

## REPORT OF THE CABINET

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The Cabinet met on 22 September 2015. Attendance:-

Councillor Glazier (Chair)

Councillors Bennett, Bentley, Chris Dowling, Elkin, Maynard, Simmons and Tidy

### 1. Council Monitoring – Quarter One 2015/16

1.1 The Cabinet has considered a report on performance against the Council Plan, Revenue Budget, Capital Programme, Savings Plan and risks for the first quarter of 2015/16. Broad progress against the Council's four strategic priority outcomes is summarised below and an overview of performance and finance data is provided in the Corporate Summary at Appendix 1 of the report to the Cabinet, previously circulated to all members. Strategic risks were reported at Appendix 7 of the report to the Cabinet and a detailed report for each department was provided was provided in Appendices 2 to 6 of the Cabinet report.

Carry over report for 2014/15 Council Plan

1.2 Four measures were carried over from quarter 4 reporting for the Council Plan 2014/15; three were achieved and one was not. Measures are carried over where action has been completed but the outturn data is not available for reporting at year-end. They are:

- Percentage of domestic abuse victims reporting improved safety following the delivery of a Multi-Agency Risk Assessment Conference action plan. Final outturn green, 82% (target 80%)
- The proportion of clients of the Independent Domestic Violence Advisor Service completing user evaluations who state they have benefited from that service. Final outturn green, 97% (target 80%)
- Percentage of people completing a health trainer intervention who achieve their primary or secondary goal. Final outturn green, 77% (target 75%)
- Household waste re-used, recycled or composted or used beneficially. Final outturn red, 539kg/hh (target 544kg/hh). Total household waste increased last year to 998kg/hh.

1.3 All 76 performance target outturns for 2014/15 are now known: 54 (71%) were achieved, 22 (29%) were not achieved. 45 measures can be compared to previous years, of these 32 (71%) improved, 4 (9%) showed no change and 9 (20%) deteriorated. A summary of these can be found at Appendix 1 of the report to the Cabinet.

Overview of 2015/16 Council Plan

1.4 Following year-end the Council Plan and Portfolio Plans 2015/16 – 2017/18 have been refreshed with completed outturns, and considering these, some changes have been made to the performance measures and targets. The updated plans are available on our website.

1.5 The Bexhill to Hastings Link Road is now due to open in the autumn of 2015 and an extended commentary on progress is included at Appendix 5 of the report to the Cabinet. The latest data shows that 48,309 premises now have access to improved broadband. Locate East Sussex have helped to create 13 jobs in quarter 1, these supplement the 235 confirmed jobs created over the course of the Regional Growth Fund 4 (RGF4), which ran from July 2013 to June 2015. The Business East Sussex tender was awarded to the Lets Do Business Group in May 2015 and launched on 2 July 2015. We completed 157 resurfacing schemes to around 87 kilometres of road. 76% of eligible 2 year olds have taken up a place with a preschool provider. The Department for Education data collated from January 2015 places East Sussex top of its statistical neighbours and second to our geographical neighbours in terms of preschool take up. Our dedicated First World War website has been viewed 54,000 times since launch in August 2014.

1.6 More detail of progress against each of our priority outcomes is set out at paragraphs 1.14 to 1.31 below. Of the 70 Council Plan targets, 62 (89%) are rated green and 8 (11%) are rated amber. Appendix 1 of the report to the Cabinet gives a breakdown of the measures rated amber by priority and department.

1.7 At quarter 1, the gross projected year-end overspend within service departments is £6.0m. The main areas of overspend are: Adult Social Care £3.0m overspend mainly on Independent Sector Care; Children's Services £1.2m overspend mainly for Looked After Children; Business Services £1.1m overspend due to structural pressures in the Link and commissioning cycle savings not yet allocated or being achieved; Communities Economy and Transport £0.7m overspend mainly as a result of unachieved waste savings. Departments are currently looking at ways to manage and mitigate these overspends.

1.8 If the departmental mitigations do not eliminate the projected overspend, the general contingency of £3.5m and the unallocated inflation provision of £0.976m are available if needed to achieve a break-even position.

1.9 The total savings target for 2015/16 is £19.9m including unachieved savings carried forward from previous years. At this stage, £4.2m of savings will not be achieved. Permanent mitigations of £0.5m and temporary mitigations of £1.9m have been identified.

1.10 The forecast expenditure on the capital programme is £153.3m against a budget of £177.1m. This represents a variation of £23.8m.

1.11 The most significant slippage of £12.7m relates to the Newhaven Port Access Road which has been awaiting Department for Transport approval following re-design of the scheme. The phase 1 Broadband project, which is delivering efficiencies due to new technology, has identified £6.7m slippage that may help to deliver Broadband to the remaining hard to reach areas of the county. Hasting library will also slip by £6.1m following a scheme re-design.

1.12 The total cost of the Bexhill Hastings Link Road is projected to be £120.8m (Appendix 5 of the report to the Cabinet). The latest estimates reflect a scheme overspending of £4.4m. The profile and funding of the remaining expenditure between the financial years is still to be resolved.

1.13 The Strategic Risk Register, Appendix 7 of the report to the Cabinet, has been reviewed and eight risks have been amended. Risk 3 (Care Act) has a revised risk description and risk control response. Risk 1 (Roads), risk 5 (Resource), risk 6 (Local Economic Growth), risk 7 (Schools), risk 8 (Capital Programme), risk 9 (Workforce) and risk 10 (Welfare Reform) all have amended risk control responses. The risk score for risk 7 (Schools) was amended from Amber to Red and the score for risk 3 (Care Act) was amended from Red to Amber. No new strategic risks have been added and no risks have been removed from the register.

#### Progress against Council Priorities

##### Driving economic growth

1.14 At the end of quarter 1, 85% of early years providers (preschools and childminders) were judged good or better, an improvement of 8% since June 2014 and in line with the national average. Since the introduction of an Early Years Foundation Stage (EYFS) judgement in schools in September 2014, 35 schools have been inspected and 88% have been judged good or better for EYFS. As at 14 July 2015, 77% of primary schools are judged good or better. This compares to 68% in July 2014 (Appendix 4 of the report to the Cabinet).

1.15 Early indications are that attainment is improving across the board. Members have already been made aware of the provisional GCSE results provided directly by East Sussex schools, and Department of Education (DfE) unvalidated results will be reported at quarter 2. The DfE will validate data and publish revised results in January 2016 allowing our comparative performance to be reported at quarter 3.

1.16 The National Development Team for Inclusion was commissioned to review our practices to help formulate a programme for identifying relevant opportunities for supporting learning/physically disabled adults in the work place. Consultation interviews and workshops

have been completed. The final version of the report has been received and an update will be provided in quarter 2 (Appendix 5 of the report to the Cabinet).

1.17 The Bexhill to Hastings Link Road is now due to open in the autumn of 2015 and an extended commentary on progress is included for this report. All concrete bridges and structures except one are complete. Highway drainage work is nearing completion and work to form the carriageway and lay tarmac has begun. In August the Planning Committee approved an amendment that allows for the formal opening of the road ahead of completing Greenways (routes for use by people on foot, bike or horseback) and landscape planting.

1.18 Planning permission for the Queensway Gateway Road, Hastings, had been granted in February 2015, but this has been challenged and the application will be reconsidered on 23 September 2015. Subject to approval of the plans and the tendering process, construction is now planned to begin in September 2015 and be completed by autumn 2016 (Appendix 5 of the report to the Cabinet).

1.19 The Regional Growth Fund 4 (RGF4) ran from July 2013 to June 2015, 235 verified jobs have been created against the 573 which are contracted. We have launched East Sussex Invest 4 (ESI4) to continue the work started under RGF4. A number of grants and loans were approved, including a £100,000 loan to Global Tailor Holdings Ltd allowing them to expand to new premises in Eastbourne which will create 14 new jobs.

1.20 Locate East Sussex helped four businesses open or relocate to East Sussex in quarter 1, creating 13 jobs. Companies supported included dukaPC, a Danish IT company specialising in friendly computers (with features such as big buttons etc.) for those struggling with a standard computer, who began operating in Eastbourne. This addresses three of the Council's four main priorities; driving economic growth, keeping vulnerable people safe and helping people help themselves (Appendix 5 of the report to the Cabinet).

1.21 A target has been set to increase the percentage of new Council contracts that include an Employability and Skills Plan (ESP). The ESP aims to increase the number of apprentices and work placements that a supplier is committed to deliver as part of any contract. Three active ESPs have been secured in quarter 1 for property maintenance term contracts worth £1.5m. In total these suppliers have committed to 20 work experience places for 14 to 18 year olds, 20 work experience places for 19+ year olds, and 10 apprenticeship programmes (Appendix 3 of the report to the Cabinet).

### Keeping vulnerable people safe

1.22 Eight contacts to the Rapid Action Team (RAT) were made in quarter 1; all were responded to within the two hour target response time by trading standards officers. Two additional visits were made to victims as a result of a relative discovering that their family member had fallen prey to rogue traders. These positive interventions by the RAT saved a total of £24,900 for the 10 consumers (Appendix 5 of the report to the Cabinet).

1.23 We have started to pilot a Multi Agency Safeguarding Hub (MASH). In the first phase this has provided enhanced multi-agency information sharing and decision making practice for children most in need. The primary objective of the MASH is to ensure there is an infrastructure in place to equip and support all staff to fulfil their responsibilities for safeguarding and promoting the welfare of children confidently, safely and effectively. These responsibilities include minimising risks of harm to children by taking appropriate action and sharing this information with our partners. The pilot was rolled out to the east of the county in September and has been extended to ensure a coherent response to missing children and children at risk of sexual exploitation (Appendix 4 of the report to the Cabinet).

1.24 The Prime Minister has announced his intention that Britain should resettle up to 20,000 Syrian refugees over the rest of this Parliament. We do not yet have full details of how the announcement will affect East Sussex but will work with the Government and local partners including other councils, health and voluntary and community partners to ensure that any refugees are properly supported in and by the local community. The potential number of refugees for most areas across the country is likely to be limited and it is likely to be some time until there are arrivals.

### Helping people help themselves

1.25 The latest provisional data for January to March 2015, which is reported in arrears, shows that there were 61 people Killed or Seriously Injured (KSI) on our roads, with three of these being fatalities. This is a 30% decrease from the same period in 2014, when there were 87 (updated) KSI's, but a 17% increase on the 2013 total of 52 (Appendix 5 of the report to the Council).

1.26 NHS Health Check data is reported a quarter in arrears. GP providers have successfully increased their NHS Health Check offers to patients in 2014/15, exceeding the 20% annual target for the first time. The latest data available shows that at the end of 2014/15 26.2% (43,717) of the eligible population have been offered a Health Check (including 9.9% (16,438) achieved during quarter 4). This is an increase of 52.4% (28,684) on 2013/14 (Appendix 2 of the report to the Cabinet).

1.27 Currently 40% (1,794) of adults and older people with a service are receiving direct payments. Performance has declined slightly from 42% in 2014/15. 2015/16 performance is likely to see a fall as Supported Accommodation Independent Living Service Direct Payments are reduced and as some clients who moved to Direct Payments under the Community Service Tender are likely to now move back to commissioned services. In these cases clients will still control their personal budget, but we will commission the services. A piece of work is being undertaken to look at those clients who are currently not receiving Direct Payments who may benefit from receiving their support in this way (Appendix 2 of the report to the Cabinet).

### Making best use of resources

1.28 We are expanding and embedding our partnership working with Surrey County Council (SCC) in relation to all Business Services. On 15 April, the partnership officially launched Orbis. Work is well underway to improve joint working between partners and develop the detailed business plan for approval by both ESCC and SCC Cabinets in October 2015 (Appendix 3 of the report to the Cabinet).

1.29 Five SPACES projects have been delivered in quarter 1. This included: two co-location projects, the procurement of training for customer contact teams, use of partner premises for training and consolidated locations. In addition, one off activities were completed with charitable organisations to recycle unwanted furniture and stationery items, saving the charities in the region of £20,000 (Appendix 3 of the report to the Cabinet).

1.30 CO<sup>2</sup> emissions in quarter 1 have fallen by 7% on the same period last year. A third of the reduction is due to lower street lighting consumption, with a major project in progress to upgrade Hastings to LED lanterns. Other projects that contributed included cavity wall and loft insulation (e.g. Linden Court, St Nicholas Centre, Mark Cross School and the lighting upgrade in County Hall) (Appendix 3 of the report to the Cabinet).

1.31 The performance measure relating to sickness absence now focuses on reporting on non-schools absence. Sickness absence for the whole authority (excluding schools) for quarter 1 is 2.01 days lost per Full Time Equivalent (FTE) employee. The latest end of year forecast is 8.98 days lost per FTE employee, against an annual target of 9.24. If this performance were to continue for the full year, we would reach or exceed the current target of 9.24 days for the year. It should, however, be recognised that in light of seasonal fluctuations, the level of sickness absence will likely rise over the next few quarters, which will in turn, impact on the year end outturn (Appendix 3 of the report to the Cabinet).

## **2. Devolution – Three Southern Counties Prospectus**

2.1 The Queen's speech in June contained an announcement that the Government would bring forward a Devolution Bill which would open up devolution deals similar to that agreed for the Greater Manchester area across the country. Within the SE7 area discussions took place about making an initial expression of interest on behalf of any areas which were interested in working together on a possible bid covering their areas.

2.2 Following these discussions and consultation with our borough and district colleagues, the leaders of East and West Sussex and Surrey County Council submitted a joint letter to Government in June asking for discussions with Government about a devolution bid. In late summer the Government announced that devolution bids needed to be submitted by 4 September 2015.

#### Prospectus

2.3 The prospectus was submitted to Government on 4 September was attached as Appendix 1 of the report to the Cabinet. It was put together on behalf of all principle local authorities in the three Counties and sets out high level ambitions in two key areas: economic development and skills and public sector transformation. The prospectus aims to help the area to cope with the cost of its current success, ensure all areas can benefit from the prosperity that exists in the south east and has the infrastructure and skills to remain successful in the future.

2.4 In relation to Adult Social Care and Health integration our devolution proposals and plans will not override our commitment to East Sussex Better Together.

2.5 The prospectus was developed in consultation with a wide range of stakeholders including all local authorities, Sussex Association of Local Councils, the universities, the Local Enterprise Partnerships, the Fire Authority, the Clinical Commissioning Groups, the national park authority and the police.

#### Next Steps

2.6 The prospectus will form the basis of further discussion with Government and more detailed work with our partners within the 3SC area and in neighbouring authorities. Any issues which affect the future operation of the County Council will be brought back into the authority for decision by members through our normal democratic processes.

### **3. East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan – Regulation 19 Consultation**

3.1 The Waste and Minerals Plan (WMP) was adopted by the County Council, Brighton & Hove City Council (BHCC) and the South Downs National Park Authority (SDNPA) in February 2013. The Plan set out the Authorities' planning policy for waste and minerals development in the Plan Area. It included ambitious targets for diverting 98% of all waste from landfill by 2020/21 and proposed that the Plan be net self-sufficient in waste management capacity. In order to achieve this, additional recycling and recovery facilities are required for the Plan period up to 2026. The WMP did not identify any specific sites but saved certain previous site allocations.

3.2 The Waste and Minerals Sites Plan (WMSP) has been prepared to provide spatial guidance on locations that would satisfy the requirements for waste facilities identified in the WMP. A 'Call for Sites' was carried out in Summer/Autumn 2013, whereby waste operators, agents, landowners and other individuals were invited to propose sites for consideration as part of the site selection process. This was carried out simultaneously with an open invitation for comments on what the WMSP ought to include. Detailed appraisal work was then undertaken on the location possibilities for waste facilities and other matters.

3.3 Public consultation on a draft WMSP was carried out over nine weeks in the summer of 2014. Following this, the proposed site allocations were reviewed and a Proposed Submission Draft Version has been prepared. The main consultation document for The Proposed Submission Draft Waste and Minerals Sites Plan has been circulated to all members separately as Appendix 1. The Proposed Submission Draft will now be subject to further public consultation under Regulation 19, before formal submission of the Proposed Submission WMSP to Government and Public Examination, prior to its adoption. A proposed Communications Strategy is enclosed as

Appendix 2 of the report considered by the Cabinet. The public consultation will be for a minimum period of eight weeks following approval by all three Authorities.

3.4 The consultation on the Draft Waste and Minerals Sites Plan received a total of 120 comments from 108 consultees. These comments were considered and, where appropriate, the Plan was altered to accommodate the views submitted.

3.5 Site appraisals of possible locations have been undertaken which considered the effects of waste management development on environmental and historic designations and residential amenity, as well as transport and flood risk issues. Consideration of 'opportunities' such as the possibility of co-locating with existing facilities to reduce transport of waste and the possibility of avoiding the use of greenfield sites, also formed part of the appraisal. A multi-faceted approach has been developed to give a range of guidance to potential developers. The sites assessed are outside the National Park and the High Weald Area of Outstanding Natural Beauty, save for one on the northern edge of Hastings. The approach identifies sites for allocation, areas of opportunity on previously developed or allocated land, areas of search for new mixed development, physical extensions of existing sites, and, existing industrial estates suitable for waste development. Discussions with Borough and District Councils about the proposed sites have been held. A Sustainability Appraisal has been prepared as well as a Policies Map. It is considered that sufficient allocations/guidance is included in the WMSP to satisfy the capacity gap for recycling and recovery waste facilities.

3.6 The WMSP will also safeguard waste and minerals resources. In accordance with Policy WMP6 of the WMP, the WMSP will identify waste consultation areas which are intended to ensure that the capacity to recycle and recover waste within the Plan Area can be maintained. In accordance with Policies WMP14 and WMP15, the WMSP also identifies mineral resources and wharves to be safeguarded including reinforcing the need for potential greater capacity at Shoreham Harbour. All this will help ensure a steady supply of aggregates to support the construction of new development and economic growth across the whole Plan Area.

3.7 There are waste water treatment capacity issues related to potential new development within the Plan Area. The Authorities have continued to have discussions with Southern Water about this matter. Southern Water issued a Position Statement in June 2015, which indicated that it is no longer seeking a new location for waste water treatment works in the South Wealden or Eastbourne areas, and instead it is proposed that additional capacity will be found within existing waste water treatment plants (Hailsham North and Hailsham South); the WMSP has been updated to reflect this.

3.8 Local Members directly affected by any specific site allocation will be briefed prior to the publication of any reports. The WMSP is a joint plan between the three authorities, each of which have their own Member processes to agree the public consultation document.

3.9 The costs of preparing for the public consultation on the Proposed Submission Waste and Minerals Sites Plan (WMSP) document are already included in the Department's budgets for this project. Total costs for the public consultation exercise are estimated to be about £12,000 but as the WMSP is being prepared jointly with BHCC and the SDNPA, costs on the WMSP will be shared.

3.10 The County Council is **recommended** to:

☆ (1) note progress on the Waste and Minerals Sites Plan;

(2) agree, subject to the endorsement of Brighton & Hove City Council and the South Downs National Park Authority, that the Draft Proposed Submission Waste and Minerals Sites Plan, circulated as Appendix 1, is published for 8 weeks public consultation and subsequent submission to the Secretary of State in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012; and

## **CABINET**

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(3) authorise the Director of Communities, Economy and Transport to make, if necessary, minor changes to the document arising from any views of the City Council and National Park Authority.

22 September 2015

KEITH GLAZIER  
(Chair)