

Meeting of
East Sussex County Council
on Wednesday, 24 September 2025
at 10.00 am

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



EAST SUSSEX COUNTY COUNCIL

To the Members of the County Council

You are summoned to attend a meeting of the East Sussex County Council to be held in the Council Chamber, at County Hall, Lewes, **on Wednesday, 24 September 2025 at 10.00 am** to transact the following business

1. **Minutes of the meeting held on 8 July 2025** *(Pages 5 - 26)*
2. **Apologies for absence**
3. **Chairman's business**
4. **Questions from members of the public**
5. **Report of the Governance Committee** *(Pages 27 - 28)*
6. **Report of the Leader and Lead Member for Strategic Management and Economic Development** *(Pages 29 - 40)*
7. **Notice of Motion proposing a delay in the Mayor election to 2027** *(Pages 41 - 42)*

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

The Westminster Government has announced its intention to return to the Supplementary Vote (SV) system for mayoral elections, which compared to First Past The Post (FPTP) better reflects the preferences and values of residents particularly when electing a single powerful figure across a large constituency. The government has announced that mayoral elections will revert to the SV system as soon as they can get that change instituted, but this is likely to be too late for the 2026 elections. This would put Sussex among the disadvantaged counties that are in the fast track with our residents electing a mayor under an outdated and problematic electoral system.

When Sussex decided to join the priority programme there was no suggestion that there would be any democratic disadvantage from being at the front of the queue, (notwithstanding some of us were concerned about the haste and doubted that there was anything to gain).

It now appears that there will be distinct disadvantages as the process for Sussex is too hurried for the government to get the necessary statutory instruments properly in place. We should not have to implement a new mayoral authority under a poor and unrepresentative system. We therefore propose that the administration should work with West Sussex County Council and Brighton and Hove City Council to seek to delay the Mayoral election to the 2027 electoral cycle.

Advantages of delaying the Mayor election to 2027 are:

- It will coincide with the anticipated unitary elections for West and East Sussex, so the combined costs will be lower and there will be a higher turnout for both.
- It will be more equitable across the country for all coming mayor elections to have the same voting system.
- It is better for democracy as there will be more certainty for residents and political parties locally, and more time to communicate clarity about what the devolution

and government reorganisation mean for the local areas.

This council therefore requests the Leader:

1. to approach West Sussex County Council and Brighton and Hove City Council to open negotiations on a change to the schedule for implementing devolution in order to better reflect the preferences of residents in electing a Mayor; and
2. to work together with West Sussex County Council and Brighton and Hove City Council with a view to approaching the minister for local government to request to revise the timetable and/or withdraw from the priority programme and undertake the Devolution process according to a more appropriate timetable.

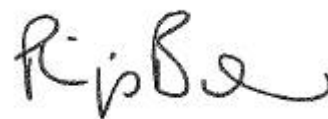
8. Questions from County Councillors

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

Note: There will be a period for collective prayers and quiet reflection in the Council Chamber from 9.30 am to 9.45 am. The prayers will be led by the Reverend Ben Brown – St Anne's Church, Lewes. The Chairman would be delighted to be joined by any members of staff and Councillors who wish to attend.

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

PHILIP BAKER
Deputy Chief Executive



16 September 2025

MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held in the Council Chamber, at County Hall, Lewes on 8 JULY 2025 at 10.00 am

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

21. Minutes of the meeting held on 20 May 2025

21.1 RESOLVED – to confirm as a correct record the minutes of the County Council meeting held on 20 May 2025.

22. Apologies for absence

22.1 Apologies for absence were received on behalf of Councillor Kirby-Green.

23. Chairman's business

KING'S BIRTHDAY HONOURS

23.1 On behalf of the Council, the Chairman congratulated all those who live or work in East Sussex who were recognised in the King's Birthday Honours. Including Councillor Keith Glazier OBE, Holly Aquilina BEM – Employability and Skills Manager for East Sussex County Council, Dame Anna Rausing DBE, Sir Roger Daltrey CBE, Mrs Kerry Lester OBE, Dr Samantha Morton OBE, Mr David Pickard OBE, Mrs Vanessa Barden MBE, Mr Stephen Thompsett MBE, Mr Eric Brown BEM, and Ms Christine Maddocks BEM.

CHIEF EXECUTIVE, BECKY SHAW

23.2 On behalf of the Council, the Chairman passed on his well wishes to Becky Shaw, Chief Executive.

CHAIRMAN'S ACTIVITIES

23.3 The Chairman reported that he had attended a number of engagements since the last meeting of the Council including the Lord Lieutenant's Reception (for the new Mayors and Chairmen), the King's Award for the Voluntary Service 2025, the Visit England Awards for

MINUTES

Excellence (chaired by Patricia Yates CEO and Lady Victoria Borwick), the Opening of Bexhill Beach Garden and Friends of Sussex Hospices Summer Cabaret at Framfield Grange.

23.4 The Chairman thanked the Vice-Chairman for his ongoing support, including attendance at the Eastbourne Cultural involvement Group Event, Annual Chattri Memorial Service with Davinder Dhillon OBE DL, Armed Forces Briefing with SE Reserve Forces' and Cadets Association and County Chair Colonel (Retd) Mark Siebenaller TD VR, Sussex Annual Forum with Professor Robin Banerjee, Pro-Vice Chancellor for Global and Civic Engagement, the Sussex Day Business and Community Luncheon, Royal Society of St George Celebration of the Kings Birthday Dinner, a Reception for Civic Representatives, Military, the NHS and Emergency Services with the Bishop of Chichester, and the Right Reverend Dr Martin Warner and the Patronal Festal Evensong at St Peter's Church, Bexhill.

PETITIONS

23.5 The following petition was presented before the meeting by Councillor MacCleary:

Name of Presenting Councillor	Subject of Petition
Councillor MacCleary	Install a safe crossing point on Lewes Road in Newhaven

PRAYERS

23.6 The Chairman thanked Major Ralph Walker QVA, Commanding Officer, Eastbourne Salvation Army, for leading the prayers before the meeting.

24. Questions from members of the public

24.1 Copies of questions from members of the public and the answers from Councillor Glazier, Lead Member for Strategic Management and Economic Development, Councillor Claire Dowling, Lead Member for Transport and Environment, and Councillor Bob Standley, Lead Member for Education and Inclusion, Special Educational Needs and Disability are attached to these minutes. Two supplementary questions were asked and responded to.

25. Declarations of Interest

25.1 Councillor Webb declared a personal, non-prejudicial interest in item 5 on the agenda as a Member of Hastings Borough Council.

26. Reports

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

Cabinet report - Paragraph 2 (Reconciling Policy, Performance and Resources – State of the County).

NON-RESERVED PARAGRAPHS

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

Cabinet Report – Paragraph 1 (Council Monitoring, Quarter 4 2024/25).

27. Report of the Cabinet

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

27.1 The Chairman indicated that there would be a single debate on the Cabinet Priorities for the forthcoming year (Item 6) and the State of the County report.

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

27.3 The paragraph was noted after the debate.

28. Cabinet priorities for the forthcoming year

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

29. Notice of Motion - Planning and Infrastructure Bill and the natural environment

29.1 With agreement from Council, Councillor Taylor moved an altered motion, which was seconded by Councillor Tutt.

East Sussex has a significant number of nature protected areas including National Landscapes, and National and Local Nature Reserves (see Annex 1), that are essential for the local ecosystem survival and for carbon sequestration (of national relevance) and the survival of seriously endangered insects, wildlife and plant life. This Council does not accept the current Part 3 of the new Bill and will do everything we can to ensure our essential protected areas do not get destroyed by development.

This Council calls on the Leader to write to the Prime Minister, the Right Honourable Angela Rayner MP and ~~(delete the following wording) the Right Honourable Steve Reed,~~ [add the following wording] Baroness Taylor of Stevenage to request:

- ~~(delete the following wording) That Part 3 of the Bill is withdrawn (or, if not, accept substantial amendments to improve protection and regeneration of nature in this part)~~*
- [add the following wording] Substantial amendments to Part 3 of the Bill to improve protection and regeneration of nature (see Annex 2)*
- [add the following wording] That proposals to enhance the protections for Dark Skies sites as outlined by Parliament's Dark Skies APPG are incorporated within the bill*
- That positive proposals for nature are added to other parts of the Bill*
- Assurance that East Sussex nature protected sites remain fully protected*

This Council also request that the Leader of the Council to write to our local MPs asking them to support amendments to the bill that address the concerns outlined above and below in Annex 2 and, in the event that the bill remains substantially the same, to call on our MPs to vote against its adoption on the grounds that it will set back nature recovery whilst failing to help deliver either truly the affordable housing or the social housing local people need.

MINUTES

29.2 The motion was CARRIED after debate.

30. Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Lambert	Councillor Maynard	Blue badge delays
Councillor Murphy	Councillor Standley	Academy Trust bids for Burfield Academy
Councillor Daniel	Councillor Claire Dowling	Temporary traffic light hire charges
Councillor Robinson	Councillor Bowdler	The use of private equity companies in care placements.
Councillor Denis	Councillor Glazier	Newhaven Port access road.
Councillor Denis	Councillor Glazier	All Council's scrutiny committee in relation to Local Government Reorganisation.
Councillor Stephen Shing	Councillor Claire Dowling	Concrete curb quality.
Councillor Hilton	Councillor Claire Dowling	Systems for managing reporting of issues with roads and pavements.
Councillor Maples	Councillor Claire Dowling	Quality of materials used in pavement repairs, and the impact of weed growth.
Councillor Maples	Councillor Glazier	Information sharing in relation to Local Government Reorganisation.

30.2 There were four written questions received from Councillors Hilton, Lambert, MacCleary, and Wright to the Lead Member for Transport and Environment, and the Lead Member for Education and Inclusion, Special Educational Needs and Disability. The Lead Members responded to supplementary questions.

MINUTES

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.49pm.

The reports referred to are included in the minute book.

COUNTY COUNCIL – 8 JULY 2025

QUESTIONS FROM MEMBERS OF THE PUBLIC

1) Question from Jeremy Richardson, Etchingham, East Sussex

How much did the rejigging of the dropped curb at St Phillip's Church/ Playing field Car Park, at Burwash Common cost and why was it necessary to use new curb stones when the old ones were undamaged and obviously cut to fit the gap?

Response by the Lead Member for Transport and Environment

The parish initially highlighted concerns over water pooling at the location, which prompted the Local Highway Steward to assess the issue. Following this, a request was raised to address the situation by raising the kerbs in order to mitigate water and detritus accumulation on the footway. The proposed works were reviewed and approved and subsequently authorised to be delivered under a Minor Works Order. These works were completed on 18 March 2025.

In response to the query regarding the use of the original kerb stones, please be advised that while we always endeavour to reuse kerb stones in sound condition, it is not always possible. In this instance, the original kerb stones could not be reused due to difficulties in removing them intact, and as a result, new kerb stones were installed instead.

The total cost for this Minor Works project amounted to £2,496.89.

Thank you again for your correspondence on this matter. I hope that the information provided above is helpful to you.

2) Question from Paul Turner, Hailsham, East Sussex.

STEP Multi Academy Trust manage a number of Schools in East Sussex including 4 primary schools in Hailsham, Burfield, Hawkes Farm, Pheonix and Whitehouse. In September 2023 STEP moved out of Burfield to allow substantial building remedial works to take place and temporarily co-located pupils across town onto the Pheonix site a mile and a half away.

STEP academy applied to the County council to waive the planning condition to have a 'kiss and drop' facility at Burfield. The application was denied by the County planning committee and within hours of that decision STEP academy informed the Council that they would not be taking up occupancy of the site again and would permanently co-locate both schools on the Pheonix site.

In November 2024 STEP formally applied to the Regional Schools Director (RSD) to merge both schools. Despite clear evidence of the amount of 1700 housing units being built in the southern area of the town and the representations of Parents/carers the

Lead Member did not oppose the closure of Burfield. The application by STEP was denied by the RSD after a campaign by the parents/carers and local Councillors.

STEP Academy again applied to merge the schools in March 2025. The parents met with the senior civil servants from the DFE and impressed upon them that issues relating to the Governance of STEP academies in Hailsham and the difficulties the parents/carers were experiencing in the handling of the whole matter by STEP. However, this time the application was approved, and the decision was not published for 6 weeks.

To date the parents have been denied access by the RSD to the minutes of the March meeting and the evidence that STEP academy submitted that enabled the initial decision to be reversed.

The County Council has recently announced in April 2025 that the empty Burfield site will be occupied by London and South East Academy Trust from September 2025. This decision by the lead member seems strange as there is no details of the reason for this decision or an explanation why another Academy Trust application who were very interested in making a contribution to improve the SEND provision in the County was not considered fully.

Is the Lead member aware of the connection of Mr Rama Venchard MBE has to STEP Academy Trust and London South East Academy Trust in relation to the Burfield school site?

Response by the Lead Member for Education and Inclusion, Special Educational Needs and Disability

Academies, STEP confirmed to ESCC that they would not be moving back into the Burfield school site. As an education site, the Children Services Department (CSD) is responsible for considering whether the site is needed for other educational purposes.

There is an urgent need for new accommodation for local authority commissioned Alternative Provision in East Sussex. CSD have confirmed to the new Alternative Provision provider, London South East Academy Trust (LSEAT), that the former Burfield site can be used for this purpose. The school site will be known as East Sussex Academy Hailsham and will open to pupils from September 2025.

As Lead Member I was made aware of the connection of Mr Rama Venchard as Trustee at STEP and LSEAT, alongside other trustee/public roles that he holds. Mr Rama Venchard was not involved in the Local Authority's decision about the use of the site and it is my understanding that he is no longer a Trustee at STEP.

3) Question from Bernard Brown, Battle, East Sussex.

This question relates to two projects undertaken by East Sussex Energy Infrastructure and Development Limited trading as Sea Change Sussex under Service Level Agreements with East Sussex County Council.

Pacific House, Eastbourne. This matter was raised by way of a Public Question at the Full Council Meeting of 20 March 2025. In reply to a supplementary question the Leader said he did not recognise the figures I had quoted. He recognised I would expect a written follow up answer which would also be published. It is in excess of 3 months since that meeting and no response has been received. It should be provided now. A follow up request has been made separate to this question.

Queensway Gateway Road. The primary subject of this question, however, relates to the continuing management of the Queensway Gateway Road project. I am sure the Leader will acknowledge that I do not come to this matter late in the day, as some MPs may have done, but that my first 'contribution' was in early 2021. This is when I was first advised there was nothing to worry about, it was all in hand and that the road would be open and operational by August 2021. I advised him then that I did not believe this to be the case. Every two months throughout 2021 and 2022 senior officers of East Sussex County Council attended Accountability Board meetings of SELEP where they submitted progress reports and estimates of completion dates. These reports were at best inaccurate and, as each succeeding report demonstrated, were completely misleading. In November 2022, despite repeated questioning by SELEP, ESCC ceased giving projected completion dates.

Everyone clearly understands there have been very serious problems in the County's relationship with Sea Change Sussex. It is less clearly understood that ESCC and Sea Change Sussex jointly wrongly attempted to place the blame for the delays at the door of Seat Bartlett a local employer providing real jobs in the local community. When it had been reported to SELEP that the full £10m in the SELEP approval had been spent I submitted a question asking how much would the road cost to complete and where would the money come from? At the time the revised cost was unknown and it was said funding was 'being sought'. A 'Light touch business review' was undertaken and the budget for completing the road was set at £2.5m.

In 2024 it was disclosed this £2.5m from DLUCH, originally for use on new projects, would be granted to ESCC to complete the road.

It was not until last autumn that it was disclosed that Sea Change Sussex were no longer responsible and that Balfour Beatty were undertaking the final stage and the road would be open by 31 December 2024. It is necessary, for clarity, to quote from The Newsroom press office of East Sussex County Council the following:

Cllr Glazier said, "we are delighted the DLUCH has recognised the importance of this project and the need to complete this road. The completion of the Queensway Gateway

Road is a top priority for the County Council as we know the difference it will make for people living, working and visiting the Hasting and Rother area.”

The Council said in September the work would be finished by 31 December and would use the £2.5m levelling up funding. There is still no clear estimated completion date nor has a revised total forecast cost been put in the public domain. It is not unreasonable to assume if the work was scheduled to be completed within 3 months at a cost of £2.5m the costs will be somewhat greater when the works remain incomplete after 9 months.

So once again a member of the public is left to perform the role of the opposition and get the true costs of this troubled project and the failed relationship between ESCC and Sea Change Sussex out into the open. The council and general taxpayer are entitled to ask how has it been possible for this project to be so badly managed.

What process has been followed to scrutinise what has happened, determine who was responsible in order to take steps to correct previous errors and ensure there is no further repetition. Obfuscation and denial seems to have taken up all the energy which could have been used to deliver these projects in anything resembling their original business plans. Members were thwarted in Place Scrutiny.

Two major projects, Pacific House Eastbourne and the Queensway Gateway Road were both commenced by Sea Change Sussex under contract with East Sussex County Council and have resulted in severe difficulties.

On the Queensway Gateway Road I previously asked for a formal referral to Place Scrutiny. This was denied. We can now see how beneficial this could have been and could still happen if the Leader so wished. However, the current final budget is reported to be £12.5 million. The source of funds to meet this budget being the £10m from funds received via SELEP and £2.5 granted by DLUCH last year as per the Light Touch Business Review Case (2024).

Given that the final stage will be at least 6 months late on a estimated 3 month construction schedule, will the Leader please advise what is the latest cost forecast for the project and how any difference will be funded?

Response by the Leader

Thank you for your question and I will take this opportunity to clarify and respond to the matters you have raised.

a) On management of the project:

The QGR is a large and complex infrastructure project which we are committed to completing as soon as possible, which has required working with several third parties such as National Highways and Southern Water. Each party is ultimately responsible for their respective processes and protocols to ensure the necessary approvals are in place to proceed at each stage of the scheme's delivery. I would like to assure you and the

public that as part of our procedures in closing-out this project we will undertake a lessons-learned exercise, as a matter of routine, which will consider all aspects of the project.

- b) On your statement that we have provided inaccurate and misleading reports to SELEP:

You make the assertion that the County Council has previously provided inaccurate and misleading reports to SELEP and the public. I disagree with that assertion, and the County Council has submitted the information it had available at that time to enable the SELEP Accountability board to be informed of the matters being addressed and progress made on the scheme.

- c) In terms of blaming a local employer for delays:

I must also strongly challenge your statement that the County Council has blamed a local employer for the delay. The County Council has not at any time directly or indirectly placed any blame on any local employer.

- d) Being clear on the funding of the project and a revised total forecast cost:

As you have highlighted the County Council has secured and spent £10m from the SELEP Local Growth Fund programme on Queensway Gateway Road (QGR) and further secured £2.5m from the Ministry for Housing, Communities and Local Government in 2024. In March 2024, the County Council resolved to complete the project through its Highways Contractor, Balfour Beatty Living Places. The detailed cost of the County Council stepping in to complete the project is currently being finalised and as the project is ongoing, we cannot provide regular updates on the financial costs.

- e) Finally, in regard to their being 'No clear estimated completion date':

I am pleased to announce as indicated recently on our website, we have provided an indicative timeline for completion and opening of the road by the end of August 2025. However, should any further delays occur, we will provide updates via:

<https://live.eastsussexhighways.com/highway-schemes/queensway-gateway-junction-improvements>

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

1) Questions from Councillor Hilton to the Lead Member for Transport and Environment

a) What are the plans for the funding awarded by Active Travel England (ATE) to East Sussex CC? Will the Lead Member for Transport and Environment confirm if any of this funding will be committed to the cycle route to the Conquest Hospital in Hastings which has been identified as a priority route in the Local Cycling and Walking Infrastructure Plans (LCWIP)?

Response from the Lead Member for Transport and Environment

The County Council has recently been awarded dedicated Active Travel Funding from Active Travel England. This comprises:

- **£326,741 for 2024/25 Active Travel Fund (ATF) 5 capital funding** - This funding will be focussed on the development and delivery of existing school street projects and the development of a local active travel scheme development for an existing scheme in the Peacehaven and Telscombe area. In addition, a proportion of the funding is allocated to the maintenance of existing active travel measures across the county.
- **£1,110,557 from the 2025/26 Consolidated Active Travel Fund** – officers are currently reviewing potential projects that this can be allocated to during 2025/26 but it is likely to go on schemes which are already being developed and/or close to construction as identified in the council's capital programme of local transport improvements to enable the funding to be allocated and spent within the timescale of the grant conditions set by Active Travel England.

Whilst a cycle route to the Conquest Hospital in Hastings is identified as a priority scheme in the East Sussex Local Cycling and Walking Infrastructure Plan adopted in September 2021, previous feasibility work undertaken on this scheme highlighted several constraints impacting on its deliverability and potential acceptability by local stakeholders. In addition, any route to and from the hospital would stand in isolation and would not connect into a wider cycle network. Therefore, because there are no current designs for any such scheme, its lack of connectivity into other routes and the timing constraints for spending the funding, none of the 2025/26 Consolidated Active Travel Fund funding will be allocated to introducing a cycle route to and from Conquest Hospital.

Following the adoption of the East Sussex Local Transport Plan in October 2024, officers have recently commenced a review and update of the East Sussex LCWIP. As part of this review process, the County Council will engage with the Borough Council on identifying affordable and deliverable network of routes for the town that, subject to

future funding being available, can be developed and delivered. The LCWIP review process which will be completed by the end of the calendar year.

b) The Local Government Association (LGA) has recently published a councillor guide to best practice for streetworks. Given the chaos that has been created in Hastings over the past six months from many streetworks projects over running and with seemingly little coordination, can Cllr Dowling give a clear commitment that ESCC will follow the best practice guidelines outlined in this report? This includes.

- **Clarity on responsibility.** The legislation is clear that authorities are responsible for coordination and should take a lead in improving coordination.
- **Voluntary policies to share works.** A 'dig once' policy is a voluntary arrangement to plan works together, with the aim of accessing one road for all services at the same time. This rests on good communication, and utilities firms seeing a financial benefit from reduced costs. 'Trench sharing' is similar but using the exact same trench. This requires a clear agreement on liability and responsibility for restitution. In some places, 'dig once' policies have been agreed across multiple authorities - such as 6 councils across Berkshire [coming together](#) to make a trench-sharing guarantee on digital infrastructure works.
- **Early finish alerts.** It costs utilities little to let authorities know if work finishes early. If authorities reassure them that there will be no negative consequence for doing so - for example any changes to permits approved - utilities can be encouraged to keep authorities up-to-date.
- **Promote 'optimum times' not just 'maximum times'.** Many places only put maximum times on permits. But they can also add detail on when the best times are - encouraging the least-disruptive times and allowing different stages of work to be planned in more detail. Surrey County Council, for example, sets out the ideal time for works to take place in its permits - giving a clear steer on when it would like work to happen.
- **Advance work windows.** Local authorities can lead by example and give other organisations details on when they expect to undertake works. This means that other organisations have a clear window in which to complete works,
- **Bus briefings' and 'bus champions'.** A single point of contact or a single meeting with bus operators. This lets them know about planned works, and allows any major concerns to be communicated to streetworks.
- **Accessibility considerations.** Streetworks can be extremely disruptive for walking, wheeling, and people with limited mobility. The best councils go beyond the bare minimum required, and actively think about how drop-kerbs,

diversions and pavement surfaces will affect people on bikes, scooters or wheelchairs avoiding returning to the same road again.

Response from the Lead Member for Transport and Environment

The Councillor's Guide to Better Streetworks was published on 4 June 2025 by the Local Government Association. The term 'Streetworks' includes installing and repairing equipment, under and above street level for utilities such as gas, water, electricity, broadband, telecommunication networks and so on.

Streetworks are governed by the New Roads and Street Works Act 1991, Traffic Management Act 2004, and Highways Act 1980 which combine to set out who is responsible for streetworks and how they are managed. In line with legislation, East Sussex County Council has the responsibility for coordinating streetworks.

The demand for road space occupation has nationally increased by approximately 30% and a similar growth in demand has been experienced in East Sussex, more acutely in our larger towns. The Traffic Manager, located within East Sussex Highways, has the responsibility to work with, encourage, and coordinate access to the road network in the county, including Hastings. The Traffic Manager coordinates quarterly with Public Utilities and others to ensure the road space is managed effectively in line with the best practice guidelines. These are undertaken through quarterly planning meetings and follow the DfT Coordination Code of Practice 2023 (currently being updated) and the HAUC England guidance document for Operation of Permit Schemes (and Permit Condition text).

Additionally, the Traffic Manager also coordinates with Passenger Transport colleagues and bus operators to discuss individual works and projects.

The County Council already follows existing best practice guidelines and will review the recently published Councillor's Guide to Better Streetworks to ensure every opportunity is maximised to secure compliance and continuous improvement.

c) Road licensing – I welcome the introduction of this scheme but note with dismay that it allows the digging up of the pavement with no charge. What monitoring is ESCC doing to check that utility companies are not simply moving all their street works where possible to the pavement which will result in increased disruption for pedestrians? Are there plans to extend the road licence scheme so it covers pavements and highways so not discriminating again pedestrians who are already having to struggle with uneven and badly maintained pavements?

Response by the Lead Member for Transport and Environment

According to Streetworks data, there are very few new works (except when renewing customer connections, broadband works or repairing leaks or faults) undertaken or

installed in the pavement. This is likely due to the congestion of existing Public Utility infrastructure contained in most pavements and due to the depth of excavation required for new utility infrastructure to be installed.

The Network Coordinators (and Inspectors if inspecting the site) will ensure all stakeholders are carefully considered and will ensure permit conditions are applied accordingly. Minimising inconvenience (especially for those with a disability) is a primary objective under the New Roads and Street Works Act 1991 section 59 and an objective the County Council strives to achieve with every set of works undertaken on the public highway. Currently legislation only permits the County Council to charge for works that affect traffic flows on the carriageway.

d) I understand the maximum charge is £2500 a day. Are you charging Balfour Beatty £2500 a day for their extended roadworks on the QGR?

Response by the Lead Member for Transport and Environment

No. The works at QGR had a provisional advanced authorisation (PAA) submitted prior to the 1st April 2025 and are therefore in compliance with the terms of the “Transitional Period” within the document and therefore are not subject to charges.

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

There are roads across the county which are tarmac skim over a concrete base. Inevitably, the tarmac skim wears off quickly, but these roads in most cases do not meet the criteria for pothole repairs, leaving them in a condition that is potentially dangerous, not just for car users but for cyclists and those with mobility vehicles, particularly at night.

I have finally been successful in getting one of the worst roads in Seaford, which is also a bus route, onto the concrete road maintenance programme although this is far from satisfactory as it appears only one road in the estate will be repaired leaving the rest of the estate in its present appalling condition to the dismay of residents.

I was alarmed therefore to receive the following email from the Contracts Maintenance Team:

“We are not currently running a concrete road maintenance programme; however, if and when appropriate resources become available, the site will be reviewed for inclusion as we are aware of the maintenance needs of this road”.

When I queried this further, I received the following response from the Highways Department:

“As you know, the Council manage its roads through a structured asset management approach that prioritises work based on safety, serviceability and long-term value for

money. With regard to concrete roads - we recognise that whilst surface issues such as discolouration, minor cracking, joint wear or delamination of the asphalt overlay may develop over time, these rarely pose safety risks or indicate structural problems. The underlying integrity of concrete roads typically remains sound for an extended period”.

Unfortunately, this is not the experience of either myself or of residents. The Highway Steward does indeed carry out regular checks but just as regularly reports that no action is possible as the road surface does not meet the criteria for pothole repair.

- a) Will the Lead Member explain what evidence officers are using to come to the conclusion that tarmac skimmed concrete roads "rarely pose safety risks or indicate structural problems" both in the short, medium or long term?

Response by the Lead Member for Transport and Environment

Thank you for the question. The conclusion that tarmac skimmed concrete roads "rarely pose safety risks or indicate structural problems" is supported by a combination of national guidance, local engineering evidence, ongoing technical inspections, and regular highway steward observations. Specifically:

- **Historical Evidence & Technical Inspections:** The council conducts routine technical inspections—including visual condition surveys and skid resistance measurements. These consistently show that tarmac overlays on concrete roads maintain their structural integrity and do not present elevated safety risks or significant structural problems in the short, medium, or long term. Any surface deterioration observed tends to be superficial rather than indicative of deeper issues.
- **Highway Steward Inspections:** Our highway stewards carry out regular site visits and inspections across the network. Their reports typically identify defects such as surface wear, minor delamination, or cosmetic deterioration on tarmac skimmed concrete roads. Importantly, these defects are usually categorised as non-safety related and do not require urgent intervention. This ongoing monitoring helps ensure that any emerging safety risks are identified and addressed promptly.
- **National Guidance (ADEPT & DfT, 2019):** Guidance from ADEPT and the Department for Transport's Pothole Repair Guide notes that bitumen-based overlays (typically 10–40mm thick) were commonly applied to concrete roads to reduce noise. While these overlays can degrade visually through delamination, the guide confirms that such defects are highly unlikely to pose safety hazards. However, care is taken where narrow rutting could affect cyclists or motorcyclists.
- **Risk-Based Approach:** In line with the Well-Maintained Highways Code of Practice, our assessment of defects considers not only their depth but also their surface area, location and risk to road users. The commonly used intervention level across local authorities in Great Britain is around 40mm depth, which aligns with our current approach. Lowering this threshold specifically for concrete roads

to 30mm or below would significantly increase defect numbers and costs, without clear safety benefits.

- **Cost and Feasibility:** Experience from authorities such as West Berkshire Council indicates that reducing defect intervention criteria from 40mm to 30mm can incur substantial additional costs—estimated at over half a million pounds in the first year for our larger network, plus ongoing annual costs. Complete removal of asphalt overlays would also raise road noise, disrupt kerb and drainage levels, and involve further significant expense.

In summary, the available evidence and national best practice do not support the view that tarmac skimmed concrete roads pose systemic safety or structural problems. We continue to monitor and maintain these roads using a risk-based, evidence-led approach, supported by regular highway steward inspections, to ensure safety and durability.

- b)** Can the Lead Member further provide specific information about the extent of concrete roads across East Sussex and the current state of these roads.

Response by the Lead Member for Transport and Environment

There are approximately 705km of concrete road in the county which is approximately 20% of our road network. This is broken down as follows:

A roads – 148km

B roads – 82km

C roads – 331km

Unclassified roads - 144km

The Scrutiny Review of March 2019 highlighted that concrete roads make up a small proportion (9%) of the unclassified network and highlighted issues such as surface cracking, overlays wearing away and damage to stick-on kerbs. That review heard that concrete roads are treated no differently to other roads in that our Highway Stewards apply the same policies and intervention criteria in determining safety defects.

3) Question from Councillor MacCleary to the Lead Member for Education and Inclusion, Special Educational Needs and Disability.

A primary school in my area has been told by its catering provider, Chartwells, that it must pay an additional £2,600 this year to cover the company's rising National Insurance contributions – costs now being passed directly to schools. This is in addition to the nearly £30,000 shortfall the school already faces due to the Government

underfunding the Universal Infant Free School Meals (UIFSM) programme. The school currently serves around 180 free school meals per day.

This is far from an isolated case. I am aware of many other schools facing similar or even more severe deficits. This is simply one example of a wider issue that is causing deep concern across the county. Schools are telling me the situation is unsustainable – what are they telling you? If schools are raising these issues with me, I cannot believe ESCC is not hearing the same concerns.

I understand that ESCC centrally procures a catering contract that schools can opt into, regardless of whether they are maintained or academies. Chartwells is the current provider under this arrangement, which runs until July 2026. While the contract may perform well on paper, schools are being left to pick up the pieces of a broken funding model, all while also being charged an additional management fee by the council for administering the contract.

Will the Lead Member explain:

1. What oversight ESCC has over the behaviour of providers such as Chartwells when they pass on new costs to schools, and whether this practice is permitted under the terms of the current contract?
2. Whether ESCC has assessed how widespread this problem is and what direct feedback you've received from schools currently using the contract?
3. What practical support ESCC is offering to schools who find themselves unable to meet the rising costs of providing free school meals?
4. What assessment has been made of the impact of the management fee charged by ESCC, especially at a time when schools are already running at a deficit?
5. What representations ESCC has made to central government about the chronic underfunding of UIFSM and the need for the funding rate to match the real cost of meals?
6. As part of the 2026 contract re-procurement process, will ESCC commit to stronger safeguards to prevent unfair cost-shifting onto schools and ensure that their feedback meaningfully shapes the new contract?

Response by the Lead Member for Education and Inclusion, Special Educational Needs and Disability

1. ESCC work with Chartwells to ensure contract key performance indicators are met and that contractual service level agreements are adhered. Following the announcement of the National Insurance increases ESCC worked with all our key contractors to understand and discuss the impact of this on their costs. It was decided not include this increase to meal prices in this academic year prices, to

fairly represent the changes affecting each individual school and to avoid an in-year meal price increase. However, prices are being increased for the start of the new academic year. ESCC are aware that schools have queried this increase, and a few have asked us if this is permitted as part of the school meals contract. The change is covered in the contract terms for school catering between ESCC and Chartwells.

2. Some schools have asked additional questions relating to this increase and responses have been provided to individual schools. The increase in National Insurance was also addressed at the recent BURSARS forum via a face-to-face presentation to schools in attendance.
3. For local authority-maintained schools, the ESCC schools finance team works closely with schools to help them manage budget challenges, this includes bespoke support for schools in financial difficulty.
4. Management fees are assessed on an annual basis, and prior to the management fee increase of 2025, there was a slight increase to management fees in 2024, the school catering contract had no significant increase in management fees over recent years. The management fee allows for the contractual delivery and management of this service to 136 schools and academies.
5. ESCC continues to lobby central government on funding for Councils, including for schools but has not yet made representations specifically on this issue.
6. As part of the new school meals contract procurement, engagement session has been held with school, academies and food partnership groups to ensure that the procurement can focus on the requirements of schools, whilst remaining competitively priced and adhering to government regulations on menu and nutrition. As the National Insurance increase was introduced during the current contract period the new contract will take this into account and the increase will form part of the new contract cost.

Key points for consideration in future procurement outcomes:

- a) ESCC will continue to deliver good contract management which focusses on efficiency, environmental impact, value for money and good service levels.
- b) An ESCC contract tracker has been put into place to ensure additional control and monitoring of contract and KPIs and outline what has worked well and note areas which have needed improvement (and done) or those that are outstanding.
- c) The successful bidder will be expected to provide a robust sustainability report and roadmap to reach Carbon Net Zero as well as focusing on value for money, choice and nutritional outcomes

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

Transport for London released the following press release on road safety on 21 May 2025:

<https://tfl-newsroom.prgloo.com/news/powerful-new-long-term-tfl-research-shows-20mph-speed-limits-save-lives-on-londons-roads>

The press release states the following:

Transport for London undertook analysis of more than 150, 20mph schemes implemented between 1989 and 2013, to better understand the impact of the schemes over a longer time period. The report shows that people killed or seriously injured on borough roads reduced by 34 per cent following implementation of 20mph speed limits. The evidence in this new report will be instrumental in TfL's work toward achieving the Mayor's Vision Zero goal to eliminate death and serious injury from London's transport network and to enable more walking and cycling in the capital.

Questions:

- a) How many lives could be saved and serious injuries prevented over the next 3 years in East Sussex if ESCC were able to reduce KSI's by 34% as in the London example?

Response by the Lead Member for Transport and Environment.

The TfL study referred to is an analysis of 157 20mph schemes that were introduced in London between 1989 and 2013 and were a combination of schemes with traffic calming and signed only schemes. It is also important to highlight that over this period of 24 years, TFL and London Borough Councils have not used the implementation of 20mph as their primary strategy to reduce KSIs, but as part of a package of measures that aligns with Safer Systems approach which have required significant funding. For example, TFL invested £54 million over five years (2019 to 2023) to improve the safety of 73 junctions across London. ESCC along with the other SSRP partners are committed to a safer systems approach across Sussex.

Across these 157 schemes, whilst KSI incidents fell by 34% in total, the outcomes were varied. In the majority of these schemes (54%), there was either no reduction in KSIs, or KSI's increased.

The latest full year figures we hold is for 2024 when there were 409 KSI casualties in East Sussex. A 34% reduction would see 270 KSIs. Considering the figures for residential areas, there were 166 KSI casualties in 30mph speed limits in East Sussex, a 34% reduction in KSIs would see 110 KSIs.

- b) Based on the long-term London experience and example of councils such as Oxfordshire, Cornwall, Surrey, and Buckinghamshire and the Welsh Government, plus others, all prioritising the roll out of 20mph speed limits. The evidence for the efficacy of 20mph speed limits and the increasing number of Highways Authorities that are now using 20 mph speed limits as their primary strategy, at what point, will ESCC relinquish their intransigence on this matter?

Response by the Lead Member for Transport and Environment

East Sussex County Council (ESCC) supports 20mph speed limits where appropriate. Adopted Policy PS05/02 allows for the implementation of 20mph zones or speed limits to be considered where they are likely to be self-enforcing. The policy aligns to DfT guidance on setting local speed limits.

When considering how ESCC assesses and prioritises road safety concerns including requests for lower speed limits, it is important to consider not only the Local Speed Limit Policy PS05/02 but also the wider policy and operational context. This includes ESCC's Local Transport Plan, and the processes and criteria followed when setting the annual Capital Programme for Local Transport Improvements, and the annual Casualty Reduction, Community Focused Road Safety and Speed Management Programmes. The Council has a finite amount of funding to develop local transport improvements, and we need to ensure that we target our resources towards those schemes which will be of greatest benefit to our local communities.

During 2024 the Scrutiny Speed limit Review Board considered examples of the approach taken to 20mph speed limits by Oxfordshire, Cornwall, Surrey, and Buckinghamshire councils and the Welsh Government. The Board noted that those that have prioritised the roll out of 20mph speed limits and zones have allocated significant additional funding to enable this. For example, Cornwall have invested £4million and Oxfordshire £8million. In Wales, £34m was allocated to implement the default signed only 20mph policy, with a further £5m allocated last year to reverse some of the 20mph limits. In London, it cost over £6m to design and implement 20 mph speed limits across 65km of London's roads that were implemented from 2023.

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

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

In addition, with national figures showing 9 out of 10 collisions are caused by driver behaviour, we have been working for a number of years with The Behavioural Insights

Team (BIT) and partners from the SSRP, to deliver an innovative programme using data science to understand the causes of serious collisions and test interventions among priority groups that could potentially help to reduce the number of people being killed or seriously injured on East Sussex roads.

Nationally, KSI statistics are considered over a 3 year period rather than 1 year, due to annual fluctuations. An analysis of works undertaken as part of the Casualty Reduction Programme in 2020/21 has recently concluded. The Casualty Reduction Programme identifies locations where there have been 4 or more crashes in a 25 metre radius in urban areas, or 4 or more crashes in a 50 metres radius in rural areas over a 12 month period and implements road safety measures designed to improve the safety at these locations.

The 3-year data for the casualty reduction schemes completed in 2020/21 show that collisions in these hotspot areas fell by 53% and KSIs fell by 35%. This demonstrates that a targeted approach to road safety is highly effective at reducing KSIs.

This page is intentionally left blank

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 15 July 2025. Attendance:

Councillor Glazier, OBE (Chair)

Councillors Bennett, Bowdler, Collier, Denis and Tutt.

1. Amendment to the Constitution – Scheme of Delegation to Officers

1.1. In February 2025, the Government introduced new legislation governing the procurement and management of contracts by public sector bodies and it was necessary for the Council's Procurement and Contract Standing Orders (PCSOs) (i.e. the rules governing these matters) to be updated to reflect the new legislative requirements. Amendments to the PCSOs were proposed to Governance Committee in March 2025 and the Governance Committee resolved to recommend to County Council to agree the proposed amendments to the Constitution.

1.2. Following the amendments to PCSOs approved by County Council on 20 March 2025, a review of the East Sussex County Council's Scheme of Delegation to Officers was undertaken to identify any delegations which require updating to ensure that they are in line with the new PCSOs.

1.3. Table 6 Scheme of Delegation to Officers, Section 2, subsection D sets out the general delegations to the Chief Executive and all Directors (excluding the Director of Public Health and the Head of Children's Safeguards and Quality Assurance) and includes a delegation in relation to making discretionary grant payments to organisations in line with thresholds set out in the PCSOs.

1.4. The thresholds within the PCSOs were increased to reflect legislative updates and the requirement to quote contract values that are inclusive of VAT to ensure compliance with procurement legislation. For procurement where there is no competitive process, the threshold was increased from £ 24,999 to £29, 999.

1.5. In light of the updated PCSOs, it is proposed that the delegation is updated to reflect the new threshold levels as set out in the Procurement Type Summary Tables listed at 1.10 in the PCSOs. It is therefore proposed that the general delegation is updated as detailed at Appendix 1 with changes indicated in blue.

1.6. The threshold for procurement where there is no competitive process was recently increased from £24,999 to £29,999 within the PCSOs to reflect legislative updates.

GOVERNANCE

1.7. Since the general delegation in relation to discretionary grants contains grant thresholds in line with the previous PCSOs, it is considered that the proposed amendments to the delegation are necessary to ensure that the Scheme of Delegation within the Council's Constitution reflects the changes to the PCSOs which were recently updated to reflect changes in legislation.

1.8. The Committee recommends the County Council to:

- ❖ approve the amendment to the Scheme of Delegation to Officers as set out in Appendix 1 to this report.

15 July 2025

COUNCILLOR KEITH GLAZIER, OBE
(Chair)

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

REPORT OF THE LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

The Leader and Lead Member for Strategic Management and Economic Development held a meeting on 15 September 2025. Also present: Councillors Bowdler, Daniel, Denis, di Cara, Galley, Geary, Hollidge, Maples, Redstone, Stephen Shing, Taylor and Tutt.

1. Local Government Reorganisation: Proposal for a single tier of local government across East Sussex

1.1 In December 2024 the Government published its English Devolution White Paper which, alongside setting out Government's ambitions in relation to devolution, announced a programme of local government reorganisation (LGR) for two-tier council areas and some existing unitary councils. Following the publication of the White Paper, Sussex and Brighton (covering the areas of East Sussex, West Sussex, and Brighton & Hove), alongside five other areas nationally, were approved to be part of the Devolution Priority Programme (DPP). The DPP programme enabled these areas to fast-track their plans for the creation of new Mayoral Strategic Authorities and for LGR.

1.2 On 5 February 2025 the Government wrote to the councils in East Sussex inviting proposals for a single tier of local government in the areas of the county of East Sussex. This area incorporates Eastbourne Borough Council, Hastings Borough Council, Lewes District Council, Rother District Council and Wealden District Council, East Sussex County Council and Brighton & Hove City Council. As well as issuing the invitation to submit proposals the Secretary of State also issued Guidance to which authorities must have regard in responding to the invitation.

1.3 The East Sussex District, Borough and County Council Leaders and Chief Executives have met regularly to oversee the preparation of a proposal. External consultants, Roretti, have been commissioned to work with the six councils to deliver an evidence-led business case that follows Government criteria and guidance, and takes account of the outcomes from resident and stakeholder engagement, financial analysis, and the economic case for change. There has been engagement with Brighton & Hove City Council (BHCC) as the proposal has been developed. However, it should be noted that a separate submission is being made by BHCC to government.

1.4 One East Sussex', the proposal for a single tier of Local Government for East Sussex as a unitary council on the current footprint of the county council, is due to be considered by Cabinet 24 September 2025, following a meeting of the Full Council. The draft report to Cabinet is attached as Appendix 1.

1.5 As set out in the accompanying appendices, should the proposal and suggested timetable be accepted by Government with an election anticipated in 2027 it is recommended that the election in 2026 be cancelled due to cost, resource constraints, the upcoming transition to a new authority, and the short term new councillors would serve before re-election, and that the Council when submitting the proposal requests this.

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

1.6 The Leader and Lead Member for Strategic Management and Economic Development **recommends** the County Council to –

- ☆ (1) Note the business case setting out the proposal for a single tier of local Government in East Sussex; and
- (2) Express views on the proposals ahead of consideration by Cabinet at its meeting on 24 September 2025.

2. Devolution Update

2.1 In December 2024, Government published its English Devolution White Paper which set out its ambitions for devolution and the eventual creation of Mayoral Strategic Authorities (MSAs) covering all areas of England. In February, East Sussex County Council (ESCC), jointly with Brighton & Hove City Council (BHCC) and West Sussex County Council (WSCC), was accepted on to the Devolution Priority Programme for the establishment of a Mayoral Combined County Authority (MCCA) for Sussex, with the three councils as Constituent Authorities. A public consultation was launched by the Ministry of Housing, Communities and Local Government (MHCLG), and on 17 July 2025 Government published the responses to the consultation and confirmed that the relevant statutory tests had been met to proceed with the MCCA's establishment.

2.2 On 10 July 2025, Government published the English Devolution and Community Empowerment Bill which sets out the legislation required to deliver the White Paper's vision for broadening and deepening devolution, including providing clarity on the powers that will be exercised by Strategic Authorities. The Bill would set into law the automatic transfer of powers in the Devolution Framework to Strategic Authorities, and would see some powers devolved down from Government, while others would transfer upwards from Constituent Authorities.

2.3 In order to create a Strategic Authority all the proposed Constituent Authorities must consent to its creation. To proceed with the establishment of the Sussex MCCA, the next step is for the three Constituent Authorities to formally consent to the laying of a Statutory Instrument (SI) in Parliament to initiate the legislative process to establish the MCCA. Cabinet will consider whether to consent to the laying of the SI at its meeting on 21 October 2025, it is recommended that this be informed by a debate at Full Council on 24 September. WSCC and BHCC will consider whether to provide consent through their own decision-making processes at a similar time to ESCC.

2.4 This paragraph sets out the implications of the SI, and the related provisions within the Devolution Bill, for the Sussex MCCA and ESCC, together with proposed next steps in local implementation of devolution.

Statutory Instrument (SI)

2.5 The SI, which will be called the Sussex & Brighton Combined County Authority Regulations 2026, is the piece of secondary legislation by which the Sussex MCCA will be legally established. Under parliamentary procedure for the introduction of legislation, the full and final text of the SI would be made public at the point it is laid in Parliament. In order for Constituent Authorities to understand the proposed content and the implications of consenting to the laying of the SI, a summary of the provisions it would make and their practical impacts has been prepared and is included as Appendix 2. Key implications of the SI are set out below, with further detail in the appendix. It should be noted that the SI confers

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

on the Combined County Authority (CCA) a fairly limited set of functions, due to the fact that the majority of functions will be transferred via the English Devolution Bill (further detail at paragraph 2.16).

2.6 Commencement date – the SI will come into force and the CCA would be created the day after it is agreed by Parliament. Mayoral Functions will come into force on 11 May 2026, after the inaugural Mayoral election on 7 May 2026.

2.7 Name – the Mayoral Strategic Authority will be called the Sussex & Brighton Combined County Authority.

2.8 Election of Mayor – a Mayor will be elected every fourth year. The Mayor will be able to employ a single political advisor.

2.9 Transport – functions which the SI will transfer to the CCA from the Constituent Authorities. These relate to the requirement to produce a Local Transport Plan (LTP), and associated statutory requirements and guidance for producing and publishing a LTP. These functions will only be exercisable by the Mayor. There will be a transition period ending 31 March 2027 during which the powers will be held concurrently by the CCA and Constituent Authorities.

2.10 Power to pay grant – the Mayor, on behalf of the CCA, may pay grant to Constituent Authorities towards their incurred (or to be incurred) expenditure. Grant must be paid to cover the costs incurred by Constituent Authorities in exercising their highways functions.

2.11 Funding – The Mayor will be able to generate revenue for the delivery of all Mayoral and CCA functions through issuing a Council Tax precept. Constituent Authorities must ensure the reasonable costs of the CCA and Mayor exercising their functions are met, where the Mayor has decided not to use other funds available to the CCA to meet these costs. Where this is the case, the Mayor must agree with the CCA, prior to incurring any costs, ‘the Mayor’s budget’, which is total expenditure for the exercise of the Mayor’s functions. The Mayor’s budget will be separate from the CCA’s budget, which covers the costs of non-mayoral functions. The apportionment of funding contributions between Constituent Authorities may be made through a locally determined mechanism agreed by all Constituent Authorities, however in the absence of local agreement, apportionment of funding will be determined based on the population of each Constituent Authority as a proportion of the population of the entire CCA area.

2.12 Appendix 2 also includes detail on the constitution of the CCA which will be included as a Schedule of the SI.

- **Membership and substitution** – each constituent authority must appoint two members to join the CCA, and two substitute members, either of whom may substitute for either member.
- **Chair** – A Chair and Vice Chair will be appointed from the CCA members for the period before the mayoral election. Once elected, the Mayor will act as Chair and the Office of Vice Chair will be abolished. Strategic Authority Mayors are already required to appoint a member of the CCA to be the Mayor’s Deputy and act for the Mayor if they are unable.
- **Non-constituent & associate members** – The CCA may have a maximum of six non-constituent and associate members in total, and each of these must nominate a substitute. Associate members may not vote; non-constituent members do not have voting rights unless the CCA resolves to give them voting rights.

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

- **Quorum** – before the first Mayor’s term, quoracy will require the Chair or Vice Chair be present as well as 3 of the members appointed by the Constituent Authorities. After the Mayor is elected, quoracy requires the Mayor (or Deputy Mayor acting as Chair) and four Constituent Authority members be present.
- **Voting** – The normal rule is that any decision of the CCA ahead of the Mayor being elected is by a simple majority. Once the Mayor is elected such a majority must include the Mayor (or the Deputy Mayor acting in place of the Mayor). Each member of the CCA has one vote and there is no casting vote. The SI sets out 2 exceptions to the normal rule:
 - A two thirds majority vote is needed to veto the Mayor’s budget
 - In the event of a tie, the Mayor has a casting vote on the Local Transport Plan
- **Remuneration** – Ordinary members of the CCA will not be remunerated except for travel and expenses. Remuneration will be allowed for the Mayor and the Deputy Mayor, provided they are not also a Leader of a Constituent Authority. Remuneration will also be allowed for members appointed to the Overview & Scrutiny Committee or Audit Committee of the CCA. Remuneration must be informed by the report of an Independent Remuneration Panel to be established by the CCA.

2.13 Should all three Constituent Authorities consent to the laying of the SI, it will then need to be debated in and approved by both Houses of Parliament. Parliament can only approve or reject SIs; it is not possible for them to be amended once they have been laid. Parliament is allowed up to 8 sitting weeks in which to approve the SI, and it is expected that this process would be completed at some point in early 2026, at which point the MCCA would formally come into existence.

Powers of the CCA and Mayor

2.14 Previously, devolution in England has been delivered through individually negotiated deals with specific areas, however the Devolution White Paper set out the Government’s intention to move to a ‘devolution by default’ position based on a published Devolution Framework. The Devolution Framework is a standardised set of legal powers, funding commitments, and partnership/collaboration arrangements with Government and sets out what Strategic Authorities are entitled to at each level of devolution. The English Devolution and Community Empowerment Bill will confer the legal powers set out in the Devolution Framework automatically on each level of Strategic Authority. The powers conferred on the CCA and/or Mayor by the SI are therefore very limited when compared with the SIs that have established existing MSAs. This reflects the fact that the majority of powers and functions that the Sussex MCCA will have will be automatically conferred via the Bill once it comes into force. For the most part, the purpose of the SI is for the legal establishment of the CCA. The Bill is currently before Parliament, having had its second reading on 2 September 2025, and it is the Government’s intention that it will receive Royal Assent before the inaugural election of the Sussex Mayor.

2.15 The powers that will be conferred on the CCA and/or the Mayor once the English Devolution and Community Empowerment Bill receives Royal Assent are set out in full in Appendix 2. This also outlines the associated governance arrangements for the discharge of each function and whether the functions are being drawn up from Constituent Authorities or being devolved down from Government. Until the Bill has been approved by Parliament the provisions within it remain subject to amendment.

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

2.16 The Bill would make provision for the CCA and/or Mayor to have statutory functions in 7 “areas of competence” which are:

- Transport and local infrastructure
- Skills and employment support
- Housing and strategic planning
- Economic development and regeneration
- Environment and net zero
- Health, wellbeing and public service reform
- Public safety

In addition, the Bill will confer General Mayoral Powers of Competence on the CCA and its Mayor, providing legal force to Mayors’ existing “soft powers” and convening role, designed to ensure the Mayor can drive growth, collaboration and improvement across public services.

2.17 It is important to note that while some of the powers and functions that will be conferred are held by the CCA, others are held only by the Mayor, and others are held by both the CCA and the Mayor. Appendix 4 sets out which devolved functions will be solely exercisable by the Mayor.

2.18 Should the Constituent Authorities all consent to the SI and the CCA be established, this would have significant and wide-ranging impacts for the Council and a number of its partners. While many of the functions are newly provided for powers devolved down from Government in the English Devolution and Community Empowerment Bill, a significant proportion of the CCA’s functions will be drawn up from Constituent Authorities. Where powers are currently held by the Council, these would either transfer fully to the CCA, or the CCA would hold them concurrently with ESCC and other Constituent Authorities and for some of the functions listed, with District and Borough Councils as well.

2.19 The functions that would transfer from ESCC to the CCA are:

- **Local Transport Authority functions** – this includes the responsibility to produce a Local Transport Plan as included in the SI, but also powers and duties to prepare a bus strategy, enter into partnerships with bus operators, enter into franchising schemes, and manage travel concessions. These powers, currently held by each of the Constituent Authorities, will be consolidated over the CCA geography, with the CCA being the only Local Transport Authority for the area. Highways Authority and Traffic Authority functions will remain with the relevant Constituent Authorities.

2.20 The functions that would be held concurrently by ESCC (and other Constituent Authorities) and the CCA are:

- **Agreements between authorities and strategic highways companies** – The CCA will be able to enter into agreements with highways authorities to delegate or share the maintenance and improvement of roads. The relevant Constituent Authority would need to consent to this function being exercised in its area.
- **Civil enforcement of road traffic contraventions** – The CCA will have powers to enforce parking, bus lane and moving traffic contraventions through penalty charge notices if the relevant Constituent Authority already has these functions and consents to this function being exercised by the CCA in its area.
- **Road user charging** – the power to make a road user charging scheme, such as congestion charging, with a Constituent Authority. This can only be exercised jointly

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

with the relevant Constituent Authority, and Constituent Authorities will continue to be able to exercise it independently.

- **Housing and land powers** – The CCA will have powers to acquire and develop housing and land, and a duty to review housing needs in its area. The CCA will have compulsory purchase powers, and some compulsory purchase powers will be only exercisable by the Mayor. Where these powers are being exercised the relevant local planning authorities must be consulted before use of either. Local authorities will continue to be able to exercise compulsory purchase powers independently.
- **Duty to prepare an assessment of economic conditions** – The CCA must prepare and maintain an assessment of the economic conditions of the area.
- **Power to encourage visitors and provide entertainment** – powers that enable the CCA to encourage people to visit the area and provide, support and/or contribute to the provision of entertainment, including to provide premises, facilities or publicity for cultural and recreational events.
- **Other administrative powers** – powers to arrange for publication of information relating to functions of the CCA, power to prosecute and defend legal proceedings, powers to conduct research and collect information, and a duty to share information related to crime and disorder with relevant authorities.

2.21 In addition to the transfer and concurrent use of certain powers, there would be a number of new powers conferred on the CCA that would impact on ESCC, as well as powers and functions proposed to move from key strategic partners of the Council to the CCA.

- **Adult Education Functions** – subject to a transition period, the CCA will have some powers relating to education and training of adults, supported by devolved adult skills funding.
- **Spatial Development Strategy** – the CCA will have a duty to produce a Spatial Development Strategy to support strategic planning for development across the whole CCA area. The approval of the strategy would be through a simple majority vote which includes the Mayor, although in the event of a tied vote the Mayor would hold a casting vote.
- **Local Growth Plan** – the CCA will have a duty to produce a Local Growth Plan. This power is separate to, but linked to, the duty on the CCA to prepare an assessment of economic conditions.
- **Key Route Network** – The CCA will have a duty to set up and coordinate a Key Route Network (KRN). For roads that are included in the KRN, the Mayor will hold a Power of Direction over Constituent Authorities to use their powers related to these roads to support the delivery of the agreed LTP.
- **Transport Levy** – The CCA will be able to issue a levy to Constituent Authorities to meet the cost of exercising transport functions where these costs are otherwise not met.
- **Mayoral Community Infrastructure Levy (CIL)** – The Mayor will have the power to charge developers CIL. Local Planning Authorities will retain their CIL powers.
- **Health improvements and inequality duty** – the Mayor and the CCA will have a duty to have regard to the need to improve the health of the population of the area and reduce health inequalities in the CCA area when exercising any of their duties.

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

- **Police and Crime Commissioner (PCC) Functions** – The Mayor will be, by default, responsible for the exercise of PCC functions where mayoral and police force boundaries align, which they would in Sussex. The Mayor will be required to delegate PCC functions to a Deputy Mayor for Policing and Crime, which is a separate role to that of Deputy Mayor, as the Deputy Mayor for Policing and Crime is not required to be a member of the CCA. Transfer of these functions is expected in the spring of 2027, at the start of the financial year and will be subject to secondary legislation.
- **Fire and Rescue Authority (FRA) Functions** – The Mayor will be, by default, responsible for the exercise of FRA functions where mayoral and FRA boundaries align. It will be possible for the Mayor to be responsible for FRA functions over more than one FRA area. In places where Constituent Authorities are the FRA, as WSCC is, functions will be passed up to the Strategic Authority. The Mayor will have the option to delegate FRA responsibilities to a Deputy Mayor for Policing, Fire and Crime, or a Public Safety Commissioner. Transfer of these functions is expected in the spring of 2027, at the start of the financial year and will be subject to secondary legislation, and Government may look to achieve coterminosity of mayoral and FRA boundaries when transferring functions.

2.22 Detailed work is underway to understand the precise impacts that the SI and the Bill would have for County Council functions and services, including the implications for staff, funding streams and contracts where the MCCA would fulfil functions currently held by ESCC.

2.23 Once the effects are more fully understood, ESCC, BHCC, and WSCC will look to agree a single interpretation of the functions of the CCA to ensure that, where this impacts on the current delivery and responsibilities of councils, a cohesive approach is taken to transition arrangements as required.

Financial implications

2.24 The establishment of the Sussex MCCA, would have significant ongoing financial implications for the County Council. Government has indicated that funding for functions for which the MCCA will have responsibility will transfer, and we await details of what funding will transfer but understand that it will likely include funding for LTP and highway maintenance. Further clarity is being sought and an assessment is being undertaken on the implications of this where those functions will continue to be performed by the local authority on behalf of the CCA/Mayor. The Mayor will have the discretionary power to reimburse the authority by way of a grant.

2.25 A long-term investment fund for the area has been a key incentive from Government for areas to pursue devolution, and this remains a core part of the offer to devolved areas. Confirmation of the 30-year Mayoral Investment Fund that the Sussex MCCA will receive is expected imminently.

2.26 In order to meet the costs of establishing the MCCA, Government has confirmed that once the SI has been laid, mayoral capacity funding of £1m for 2025/26 across Sussex, will be made available to support the set-up of the MCCA. Government has indicated that further capacity funding will be provided in 2026/27 and 2027/28 to support the ongoing development of the CCA. However, it is expected that Constituent Authorities will be required to meet the cost of the inaugural election, which would cost approximately £6m across Sussex. Work is ongoing to understand if and how this cost could be borne by the MCCA.

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

Local implementation

2.27 Should the Constituent Authorities all consent to the laying of the SI, work will continue to prepare for the establishment of the CCA in early 2026. As previously reported to the Scrutiny Devolution Reference Group, an informal Partnership Board is being established and a Terms of Reference for it is attached as Appendix 5. A wider Stakeholder Forum will also meet to ensure wider engagement from interested bodies and organisations. Both the informal Partnership Board and the Stakeholder Forum will inform decisions relating to the establishment of the CCA to be taken by the individual Constituent Authorities, including ESCC.

2.28 As previously indicated, capacity funding provided by Government will be used to engage external resource to provide strategic, legal, governance, programme management, organisational design and stakeholder support to ensure the new strategic authority is legally established, operationally effective, and positioned for long-term success. This will also include work to prepare a first draft of the Local Assurance Framework, which sets the out robust assurance, project appraisal and value for money processes the CCA will have, and is necessary to comply with the best value duty. This will be reported to Constituent Authorities for approval in due course.

2.29 The inaugural meeting of the MCCA would be held shortly after the SI coming into force, where the constitution would need to be agreed and officers appointed. A notice of election for the Mayor of Sussex must be published no later than 30 March 2026.

Conclusion

2.30 With the statutory tests to establish the Sussex MCCA having been met, work continues to understand the full implications that its creation will have on ESCC. The next step will be for the Constituent Authorities to consider whether to consent to the laying of the SI in Parliament which would enable the MCCA to be legally established.

2.31 This report outlines the impacts the SI and English Devolution Bill would have on ESCC and provides further detail on the expected role and functions of the Sussex MCCA.

2.32 The Leader and Lead Member for Strategic Management and Economic Development **recommends** the County Council to –

☆ Express views on the devolution update as set out in the report.

3. Update on Lane Rental Scheme following implementation

3.1 The County Council's Lane Rental Scheme (LRS) commenced on 1 April 2025. Approximately 5.9% of East Sussex roads (mainly A and B class roads) are designated as lane rental roads, where charges up to a maximum of £2,500 per day apply for anyone wishing to work on these roads during traffic-sensitive times. There are no charge caps, but daily charge discounts and waivers can be applied under certain conditions, e.g. working outside peak times or for the first 48 hours of emergency works.

3.2 The LRS applies to all works carried out on these roads, including the Council's own highway maintenance work. Transitional arrangements mean that pre-planned works for a period of up to 2 years up to 1 April 2027 will not accrue charges.

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

3.3 The main aims of the scheme are to minimise disruption on the roads in East Sussex by reducing the duration of roadworks, encouraging companies to work at less busy times and to work collaboratively with others to minimise the impact on the network. Where charges are unavoidable, the revenue is used to initially cover set up and operating costs of the lane rental scheme, and after this a surplus will be created.

3.4 To date, the volume and application of lane rental fees has been as forecast in the modelling for the scheme. Approximately 10% of works on lane rental roads are being charged, with the remaining receiving a waiver or discount due to the works being undertaken outside of lane rental applicable times or in a different way that reduces disruption.

Department for Transport Surplus Spend Guidance

3.5 As part of a Lane Rental Scheme application, authorities need to summarise the arrangements for determining how surplus funds will be applied. Authorities are also expected to establish joint working arrangements under which both the highway authority and works promoters are actively consulted on how surplus funds are applied.

3.6 The Department for Transport (DfT) have recently confirmed that 50% of the net surplus must be allocated to highway maintenance and the other 50% to purposes intended to reduce disruption and other adverse effects caused by street works assigned through an application process. The 50% for maintenance will need to be assigned using the application process initially and then will become automatic once the Statutory Instrument is in place (expected early 2026).

3.7 The DfT have recently reviewed where the surplus funds can be spent and have removed 'Transportation Initiatives, Enabling infrastructure and Research and development' from the list that the East Sussex LRS was originally approved for. The following is the new list of suitable areas for surplus spend detailed in the latest DfT guidance:

- Investment in innovation and developing new products or disruption-saving techniques.
- Trials of new techniques and products.
- Installing 'pipe subways' or ducting that enable apparatus to be accessed more easily and without disrupting traffic.
- Measures to improve the quality or accessibility of records about the location of underground pipes, wires and other apparatus.
- Measures to help abate noise, pollution or safety hazards arising because of works.
- Repairing potholes caused by utility street works.
- Implementing extraordinary measures to mitigate congestion caused by works, especially major works projects.

Lane Rental Surplus Group

3.8 Following implementation of the scheme, work has been undertaken to set up the "Lane Rental Surplus Group" that will promote the surplus fund, support and assess applications and make recommendations to the relevant decision maker as to where the surplus funds should be spent. The Group will be responsible for ensuring consideration of all applications made to the surplus fund. The group will be made up of representatives from the utility companies, Balfour Beatty Living Places (BBLP) Network Management Team, and East Sussex County Council (ESCC) officer representatives from the Highways

LEADER AND LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

Maintenance, Transport and Economic Development team. The Group will have an independent chair.

3.9 Documentation to support the application process has been drafted by the current chair of the Surplus Group. To support consistent cross-border application processes these documents are similar to those used in the West Sussex County Council.

3.10 To allow a more efficient application of surplus funds, the Scheme of Delegation to Officers will include a delegation to the Director of Communities, Economy and Transport to approve any schemes and/or projects with a value of up to £500,000 as set out in Appendix 6. Approval of projects at £500,000 and above will be considered by the Lead Member for Transport and Environment.

Historic Costs

3.11 The scheme allows for set-up costs to be recovered by the revenue generated from lane rental fees. Historic costs to cover BBLP and ESCC Officer time, resources and consultant costs have been calculated at £317,470, as per table 1 below. This includes project management and commercial, finance and admin support, from 2023 onwards.

Table 1

Set up costs	Total £
ESCC Highways Officer time	34,028
ESCC Finance Officer time	4,108
Consultant Costs	125,450
BBLP costs (including additional staff and resources)	153,884
Total	317,470

Conclusion

3.12 Work to implement and progress the Lane Rental Scheme has been successful and is operating as envisaged and therefore the Leader and Lead Member noted the current progress of the East Sussex Lane Rental Scheme.

3.13 Since the Cabinet agreed that a Lane Rental scheme be developed, the arrangements for the spend of the surplus funds have been updated in accordance with Government expectations, with 50% of surplus being applied to highway maintenance. The Leader and Lead Member is therefore noted how the surplus Lane Rental funds will be allocated.

3.14 Delegation to the Director of Communities, Economy and Transport to approve any schemes and/or projects with a value of up to £500,000 will allow a more efficient application of surplus funds therefore the Leader and Lead Member agreed the delegation to the Director of Communities, Economy and Transport to approve projects up to £500,000 in value be included in the Council's Scheme of Delegation to Officers.

**LEADER AND LEAD MEMBER FOR
STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT**

3.15 The Leader and Lead Member for Strategic Management and Economic Development **recommends** the County Council to –

☆ Approve that the Constitution is updated to include the agreed update to the Scheme of Delegation to Officers as set out at Appendix 6.

15 September 2025

COUNCILLOR KEITH GLAZIER, OBE
Leader and Lead Cabinet Member for Strategic
Management and Economic Development

This page is intentionally left blank

NOTICE OF MOTION – MOTION PROPOSING A DELAY IN THE MAYOR ELECTION TO 2027

MOTION WORDING

The following Notice of Motion has been submitted by Councillor Taylor, and seconded by Councillor Denis.

The Westminster Government has announced its intention to return to the Supplementary Vote (SV) system for mayoral elections, which compared to First Past The Post (FPTP) better reflects the preferences and values of residents particularly when electing a single powerful figure across a large constituency. The government has announced that mayoral elections will revert to the SV system as soon as they can get that change instituted, but this is likely to be too late for the 2026 elections. This would put Sussex among the disadvantaged counties that are in the fast track with our residents electing a mayor under an outdated and problematic electoral system.

When Sussex decided to join the priority programme there was no suggestion that there would be any democratic disadvantage from being at the front of the queue, (notwithstanding some of us were concerned about the haste and doubted that there was anything to gain).

It now appears that there will be distinct disadvantages as the process for Sussex is too hurried for the government to get the necessary statutory instruments properly in place. We should not have to implement a new mayoral authority under a poor and unrepresentative system. We therefore propose that the administration should work with West Sussex County Council and Brighton and Hove City Council to seek to delay the Mayoral election to the 2027 electoral cycle.

Advantages of delaying the Mayor election to 2027 are:

- It will coincide with the anticipated unitary elections for West and East Sussex, so the combined costs will be lower and there will be a higher turnout for both.
- It will be more equitable across the country for all coming mayor elections to have the same voting system.
- It is better for democracy as there will be more certainty for residents and political parties locally, and more time to communicate clarity about what the devolution and government reorganisation mean for the local areas.

This council therefore requests the Leader:

1. to approach West Sussex County Council and Brighton and Hove City Council to open negotiations on a change to the schedule for implementing devolution in order to better reflect the preferences of residents in electing a Mayor; and
2. to work together with West Sussex County Council and Brighton and Hove City Council with a view to approaching the minister for local government to request to revise the timetable and/or withdraw from the priority programme and undertake the Devolution process according to a more appropriate timetable.

This page is intentionally left blank