

## 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 15 MAY 2018 at 10.00 am**

**Present** Councillors John Barnes MBE, Matthew Beaver, Colin Belsey, Nick Bennett, Bill Bentley, Phil Boorman, Bob Bowdler, Tania Charman, Charles Clark, Martin Clarke, Godfrey Daniel, Philip Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Stuart Earl, Simon Elford, David Elkin, Nigel Enever, Michael Ensor, Kathryn Field, Gerard Fox, Roy Galley, Keith Glazier, Darren Grover, Carolyn Lambert, Tom Liddiard, Laurie Loe, Carl Maynard, Ruth O'Keeffe MBE, Sarah Osborne, Peter Pragnell (Chairman), Pat Rodohan, Phil Scott, Jim Sheppard (Vice Chairman), Stephen Shing, Alan Shuttleworth, Rupert Simmons, Andy Smith, Bob Standley, Richard Stogdon, Colin Swansborough, Barry Taylor, Sylvia Tidy, David Tutt, John Ungar, Steve Wallis, Trevor Webb and Francis Whetstone

### **1 To elect a Chairman of the County Council**

*Councillor Ensor (Chairman of the County Council) in the Chair.*

1.1 The following motion was moved by Councillor Glazier and **SECONDED** –

‘To elect Councillor Pragnell to serve as Chairman of the County Council for the ensuing year’.

1.2 There being no other nominations, the Chairman put the motion to the vote and declared Councillor Pragnell elected as Chairman of the County Council for the ensuing year. Councillor Pragnell made a declaration of acceptance of office and took the Chair.

*Councillor Pragnell in the Chair.*

1.3 The Chairman, Leader of the Council and Group Leaders paid tribute to the way in which Councillor Ensor had carried out his duties as Chairman of the County Council over the past two years, acting as an ambassador for the County, hosting and attending a number of engagements and ensuring that the work of the Council was recognised in communities within and outside East Sussex. The Chairman, Leader of the Council and Group Leaders also paid tribute to Mrs Sue Ensor for her role and support as consort. Councillor Ensor responded to the comments made. The Chairman presented Councillor Ensor with the past Chairman's badge and presented Sue Ensor with a consort's badge and bouquet of flowers.

1.4 The Chairman thanked the Council for electing him as Chairman.

### **2 To appoint a Vice Chairman of the County Council**

2.1 The following motion was moved by Councillor Glazier and **SECONDED** –

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'to appoint Councillor Sheppard to serve as Vice Chairman of the County Council for the ensuing year'.

2.2 There being no other nominations, the Chairman put the motion to the vote and declared Councillor Sheppard appointed as Vice Chairman of the County Council for the ensuing year. Councillor Sheppard made a declaration of acceptance of office and took his seat as Vice-Chairman.

### **3 Minutes of the meeting held on 27 March 2018**

3.1 RESOLVED – to confirm as a correct record the minutes of the County Council held on 27 March 2018 as a correct record.

### **4 Apologies for absence**

4.1 Apologies for absence were received from Councillor Daniel Shing.

### **5 Chairman's business**

#### ELECTIONS

5.1 On behalf of the Council the Chairman passed on congratulations to those in the Chamber who were elected in the recent Hastings Borough Council elections.

#### WENDY MEREDITH

5.2 On behalf of the Council the Chairman welcomed Wendy Meredith, the interim Director of Public Health to her first Council meeting.

#### PRAYERS

5.3 The Chairman thanked Councillor Ensor for leading the prayers before the meeting.

#### PETITIONS

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

Councillor Barnes	- calling on the County Council to provide a raft of safety measures to address traffic issues in Burwash
Councillor Martin Clarke	- calling on the County Council to introduce a 20mph speed limit at Stonestile Lane, Hastings.
Councillor Godfrey Daniel	- calling on the County Council to install double yellow lines around the entrance to The Coppice and The Spinney where they meet Forest Way, Hastings
Councillor Field	- calling on the County Council to install a pedestrian crossing on Battle Hill
Councillor Grover	- calling on the County Council to stop the cuts to Home Works
Councillor O'Keeffe	- calling on the County Council to address the drainage issues in Western Road, Lewes

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Councillor Standley

- calling on the County Council to save Wadhurst Household Waste Recycling Site

### 6 Declarations of Interest

6.1 The following member declared a personal interest in items on the agenda as follows:

Member	Position giving rise to interest	Agenda item	Whether interest was prejudicial
Councillor Taylor	Runs a care home in Eastbourne	Item 6	No

### 7 Petition

7.1 Stephen Lloyd (representative of the petitioners) addressed the County Council prior to the debate. The Council agreed to vary procedure to enable all councillors who wished to speak to do so.

7.2 The following motion was moved by Councillor Maynard and seconded:

*The County Council welcomes all views. The petition will be taken fully into account when Cabinet considers the outcome of the consultations and impact assessments on all the services affected on 26 June. This will ensure a fair and transparent approach to the difficult choices faced by the County Council*

7.3 The following amendment was moved by Councillor Tutt and seconded:

*The County Council welcomes all views. The petition will be taken fully into account when Cabinet considers the outcome of the consultations and impact assessments on all the services affected on 26 June. This will ensure a fair and transparent approach to the difficult choices faced by the County Council. (insert) [The County Council requests the Cabinet to keep the homes open]*

7.4 A recorded vote on Councillor Tutt's amendment was requested and taken. The amendment was LOST, the votes being cast as follows:

#### FOR THE AMENDMENT

Councillors Charman, Charles Clark, Godfrey Daniel, Philip Daniel, Earl, Field, Grover, Lambert, O'Keeffe, Osborne, Rodohan, Scott, Stephen Shing, Shuttleworth, Swansborough, Tutt, Ungar, Wallis and Webb

#### AGAINST THE AMENDMENT

Barnes, Beaver, Belsey, Bennett, Bentley, Boorman, Bowdler, Martin Clarke, Davies, Chris Dowling, Claire Dowling, Elford, Elkin, Enever, Ensor, Fox, Galley, Glazier, Liddiard, Loe, Maynard, Pragnell, Sheppard, Simmons, Smith, Standley, Stogdon, Taylor, Tidy, and Whetstone.

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### ABSTENTIONS

None

- 7.5 A recorded vote was requested on the motion moved by Councillor Maynard as follows:  
*The County Council welcomes all views. The petition will be taken fully into account when Cabinet considers the outcome of the consultations and impact assessments on all the services affected on 26 June. This will ensure a fair and transparent approach to the difficult choices faced by the County Council*

The motion was CARRIED with the votes being cast as follows:

### FOR THE MOTION

Barnes, Beaver, Belsey, Bennett, Bentley, Boorman, Bowdler, Martin Clarke, Philip Daniel, Davies, Chris Dowling, Claire Dowling, Elford, Elkin, Enever, Ensor, Field, Fox, Galley, Glazier, Grover, Lambert, Liddiard, Loe, Maynard, Osborne, Pragnell, Rodohan, Sheppard, Stephen Shing, Shuttleworth, Simmons, Smith, Standley, Stogdon, Swansborough, Taylor, Tidy, Tutt, Ungar, Wallis and Whetstone.

### AGAINST THE MOTION

None

### ABSTENTIONS

Councillors Charman, Charles Clark, Godfrey Daniel, Earl, O’Keeffe, Scott and Webb

## 8 Reports

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

Report of the Leader - item 7

### NON-RESERVED PARAGRAPHS

- 8.2 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 as follows:

Governance Committee report paragraph 1 – Appointments to committees, panels and other bodies

Governance Committee report paragraph 2- Data protection Officer designation

Standards Committee report paragraph 1 – Annual report.

## 9 Record of Delegation of Executive Functions

- 9.1 In accordance with the Constitution, Councillor Glazier presented a written record to the Council of his appointments to the Cabinet, their portfolios and his delegation of executive functions. A copy of the Leader’s report is attached to these minutes.

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### 10 Appointment to Committees and Sub Committees

10.1 Councillor Bennett moved, and it was seconded, that appointments be made to the Committees and Sub-committees, listed in item 9 of the agenda, in accordance with the list of nominations from political groups which was circulated in the Council Chamber.

10.2 The motion was CARRIED.

### 11 Appointment of Members to other Committees and Panels

11.1 Councillor Bennett moved, and it was seconded, that members be appointed to serve on the Committees and Panels listed in item 10 of the agenda, in accordance with the political balance provisions and the list of nominations from political groups which was circulated in the Council Chamber.

11.2 The motion was CARRIED.

### 12 Confirmation of the continuation of other bodies

12.1 Councillor Bennett moved and it was seconded, that the bodies listed in agenda item 11 be continued, that the political balance provisions shall not apply to these Panels and that members be appointed by the Chief Executive as the need arises.

12.2 The motion was CARRIED (with no member voting against).

### 13 Appointment to the Discretionary Transport Appeal Panel

13.1 Councillor Bennett moved, and it was seconded, that the political balance provisions would not apply to the membership of the Discretionary Transport Appeal Panel and that members be appointed to the Panel in accordance with the list of nominations from political groups which was circulated in the Council Chamber.

13.2 The motion was CARRIED (with no member voting against)

### 14 Appointment of Chairs and Vice Chairs

14.1 The following motion, moved by Councillor Bennett and seconded, was CARRIED:

'To appoint the following members to positions listed below':

<b>Committee</b>	<b>Chair</b>	<b>Vice-Chair</b>
Regulatory	<b>Stogdon</b>	
Audit Committee	<b>Swansborough</b>	<b>Fox</b>
People Scrutiny Committee	<b>Davies</b>	<b>Field</b>
Place Scrutiny Committee	<b>Stogdon</b>	<b>Godfrey Daniel</b>
Health Overview and Scrutiny Committee	<b>Belsey</b>	<b>Bowler</b>
Governance Committee	<b>Glazier</b>	
Planning Committee	<b>Claire Dowling</b>	<b>Taylor</b>

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Pension Committee	Stogdon	
Standards Committee	Stogdon	

### 15 Questions from members of the public

15.1 Copies of the questions asked by Patricia Patterson-Vanegas from Forest Row, Fran Witt from Lewes, Gabriel Carlyle from St Leonards on Sea, Marie White from the Stroke Association, Roger Ross from Rodmell, Carol Boydell from the Stroke Association, Hahar Choudhury from Southdown, Lewes, Barry Horsnell from Bexhill, Andrew Price from Newhaven, James Hamilton-Andrews from Wealden, Marcus Maclaine from East Hoathly, Hugh Dunkerley from Brighton, Ariane Hadjilias from Lewes and Arnold Simanowitz from Lewes and the answers from Councillor Stogdon (Chair of the Pension Committee) and Councillor Maynard (Lead Member for Adult Social Care and Health) are attached to these minutes. Supplementary questions were asked and responded to.

### 16 Cabinet's priorities for the forthcoming year

16.1 Councillor Glazier outlined the Cabinet's priorities for the forthcoming year. The other Group Leaders commented on these, following which there was a debate.

### 17 Questions from County Councillors

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

Questioner	Respondent	Subject
Councillor Grover	Councillor Simmons	Number of County Council planning applications for the Newhaven area
Councillor Osborne	Councillor Glazier	Examples of consultation on proposed cuts that has resulted in decisions not to cut services
Councillor Field	Councillor Standley	Lobbying of Government for additional funding for East Sussex schools as the County would not benefit from the funding announced for grammar schools
Councillor Webb	Councillor Standley	Strike action by members of the NASUWT
Councillor Loe	Councillor Standley	Exams being taken by students in coming weeks
Councillor Webb	Councillor Maynard	Proposed cuts to the Isabel Blackman Centre, Hastings
Councillor Lambert	Councillor Bennett	Cutting of roadside verges
Councillor Philip Daniel	Councillor Glazier	Representations to ensure that Lewes and surrounding stations are kept open on 5 November after 5.00 pm

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Questioner	Respondent	Subject
Councillor Stephen Shing	Councillor Bennett	The cost of highway licences
Councillor Godfrey Daniel	Councillor Glazier	Press release from Transport for the South East regarding its economic appraisal
Councillor Scott	Councillor Bennett	Use of the additional Government funding for highway repairs
Councillor Tutt	Councillor Bennett	Response to store manager of large retailer regarding works planned for Lismore Road, Eastbourne
Councillor Stephen Shing	Councillor Bennett	Update regarding the Countryside Access Strategy

### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

17.2 Thirteen written questions were received from Councillors Enever, Lambert (2), Stephen Shing (2), Shuttleworth (5) and Ungar (3) for the Lead Member for Adult Social Care and Health (2), the Lead Member for Education and Inclusion, Special Educational Needs and Disability (7), the Lead Member for Strategic Management and Economic Development and the Lead Member for Transport and Environment (3). The questions and answers are attached to these minutes.

17.3 The Lead Members responded to supplementary questions

### 18 Notice of Motion

18.1 The following motion was moved by Councillor Osborne and seconded:

*To reflect ESCC's commitment to inclusion and gender equality it shall use the term Chair and Vice-Chair of the Council when referring to the Chairman or Vice Chairman.*

18.2 The following amendment was moved by Councillor Davies and seconded:

*To reflect ESCC's commitment to inclusion and gender equality (delete) [it shall use the term Chair and Vice-Chair of the Council when referring to the Chairman or Vice Chairman.] (insert) [the Council agrees to modify its Constitution so that the incumbent Chairman and Vice Chairman of the County Council will determine the terms by which they wish to be addressed for their term of office].*

18.3 A recorded vote on the amendment was requested and taken. The amendment was CARRIED, the votes being cast as follows:

### FOR THE AMENDMENT

Councillors Barnes, Beaver, Belsey, Bennett, Bentley, Boorman, Bowdler, Charles Clark, Martin Clarke, Davies, Chris Dowling, Claire Dowling, Earl, Elford, Elkin, Enever, Ensor, Fox, Galley, Glazier, Liddiard, Loe, Maynard, Pragnell, Sheppard, Simmons, Smith, Standley, Stogdon, Taylor, Tidy, and Whetstone.

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### AGAINST THE AMENDMENT

Councillors Philip Daniel, Field, Grover, Osborne, Shuttleworth, Swansborough, Tutt, Ungar and Webb

### ABSTENTIONS

Councillor Stephen Shing

18.4 The following motion was moved by Councillor Davies and CARRIED:

*To reflect ESCC's commitment to inclusion and gender equality the Council agrees to modify its Constitution so that the incumbent Chairman and Vice Chairman of the County Council will determine the terms by which they wish to be addressed for their term of office.*

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 2.53 pm

The reports referred to are included in the minute book



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### Delegations approved by the Leader of the Council – 15 May 2018

(a) *names of the County Councillors appointed to the Cabinet*

The Cabinet comprises the following members

Portfolio	Appointment
Strategic Management and Economic Development	Councillor Keith Glazier
Resources	Councillor David Elkin
Communities and Safety	Councillor Bill Bentley
Economy	Councillor Rupert Simmons
Transport and Environment	Councillor Nick Bennett
Adult Social Care and Health	Councillor Carl Maynard
Children and Families (designated statutory Lead Member for Children's Services)	Councillor Sylvia Tidy
Education and Inclusion, Special Educational Needs and Disability	Councillor Bob Standley

(b) *the extent of any authority delegated to cabinet members individually as portfolio holders will remain as set out in the Constitution of the County Council [eastsussex.gov.uk/constitution](http://eastsussex.gov.uk/constitution) or alternatively hard copies are available at County Hall, Lewes (please contact Andy Cottell – 01273 481955) and below.*

In overall terms the areas of responsibility for each portfolio holder includes the following (subject to any subsequent amendment by the Leader at his discretion) principal services to be interpreted broadly. In accordance with the wishes of the Leader, principal services are not to be construed restrictively. In the event of any doubt in connection to a decision made by a Lead Member, the Leader confirms that he has delegated full executive authority to that decision maker:

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Portfolio	Scope
Strategic Management and Economic Development	<ul style="list-style-type: none"> <li>• Chairing and managing the executive and its work</li> <li>• Any executive function including overall strategy and policy for the Council</li> <li>• Principal service area responsibilities:            Communications            Local Enterprise Partnership            Policy and Performance            East Sussex Better Together/Health and Wellbeing Board            Equalities            South East Seven Partnership            Transport for South East (SNTB)            Democratic Services            all ancillary activities</li> </ul>
Resources	<ul style="list-style-type: none"> <li>• Any executive function including strategy and policy for all corporate resources matters</li> <li>• Principal service area responsibilities:            Financial Management            Property asset management            Risk management            Procurement            Internal audit            ICT            Personnel and Training            Legal            Orbis            all ancillary activities</li> </ul>
Communities and Safety	<ul style="list-style-type: none"> <li>• Any executive function including strategy and policy for all Communities and Community Safety matters</li> <li>• Principal service area responsibilities:            Archives and records            Community Safety            Coroner services            Customer Services            Emergency Planning            Gypsies and travellers            Libraries            Registration Services            Road Safety            Trading Standards            Voluntary Sector            all ancillary activities</li> </ul>

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Economy	<ul style="list-style-type: none"> <li>• Any executive function including strategy and policy for all economic development and regeneration and all ancillary activities</li>   <li>• Principal service area responsibilities Economic Development Culture Skills (shared with Education) all ancillary activities</li> </ul>
Transport and Environment	<ul style="list-style-type: none"> <li>• Any executive function including strategy and policy for all Transport and Environmental matters</li>   <li>• Principal service area responsibilities: Operational services Planning and developmental control Transport strategy Environmental and waste strategy all ancillary activities</li> </ul>
Adult Social Care and Health	<ul style="list-style-type: none"> <li>• Any executive function including strategy and policy for all Adult Social Care and Public Health matters</li>   <li>• Principal service area responsibilities: Services for vulnerable adults including older people, learning disability, physical disability, mental health, public health and all ancillary activities</li> </ul>
Children and Families	<ul style="list-style-type: none"> <li>• Any executive function including overall strategy and policy for all Children's Services (social care) matters</li>   <li>• Principal service area responsibilities: Child protection and family support Fostering and adoption for children Residential care for children Other aspects of social care for children Youth justice Youth service all ancillary activities</li> </ul>

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Education and Inclusion, Special Educational Needs and Disability	<ul style="list-style-type: none"><li>• Any executive function including strategy and policy for all Children's Services (education) matters</li><li>• Principal service area responsibilities:<ul style="list-style-type: none"><li>Quality and standards in educational establishments</li><li>Special educational needs</li><li>School admissions and transport</li><li>Early years and childcare</li><li>School organisation and place planning</li><li>Skills (shared with Economy)</li><li>all ancillary activities</li></ul></li></ul>
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(c) *appointment to the position of Deputy Leader*

Councillor Elkin to be appointed Deputy Leader of the County Council

(d) *the terms of reference and constitution of the Cabinet and any executive committees together with the names of cabinet members appointed to them*

The terms of reference and constitution of the Cabinet and any executive committees will remain as currently set out in the Constitution of the Council

(e) *the nature and extent of any delegation of executive functions to local committees*

There is no delegation of executive functions to local committees

(f) *the nature and extent of any delegation to officers*

The delegations of executive functions to Officers will be as set out in the Constitution. The delegations to Officers can be viewed via the following link:

[Constitution - Delegations to Officers](#)

or alternatively hard copies are available at County Hall, Lewes (please contact Andy Cottell – 01273 481955)

### Urgent Executive Decisions

There were no executive decisions taken during 2017/18 where the making of the decision was agreed in accordance with Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

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Councillor Keith Glazier  
Leader of the Council

### QUESTION FROM MEMBERS OF THE PUBLIC

#### **1. Question from Patricia Patterson-Vanegas, Forest Row, East Sussex**

In answer to questions from members of the public, Cllr Stogdon (in his role as chair of the Pension Committee) has repeatedly pointed to shareholder resolutions at oil company AGMs as evidence of successful engagement with fossil fuel companies. What climate shareholder resolutions is the East Sussex Pension Fund supporting this year, either directly or through bodies such as the Local Authority Pension Fund Forum?

#### **Response by the Chair of the Pension Committee**

The East Sussex Pension Fund (ESPF) uses the Local Authority Pension Fund Forum to engage directly with fossil fuel companies along with its Investment Managers. The ESPF wishes with fossil fuel companies to achieve a positive response, without the requirement for shareholder resolutions. Where this is not forthcoming the ESPF with the advice of LAPFF will support shareholder resolutions

#### **2. Question from Fran Witt, Lewes, East Sussex**

Responding on behalf of the Pension Committee, Cllr Fox has stated that 'The Fund believes that it is important that the global economy manages decline of existing production in line with what is necessary to achieve the Paris climate goals.'

Does the Pension Fund accept that a Paris-compliant strategy for a fossil fuel company would require that company to commit to: (a) no new fossil fuel capital expenditure by end 2019; (b) a managed decline in production; and (c) to reduce its overall GHG footprint (scopes 1,2 and 3) to zero by 2050, with compatible interim milestones for 2025, 2030 and 2040?

#### **Response by the Chair of the Pension Committee**

The Pension Committee recognises the issue of stranded assets and continued fossil fuel extraction as a collective investment risk for all asset owners and as an engagement and policy priority. The Committee, in line with LAPFF considers there is an economic and financial justification for moving away from investment in coal, oil and gas, and promotes a managed decline. For oil and gas companies, the focus should be on value at risk, particularly from high cost projects and returning capital to investors where appropriate. For companies with coal operations, no new resources should be exploited. The Forum also considers that in positioning themselves for the required low carbon future, companies should disclose a transition plan.

In 2018, LAPFF attendance at resource company AGMs has focussed questions on 'science-based targets'. These are targets adopted by companies to reduce carbon emissions in line with the level of decarbonisation required to keep global temperature increase below 2°C.

#### **3. Question from Gabriel Carlyle, St Leonards on Sea, East Sussex**

In April 2018 the UK Sustainable Investment and Finance Association published a report 'Not Long Now', detailing the responses to their survey of 30 fund managers

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operating in the UK, collectively representing organisations with over £13 trillion under management (Not long now: Survey of fund managers' responses to climate-related risks facing fossil fuel companies, <http://uksif.org/wp-content/uploads/2018/04/UPDATED-UKSIF-Not-Long-Now-Survey-report-2018-ilovepdf-compressed.pdf>)

90% of the fund managers surveyed expected at least one of the following risks to significantly impact the valuation of International Oil Companies (IOCs) within the next 2 years: regulation risk, litigation risk, transition risk, reputation risk, peak demand for oil occurring or becoming widely forecast, peak demand for gas occurring or becoming widely forecast.

The report's authors note that 'perceptions of these risks have increased dramatically in the last twelve months' with 'a doubling of investors that see transition risk significantly impacting IOCs in 5 years.'

They conclude that: 'The fund management sector recognises the imminent risks posed to fossil fuel investments from climate change and the transition toward a zero-carbon economy' but that 'this is not reflected in most investment products offered by the firms especially to passive and retail investors which are still in the main based on benchmarks that are heavily tilted towards fossil fuels.' They also note that 'There is also inconsistency in the engagement approaches adopted by firms to manage this risk. Their understanding of the timeframe for risks affecting valuations of companies is not integrated into their plans for engaging with companies or making decisions about whether specific companies are likely to offer good investments in the transition towards a zero- carbon economy.'

What is the Pension Committee's response to these findings?

### **Response by the Chair of the Pension Committee**

The Committee understands that the underlying benchmark they set their investment managers will drive the behavior of the managers and the investment risks they will take. The Committee also recognises that for its passive mandates the manager will only buy the stocks within the benchmark they are tracking. The Committee is aware that to ensure it is investing in the way that meets the needs of the Fund it needs to ensure it provides suitable benchmarks for each investment mandate. Therefore, the choice of benchmark index by the Committee is very important and will continue to explore the potential for using low carbon indices.

### **4. Question from Marie White, Stroke Association, East Sussex**

What plans does the Council have to ensure that the proposed removal of funding for Stroke Association services does not lead to higher additional costs to social care than the savings generated by the proposal?

### **Response by the Lead Member for Adult Social Care and Health**

We are currently consulting on the County Council's Adult Social Care budget proposals with the outcome of this work being reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to understand the effect of the potential reduction of funding for the Stroke Association, and what actions might be taken to

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mitigate this, including the provision of alternative support to all those currently assisted by the service. The Cabinet report will address the issue of the risk to Adult Social Care of additional costs arising from the proposal.

### **5. Question from Roger Ross, Rodmell, East Sussex**

Last year the Local Authority Pension Fund Forum provided LAPFF members with a Climate Change Investment Policy Framework with the aim of helping to 'guide their policy approach to current and future investment risks and opportunities that result from the impacts of climate change' and provide 'LAPFF's current view of suggested best practice guidance' ([http://www.lapfforum.org/wp-content/uploads/2017/11/Climate\\_Change\\_Investment\\_Policy\\_Framework.pdf](http://www.lapfforum.org/wp-content/uploads/2017/11/Climate_Change_Investment_Policy_Framework.pdf)).

One paragraph from this Framework – which, LAPFF recommends that its member funds adopt - reads: 'We will review a variety of research and analytical materials to encourage the use of scenario analysis which provides estimations of relative performances of asset classes and sectors under different scenarios. When we have found scenario analysis that we consider robust and meaningful, we will request such research be utilised where possible in our Asset Allocation decisions and encourage our investment advisers to do likewise.'

Does the ESPF accept this best practice guidance from LAPFF? And what scenarios have the East Sussex Pension Fund and its investment managers and consultants considered to date when assessing the climate risk of the Fund?

### **Response by the Chair of the Pension Committee**

The Pension Committee will consider any scenario analysis that they consider robust and meaningful. The Pension Committee recently requested a carbon footprint of the Fund and is considering how best to utilize this information.

### **6. Question from Carol Boydell, Stroke Association Volunteer, East Sussex**

As a stroke survivor, I would like to know what work is the Council undertaking with partners and other strategic stakeholders to ensure its decision to withdraw funding Stroke Association services in East Sussex meets the Council's aims of:

- Driving economic growth
- Keeping vulnerable people safe
- Helping people help themselves
- Making best use of resources

as defined by the Council Plan?

### **Response by the Lead Member for Adult Social Care and Health**

Our four priority outcomes continue to direct both our activity and budget decisions. As the fourth priority explains we will continue to do the very best we can to support those that need our help by making the best use of the resources available. The hard truth is that we must set a balanced budget and with rising demand and falling funding we do not have enough resource to continue with all our current work. We therefore are having to look at all the services we provide or commission from others and understand which are the most effective at helping us achieve our priority outcomes.

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To assist us in this task we have undertaken extensive consultation on a range of proposals to change or reduce the services we offer, including those for Adult Social Care. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding for the Stroke Association is understood together with what mitigating actions might be taken, including the provision of alternative support to all those currently assisted by the service. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Councils aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit.

### **7. Question from Nahar Choudhury, Southdown, Lewes, East Sussex**

In response to the consultation about the proposed 50% cut to the Home Works budget there have been over a 1000 responses made to the Council in defence of the service requesting that no cut be made and explaining the devastating impact this would have on local people in crisis and the impact on the public services in turn that would need to pick up the pieces. Can you confirm that this is a genuine consultation where clients and community views will be listened to and can potentially change the proposed cut to the Home Work Service?

### **Response by the Lead Member for Adult Social Care and Health**

The County Council is undertaking a genuine consultation. All the responses will be considered by Cabinet on 26 June before decisions are made about the Adult Social Care budget proposals, including the potential reduction in funding to Home Works. It is important to stress that the County Council is fully committed to supporting and protecting vulnerable people and delivering the very best possible services as far as it is able. It is, however, unavoidable that tough choices will be required as we have to manage falling funding and rising demand for services. We are therefore looking at all the services we provide and working out how to deploy the resources we have available to best meet East Sussex residents' needs.

### **8. Question from Barry Horsnell, Bexhill, East Sussex**

The Sussex Police and Crime Commissioner herself has said that homelessness is a complex issue, that involves partner organisations working together. How can the community as a whole ever hope to realistically tackle homelessness, in light of the proposed 50% cuts to Home Works, which has so concerned many Eastbourne residents?

### **Response by the Lead Member for Adult Social Care and Health**

The County Council is committed to working with all its partner organisations to provide the best possible response to the significant challenges of homelessness across East Sussex. This work includes close working with the Police and the boroughs and districts who are the housing authorities.

The whole public sector is faced with tough choices as demands rise and resources reduce. After several years of budget reductions the County Council has to make a



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further £17m of savings in 2018/19. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Council's aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit. To assist us in making these choices we have undertaken extensive consultation, including on the Adult Social Care budget proposals. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding and what mitigation actions might be taken, can be taken into account. We will remain committed to strong partnership working to tackle homelessness using the resources we have available.

### **9. Question from Andrew Price, Newhaven, East Sussex**

Why does such a large cut have to be taken out of the adult social care budget?

#### **Response by the Lead Member for Adult Social Care and Health**

The County Council's activity and financial planning is driven by its four priority outcomes

- Driving economic growth
- Keeping vulnerable people safe
- Helping people help themselves
- Making best use of resources

The decisions Members take about spending and savings plans are taken within the context of falling resources. The amount of funding the Government provided to the Council this year for services fell by 10% and the demand for our services has risen. Demand has also grown because of increases in the populations we serve. For this reason the Council has to reduce its spending by £17m this year.

We will continue to do the very best we can to support those that need our help with the resources we have and allocate resources accordingly. Between 2014/15 and 2017/18 the resources available to Adult Social Care rose by 6.45%, more than any other service area. We do not however have enough resource to continue with all our current work and therefore we are having to look at all the services we provide and understand which are the most effective at helping us achieve our priorities. We do this across the council, as One Council, but as the Adult Social Care budget is the largest within the County Council, it is inevitably subject to significant savings. In making the tough choices required, the County Council gives full consideration to the pressures our services face, including in demands for support from the rising numbers of older people and inflation within care services. The scale of the financial challenge means that there are very significant savings required from all the Council's departments. These are described in detail in the Cabinet reports throughout the year, available on our website.

### **10. Question from James Hamilton-Andrews, Wealden, East Sussex**

Are the council aware that Home Works provide a unique and multi-disciplinary approach to supporting vulnerable people, and how do they propose to plug this gap, if the 50% cuts go ahead?

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### **Response by the Lead Member for Adult Social Care and Health**

The County Council understands the important role of Home Works in supporting vulnerable people. After many years of budget reductions the County Council has to make a further £17m of savings in 2018/19. The County Council therefore has to consider how it uses its resources to achieve its four priority outcomes which include keeping vulnerable people safe and helping people help themselves. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Council's aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit. To assist us in making these choices we have undertaken extensive consultation, including on the Adult Social Care budget proposals. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding and what mitigation actions might be taken, can be fully taken into account.

### **11. Question from Marcus MacLaine, West Hoathly, East Sussex**

The fact that the majority of landlords do not accept Universal Credit and ask for huge deposits/guarantor's, plus the high amounts of people in temporary accommodation, means that Home Works play a vital role in housing people and maintaining tenancies. How do you propose to deal with the added pressure on other services that the 50% of cuts to Home Works will cause?

### **Response by the Lead Member for Adult Social Care and Health**

The County Council understands the impact that welfare reform including the roll out of Universal Credit is having and the important role of Home Works in supporting vulnerable people. After several years of budget reductions the County Council has to make a further £17m of savings in 2018/19. The County Council therefore has to consider how it uses its resources to achieve its four priority outcomes which include keeping vulnerable people safe and helping people help themselves. We will continue to prioritise the funding we have available to support the activities that have the biggest impact on achieving the County Council's aims. We have acknowledged publicly that these tough choices may well mean that we are unable to sustain valuable preventative services which have a longer term benefit. To assist us in making these choices we have undertaken extensive consultation on the Adult Social Care budget proposals, including the potential reduction to Home Works funding. The outcome of this work will be reported to Cabinet on 26 June. An impact assessment will also be completed for Cabinet to ensure the effect of the potential reduction of funding and what mitigation actions might be taken, can be fully taken into account. The Cabinet report will address the issue of the risk of additional pressures on other services.

### **12. Question from Hugh Dunkerley, Brighton**

In March 2018, in answer to a written question from a member of the public, Cllr Fox stated that the Pension Committee 'has made the decision to have a significant proportion of its passively managed assets to be invested in the UBS Climate Aware fund.'

Can the Pension Committee confirm: (a) what proportion of their passive equity

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investments they plan to have invested in the UBS Climate Aware fund and by when; and (b) give its best estimate as to the proportion of the Fund's equity investments that will then be invested in the oil & gas industries once this shift has been completed?

### **Response by the Chair of the Pension Committee**

The Pension Committee has committed to putting 11% of the Funds held in their passive investment portfolio into the UBS Climate Aware Fund.

It is anticipated that the investment in the Climate aware fund will reduce the CO<sub>2</sub> emissions of Pension Fund with the portfolio companies contracting at an annual rate of 2.4%, compared to a rate of decline of 0.3% in the benchmark index.

### **13. Question from Ariane Hadjilias, Lewes, East Sussex**

How many, if any, of the oil and gas companies in which the East Sussex Pension Fund is invested currently use a <2 degree Celsius trajectory as their central planning scenario?

### **Response by the Chair of the Pension Committee**

Companies tend to use a range of scenarios, for example BP has an 'even faster transition' scenario, which follows the IEA 'sustainable development' scenario, with emissions falling by 50% by 2040.

Shell has a net carbon footprint ambition covering not just operational emissions but scopes 2 and 3, i.e. from the use of Shell products. The aim is to cut emissions by 20% by 2035 and by half by 2050. The CEO has stated implementation will be done 'in step with society's drive to align with the Paris goals'.

LAPFF's involvement in collaborative engagement in 2018 has a strong focus on companies supporting the Taskforce on Climate-related Financial Disclosure. One of the Task Force's key recommended disclosures focuses on the resilience of an organisation's strategy, taking into account consideration of different climate-related scenarios, including a 2° Celsius or lower scenario.

### **14. Question from Arnold Simanowitz, Lewes, East Sussex**

BP currently has a 19.75% equity interest in the oil company Rosneft, which Carbon Tracker lists as having the third highest unnecessary capital expenditure under the International Energy Agency's 450 scenario, with over \$69 billion committed to projects with break-even prices of over \$80 per barrel (<https://shareaction.org/wp-content/uploads/2017/10/InvestorReport-AimingForA-BP.pdf>).

In Councillor Stogdon's written answer to a question that I submitted to the 21 March 2017 Full Council meeting he noted that, as regards oil and gas companies, 'an important engagement focus [for the East Sussex Pension Fund] is the restriction of capital expenditure on high cost resource extraction'.

What actions have the Pension Committee and its fund managers taken to try and restrict BP's expenditure on the financially and environmentally reckless projects identified by Carbon Tracker? And, if no information is currently available beyond an

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assurance 'that all these stocks .... are being specifically looked at', on what date will such information become available?

### **Response by the Chair of the Pension Committee**

The East Sussex Pension Fund, through LAPFF continues to engage with BP as part of a new collaborative initiative called Climate Action 100. Broad objectives of this engagement include, as indicated previously, alignment with the resilience of an organisation's strategy, including a 2° Celsius or lower scenario. Climate 100 is powerful voice, comprising 279 investors with nearly USD \$30 trillion in assets under management.

The LAPFF Annual Reports contain details of all the engagement activities that they undertake on behalf of members. These can be found along with more detailed reports on their activities on their website <http://www.lapfforum.org>.

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### WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

#### **1. Question by Councillor Ungar to the Lead Member for Adult Social Care and Health**

The County Council contracts Community Pharmacies to provide certain services under its public health remit. It is a small part of the income of a pharmacy but the services are important.

Currently they have been providing Smoking Cessation, Chlamydia testing, condom distribution to young people, supervised consumption of medicines by those in drug misuse treatment programmes and emergency contraception. They are all done on an annual contract and SLA for each financial year. The old ones expired at 31 March and the new ones, as of 21 April, have still not been issued. I understand Pharmacies have continued providing services in April in anticipation that the contracts will be issued and will be at least similar, but I have been told there is a growing sense of unease that the delay may be caused by an intention to reduce the scope of the services or the payments made (which are already arguably less than the cost of delivering the services in some cases).

- a) Have any Community Pharmacies stopped providing the aforementioned services because the new contracts have not been issued?
- b) What is the explanation as to why the Contracts have not been issued or are being issued late?
- c) If not yet issued will the contracts be issued, and if so by what date?
- d) Will there be a reduction in the scope of the services and/or the payments made to provide these services?
- e) If there is to be a reduction in Community Pharmacy services, as currently provided under last year's contract, what services will be affected? If there is to be a reduction in the funding of these services by the County Council what services will be affected?
- f) Will the County Council pay Community Pharmacies for the services that they have provided so far this year (from the end of the last contract) under the terms of the old contract?

#### **Answer by the Lead Member for Adult Social Care and Health**

Smoking Cessation, Chlamydia testing, condom distribution to young people, supervised consumption of medicines by those in drug misuse treatment programmes and Emergency Hormonal Contraception are all services that fall under the Public Health Local Service Agreements (PHLSAs). We greatly value the services that Community Pharmacies deliver as part of the Public Health remit.

Usually the contracts for these services run from April of each year until March the following year. Pharmacies were notified in March that there would be a delay in issuing the new contracts.

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- a) We advised Pharmacies on 27 March that we would roll forward our current (2017/18) PHLSA contracts. We advised that Pharmacies could continue to provide services and claim in the usual way or to notify us if they wished to cease delivery of a service. We have not received any notifications of an intention to cease delivery of a PHLSA.
- b) The delay in issuing the PHLSAs resulted from the additional work required to ensure compliance with best practice guidance, particularly the implications of General Data Protection Regulations (GDPR), due to come into force on 25 May 2018, on our PHLSA contracts and approach.
- c) An e-mail was sent to pharmacies on 4 May advising of the new contract sign up arrangements. Pharmacies have been asked to respond by 15 June in order to claim for services from 1 July 2018 to 31 March 2019. Pharmacies will continue to be paid for claims against 2017/18 PHLSAs until the end of June. Claims from 1 July will only be paid to pharmacies where sign up is in place for 2018/19.
- d) An additional clause was added to the overarching contract to cover the new requirements of GDPR. Other than some wording amendments to improve clarity no changes have been made to the existing contracts. A new addendum to the Smoking Cessation service has been introduced which allows pharmacists to dispense Varenline (trade name Chantix and Champix). This is a prescription medication used to treat nicotine addiction. It both reduces cravings for and decreases the pleasurable effects of cigarettes and other tobacco products. This addition will make it easier for pharmacies to provide stop smoking services by enabling direct supply of this prescription only medicine, rather than referring to a patients' GP.
- e) No reduction is planned to community pharmacy services, with expansion being planned. For example, in commissioning our Integrated Lifestyle Service (ILS) we included an enhanced role for this specialist provider to support community pharmacies to deliver PHLSAs, including helping to increase the number of pharmacies providing key services, such as smoking cessation. We also agreed that our ILS provider could sub-contract provision of some NHS Health Checks to community pharmacies to increase reach to people most at risk of health inequalities.

In addition, work to implement the Healthy Living Pharmacy (HLP) programme is well underway. The HLP is a tiered framework aimed at achieving consistent delivery of a broad range of health improvement interventions through community pharmacies to improve the health and wellbeing of the local population and help to reduce health inequalities. In East Sussex, the programme is being developed in partnership by Public Health and local CCGs. Our Quarter 4 monitoring cites the success of the HLP programme. In 2017/18, 104 of the 108 (96%) community pharmacies were successfully accredited as HLP Level 1, one of the highest rates nationally.

The Portfolio Plan 2018/19 sets out an intention to roll out HLP Level 2 to support pharmacies in priority areas to deliver an enhanced health improvement offer. During 2018/19 we also intend to work with our service providers to review our PHLSA services to ensure that PHLSAs continue to support pharmacies and GPs to offer high quality interventions which meet the needs of local people.

- f) All pharmacies are paid monthly following an activity return. This will continue without interruption.

**2. Question by Councillor Ungar to the Lead Member for Adult Social Care and Health**

It is reported that NHS England wants CCGs to make £855 million of savings on Continuing Health Care projected budgets by 2021. It is further reported that in 2015-16, the number of people that received, or were assessed as eligible for, funding ranged from 28 to 356 people per 50,000 population.

During the last 4 years:

- In East Sussex how many people per 50,000 received, or were assessed as eligible for Continuing Health Care?
- How many people who were receiving Continuing Health Care later had their Continuing Health Care funding cancelled?
- Of these how many then became the responsibility of the County Council to Fund their care and at what cost?
- How many later had their continuing Health Care reinstated?

**Answer by the Lead Member for Adult Social Care and Health**

Continuing Health Care is an NHS responsibility and the County Council does not hold data on how many people in East Sussex per 50,000 received, or were assessed as eligible for Continuing Health Care. The Clinical Commissioning Groups in East Sussex have been asked to provide this information and will respond directly to Councillor Ungar. The response will also include data on how many people have seen their Continuing Health Care funding withdrawn and later re-instated.

The figures below show the number of people reviewed as no longer eligible for Continuing Health Care who were then referred to the County Council:

- 2014/2015: 46
- 2015/2016: 24
- 2016/2017: 41
- 2017/2018: 64

The current known estimated cost to the County Council is an annual £3.5m. This will however be subject to change as reviews of care and procurement arrangements may reduce this cost. Any successful appeals against the decision to withdraw Continuing Health Care funding would also see County Council costs reimbursed by the NHS.

**3. Question by Councillor Shuttleworth to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

What consultation took place with East Sussex Council group Leaders prior to the launch of Music Service consultation?

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

All councillors were notified of the agenda for the Lead Member meeting in the normal way. The decision to consult on the closure of the instrumental service was made at the Lead Member meeting and the consultation will be published in June.

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

What consultation took place with senior managers in the Music Service prior to the launch of consultation? What issues and concerns were raised by Managers in the Music Service and how have these been addressed?

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

The Head of Service was involved in discussions about options for how to make the required savings and once a way forward was identified worked with HR colleagues on the detail of the proposals. In the 2 years prior to launch, discussions took place with all members of the Music Service Senior Leadership Team (SLT) about different options for reducing the cost of the teaching workforce. The Head of Service worked on the detail of some options with HR and the SLT were updated on progress and the outcome of this work. The Senior Manager and Head of Service undertook some work looking at the different management functions required to effectively run the service, and what structures might deliver these more cost effectively. Discussion of specific structure options took place between the Head of Service, HR and the Assistant Director. It is normal practice for the relevant Head of Service and Assistant Director to draw up proposals for restructuring a service and it would not be normal for managers or staff potentially affected to be involved in the detail of this. The following issues and concerns about the structure that was proposed in the consultation document were raised:

- the removal of a teaching commitment from the Joint Area Manager role and the moving of the role from the school teachers' leadership scale to the Soulbury pay scale
- the number of staff that Joint Area Managers would be line managing
- whether there would be an impact on safeguarding at Area Music Centres
- the retention of the 1.5FTE senior management roles in favour of a flatter management structure and that the 2 senior manager positions had both originally been interim appointments
- the support for schools by the Curriculum Development Manager would be lost if the role was deleted
- the loss of the role of Curriculum Leader role and the support they provide to hourly-paid teaching staff and induction of new staff
- the loss of experienced members of the management team

Some members of the management team and a group of teaching staff put forward several alternative structures for consideration.

The issues and concerns were addressed in the following ways:

- several meetings were held with the SLT, the Curriculum Leaders and staff to discuss issues raised and answer questions
- a Frequently Asked Questions document was produced at the mid-point and end of the consultation process providing written responses to questions and issues raised
- changes were made to the proposals: a small teaching commitment was added to the Area Manager role and it was retained on the leadership scale; the Curriculum Leader roles were retained
- feedback was sought from a Joint Area Manager already in post and his staff



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regarding the impact of managing 2 staff teams; feedback was positive

- advice was sought from the Assistant Director of Early Help and Social Care who confirmed that safeguarding arrangements at Area Music Centres were appropriate
- HR confirmed an appropriate process had taken place to confirm the senior managers in their posts in the previous restructure
- the alternative structures were considered and detailed responses were provided as to why the structures were not considered to be as robust and / or cost effective as the proposed structure
- the AD looked in detail at the functions of the 2 senior manager roles and provided an explanation as to why they were required
- it was explained how the new structure provides for support to schools to be delivered in a different way
- it was acknowledged that there would be loss of experience within the management team with the proposal, but this would be the case with the alternatives put forward by staff

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

What investigations have taken place to learn from best practice from other Councils to inform our approach to the long term sustainability of the Music Service ?

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

- A group of music, culture and education experts, including the Head of Hampshire Music Service was brought together to undertake a service delivery model option analysis and develop a music education resilience strategy
- advice has been sought from other Heads of Service around the country and in particular the Heads of Service in the Southern Alliance of Music Services
- research of documents outlining different models for Music Services
- regular discussions with the Arts Council relationship manager
- detailed exploration with a neighbouring music service regarding a merger option
- HR discussions with HR colleagues from other LAs about grading and salary structures for music service staff

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

Why did the Council seek to remove Upper Pay Rate payments from staff knowing that it would face a challenge to the legality of such a move?

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

We were aware that it was likely it would be challenged by Trades Unions, however, it was considered to be the most equitable option for reducing the cost of the teaching workforce , legal advice indicated it would be possible and we wanted to avoid the option of closing the instrumental teaching service if possible

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

The Department for Education have announced that it expects all arts organisations to promote the Governments social mobility agenda. How is taking away opportunities for low income families to access Music opportunities going to support this policy?

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

The Music Service has successfully negotiated with the majority of schools in the county that they utilise pupil premium funding to support access to music lessons for FSM pupils, with the Music Service providing a top up. If the instrumental service closed, the intention would be that schools would continue to welcome other providers or private teachers to deliver instrumental lessons in their schools and would continue to provide funding towards lesson fees for FSM pupils. The Music Service as lead organisation of the Hub would use some of the surplus that would be released from closure to provide a bursary scheme to provide additional assistance. The Music Service would still operate a fee remission scheme for its remaining activities such as membership of Area Music Centres and participation in summer schools. The surplus released by closure of the instrumental teaching service could also be used to provide targeted music opportunities for children and young people in challenging circumstances.

### **8. Question by Councillor Enever to the Lead Member for Transport and Environment**

At recent events in Peacehaven, including the Lower Hoddern Farm planning application meeting and consultations on the Neighbourhood Plan, many members of the public have expressed scepticism that congestion on the A259 can be solved by the provision of more bikes and buses. Does the Highway Authority have a vision for the future of this section of the A259, which might include putting pressure on Brighton & Hove City Council to improve the Rottingdean junction and/or the construction of a relief road, as suggested by our MP Lloyd Russell-Moyle?

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

The introduction of any kind of relief road north of the A259 or a new link to the A27, which has been suggested by Lloyd Russell Moyle MP and others, would be very challenging to deliver as both would cross the protected landscape of the South Downs National Park to the north of Peacehaven and Newhaven. Therefore, this is not a practical solution – both in terms of deliverability or affordability - to addressing congestion on the A259.

Accordingly, in the context of the A259 our approach is to manage and improve the efficiency and effectiveness of the existing network as well as improving travel choices to meet existing and future travel needs arising from planned housing and employment growth in the area. The introduction of the bus lanes in 2008, with the corresponding improved frequency and quality of bus services along the corridor and significant increase in patronage on these services, forms part of that overall approach to meet existing and future demand.

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The Lewes District Local Plan sets out the plans for proposed housing and its distribution within the district. The transport interventions required to support the proposed level of housing development in Lewes District, in particular in Newhaven and Peacehaven, were identified through a series of strategic transport studies undertaken by the County Council, Lewes District Council and the South Downs National Park. These tested the transport impacts of development on the local road network and influenced the levels of housing growth in Newhaven, Peacehaven and Telscombe as set out in the Local Plan Core Strategy.

A key influence on the amount of growth that can come forward is the ability of the local road network to accommodate the additional transport demands and the ability to mitigate this. The transport studies identified that the proposed development for the Newhaven and Peacehaven area was contingent on a package of transport measures including capacity improvements to the Newhaven Ring Road and the junctions of the A259 with Sutton Avenue and Telscombe Cliffs Way being delivered to increase capacity of the network.

In addition, the outcomes of the transport studies identified that a robust and co-ordinated package of enhanced bus services along the A259 and serving the residential areas in Peacehaven and Newhaven as well as improvements for pedestrians and cyclists was also required to relieve traffic congestion and support the housing growth in the area.

Over the last five years we have taken forward the outcomes of the strategic transport studies and funded a package of local transport measures which improve travel choices for journeys along the A259 to mitigate the impact of planned development in Newhaven and Peacehaven and help address the air quality issues in Newhaven. This has included:

- improvements for pedestrians and cyclists with a footway/cycleway along the A259 on the northern side of the road as well as providing improvements for cyclists at Bishopstone and along Seaford seafront which means there is a continuous route between Newhaven and Seaford;
- improved bus stop facilities including the upgrading and extending of the real time passenger information system (RTPI) on the corridor; and
- improving the interchange for buses and taxis at Newhaven Town Station;
- revenue based initiatives which encouraged travel behavioural change and promote sustainable transport funded using monies secured from the Government's Local Sustainable Transport Fund as well as the Active Access Fund; and
- Incentives within travel plans for developments in the area which encourage public transport incentives (for example free bus tickets for new residents).

To further support the delivery of the package of transport interventions identified in the strategic transport studies, we have allocated funding within our County Council Capital Programme for Local Transport Improvements from 2018/19 towards:

- the design and delivery of the improvements to the Newhaven Ring Road;

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- the design and delivery of the further improvements for pedestrian, cyclists and public transport users on the A259 west of Newhaven; and
- continuing the design process for cycle improvements in Newhaven.

We will continue to develop, design and deliver local transport improvements on the A259 in accordance with the outcomes of the strategic transport studies and, subject to their availability, will seek to fund either using development contributions (s106 or Community Infrastructure Levy), monies secured through external funding bids to Government or the Local Enterprise Partnerships, or the County Council's funding allocation for local transport improvements.

In addition, following a bid from the developer of the Lower Hoddern Farm development in Peacehaven, Lewes District Council recently allocated £300,000 of its Community Infrastructure Levy monies to the A259 junction improvements at Sutton Avenue and Telscombe Cliffs Way. These improvements will now be taken forward and delivered by the Lower Hoddern Farm developer.

That said, at a recent meeting with the Peacehaven Focus Group, we have committed to undertaking a further transport study in 2019/20 which will be funded through our capital programme of local transport improvements. The study will identify the current issues and challenges on the A259 corridor, both in East Sussex and Brighton & Hove, and consider what additional transport improvements are required to address these issues and challenges now and in the future. Depending on what the study identifies, there will be potential to bid for funds to undertake any works through the anticipated Major Route Network fund.

### **9. Question by Councillor Stephen Shing to the Lead Member for Transport and Environment**

How many claims were made to ESCC in relation to damage by potholes between April 2016 to April 2017 and April 2017 to April 2018. With that, how many of those cases were successful against ESCC and what was the amount paid out in those 2 years?

What was the associated human resources cost to our council? Such as officer time, legal costs etc?

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

All claims are handled by the County Council's highways contractor.

In 2016/2017:

- Total number of pothole related claims received by East Sussex was 239
- Number of pothole claims paid out was 14
- Amount paid out was £3,618.34

In 2017/2018:

- Total number of pothole related claims received by East Sussex was 345
- Number of pothole claims paid out was 4
- Amount paid out was £1,069.20

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There was no associated human resources cost to the County Council as the highways contractor is paid to manage all matters relating to highways claims and insurance.

### **10. Question by Councillor Stephen Shing to the Lead Member for Transport and Environment**

How many claims were made to ESCC about Kerbing and Grass Verge damage between April 2016 to April 2017 and April 2017 to April 2018. With that, how many of those cases were successful against ESCC and what was the amount paid out in those 2 years?

What is the associated human resources cost to our council? Such as officer time, legal costs etc?

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

We don't keep separate records of damage caused due to kerbs/ verges, but estimate receiving no more than ten claims relating to kerbs and two claims relating to verges in the past two years.

### **11. Question by Councillor Ungar to the Leader and Lead Member for Strategic Management and Economic Development**

Bearing in mind the chronic underfunding of Adult Social Care here in East Sussex which means that there are unacceptable cuts in Social Care Service budgets causing so much distress to East Sussex residents and those who depend on Adult Social Care funded services, will the leader of the Council answer the question below?

With reference to the £1.6 million the Council has, as a one off grant from Central Government for Adult Social Care, which has not yet been allocated, will the £1.6 million allocation be agreed by full Council or the Cabinet?

### **Answer by the Leader and Lead Member for Strategic Management and Economic Development**

On 6 February 2018, the Secretary of State for Housing, Communities and Local Government announced an additional national allocation of £150m to support Adult Social Care for 2018/19. The allocation to East Sussex County Council was subsequently confirmed at £1,616,032. Options for how this one off funding will be used to support Adult Social Care are being considered and will be presented to Cabinet on 26 June 2018.

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

Proposals to cut the East Sussex Music Service have appalled thousands of residents who are protesting across the county.

The Schools Minister recently acknowledged the impact of music education and has earmarked £75 million for the government to spend in this sector. In the light of this funding, why is East Sussex County Council choosing to cut this service?

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

The £75m announced by Nick Gibb was not additional funding for music education but a confirmation of a renewal of the same level of funding, up to 2020, that is allocated to Music Education Hubs. The funding is distributed to each Hub according to a formula based on the number of school age children and a deprivation factor. East Sussex has seen small reductions to its allocation in the last 2 years.

The Music Service with its current costs, particularly the high cost of its teaching workforce, is not able to operate within the income received from the Hub and income from fees. The Director of Children's Services is not able to prioritise funding for the Music Service over other frontline services, to meet the budget shortfall. The service has been supported by County Council reserves while exploring a long-term financially sustainable solution. A proposal was presented to staff and unions in October 2017 which would have met the funding shortfall and provided some additional funding to support access to music opportunities for vulnerable children and young people. While some elements of the proposal are being implemented, unions have objected to a proposed change in terms and conditions of teaching staff and this proposal has been withdrawn, leaving a budget shortfall. Closing the instrumental service would enable the service to balance its budget and target more funding towards opportunities for vulnerable groups. This part of the service, though a significant proportion of the Music Service delivery, has been selected for possible closure, because young people would still have access to instrumental teaching through the private sector. Some of the funding released from closure could be used to support access to lessons for those with Special Educational Needs and Disability, those on low incomes and those in rural areas.

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

We are facing more strikes and disruption to education because of the failure to implement the recommendations of the School Teachers Pay Review Body on teachers' pay. In addition, East Sussex is a low wage, high cost of living area. For teachers, this means that staff will be attracted to other neighbouring local authorities, such as Brighton & Hove where wages are higher. Recruitment of teachers to key posts, including heads of department, is already suffering.

- a) Why is East Sussex County Council not following these recommendations in their model pay policy?
- b) What steps are they taking to encourage governors to implement the recommendations of the Pay Review Body so that teachers are properly rewarded and the education of our children protected?
- c) What further impact will this decision by the County Council have on the recruitment and retention of teachers?
- d) What risk assessment has the County Council carried out on the impact of the recruitment and retention of teachers on the wider wellbeing of pupils?

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

(a) It has been stated in the press that *“the dispute is over the failure of East Sussex to ask schools that the newer and lower paid teachers get a 2 per cent pay rise as recommended by the National School Teachers’ Pay Review Body (STRB)”*. To the best of our knowledge, we are not aware that the STRB have made this recommendation and we have asked a representative of the National Education Union (NEU) to refer us to where this is set out in the STRB report.

The School Teachers’ Pay and Conditions Document 2017 states the following based on the recommendations of the 27<sup>th</sup> Report of the School Teachers’ Pay and Review Body (STRB):

*a 2 % uplift has been applied to the statutory minimum and maximum of the main pay range, a 1 % uplift has been applied to the minima and maxima of all other pay ranges in the national framework (including headteacher groups) and all allowances across all pay ranges. Except for teachers and leaders on the minima of their respective ranges or group range, schools must determine, in accordance with their own pay policy, how to take account of the uplift to the national framework in making individual pay decisions.*

The Model Pay Policy for East Sussex exceeds the recommendations outlined by the STRB and the STPCD. In particular, the nominal reference points for all pay ranges and allowances, which the Council and schools have chosen to retain, despite these no longer being published in the School Teachers’ Pay and Conditions Document (STPCD), have been uplifted by 1 % other than MPR 1 and MPR 6 (b) which have been uplifted by 2%.

We have shared our correspondence on this matter with Brendan Ryan, Schools HR Manager for the London Borough of Wandsworth who is also the Industrial Relations Advisor for the Department for Education (DfE) and he has endorsed our challenge to the information published by NEU.

(b) The Model Pay Policy was issued to all governing bodies for East Sussex maintained schools in October 2017, following the conclusion of the consultation process with the Council, Headteachers and local regional representatives of the trade unions and professional associations.

The East Sussex Model Pay Policy provides governing bodies with detailed information for determining teachers’ pay for the 2017 – 18 academic year. The Policy has been developed to comply with the STRB and the STPCD, and exceeds the recommendations of both documents. Alongside the Model Pay Policy, a further guidance document is provided to governing bodies, as well as DfE statutory guidance.

Where schools request advice on the implementation of the national teachers’ pay award and the performance management process for teachers where they are awarded pay progression following their successful completion of annual performance management targets, linked directly to standards of teaching, learning and pupil progress, this is provided by colleagues in our HR Advisory Team.

## MINUTES

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It is a matter for individual school governing bodies on whether, or not, to adopt the East Sussex Model Pay Policy, or to adopt a different pay policy and request that a different rate of pay, within the national framework, be applied to staff in a school. Should a Governing Body wish to apply 2 % to entire main pay range, back dated to 1 September 2017, they have been asked by HR to confirm that the request has been formally recorded in the Governing Body minutes and for their request to be processed. Governing Bodies wishing to take this approach have been advised to forecast the likely impact of the cost of this decision on the school's three year budget plan to ensure that the cost of implementing this change to the main pay range in their schools is within the means of the budget as there has been no central funding from the government to pay for this year's pay award for teachers.

(c) Schools continue to recruit teachers to vacant posts. Nationally and locally there are issues with recruitment and retention of teachers for a range of reasons. Schools can use their Pay Policy flexibly and continue to remain within the national pay framework to reward and retain existing teachers for high performance, as well as attracting high quality calibre candidates for their vacancies.

Recruitment and retention of teachers is the responsibility of the Governing Body of each maintained school supported by a range of policies and procedures provided by HR. It would be a matter for the Governing Body to risk assess the impact of the recruitment and retention of teachers on the wider wellbeing of pupils, and where necessary seek appropriate advice.