

## MINUTES

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# EAST SUSSEX COUNTY COUNCIL

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**MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 12 JULY 2016 at 10.00 am**

**Present** Councillors John Barnes, Colin Belsey, Nick Bennett, Bill Bentley, Ian Buchanan, Carla Butler, Frank Carstairs, Tania Charman, Godfrey Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Stuart Earl, David Elkin, Michael Ensor (Chairman), Kathryn Field, Kim Forward, Roy Galley, Keith Glazier, Philip Howson, Laurence Keeley, Carolyn Lambert, Carl Maynard, Ruth O'Keeffe MBE, Michael Phillips, Peter Pragnell (Vice Chairman), Mike Pursglove, Pat Rodohan, Judy Rogers, Phil Scott, Daniel Shing, Stephen Shing, Alan Shuttleworth, Rupert Simmons, Rosalyn St. Pierre, Bob Standley, Richard Stogdon, Barry Taylor, Sylvia Tidy, David Tutt, John Ungar, Steve Wallis, Trevor Webb, Francis Whetstone and Michael Wincott

### **21 Minutes of the meeting held on 10 May 2016**

21.1 RESOLVED – to confirm the minutes of the meeting of the County Council held on 10 May 2016 as a correct record

### **22 Apologies for absence**

22.1 Apologies for absence were received from Councillors Blanch, Charlton, Clark and Sheppard

### **23 Chairman's business**

DAVID HALL

23.1 The Chairman paid tribute to a former colleague, David Hall, following his recent death. David was a respected councillor and represented the Forest Row Division from 1993 to 1997. On behalf of the Council the Chairman offered condolences to David's family and friends.

23.2 The Council stood in silence as a mark of respect to their former colleague David Hall

RUPERT CLUBB

23.3 On behalf of the Council, the Chairman congratulated Rupert Clubb on becoming the President of the Association of Directors of Environment, Economy, Planning and Transport.

PAT ARCULUS

23.4 The Chairman welcomed Councillor Pat Arculus, the Chairman of West Sussex County Council, to the meeting and explained that Councillor Arculus was attending as part of the initiative to develop closer links between the Chairmen of East Sussex, West Sussex and Surrey County Councils

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### CHAIRMAN'S ACTIVITIES

23.5 The Chairman stated that it had been an honour and privilege to represent East Sussex County Council at a variety of events across the County, and that he had met so many enthusiastic people who are doing amazing things in this County. On behalf of the Council the Chairman wrote a letter of condolence to the husband and family of Jo Cox MP following her tragic death in June. I have attended a number of engagements since the last County Council meeting, including: a gala concert by children from Ratton School, an art exhibition by children at Beacon Academy, charity events for Cancer Research UK and also for the Chestnut Tree House, civic events with the Hastings Mayor Making, and the Lewes Mayor's civic service. supporting the Armed Forces at the Seahaven Veterans review in Seaford, the raising of the Armed Forces flag at County Hall by cadet Colour Sargent Abbie Lee, and attended a reception for the Soldiers Charity, Girl Guiding Annual Review for Sussex East, the Lord Lieutenant arranged a service of celebration for Her Majesty The Queen at Chichester cathedral, and had his summer reception at Pashley Manor Gardens. I also attended the summer reception by the Chairman of West Sussex County Council at the Camelia Botnar Foundation in Cowfold and I held my own summer reception for community leaders at the Ashburnham Christian Conference Centre. I was invited by the Bangladesh Community to join in their Islamic Eid Celebration to make the end of the period of Ramadan. The Vice-Chairman has also attended a number of events.

### PRAYERS

23.6 The Chairman thanked the Regional Minister of the Baptist Union Reverend Stuart Davison for leading prayers before the meeting.

### PETITIONS

23.7 The Chairman informed the Council that immediately before the meeting the following petitions had been received from members:

- |                     |  |
|---------------------|--|
| Councillor Daniel   | - calling upon the Council to extend the double yellow lines in Oliver Close, Hastings                                     |
| Councillor O'Keeffe | - calling on the County Council to divest the East Sussex Pension Fund from holdings in companies involved in fossil fuels |
| Councillor Standley | - calling on the County Council to reduce the speed limit on the B2169 (Bayham Road)                                       |
| Councillor Tutt     | - calling on the County Council to take action with regard to parking in Langney Village                                   |
| Councillor Webb     | - calling on the County Council to introduce parking restrictions at the top end of St Johns Road, St Leonards on Sea      |

## 24 Reports

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

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Cabinet	-	paragraphs 1 and 2
Lead Member for Education and Inclusion, Special Educational Needs and Disability	-	paragraph 1
East Sussex Fire Authority	-	paragraph 5

### NON-RESERVED PARAGRAPHS

24.2 On the motion of the Chairman of the County Council, the Council ADOPTED those paragraphs in the reports of the Committees that had not been reserved for discussion.

### 25 Questions from members of the public

25.1 There were no questions from the public.

### 26 Report of the Cabinet

26.1 Councillor Glazier moved the reserved paragraphs of the Cabinet report.

26.2 The motions were CARRIED after debate

### 27 Report of the Lead Member for Education and Inclusion, Special Educational Needs and Disability

27.1 Councillor Bennett moved the reserved paragraph in the report of the Lead Member for Education and Inclusion, Special Educational Needs and Disability.

27.2 The motion was carried after debate

### 28 Questions from County Councillors

#### ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Field	Councillor Bennett	The cost of the proposed expansion of the Meridian School including professional fees
Councillor Lambert	Councillor Glazier	Future of the Southern Railway franchise
Councillor Tutt	Councillor Glazier	Allocation of places on committees to political and independent groups
Councillor Wincott	Councillor Maynard	Targeting of Parking Enforcement Officers to tackle parking on pavements, yellow lines and zig zag lines near schools
Councillor Scott	Councillor Maynard	An update regarding the timetable for remedial work/resurfacing of Queensway
Councillor Carstairs	Councillor Glazier	Representations to Southern Railway regarding the Lewes to Seaford service

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<b>Questioner</b>	<b>Respondent</b>	<b>Subject</b>
Councillor Galley	Councillor Chris Dowling	Review of risk assessment criteria regarding road safety
Councillor S Shing	Councillor Maynard	Use of section 106 funding in Polegate and Willingdon
Councillor Whetstone	Councillor Maynard	Cutting of verges in the north of the County
Councillor Daniel	Councillor Bennett	Proposals in the Education for All Bill in relation to the role of county councils in school improvement
Councillor Webb	Councillor Glazier	Level of hate crime in East Sussex and diversity of local communities
Councillor D Shing	Councillor Maynard	A summary of the current section 106 funding for schools in the Wealden area

### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

28.2 Four written questions were received from Councillors Tutt, Earl (2) and Lambert for the Lead Member for Education and Inclusion, Special Educational Needs and Disability, the Lead Member for Economy and the Lead Member for Transport and Environment (2). The questions and answers are attached to these minutes.

28.3 The Lead Members responded to supplementary questions.

### **29 Report of the East Sussex Fire Authority**

29.1 Members commented on paragraph 5 of the East Sussex Fire Authority's report

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.49 pm

The reports referred to are included in the minute book

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### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

#### **1. Question by Councillor Tutt to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

Please can you provide details of the total amount of fines charged to parents in East Sussex for withdrawing their children from school for term time holidays?

Could you also say whether ESCC is planning to return this money in light of the High Court ruling in May that such fines are unlawful?

#### **Answer by the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

The amount recouped in fines over the last three academic years is set out in the table below:

Academic Year	PNs Issued	Value Paid
2015/16*	1291	£ 59,880
2014/15	2264	£ 115,200
2013/14	1772	£ 88,320

\* To date

The court has not ruled that fines are unlawful per se; it has stated that they should not be issued where a child otherwise has 'regular attendance' – something which is not defined in law. In the case in question, the child maintained an attendance rate of 93% which the court deemed as 'otherwise regular'. It is unclear, however, how the court would have reacted if the child's attendance was below 90% as they would have been classed as a persistent absentee. This is not, therefore, a blanket ruling that all fines are unlawful. The Department for Education has stated that it will be looking to change to law to clarify the definition of 'regular attendance' in line with their view that "*children's attendance is non-negotiable*"; we are still awaiting further details on this.

The ruling does not apply retrospectively and, therefore, the council is under no obligation to return money already paid in fines.

#### **2. Question by Councillor Earl to the Lead Member for Economy**

In view of the great news of the opening of the Bexhill to Hastings Link Road and the statements made about how it would contribute to the economic regeneration of Bexhill and East Sussex while providing many new homes, could I ask when we can expect to hear of any likely new businesses moving to the area. Have any sites been reserved, if so how many?

#### **Answer by the Lead Member for Economy**

In line with the Rother Local Plan, development could not be occupied at North East Bexhill until the Bexhill Hastings Link Road (BHLR) was completed and thereafter the road linking Wrestwood Road and the BHLR, the North East Bexhill Gateway Road (NEBGR) (now called Mount View Street) had also been completed. Initial plans were that it would be two years after completion of the BHLR before the first sites would be serviced and the first buildings commenced.

Growing Places Fund and Local Growth Fund investment in the area through the South East Local Enterprise Partnership (SE LEP) has accelerated development meaning that the NEBGR and Glover's House were delivered by Sea Change Sussex (SCS) in parallel with the final phases of construction of the BHLR and opened ahead of schedule in 2015. Glover's House was fully let upon opening and will act as a catalyst to further private investment in North East

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Bexhill. Outline planning permission has been granted for an initial 22,000m<sup>2</sup> metres of business space at Bexhill Enterprise Park with construction due to commence in 2017.

There has been strong interest in commercial space in the area and enquiries have been received by SCS and Locate East Sussex (LES) for investment and relocation to the area. The immediate enquiries through SCS for Bexhill Enterprise Park are specifically for completed buildings and of a scale and nature which require the next phase of development. There are larger enquiries but these are medium to long term due to the decision making timescales of the interested parties. LES are currently working with five organisations looking to establish themselves or relocate within the vicinity of the BHLR to take advantage of the economic opportunities presented.

To have the Bexhill Enterprise Park sites connected to the strategic road network by the North East Bexhill Gateway Road; 22000m<sup>2</sup> of employment space consented; the first phase of the Bexhill Enterprise Park, Glovers House, built and wholly let upon the opening of the BHLR is a major achievement and a sound basis upon which to encourage the current and future levels of interest and take up of business space in the coming years.

### **3. Question by Councillor Earl to the Lead Member for Transport and Environment**

In light of the possible delay in starting the development alongside the Bexhill to Hastings Link road (phase one) will the new north Bexhill access road be delayed?

### **Answer by the Lead Member for Transport and Environment**

The North Bexhill Access Road is a 2.4km single carriageway road link between the A269 Ninfield Road and the Bexhill-Hastings Link Road (BHLR).

The road being promoted by Sea Change Sussex and will unlock 38,000sqm of employment floor space in North Bexhill as identified in the 2006 and 2014 Rother District Local Plans. The Access Road also provides the road infrastructure to unlock the proposed urban extension in North East Bexhill with potential to directly unlock land for up to 780 new homes.

The business case for the scheme was approved by the South East Sussex Local Enterprise Partnership's Accountability Board in November 2015 thereby unlocking the £16.6m of Local Growth Fund monies for the scheme.

Planning permission was granted by Rother District Council in 11 February 2016 following which Sea Change Sussex has acquired land for the scheme and undertaken site clearance, archaeological and other pre-commencement works ahead of construction starting this summer. The completion of the scheme is programmed for late 2017/18 financial year.

There is no delay in delivering the North Bexhill Access Road. In taking the scheme forward, Sea Change Sussex has actually accelerated the delivery programme of the scheme; enabled early spend of Local Growth Fund monies on the project which demonstrates East Sussex's ability to deliver infrastructure that supports growth to the LEP and Government, and once the scheme is completed it will support the early delivery of the housing and employment sites in the North Bexhill area as identified in the adopted Rother Local Plan.

### **4. Question by Councillor Lambert to the Lead Member for Transport and Environment**

The bridge over the Cuckmere River at Exceat just outside Seaford is a notorious bottleneck. In addition, access to the internationally acclaimed meanders and walk down to the sea a few yards away is highly risky. Visitors who come to the area in large numbers have to literally take their lives in their hands to cross the busy main road – often running to avoid the heavy traffic. The businesses around the entrance to Friston Forest are disadvantaged by this lack of access.

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Now, more than ever, we need to support our local economy by providing a safe crossing for visitors and to keep traffic flowing freely, including the buses between Brighton and Eastbourne on which many people rely.

Will the Lead Member therefore investigate the possibility of providing:

1. traffic lights over the bridge to assist the flow of traffic; and
2. a safe crossing for pedestrians visiting the area

### **Answer by the Lead Member for Transport and Environment**

The majority of traffic using this section of the A259 has local origins and destinations. Whilst the A259 remains important, both as a tourist route and to carry local traffic, our policy has been not to encourage any more strategic traffic onto that route which should, as far as possible, be channelled onto the A27. Any scheme that might encourage strategic traffic to divert from the A27 could have a potential detrimental impact on the towns and villages along the A259.

Having said that, any concerns in relation to the transfer of strategic traffic onto the A259 corridor would be eased if significant improvements were made to the A27. Whilst £75m has been allocated towards smaller scale improvements on the A27 between Lewes and Polegate, the MPs, local authority leaders and the Local Enterprise Partnership's are lobbying Government for additional funding to deliver a more comprehensive solution to address the existing and future issues with the A27.

Officers have considered in detail the option to introduce traffic signals at the bridge on a permanent basis, which has been requested in a petition received by the County Council in March and which will be considered at my decision making meeting on 18 July 2016.