strategy (2019) contained a commitment to 'Reduce greenhouse gas emissions from landfill by ensuring that every householder has a weekly separate food waste collection'. Since that publication the introduction of food collections has been delayed several times.
- 1.2. On the 21st October 2023 the Government published its latest consultation response to 'Simpler Recycling' (formally Consistent Kerbside Recycling). This provided some clarification on what is required of councils when they introduce food waste collection services.
- 1.3. The final stage in the legislative process is for Government to publish the final Statutory Instrument (Regulations). However, sufficient information is now available for local authorities (and the other industries and organisations affected by the new Environment Act) to make progress with more detailed planning activities. The requirement for councils to provide food waste collections is statutory and is something that councils must do. In terms of food waste collections, the requirements are:
 - i. Waste collection authorities in England must arrange a weekly collection of food waste for recycling or composting from all households by 31 March 2026
 - ii. Waste collection authorities must collect food and garden waste separately from the other dry recyclable waste streams in all circumstances

Communal Food Waste Collections

- 1.4. The proposed Statutory Instrument suggests that for some flats and communal properties where residual waste is already collected from shared bins, it may be appropriate to similarly collect food waste from shared food waste bins.
- 1.5. Our District & Borough councils will be responsible for the design of their own communal food waste collections. The partners within the East Sussex Waste Collection Partnership are discussing implementation with their contractors (Biffa) and Lewes and Eastbourne are also planning their new services. Although District & Borough Councils have been advised of their capital funding allocations for food waste containers and vehicles, they are still waiting to hear about transitional funding for 2025/26 and revenue funding 2026 onwards, which makes future service planning difficult. Whilst no firm implementation

timelines are agreed as yet, all the District & Borough Councils currently without a food waste service (including EBC) expect to meet the March 2026 deadline. Most communal solutions are located within bin stores, but it is not uncommon to see kerbside solutions adopted (see appendix 1 for examples). The March 2023 Joint Waste and Recycling Committee meeting had a update on the East Sussex Joint Waste Partnership's service planning for food waste

<https://council.wealden.gov.uk/documents/s82669/Food%20Waste%20Implementation%20Final.pdf>

Funding for Food Waste Collections

- 1.6. Funding for food waste collections is only provided for waste collection authorities. As a waste disposal authority, East Sussex County Council will receive no government funding. Our disposal facility for food and garden waste is the Woodlands In-Vessel Compositing facility (IVC), at Whitesmith. The additional food waste expected in the future will need to be managed and transported from a number of transfer locations to the IVC. Specialised sealed containers will be required, and extra vehicles to transport them may be required. Adaptations to existing facilities including Woodlands IVC may be required to be prepared for the increase in food being managed by the contract. All of these may result in additional costs for the authority.
- 1.7. Officers are working with Veolia to consider and agree the required changes to operations and infrastructure.
- 1.8. On 9th January each Waste Collection Authority received a letter from DEFRA advising of the New Burdens capital funding allocations that will be made before end of March 2024. The capital allocations have been made for bins and vehicles only. Lewes District Council already collect food and have not been awarded any funding.

Authority	Kitch Caddies (plus spares)	Kerbside caddies (plus spares)	Communal Wheeled Bins (plus spares)	Vehicles (plus spares)	Total capital Funding (revenue funding tbc)
Eastbourne	£104,843	£241,138	£0	£511,500	£857,480
Hastings	£92,545	£192,775	£24,318	£511,500	£821,138
Lewes (already collect food)	£0	£0	£0	£0	£0
Rother	£97,186	£199,257	£29,396	£716,100	£1,041,939
Wealden	£153,680	£327,894	£30,970	£1,125,300	£1,637,844

- 1.9. In a 26th January 2024 report to the Joint Waste and Recycling Committee (JWRC) (<https://council.wealden.gov.uk/ieListDocuments.aspx?CId=829&MId=5626>) Officers highlighted that there is a potentially significant risk of a funding gap when the full extent of New Burdens funding (capital and revenue allocations) are known. Partnership finance officers are preparing to conduct an analysis as soon as Government makes all of the required information available. DEFRA provided a short window for authorities to appeal their allocations and the outcomes of these appeals are expected to be known in March 2024.

2 How much food waste is there?

- 2.1. Food waste forms a significant part of the black bag residual waste stream. From the last waste composition analysis carried out in East Sussex (2017), 36.9% of black bag waste was food waste.
- 2.2. A new composition analysis for East Sussex is being procured now and due to be completed in May / June 2024. Looking at other recent examples of waste composition, the following black bag food waste levels were recorded:

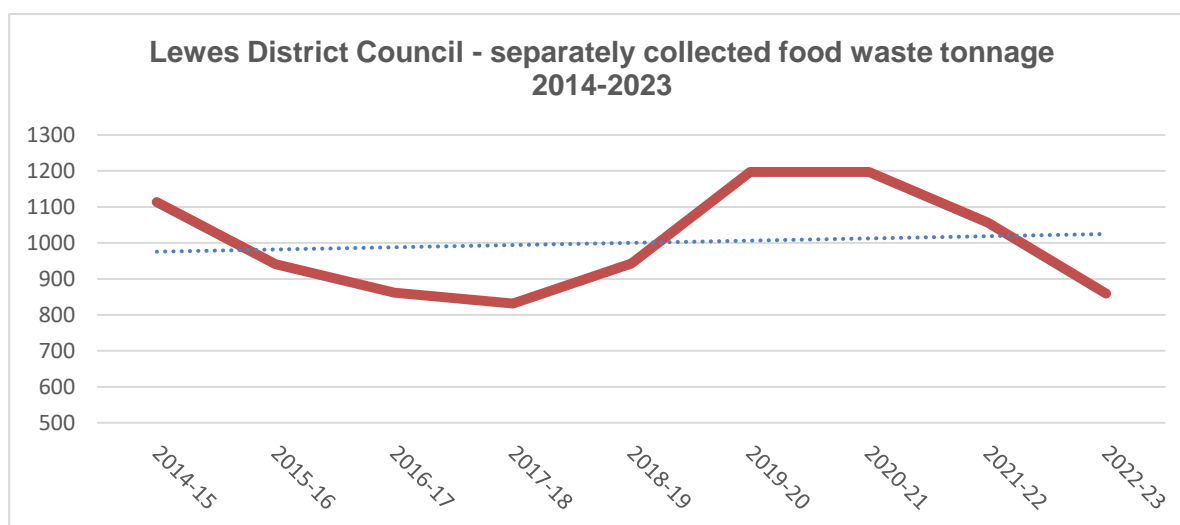
Authority	Year of Analysis	Food Waste % of black bag	Food waste collected separately
Brighton & Hove	2022	38.1	No
Merseyside*	2022	39.1	1 authority out of 6 collects food waste separately
Surrey	2021	24.0	Yes
Hampshire**	2018	40.0	1 authority out of 11 collects food waste separately
East Sussex***	2017	36.9	1 authority out of 5 collects food waste separately

*St Helens collects food waste separately – here 27% of black bag waste is food

**Eastleigh Borough Council collects food waste separately (no individual authority data available)

***Lewes District Council collects food waste separately – here 27% of black bag waste is food

- 2.3. In East Sussex, Lewes District Council already collect food. In 2022/23 860 tonnes of food was collected for composting and 2023/24 is projected to deliver around 870 tonnes. Participation and amounts of food collected would be higher if residual waste was collected fortnightly, rather than weekly.



- 2.4. Using data from other comparative authorities, we are forecasting that we may receive up to 16,500 tonnes of food waste when all five East Sussex districts & boroughs start collecting.
- 2.5. Taking into account the ideal proportion of food to green waste as part of the IVC mix (paragraph 3.4 below), we are exploring possible alternative capacity for organic waste at certain times of the year, when the inputs diverge too far from ideal 70% green / 30% food ratio. Options could involve utilising an alternative Veolia facility or a third-party facility.

3 Composting the food waste

- 3.1 When the food waste is delivered to Woodlands IVC it will be mixed with garden waste. The facility works on a 6-week process with the incoming material shredded and batches put into one of 8 composting tunnels. The composting process is started by the naturally occurring micro-organisms already in the waste. These break down the material, releasing the nutrients and in doing so increase the temperature of the material to the 60-70°C needed to kill pathogens and weed seeds. Oxygen levels, moisture and temperature are carefully monitored and controlled during this stage to ensure the material is fully sanitised.
- 3.2 The next part of the process is maturation. The material is transferred from the tunnels to the maturation hall where it is held in piles until the organic material has fully composted.
- 3.3 The compost is finally screened into two grades. These are 10mm and 20mm. 10mm is used for Pro Grow for gardens and 20mm is used by farmers. Both products are very high quality and the compost is PAS 100 certified.
- 3.4 Woodlands IVC can compost around 60,000 tonnes of food and green waste every year. Veolia considers the ideal ratio for the facility is around 70% green waste and 30% food waste.
- 3.5 The application of compost improves soil health and soil drainage, creating healthier, more resilient environments for crops to thrive, as well as capturing carbon in the soil. Digestate from anaerobic digestion, another form of food waste treatment, produces a fertilizer which has a more limited application potential due to the levels of nitrogen. It can only be used on certain types of land, and at certain times during the agricultural year.
- 3.6 Green waste and food waste is collected from households and then returned, after composting, to East Sussex's gardens and fields as a high-quality soil improver. The IVC is a good example of how our contract with Veolia is delivering local, circular solutions for residents' waste.

4. Conclusion and Reasons for Recommendations

- 4.1 East Sussex County Council is in a good position to respond to the introduction of food waste collections by already having the Woodlands IVC facility for the composting of food waste. Lewes District Council's food waste is already composted at Woodlands IVC.
- 4.2 The waste team will continue to plan and implement necessary changes to our infrastructure to prepare for the introduction of food waste collections across the county. This will allow us to ensure that all district and borough councils are able to deliver food to a local facility when they are operating their new service.

RUPERT CLUBB

Director of Communities, Economy and Transport

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LOCAL MEMBERS

All.

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Appendix 1

Communal Food Waste Recycling Examples



Islington London and Brooklyn NYC Communal Food Waste (<https://www.letsrecycle.com/>)



Metrostore food waste products (<https://metrostor.uk/>)

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Report to: **Place Scrutiny Committee**

Date of meeting: **12 March 2024**

By: **Director of Communities, Economy and Transport**

Title: **Scrutiny Review of Road Markings**

Purpose: **To provide an update on the action plan from the Scrutiny Review of Road Markings report dated March 2019**

RECOMMENDATIONS:

- 1 To note the updates to the recommendations and action plan set out in Appendix 1**
 - 2 To sign off the review as complete, with all recommendations now being embedded as business as usual.**
-
-

1. Background

1.1 The Place Scrutiny Committee at the meeting on 18 September 2019 agreed to establish a Review Board to undertake a Scrutiny Review of Road Markings. The scope of the review included:

- The types of road markings and how frequently they are renewed;
- the specifications for road markings and how they are applied;
- whether utility company reinstatement works are replacing road markings adequately;
- the road markings the Parking Team is responsible for (e.g. double yellow lines, parking bays etc.); and
- the role of the Road Safety Team regarding road markings.

1.2 The lines of enquiry which have been explored in the review were:

- Could the current system of prioritisation for routine maintenance work to refresh/renew road markings be improved?
- Why do some road markings appear to wear out more rapidly than expected?
- How frequently are parking enforcement road markings renewed and are there additional road markings that could be paid for from the parking budget?
- What do other local authorities spend on road markings and is the ESCC level of expenditure adequate?

1.3 The recommendations of the Scrutiny Review were presented to Cabinet for comment on 10 November 2020 and were accepted at Full Council on 1 December 2020. A copy of the full scrutiny review report and Cabinet's response to the recommendations can be found on the Council's web site here: [Agenda for Cabinet on Tuesday, 10th November, 2020, 9.30 am | East Sussex County Council](#).

2. Supporting information

2.1 The Scrutiny Review of Road Markings was welcomed by the Department and the opportunity afforded by the review to explain to Members how the service is delivered.

2.2 The Department's response to the Review's recommendations and an update to the action plan are set out in Appendix 1. A copy of the original Scrutiny Review of Road Markings report is attached in Appendix 2 for information.

2.3 In addition to this scrutiny review, it is worth noting that the additional £0.5 million funding awarded to the department to carry out additional road marking works have now been fully allocated and will include renewing the lining along the A22 Hailsham bypass in the spring 2024 and the refreshment of lining at some 600 roads/sites across the county. This work will resume in earnest in spring 2024 and will likely continue into the 2024/25 financial year.

3. Conclusion and reasons for recommendations

3.1 The Scrutiny Review highlighted several areas of focus for the department regarding the delivery and maintenance of road markings. Progress has been made against each of the recommendations as highlighted in Appendix 1.

3.2 The Place Scrutiny Committee is recommended to note the updates to the action plan and to formally note the review as completed with all recommendations having been embedded into the departments working practices as standard.

RUPERT CLUBB
Director of Communities, Economy and Transport

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LOCAL MEMBERS
ALL

Appendix 1 – Department's Response to Review Recommendations (Road Markings)

Recommendation	Response
<p>The Review Board recommends that Officers continue to keep a watching brief on the development of new road marking materials and techniques and carry out trials to evaluate their effectiveness in reducing costs and increasing the durability of road markings.</p>	<p>Since the start of the current contract, and following this scrutiny review we have reviewed how we deliver lining works as part of our larger scale planned works. On these schemes we now use thermoplastic paint. This is a combination of synthetic resin, pigments, and glass beads (pigments give colours and glass beads add reflectivity).</p> <p>It is a cost-effective alternative and cures quickly, is fast drying, has excellent durability and is low maintenance. Thermoplastic linings are applicable on most road surfaces and the glass beads can increase skid resistance.</p> <p>To date we have used this material on approximately 40 sites and will continue to do so. We will also continue to take a proactive approach to keeping abreast of innovations in both materials and techniques. It will continue to be part of the departments approach this area of work.</p>
<p>The Review Board recommends that the requirement to inspect road markings as part of routine inspections and the categories of road markings important for road safety are included in regular reminders to Highway Stewards and customer service staff.</p>	<p>Noted. This is included in the requirements for stewards to inspect all highway assets during their inspections and is part of the BAU work being delivered.</p>
<p>The Review Board recommends that the responsibilities of the utility companies and Highways England regarding road markings are made clear in the information provided on the East Sussex Highways web site.</p>	<p>The ESH website team are currently reviewing the appropriate place to upload this information to the website as part of the wider work to improve the website usability.</p>
<p>The Review Board recommends that when considering the allocation of resources for highway maintenance and road transport schemes, increased priority is given to funding for road markings to reflect their contribution to road safety.</p>	<p>Noted. As a highway authority our focus and top priority must be maintaining a safe road network for all users. Available funding and resources are allocated accordingly across the services to ensure we meet our policy requirements and maintain a safe network as part of the departments BAU work.</p> <p>Since the review it is worth noting that the additional £0.5 million funding awarded to the department to carry out additional road</p>

	marking works have now been fully allocated and will include renewing the lining along the A22 Hailsham bypass in the spring 2024 and the refreshment of lining at some 600 roads/sites across the county. This work will resume in earnest in spring 2024 and will likely continue into the 2024/25 financial year.
The Review Board recommends that the parking budget is recharged for all parking enforcement road marking renewal work with immediate effect, and the money used for additional highway road marking maintenance work.	Noted. The spend on refreshing parking enforcement road markings is relatively small, but where this can be easily identified it will be re-charged to the parking account, this will be delivered as part of the departments BAU work.
<p>The Review Board recommends that:</p> <p>a) should any new Government funding become available for highway maintenance, consideration is given to using a portion of it to improve the condition of road markings in the County (if allowed by the conditions attached to the funding).</p> <p>b) priority is given to renewing road markings that are important for road safety, such as those listed in paragraph 19 of the report, when determining the use of the additional one-off funding in 2020/21.</p> <p>c) consideration is given to including the funding to improve and maintain road marking in the base budget for the core services in the Highways Infrastructure Maintenance contract from 2023 onwards when it is re-procured.</p>	<p>a) Noted. If any new government funding is made available, consideration will be given to using a portion for road markings. (if permitted)</p> <p>b) Noted. This is our current approach as safety critical markings are always a priority.</p> <p>c) Noted. Road marking is included as a core service.</p>



Appendix 2

Scrutiny Review of Road Markings

Report by the Review Board:

Councillor Godfrey Daniel (Chair)

Councillor Stephen Shing

Councillor Barry Taylor

March 2020

Place Scrutiny Committee – 23 September 2020

Cabinet – 10 November 2020

Full Council – 1 December 2020

The report of the Scrutiny Review of Road Markings

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Recommendations

Recommendation		Page
1	The Review Board recommends that Officers continue to keep a watching brief on the development of new road marking materials and techniques and carry out trials to evaluate their effectiveness in reducing costs and increasing the durability of road markings.	8
2	The Review Board recommends that the requirement to inspect road markings as part of routine inspections and the categories of road markings important for road safety are included in regular reminders to Highway Stewards and customer service staff.	8
3	The Review Board recommends that the responsibilities of the utility companies and Highways England regarding road markings are made clear in the information provided on the East Sussex Highways web site.	8
4	The Review Board recommends that when considering the allocation of resources for highway maintenance and road transport schemes, increased priority is given to funding for road markings to reflect their contribution to road safety.	9
5	The Review Board recommends that the parking budget is recharged for all parking enforcement road marking renewal work with immediate effect, and the money used for additional highway road marking maintenance work.	10
6	<p>The Review Board recommends that:</p> <p>a) should any new Government funding become available for highway maintenance, consideration is given to using a portion of it to improve the condition of road markings in the County (if allowed by the conditions attached to the funding).</p> <p>b) priority is given to renewing road markings that are important for road safety, such as those listed in paragraph 19 of the report, when determining the use of the additional one-off funding in 2020/21.</p> <p>c) consideration is given to including the funding to improve and maintain road marking in the base budget for the core services in the Highways Infrastructure Maintenance contract from 2023 onwards when it is re-procured.</p>	11

Introduction

1. The Place Scrutiny Committee has observed that road markings, and in particular those that relate to pedestrian crossings and road safety, are in some instances becoming worn out and less visible. This appears to be a consistent issue across the County and there are concerns that this will have an impact on road safety and the ability of the Council to enforce parking restrictions.
2. The Place Scrutiny Committee carried out some initial exploratory work on this issue and agreed to establish a Review Board at its meeting on 18 September 2019 to carry out a scrutiny review of road markings in the County. The Review Board identified the following lines of enquiry:
 - Could the current system for routine maintenance work to refresh/renew road markings be improved?
 - Why do some road markings appear to wear out more rapidly than expected?
 - How frequently are parking enforcement road markings renewed and are there additional road markings that could be paid for from the parking budget?
 - What do other local authorities spend on road markings and is the ESCC level of expenditure adequate?
3. The desired outcomes from the scrutiny review are to improve the maintenance of road markings, clarify the prioritisation process for renewals and reduce the number of service requests.



Bethune Way, Hastings - before remarking.



Bethune Way, Hastings – after remarking.

Background

4. The County has over 1,550 miles of road markings, or lining, across the road network. Road markings are covered by specific Highway legislation and are treated as road signs for the purposes of legislation and guidance. The legislation and accompanying guidance detail the prescribed colour, size, location and use of all road signs so there is consistency across the country.

5. There is a requirement to provide signs and road markings for prohibitions such as “No Right Turn” and “No Entry”, but there is no statutory requirement to provide other road markings, only guidance. However, the Council is expected to secure the “expeditious and safe movement of vehicles on the public highway” (Highways Act 1980).

6. Road markings provide a continual message to drivers about the use of the road and provide additional guidance (conspicuity) in poor driving conditions (e.g. in fog, heavy rain and at night time). Road markings help ensure the correct and safe use of the highway as they:

- separate opposing traffic;
- assist with road layout and traffic flow;
- ensure the best use of the road space available (e.g. by providing lane lines); and
- control where vehicles can park on the highway.

7. There are three teams within the Council who are involved in the specification, provision and maintenance of road markings. They are:

- Road Safety - The Road Safety Team are consulted on all new road schemes and they have input into all lining and road marking requirements. They specify road markings, including cats' eyes and road studs, and investigate all sites where there have been major collisions. The crash site investigation work can involve making recommendations for improvements including to the road markings.
- Highway Infrastructure Maintenance – This team is responsible for the maintenance and re-marking of all road markings and lines (excluding roads maintained by Highways England). This includes maintaining parking bays, disabled parking bays and yellow lines on behalf of the Parking Team.
- Parking – The Parking Team undertakes work to mark out all new parking bays and yellow lines in parts of the County where Civil Parking Enforcement (CPE) is in operation (Eastbourne, Hastings and Lewes - at the time of writing). In the current non-CPE areas (Rother and Wealden) the Road Safety Team deal with requests for advisory disabled parking bays and access protection markings.

8. To give an illustration of the range and quantity of road markings that require maintenance, an extract is given below from Council's inventory system:

1,332 miles of Longitudinal lines (shown in green on the aerial photograph below)

This category includes all white and yellow lines whether they are centre lines, edge of carriageway lines, broken/dashed lines (measured as the whole length of the marking, not each individual dash) or solid double lines (which are counted as a single measurement).

47 miles of Hatched lines (shown in yellow)

The length refers to length of hatched area and not the individual lines.

31,600 Special markings (show as purple dots)

Typically, these are 'Give Way' triangles, 'Give Way' dashed lines at junctions, directional arrows, text such as 'Slow' or 'No Right Turn', pedestrian crossings, parking bays and speed limit roundels.



9. The Highways Team uses two techniques to apply road markings, hand laying and machine laying thermoplastic markings. It does not use pre-formed road markings, but they are sometimes used by utility companies for reinstatement work. Most of the work is done by hand laying, which is used for safety defects and renewal work in built up areas where there are lower road speeds. Machine laying is used for programmed work on higher speed 'A' and 'B' roads for centre line and edge markings, where it is more efficient and safer to use this technique and it reduces the amount of time the road must be closed whilst the work is completed.

Review Board Findings

Highway Road Markings

Maintenance of Road Markings

10. The rate at which road markings wear out principally depends on the amount of the traffic the road receives. The durability of road markings may also be affected by the condition of the road surface when they are laid and whether wire brush type mechanical road sweeping is used (e.g. for weed control) which may damage markings. For principal 'A' roads that are heavily trafficked the road markings may need to be renewed every 1-2 years. For less heavily used roads, the road markings will need to be renewed every 5-7 years.

11. The Review Board examined the measures in place to ensure the methods and materials used for road markings meet the required specification and standards. The evidence seen by the Board provided assurance that work is being carried out correctly and is not contributing to rate of deterioration of road markings. There are some new materials and techniques being developed which may have the potential to improve the cost effectiveness or increase the life of road markings. The Board heard that there are cold plastic road marking materials, and 'peaked' extrusion techniques for centre lines and edge of carriageway markings which are currently being evaluated.

Recommendation 1

The Review Board recommends that Officers continue to keep a watching brief on the development of new road marking materials and techniques and carry out trials to evaluate their effectiveness in reducing costs and increasing the durability of road markings.

12. Highway Stewards report safety defects and advisories for road markings when carrying out regular inspections, in the same way that they do for potholes. If a road marking important for road safety is more than 50% faded, then it is reported as a safety defect. It was unclear whether the condition of road markings is being reported on in every inspection, and whether the categories of road markings important for road safety are widely understood. Consequently, Stewards have been reminded of the need to assess road markings alongside other priorities such as carriageway and pavement safety defects. Highway Stewards will also be asked to report any issues with road markings re-instated by utility companies as part of their routine inspections.

Recommendation 2

The Review Board recommends that the requirement to inspect road markings as part of routine inspections and the categories of road markings important for road safety are included in regular reminders to Highway Stewards and customer service staff.

13. Utility companies have a responsibility to replace road markings when carrying out re-instatement work. This can lead to the partial renewal of markings and the use of less durable materials. Although this is less than ideal, the Council does not have the powers to require more extensive works or the use of specific types of materials. Highways England are also responsible for the maintenance of some roads in the County and requests for road markings on these roads have to be referred to them for attention.

Recommendation 3

The Board recommends that the responsibilities of the utility companies and Highways England regarding road markings are made clear in the information provided on the East Sussex Highways web site.

14. The Review Board heard that a five-year rolling programme for renewing road markings was started at the beginning of the current Highways Maintenance contract in 2016. This was based on an estimate of the time that it would take to renew all the road markings in the County and was prioritised to tackle the worst areas first. However, there was insufficient information on the condition of road markings at that point in time to determine accurately the level of resources needed. Work is underway to better understand the condition of road markings using an analysis of the high definition video surveys of road condition.

15. The current Highways Maintenance contract uses a lump sum of £165,000 per year to pay for one road marking gang who are employed year-round to renew road markings. The work of the gang is prioritised, so it undertakes safety defect works first and then programmed work, which includes refreshing parking enforcement road markings and advisory markings such as disabled parking bays.

16. The inclusion of a sum of money in the core services part of the current Highways Infrastructure Maintenance contract for road markings is an improvement on the previous position. However, evidence provided to the Review Board indicates that in the light of experience, the current resources only provide the ability to deal with any safety defects and undertake some renewal work and is not enough to keep up with the rate of road marking renewals needed. The Review Board considers that with a better understanding of the condition of road markings and the level of resources needed, the funding allocated to road markings within the core services of the Highways Infrastructure Maintenance contract should be reviewed when contract is re-procured. The Place Scrutiny Committee will be involved in the re-procurement project for the Highways Infrastructure Maintenance contract and will be able to raise this point through the re-procurement project work.

Road Safety

17. The Review Board heard that the level of maintenance of lining and road markings has been reduced over the years and road markings are not always performing their function as they should. This has been due to the financial pressures experienced by local authorities and where decisions have had to be made on the relative priorities for expenditure within the highways budget. Over the last five to ten years maintenance issues, such as bringing lining up to standard, have been raised more frequently when the Road Safety Team undertakes crash site investigation work.

18. The Board also heard that road markings are a relatively cost-effective measure for improving road safety (e.g. when compared with highway engineering schemes), and for informing and guiding drivers. In the Road Safety Manager's opinion, better condition road markings would have an impact on the number of crash sites.

19. As road markings are one of the most cost-effective measure in terms of promoting road safety, the Board considers it is important for the Council to find ways of improving the maintenance and condition of road markings, particularly those considered to be important for road safety (e.g. stop lines and give way signs; pedestrian crossings; edge of carriageway lines and centre line markings; and regulatory or prohibition markings).

Recommendation 4

The Review Board recommends that when considering the allocation of resources for highway maintenance and road transport schemes, increased priority is given to funding for road markings to reflect their contribution to road safety.

Parking Enforcement Road Markings

20. The Civil Enforcement Officers (CEOs) inspect and assess the condition of the road markings needed for parking enforcement whilst on their daily patrols and then report any that need renewing to the Highways Team. This is done using two categories, one for lines that are not enforceable which will be done as a priority, and the other where lines are fading and need renewing.

21. The work to renew the existing road markings used for parking enforcement is paid for and undertaken by the Highways Team and the highway revenue budget. The Parking Team make around six requests per month to renew parking enforcement road markings which equates to around 15% of the road marking gang's time. In addition, the highway budget is charged for the cost of suspending parking whilst the work is undertaken. In total around £24,000 a year is spent on renewing parking enforcement road markings in the three CPE areas.

22. The Review Board considers that it is logical and not unreasonable to recharge the parking enforcement road marking renewal work to the parking budget. The cost of renewing road markings necessary for parking enforcement is a legitimate operating cost of the CPE schemes and recharging the parking budget will release money for other road marking work. The Board is aware that this may reduce the funding available for other transport schemes from the parking budget but considers the benefits of well-maintained road markings to road safety outweigh this loss.

Recommendation 5

The Board recommends that the parking budget is recharged for all parking enforcement road marking renewal work with immediate effect, and the money used for additional highway road marking maintenance work.

Finance and Funding

23. The current revenue budget spending on road markings is £165,000 per year from the Highways Infrastructure Maintenance contract core service. This is supplemented by a machine laid programme of work which is paid for on top of the core service. Since the beginning of the current Highways Maintenance contract the following sums have been spent in addition to the core service.

- £492,363 in 2016/17 (Year 1 of the contract) due to use of an additional lining gang and extensive machine laid refresh programme of A roads.
- £62,097 in 2017/18 (Year 2) due to additional marking of A259 (Pevensey junction to Saltdean) and other parts of A roads not completed in Year 1.
- £66,000* in 2019/20 (Year 4) *approximate value of a machine laid programme instructed but not yet delivered.

24. An indication of the one-off costs to replace proportions of all the road markings in the County are shown below (this includes basic traffic management only).

100% of road markings	£2,225,806
90% of road markings	£2,003,225
80% of road markings	£1,780,645
70% of road markings	£1,558,064
60% of road markings	£1,335,483

25. The Board heard that in an ideal situation it would require an initial injection of one-off funding to bring all road markings up a maintainable standard, and then two road marking gangs plus a machine laid programme of work to keep them in good condition. The Review Board recognises that in the current financial climate it may not be possible to secure this level of resource, but considers funding for an additional gang is justified by the contribution to road safety and the efficient movement of traffic that well-maintained road markings provide.

26. The Board has reviewed the level of expenditure by other local authorities on road markings and notes that it is difficult to make direct comparisons due to differences in the character and composition of the road networks in other authority areas. Although expenditure on road markings per mile of carriageway appears to be at similar levels to East Sussex County Council, it is likely that road marking funding in other local authorities has been reduced due the same budget pressures.

27. There are no sources of additional funding for road markings that the Council can bid for, and the Council cannot use the current one-off Department for Transport (DfT) pothole fund monies as this is ringfenced for pothole repairs.

28. An additional £1 million of one-off funding has been allocated for investment in highways infrastructure in 2020/21 via the Council's budget setting process. The Review Board understands that in response to the initial findings of this Review, an allocation has been made to fund an additional road marking gang for a year from this sum of money. The Board welcomes this additional funding and the recognition of the role road markings play in road safety and the efficient movement of traffic on the County's roads. This will also provide an opportunity to evaluate the impact of the addition of a second road marking gang on road marking condition.

29. It is likely that further funding for road markings will be needed in future years and the cost of an additional road marking gang is relatively modest at £165,000 per year, when compared with the cost of road safety engineering schemes. Based on the evidence examined by the Review Board it would appear reasonable to increase the resources allocated to the road marking if possible, given the benefits to road safety and improved traffic flow.

Recommendation 6

The Review Board recommends that:

- a) should any new Government funding become available for highway maintenance, consideration is given to using a portion of it to improve the condition of road markings in the County (if allowed by the conditions attached to the funding).**
- b) priority is given to renewing road markings that are important for road safety, such as those listed in paragraph 19 of the report, when determining the use of the additional one-off funding in 2020/21.**
- c) consideration is given to including the funding to improve and maintain road marking in the base budget for the core services in the Highways Infrastructure Maintenance contract from 2023 onwards when it is re-procured.**

Conclusions

30. Road markings are a very visible, relatively cheap and cost-effective way of supporting road safety and promoting traffic movement. The Review Board has examined the way in which road marking work is carried out and found that effective quality assurance systems are in place. However, based on the evidence the Review Board has seen, the current resources allocated to road marking maintenance are not enough to keep up with the rate at which road markings are wearing out and to keep them in good condition.

31. The Review Board has made a number of recommendations which it believes will improve the condition of road markings in the County, which are important for both road safety and getting the most out of the County's road network.

Appendix:

Scope and terms of reference of the review

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

- a) Could the current system of prioritisation for routine maintenance work to refresh/renew road markings be improved?
- b) Why do some road markings appear to wear out more rapidly than expected?
- c) How frequently are parking enforcement road markings renewed and are there additional road markings that could be paid for from the parking budget?
- d) What do other local authorities spend on road markings and is the ESCC level of expenditure adequate?

The desired outcomes from the review are to improve the maintenance of road markings, clarify the prioritisation process for renewals and reduce the number of service requests.

Board Membership and project support

Review Board Members: Councillors Godfrey Daniel (Chair), Stephen Shing, and Barry Taylor.

The Project Manager was Martin Jenks, Senior Democratic Services Adviser with additional support provided by Simon Bailey, Democratic Services Officer.

Dale Poore, Contract Manager Highway Infrastructure Services, provided ongoing support to the Board throughout the review.

Review Board meeting dates

Scoping Board meeting:

4 September 2019

Review Board meetings:

6 December 2019

29 January 2020

18 February 2020

Witnesses providing evidence

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

ESCC Officers

Karl Taylor, Assistant Director Operations

Dale Poore, Contract Manager Highway Infrastructure Services

Brian Banks, Team Manager - Road Safety

Daniel Clarke, Parking Team Manager

ESCC Councillors

Councillor Claire Dowling, Lead Member for Transport and Environment

Evidence papers

Item	Date considered
Traffic Signs Manual Chapter 5 – Road Markings (2018). Department for Transport.	December 2019
Well-Managed Highway infrastructure – A Code of Practice (October 2016). UK Roads Liaison Group.	December 2019

Contact officer: Martin Jenks (Senior Democratic Services Adviser)

Telephone: 01273 481327

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

Report to:	Place Scrutiny Committee
Date of meeting:	12 March 2024
By:	Assistant Chief Executive
Title:	Place Scrutiny Committee future work programme
Purpose:	To review and agree items for the Place Scrutiny Committee's future work programme and receive updates on previous work.

RECOMMENDATIONS: The Place Scrutiny Committee is recommended to:

- 1) Review and agree the agenda items for the future Committee meetings, including items listed in the updated work programme in appendix 1;**
 - 2) Review and agree topics for Scrutiny Reviews to be included in the Committee's future work programme;**
 - 3) Review upcoming items on East Sussex County Council's (ESCC) Forward Plan in appendix 2 to identify any issues that may require more detailed scrutiny;**
 - 4) Discuss and agree any training and development activities including the topics for 'bite size' training sessions; and**
 - 5) Agree to re-establish the Climate Emergency Action Plan (CEAP) Working Group to provide scrutiny input into an update of the corporate climate emergency action plan on behalf of the Committee as set out in section 5.4 of the report.**
-

1. Background

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

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

2. Work programme and future scrutiny reviews

2.1 The Committee is asked to review the items in the current work programme and discuss the future agenda items and other scrutiny work of the Committee for inclusion in the Committee's future work programme. Since the last meeting of the Committee, it has reviewed the items and priorities for the work programme. This included priorities for the next scrutiny review topic to be scoped by the Committee. A copy of an updated work programme is contained in appendix 1 of the report for consideration and agreement the Committee.

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

2.3 As part of the work prioritisation process, Committee members have indicated the priorities for the next scrutiny review topics as being:

1. Speed Limit Policy
2. Footway (Pavement) Maintenance
3. Highway Drainage
4. Climate Change – focussing on the Council's countywide work

2.4 The Committee is therefore asked to confirm the priorities for the scrutiny reviews to be undertaken by the Committee and agree to form a scoping board to undertake work on the first topic which is Speed Limit Policy. The Committee is also asked to agree the membership of the scoping board for this review.

2.5 In addition, as part of the work programme prioritisation exercise there have been a number of suggestions for additions to the work programme from members of the Committee. The suggested topics are:

- 1) **Parking policy** – How we manage highway space in relation to allowing vehicles to park on street: the rational, pricing, fairness and could it be revised for greater benefit. Relevance to Electric Vehicle charging. How we use any surplus and how can that be legally used under 2004 Traffic Management Act to fund other transport measures in areas where public expect ESCC to deliver and where we do not have funding. Also, how can parking policy influence or encourage to more Active Travel.
- 2) **The Keep** - A report on who uses the Keep, how it works and a possible visit. What are the costs of the service and how does it generate income?
- 3) **Funding bids and opportunities from Government.** Currently Bexhill and Rother have been allocated 3 different funding streams totalling £60million. Most of this will be spent in Bexhill. However, how can we ensure money likely to be managed by Government and Rother District Council improves Traffic Management, Movement and Access, Highway improvements and Public Realm all of which are ESCC's responsibility?
- 4) **Active Travel Ratings** – ESCC's is 1 whilst West Sussex is 0 and Brighton's 2. Suggest the Committee explore what ESCC has to do to ensure we do not go backwards and start aiming for a 3 rating: [Local authority active travel capability ratings \(accessible version\) - GOV.UK \(www.gov.uk\)](#) There could be links to Public Health (which sits within the remit of the People Scrutiny Committee).

2.6 The Committee is asked to discuss and agree these suggestions and agree whether they should be added to the work programme and the preferred approach to each topic (e.g. report, potential review topic, briefing or site visit).

3. Forward Plan

3.1 A copy of the Council's Forward Plan of executive decisions for the period 1 March 2024 to 30 June 2024 is included in appendix 2. The Committee is requested to review the forthcoming items on the Forward Plan to identify any issues that may require scrutiny work. The Forward Plan is revised and published on a monthly basis, and Committee members should regularly review the Forward Plan.

4. Training and Development

4.1 As part of the Committee's ongoing training and development, the Committee is asked to discuss and agree any training or development activity that it would like to undertake, including identifying the topics for any 'bite size' training sessions (e.g. questioning skills etc.) or briefings it would like to receive.

5. Reference Group and Working Group Updates

Local Transport Plan (LTP) Reference Group

5.1 Since the last Committee meeting the LTP Reference Group has met to receive a briefing on the interim results for the public consultation and to consider modal strategies for rail and freight which support the overall transport strategy for the county. The Rail Strategy is an update of the Strategy developed in 2013 and the Freight Strategy is a new strategy. In its future work, the LTP Reference Group will consider a revised draft LTP once the public consultation on the draft LTP has been completed and analysed. The next meeting of the LTP Reference Group is planned for April or early May 2024.

The Economic Growth Strategy (EGS) Reference Group

5.2 The Economic Growth Strategy (EGS) Reference Group has held three meetings since the last Committee meeting. The EGS Reference Group has explored the key stages of the development of the new the Economic Growth Strategy for East Sussex including: examining the feedback from stakeholder engagement activities on the new Strategy and the evidence base; meeting with businesses representatives and other stakeholders to hear their views on what should be included the Strategy and success measures; and a meeting in early March to consider the draft Economic Growth Strategy.

Climate Emergency Action Plan (CEAP) Working Group

5.3 The current corporate Climate Emergency Action Plan is due to expire in March 2025 and a request has been made that the Committee re-establish the Climate Emergency Action Plan (CEAP) Working Group to provide scrutiny input into the update of the Action Plan. The suggestion is that the Working Group will work in a similar way to previously when it helped develop the current Action Plan through a number of meetings during June, July and September 2024. A draft terms of reference for the Working Group is attached in appendix 3 which provides more information and a timeline for the work.

5.4 The Committee is asked to agree to re-establish the CEAP Working Group in line with the draft terms of reference in appendix 3, and confirm the membership of the Group. The previous membership of the Working Group consisted of Cllr Hilton, Cllr Hollidge, Cllr Kirby-Green, Cllr Redstone (Chair) and Cllr Tutt. Membership of the Working Group is open to other Committee members should they wish to join this piece of scrutiny work, and existing members may wish to indicate whether they would wish to be included in the Working Group for this new piece of work.

6. Conclusion and reasons for recommendations

6.1 The Place Scrutiny Committee is recommended to consider the work programme contained in appendix 1 and agree any further agenda items or topics for scrutiny reviews to be included in the future work programme. The Committee is also recommended to review the Council's Forward Plan of decisions to identify any issues that may require more detailed scrutiny, agree any training activity, and re-establish the Climate Emergency Action Plan (CEAP) Working Group to provide scrutiny input into an update of the corporate Climate Emergency Action Plan, on behalf of the Committee.

PHILIP BAKER

Assistant Chief Executive

Contact Officer: Martin Jenks, Senior Scrutiny Adviser

Tel. No. 01273 481327

Email: martin.jenks@eastsussex.gov.uk

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Place Scrutiny Committee – Work Programme

Current Scrutiny Reviews		
Title of Review	Detail	Proposed Completion Date
To be agreed.		
Initial Scoping Reviews		
Subject area for initial scoping	Detail	Proposed Dates
Speed Limit Policy	Following a debate at Full Council on 18 July 2023 it was suggested that the Place Scrutiny Committee might wish to consider this as a topic for a scrutiny review. The Committee notes speed limits and road safety are wide ranging issues and, after potholes, is the second most frequent issue that residents contact councillors about.	To be agreed
List of Suggested Potential Future Scrutiny Review or Reference Group Topics		
Suggested Topic	Detail	
Footway (Pavement) Maintenance	This topic was discussed as part of the Scrutiny Review of Pothole Management and the Review Board has suggested that the Committee may wish to carry out a scrutiny review on this topic. Some of the issues regarding additional investment in pavement maintenance may be similar to those examined as part of the pothole review.	
Highway Drainage	The Review Board who worked on the Scrutiny Review of Pothole Management has also suggested that the Committee may wish to carry out a scrutiny review on highway drainage. This topic has links to storm overflows, flood risk management and climate change mitigation measures.	

Climate Change	The Committee has agreed to consider scoping a review to examine the Council’s countywide work on climate change, which could look at countywide actions and how the Council works with other organisations (e.g. District and Borough councils) on this issue.	
Scrutiny Reference and Working Groups		
Reference Group Title	Subject Area	Meetings Dates
Local Transport Plan (LTP4) – Reference Group	The Committee has formed a Reference Group to work alongside officers on the development of the revised Local Transport Plan (LTP 4) focussing on sustainable transport issues. It is taking part in a series of workshops on the development of the LTP4.	April/May 2024 and further dates to be agreed as required.
East Sussex Economic Growth Strategy (EGS) Reference Group	The Committee has agreed to form a reference group to provide scrutiny input into the development of the Strategy in response to the Committee’s request to have scrutiny involvement in the development process for economic development projects, which will be guided by the Strategy. The membership of the reference group is councillors Chris Collier, Julie Hilton (Chair), Ian Hollidge, Paul Redstone and David Tutt.	6 March 2024.
Reports for Information/Briefings		
Subject	Detail	Proposed Date
Future Use of County Hall.	To receive a briefing on the work being undertaken on the future use of County Hall and the options that are being considered.	To be agreed
Increased Use of Artificial Intelligence.	For the committee to have a briefing or report on the increased use of AI, including what was happening currently, a risk analysis and the potential benefits (e.g. where AI could be used to gain efficiencies in areas such as process documentation).	To be agreed
Training and Development		
Title of Training/Briefing	Detail	Proposed Date

Place Scrutiny Committee Away Day.	Work planning Away Day to review the Committee's work programme and carry out horizon scanning of potential scrutiny topics, changes and challenges facing the Council where scrutiny input would be beneficial.	September 2024
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Future Committee Agenda Items		Author/Witnesses
12 July 2024		
Reconciling Policy, Performance and Resources (RPPR)	To commence the Committee's involvement with the RPPR process for 2025/26 by reviewing the information in the Quarter 4, end of financial year (2023/24) Council Monitoring report and the State of the County report.	Chief Executive / Senior Scrutiny Adviser
Highway Maintenance Contract/Scrutiny Review of Pothole Management	To receive a report on the key performance indicators of the Highway maintenance contract, including the delivery of planned maintenance programmes to address road condition.	Assistant Director Operations / Highways Contract Manager
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
23 September 2024		
Reconciling Policy, Performance and Resources (RPPR)	To continue the Committee's work on the RPPR process for 2025/26, by reviewing Portfolio Plans and service based information.	Chief Executive / Senior Scrutiny Adviser
Scrutiny Review of Procurement: Social Value and Buying Local	To receive the second update report on the implementation of the recommendations from the Scrutiny Review of Procurement: Social Value and Buying Local.	Chief Operating Officer / Director of Procurement / Head of Policy & Modernisation, Orbis
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
28 November 2024		
Reconciling Policy, Performance and Resources (RPPR)	The Committee will examine any additional information requested at the September meeting and consider any updated RPPR information for 2025/26.	Chief Executive / Senior Scrutiny Adviser

Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
20 March 2025		
Reconciling Policy, Performance and Resources (RPPR)	The Committee will review its input into the RPPR budget setting process, and the impact of any recommendations or comments made by the Committee.	Chief Executive / Senior Scrutiny Adviser
Scrutiny Review of Pothole Management	To receive the second update report on the implementation of the recommendations from the Scrutiny Review of Pothole Management	Assistant Director, Operations / Highways Contract Manager
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
Future Items – to be scheduled		Witnesses
Water Supply Issues and Future Demand Planning	To receive a report from South East Water on the actions they are taking to resolve the recent water supply issues in the north of the County and to hear from South East Water and Southern Water about their longer terms plans for supplying water to East Sussex residents and businesses.	Representatives from South East Water and Southern Water.
Bus Service Improvement Plan (BSIP) Flexi-Bus Service	The Committee requested a report on the new Flexi-Bus service, including an evaluation of the use and success of the service.	Director of Communities Economy and Transport / Assistant Director Operations
Killed and Seriously Injured (KSI) Road Collisions	The Committee requested an update report on the effectiveness of the interventions that have been put in place to try and reduce the number of KSI collisions on the County's roads, and have an outline of the measures that other local authorities have put in place to tackle this issue.	Director of Communities Economy and Transport / Assistant Director Communities
Local Cycling and Walking Infrastructure Plan (LCWIP).	To receive an update report on the LCWIP to understand what progress is being made and the update of the LCWIP that will be undertaken as part of the LTP policy review.	Director of Communities Economy and Transport / Assistant Director Economy
Flood Risk Management.	To receive a report on flood risk management outlining ESCC's role as the Lead Local Flood Authority and an overview of current work activity.	Director of Communities Economy and Transport / Assistant Director Operations

Climate Adaptation measures.	To receive a report on the Council's climate adaptation work following the publication of the Government's new 5 year climate change adaptation strategy.	Director of Communities Economy and Transport / Assistant Director Economy
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EAST SUSSEX COUNTY COUNCIL'S FORWARD PLAN

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

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

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

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

Page 153 - the name of the individual or body that is to make the decision and the date of the meeting or relevant time period for an officer decision
the title of the report and decision to be considered
groups that will be consulted prior to the decision being taken
a list of documents that will be considered when making the decision
the name and telephone number of the contact officer for each item.

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

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

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

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

For copies of reports or other documents please contact the officer listed on the Plan or phone 01273 335089.

FORWARD PLAN – EXECUTIVE DECISIONS (including Key Decisions) –1 March 2024 TO 30 June 2024

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

Cabinet membership:

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

Date for Decision	Decision Taker	Decision/Key Issue	Decision to be taken wholly or partly in private (P) or Key Decision (KD)	Consultation	List of Documents to be submitted to decision maker	Contact Officer
5 Mar 2024	Cabinet	SELEP Transition The South East Local Enterprise Partnership (SELEP) will be drawn to a close by April 2024. As such, many of the LEP's functions will be transferred to local institutions, including to the County Council, working with Team East Sussex, our de facto local growth board. The SELEP Transition Plan, accompanied by our own local East Sussex Integration Plan, sets out precisely which functions will be transferred to East Sussex, and the actions necessary			Report, other documents may also be submitted	Richard Dawson 01273 482305

		to integrate those functions over the coming months.				
5 Mar 2024	Cabinet	Council Monitoring: Quarter 3 2023/2024 To consider the Council Monitoring report for the third quarter of the financial year 2023/24 as part of the Council's Reconciling Policy, Performance and Resources process.			Report, other documents may also be submitted	Victoria Beard 07894 708914
5 Mar 2024	Cabinet	The Ofsted inspection of East Sussex County Council's Children's Services Cabinet is asked to note the findings of the inspection Council's Inspection of Local Authority Children's Services 11 – 15 December 2023, which was published 6 February.			Report, other documents may also be submitted	Kathy Marriott, Amanda Watson 01273 481274,
6 Mar 2024	Lead Member for Adult Social Care and Health	Future offer following the Support with Confidence consultation The Support with Confidence scheme was a directory of accredited providers (personal assistants and businesses) offering care and support services in East Sussex. A public consultation on the future of the Support with Confidence scheme, and how might the offer support in a different way, ran from 27 September to 5 December 2023. In October 2023 the licence holders informed that they were withdrawing the brand, so the scheme closed on 31 December 2023. This decision relates to the future support	KD		Report, other documents may also be submitted	Candice Miller 07701 394502

		offer to personal assistants and personal assistant businesses and the residents wanting to use their services.				
6 Mar 2024	Lead Member for Adult Social Care and Health	<p>Re-procurement of Specialist Sexual Health Services</p> <p>To seek Lead Member agreement for the extension of the existing contract with the current provider, for six months, under the same terms and conditions until 30 September 2024; and</p> <p>Agree the proposed negotiated approach with a new service provider to take over the service management, from 1 October 2024, via the Negotiated Procedure without Prior Publication (Regulation 32 of the Public Contract Regulations 2015).</p>	KD		Report, other documents may also be submitted	Darrell Gale
11 Mar 2024	Lead Member for Transport and Environment	<p>Capital Programme for Transport Improvements 2024/25</p> <p>To seek Lead Member approval, following consultation with Local Members, of the list of transport schemes and associated expenditure included in the programme for design and/or delivery in 2024/25.</p>	KD		Report, other documents may also be submitted	<p>Andrew Keer, Chris Tree 01273 336682, 01273 482247</p>

11 Mar 2024	Lead Member for Transport and Environment	<p>East Sussex County Council Guidance on Parking at New Developments</p> <p>The County Council currently has published Parking Guidelines and a Parking Calculator that are used to guide parking provision in new development proposals. The guidelines and calculator have been reviewed and updates proposed, particularly in light of recent Census data relating to car ownership levels. The report will seek Lead Member approval for the updated guidelines and calculator.</p>			Report, other documents may also be submitted	Michelle Edser 07542 029131
11 Mar 2024 Page 157	Lead Member for Transport and Environment	<p>"Mini Section 278 Agreements" for developer led or third party highway works</p> <p>The County Council's Transport Development Control team is looking to introduce an amended mechanism for how developer led highway works are agreed with the County Council. Currently this is generally through Section 278 agreements, which will remain the case for the majority of schemes. However, where the proposed highway works are of a low value and present minimal risk to the County Council's highway asset, a new light touch process is proposed to be introduced. This will be in the form of Mini Section 278 agreements. The report to Lead Member will seek approval for this approach, along with the proposed guidance on this matter to be published.</p>			Report, other documents may also be submitted	Michelle Edser 07542 029131

14 Mar 2024	Lead Member for Strategic Management and Economic Development	SELEP transition - update scheme of delegations to officers To approve updates to the Leader's scheme of delegation to officers to reflect any changes to responsibilities as a result of the closure of South East Local Enterprise Partnership (SELEP) and the integration of relevant functions into East Sussex County Council.			Report, other documents may also be submitted	Alex Colbran 07729 108123
14 Mar 2024	Lead Member for Strategic Management and Economic Development	Levelling Up Partnership - Rother and Hastings To consider East Sussex County Council entering into legal agreements for Rother and Hastings Levelling Up Partnership projects.	KD P		Report, other documents may also be submitted	Mirco Cordeiro 07731 343705
14 Mar 2024	Lead Member for Strategic Management and Economic Development	Delivery of Infrastructure project, Queensway Gateway Road To determine the delivery option, total project costs, funding package and delivery programme for the Queensway Gateway Road infrastructure project.	P KD		Report, other documents may also be submitted	Alex Colbran 07729 108123
14 Mar 2024	Lead Member for Resources and Climate Change	Pacific House, Eastbourne The Lead Member will consider the proposed future property strategy for Pacific House, Eastbourne.	P KD		Report, other documents may also be submitted	James Harris, Nigel Brown 07394 410630
21 Mar 2024	Lead Member for Adult Social Care and Health	Household Support Fund Round 5 Approval of the proposed use of the Household Support Fund Round 5 for the period (1 April 2024 – 31 March 2025) for the spend on Adults. A report is also being	KD		Report, other documents may also be submitted	Paul Bolton 01273 336353

		considered by the Lead Member for Education and Inclusion, Special Educational Needs and Disability for the spend of this fund on children.				
25 Mar 2024	Lead Member for Education and Inclusion, Special Educational Needs and Disability	Household Support Fund Round 5 Approval of the proposed use of the Household Support Fund Round 5 for the period (1 April 2024 – 31 March 2025) for the spend on children and families. A report is also being considered by the Lead Member for Adult Social Care and Health for the spend of this fund on adults.	KD		Report, other documents may also be submitted	Jessica Stubbings 01323 463537
25 Mar 2024	Lead Member for Education and Inclusion, Special Educational Needs and Disability	East Sussex Childcare Sufficiency Duty 2024-2025 To approve the publication of the East Sussex Childcare Sufficiency Duty Report for 2024-2025.			Report, other documents may also be submitted	Jane Spice 01323 747425
28 Mar 2024	Lead Member for Resources and Climate Change	Write-off of Debts 2023/24 To seek Lead Member approval for writing off certain debts in excess of £10,000.	P		Report, other documents may also be submitted	Alina Dunn 01273 481250
28 Mar 2024	Lead Member for Resources and Climate Change	A new 4- year Partnership Joint Use Agreement for community and curriculum use related to Battle Area Sports Centre. To consider a 4 - year Joint Use Partnership Agreement renewal for Battle Sports Centre from March 2024 (current Agreement expiry date) to enable the continuation of the curriculum and community use of the Centre. The proposed new Agreement to be broadly based on the existing	KD		Report, other documents may also be submitted	Nigel Brown, Pauline Young 07394 410630, 01273 481180

		arrangements.				
28 Mar 2024	Lead Member for Resources and Climate Change	A new 10- year Partnership Joint Use Agreement for community and curriculum use related to Lewes Athletic Track To consider a 10- year Joint Use Partnership Agreement renewal for Lewes Athletic Track from 2024 to enable the continuation of the curriculum and community use of the facilities. The proposed new Agreement to be broadly based on the existing arrangements.	KD		Report, other documents may also be submitted	Nigel Brown, Pauline Young 07394 410630, 01273 481180
28 Mar 2024 Page 160	Lead Member for Resources and Climate Change	Updated Environmentally Sustainable Procurement Policy To consider some minor changes to the Environmentally Sustainable Procurement Policy previously adopted by the Council in 2022. The changes are required to bring the Policy up to date and further in line with identified best practice. Some of the changes also reflect feedback from last year's Climate Emergency UK Local Government Scorecards.			Report, other documents may also be submitted	Ian Roadnight 01273 482193
28 Mar 2024	Chief Operating Officer	Former Sidley Depot Site, Bexhill - Disposal of Freehold Disposal of the Former Sidley Depot Site, Bexhill. To agree the final heads of terms for the sale of the site, as delegated by the Lead Member for Resources and Climate Change on 17 October 2023.	P KD		Report, other documents may also be submitted	Rebecca Lewis 07955 312 371

March 2024	Director of Communities, Economy and Transport	Allowed for extension to the Services Agreement for the Provision of Tipping Points handling of dry mixed recyclables The Services Agreement for the Provision of Tipping Points handling of dry mixed recyclables is due to expire on 28 June 2024. The decision being made is to exercise the allowed for extension, provided by clause two of the contract 'Commencement and Duration', for a fixed period of two years. The new and final expiry date will be 28 June 2026.	KD		Report, other documents may also be submitted	Laura Tafa 07919 298462
April 2024 Page 161	Chief Operating Officer	Award a main contractor for The Joff Youth Hub, Peacehaven This is to appoint a contractor for works to extend, reconfigure and renew this existing youth hub. The works will increase the number of regular positive activities and clubs available to young people aged 11 to 19 (up to 25 for young people with Special Educational Needs and Disabilities) in the areas.	P KD		Report, other documents may also be submitted	Nigel Brown 07394 410630
April 2024	Chief Operating Officer	Award a main contractor for the Heathfield Youth Hub This is to appoint a contractor for works to demolish and replace the existing building with a state-of-the-art rural Youth Hub. The works will increase the number of regular positive activities and clubs available to young people aged 11 to 19 (up to 25 for young people with Special Educational Needs and Disabilities) in the areas.	P KD		Report, other documents may also be submitted	Nigel Brown 07394 410630

9 May 2024	Lead Member for Education and Inclusion, Special Educational Needs and Disability	Post-16 Transport Policy Statement 2024-2025 The Lead Member is recommended to approve the Post-16 Transport Policy Statement for the 2024-25 academic year following the required consultation.	KD		Report, other documents may also be submitted	Ian Crudge 0300 3309472
22 May 2024	Lead Member for Transport and Environment	High Weald Management Plan 2024-2029 The Lead Member will be recommended to adopt the latest review of the High Weald Management Plan, which covers the period 2024 to 2029. This will enable the County Council to meet its statutory duty of preparing and publishing a Management Plan for the High Weald Protected Landscape.	KD		Report, other documents may also be submitted	Virginia Pullan 01273 482639
22 May 2024	Lead Member for Transport and Environment	Response to Defra consultations on implementing Schedule 3 of the Flood and Water Management Act 2010 Under the Flood and Water Management Act 2010, East Sussex County Council became the Lead Local Flood Authority (LLFA) for the county. The LLFA role includes a statutory consultee to major planning applications. Parts of the Flood and Water Management Act have never been implemented and this includes Schedule 3, which will introduce additional duties and burdens to the County Council, including the statutory role of Sustainable Drainage Systems (SuDS) Approval Body and Adopting Authority. The Government has recently indicated its intention to implement Schedule 3 and is due to consult			Report, other documents may also be submitted	Ed Sheath 01273 481632

		on a series of documents in Autumn 2023, which will set out how Schedule 3 will work in practice, as well as setting out matters such as proposed transitional arrangements and any new burdens monies. The report to the Lead Member will set out the County Councils proposed response to this consultation.				
25 Jun 2024	Cabinet	Council Monitoring: Quarter 4 2023/24 - Year end To consider the Council Monitoring report for the fourth quarter of 2023/24 as part of the Council's Reconciling Policy, Performance and Resources process.	KD		Report, other documents may also be submitted	Victoria Beard 07894 708914
25 Jun 2024	Cabinet	Reconciling Policy, Performance and Resources (RPPR) - State of the County To consider the State of the County report and begin the Reconciling Policy, Performance and Resources process for 2025/26 and beyond.	KD		Report, other documents may also be submitted	Victoria Beard 07894 708914
25 June 2024	Lead Member for Resources and Climate Change	To approve the granting of a new Lease to the Trustees of the West Hills & District Community Centre The current Lease dated 12 March 2008 expires 11 March 2023 and it is proposed that ESCC grant the Trustees a new Lease for a period of 25 years which will allow the Trustees to be able to seek grant funding.	P KD		Report, other documents may also be submitted	Joanne Johnston, Zoe Tweed 01273 336621, 07701 021868

June 2024	Director of Communities, Economy and Transport	SuDS in Schools: procurement of services and materials to fit Sustainable Drainage Systems (SuDS) to seven schools in the Eastbourne/Southern Wealden area Request to procure the appointment of a Contractor to carry out the works of Sustainable Drainage Systems (SuDS) in selected schools in Eastbourne and Southern Wealden, which have a higher risk of flooding.	KD		Report, other documents may also be submitted	Nick Claxton <i>01273 481407</i>
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Climate Emergency Action Plan (CEAP) Working Group Terms of Reference Document

Scrutiny Working Group	Update of the corporate climate emergency plan
Responsible Committee	Place Scrutiny Committee
Author	Andy Arnold, Environment Team Manager
Version	1
Date	13/2/24

Scope of the Working Group

The Scrutiny Working Group shall:

- Review the County Council's progress in becoming a carbon neutral council.
- Provide advice and critical challenge on the development of an updated corporate climate emergency plan.
- Represent the views of fellow Members not on the review board.

Areas outside the scope of the work

- Carbon emissions that are outside of the County Council's own corporate carbon emissions (eg. businesses and residents).
- Divesting the East Sussex Pension Fund of fossil fuel investments. This is addressed by the Pension Committee and is outside the remit of the Place Scrutiny Committee.

Background

In October 2019 the County 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.

In line with the commitment made in the Motion agreed in 2019, the County Council developed a Climate Emergency Action Plan to set out how the organisation would go about reducing its carbon emissions. The Action Plan was agreed by Cabinet in June 2020 and built on work undertaken since the first Carbon Management Plan was put in place in 2009. The Action Plan set out the scale of the carbon footprint, described the carbon budget that the Council will aim to keep within, and proposed an initial two year delivery plan for 2020-22. An updated action plan, covering 2023-25, was developed during 2022 with significant input from a cross party working group of the Place Scrutiny Committee. It is proposed that a similar cross party working group is established to contribute to the development of the next corporate Climate Emergency Plan, which will need to be agreed before March 2025.

Working Group methods

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

The following list is not exhaustive and will change and develop as the review progresses:

Documents and research:

The corporate Climate Emergency Plan for 2023-25.

Potential witnesses for oral and/or written evidence:

- The Energy and Carbon Reduction Manager in Property on the options and challenges with reducing carbon from county council buildings.
- The Team Manager of the Transport Hub on the options and challenges with reducing carbon from county council fleet and transport contracts.
- The Senior Policy Lead for Supply Chain Decarbonisation on the options and challenges with reducing carbon from county council procurement.
- The Head of Communications and Marketing, on the county council's communications role and activities.
- The Working Group may be supported and advised by other relevant officers.
- The Working Group Board may also wish to consider taking evidence from external expert witnesses and/or other local authorities on their experience of developing climate emergency action plans.

Working Group Organisation and Responsibilities

Working Group (acting as a reference group for this work)

The Working Group is comprised of: (tbc).

The Working Group is responsible for making decisions regarding the scope and direction of the work and will monitor and control the overall progress of it. It will consider and provide challenge to all evidence presented to it and agree any report, including the findings and any recommendations.

Scrutiny Support

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

- Manage the Working Group's review of the corporate climate emergency action plan process;
- Undertake research as agreed by the Working Group;
- Draft any report.

The Lead Officer who will support the Working Group from the Policy Team is Martin Jenks, Senior Scrutiny Adviser. Their role is to manage the work, ensuring its aims and objectives are met and that any report is provided within the agreed timescales.

Work Completion

When the Working Group has completed its work, the Lead Officer will co-ordinate the production of a report outlining the work undertaken by the Working Group together with any findings and recommendations for agreement by the Working Group. Once agreed, the report will be provided to the Place Scrutiny Committee members.

The final version of the updated corporate Climate Emergency Plan, agreed with the Working Group, will be presented to Cabinet for consideration. The report of the Working Group will be presented, alongside the updated Climate Emergency Plan, when it goes to Cabinet and then to full Council for consideration.

Subsequently, annual updates on progress in delivering the new, updated corporate Climate Emergency Plan will be provided to Cabinet and full Council.

Costs

The primary costs associated with the review are Member and Officer time.

Change Control

Any request to change the scope or definition of the project as set down in this document will be assessed by the Senior Scrutiny Adviser. They will give their assessment of the impact of the change (for example to the cost or timescale of the project) to the Working Group, who will decide whether to accept the change request.

Working Group Activity Timetable

An initial outline timetable of the meetings and activities required to complete the review is outlined below.

Activity	Timescale/Date
<u>Review Board Meeting 1</u> <ul style="list-style-type: none">• Consider county council progress to date in becoming a carbon neutral council.• Proposed headlines for the updated action plan.• Take evidence from county council officers, and external experts if required.• Discuss and agree initial recommendations based on the evidence provided.	June 2024
<u>Review Board Meeting 2</u> <ul style="list-style-type: none">• Review a first draft of the updated action plan.• Provide advice and critical challenge on the draft.	July 2024

<u>Review Board Meeting 3</u> <ul style="list-style-type: none"> • Review a final draft action plan. Provide final advice and critical challenge on the draft. 	September 2024
<u>Place Scrutiny Committee</u> <ul style="list-style-type: none"> • Review of the recommendations from the working group • Review of the final draft action plan. 	23/9/24
Report to Cabinet	December 2024
Report to Council	February 2025

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