

MINUTES

EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at Council Chamber, County Hall, Lewes on 7 MAY 2024 at 10.00 am

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

1. To elect a Chairman of the County Council

Councillor Pragnell (Chairman of the County Council) in the Chair.

1.1 The following motion was moved by Councillor Glazier and seconded –

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

1.2 The following motion was moved by Councillor Robinson and seconded –

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

1.3 The Council agreed to vote by a show of hands. Following the vote, the Chairman declared Councillor Galley appointed as the Chairman of the County Council for the ensuing year. Councillor Galley made a declaration of acceptance of office and took his seat as Chairman.

Councillor Galley in the Chair

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

1.5 The Chairman, Leader of the Council and other Members paid tribute to the way in which Councillor Pragnell had carried out his duties as Chairman of the County Council over the

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past year, acting as an ambassador for the County, hosting and attending a number of engagements and ensuring the work of the Council was recognised in communities within and outside East Sussex. The Chairman presented Councillor Pragnell with the past Chairman's badge.

2. To appoint a Vice Chairman of the County Council

2.1 The following motion was moved by Councillor Glazier and seconded –

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

2.2 The following motion was moved by Councillor Denis and seconded –

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

2.3 The Council agreed to vote by a show of hands. Following the vote, the Chairman declared Councillor Azad appointed as Vice Chairman of the County Council for the ensuing year. Councillor Azad made a declaration of acceptance of office and took his seat as Vice Chairman.

3. Minutes of the meeting held on 6 February 2024

3.1 RESOLVED – to confirm as a correct record the minutes of the County Council held on 6 February 2024.

4. Apologies for absence

4.1 Apologies for absence were received on behalf of Councillors David Tutt and Trevor Webb.

5. Chairman's business

FORMER COUNCILLOR PAM BROWN

5.1 The Chairman began with the sad news of the death of former Councillor Pam Brown, OBE. Pam was elected to the County Council in 1973 and 1980 and served between 1973 to 1977 and 1980 to 1997. She was the Chairman of East Sussex Social Services and served as a Councillor on Hastings Borough Council. Pam was elected to serve as Mayor of Hastings from 2004 and 2005 and was twice Leader of Hastings Borough Council. She was also Made Honorary Alderman of Hastings, speaker of the Cinque Ports and Chairman of the Housing Committee.

5.2 The Council stood for a moment's silence as a mark of respect to their former colleague Pam Brown.

PRAYERS

5.3 The Chairman thanked Father David Hill (Rector of St John's the Evangelist), for leading the prayers before the meeting.

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PETITIONS

5.4 The following petitions were presented before the meeting by Councillors:

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| Councillor Bowdler | - calling on the County Council to support the construction of a permanent school crossing at Punnetts Town Community Primary School. |
| Councillor Cross | - calling on the County Council to reduce the speed limit on Wellbrook Hill (the 267) between Mayfield and Five Ashes villages. |
| Councillor Osborne | - calling on the County Council to take action to make the stretch of road from Ditchling to Keymer safer for cyclists and pedestrians. |
| Councillor Osborne | - calling on the County Council to scrap the planned single carriageway on Station Road, Plumpton Green at the entrance to the Nolands Development. |
| Councillor Ungar | - calling on the County Council to provide a zebra crossing on Green Street, Eastbourne to be sited between Caffè Corro and Cheriton Court, bollards to be erected along the section of Green Street, Eastbourne between the Post Office to the end of this run of shops and that the road surface of Green Street, Eastbourne to be repaired and redressed. |

6. Declarations of Interest

6.1 There were no declarations of interest.

7. Reports

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

Governance Committee report – paragraph 2 (Appointment of Members to Committees, Sub-committees, Panels and other bodies).

Cabinet report – paragraph 1 (Council Monitoring: Quarter 3 2023/24), and paragraph 2 (Inspection of East Sussex local authority children's services).

NON-RESERVED PARAGRAPHS

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

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Governance Committee report – paragraph 1 (Amendment to the Constitution – East Sussex Pension Fund), paragraph 3 (Amendment to the Constitution – Health and Overview and Scrutiny Committee (HOSC) Terms of Reference.

Standards Committee report – paragraph 1 (Annual report of the Standards Committee).

8. Record of Delegation of Executive Functions

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

9. Report of the Governance Committee

Paragraph 2 – Appointments of Members to Committees, Sub-committees, Panels and other bodies.

9.1 Councillor Glazier moved the reserved paragraph in the Governance Committee report.

9.2 The following amendment to paragraph 2.13 was moved by Councillor Field and seconded:

(3) allocate the Chair and Vice Chair positions on the committees as set out in the table in paragraph 2.12 to Members of the opposition groups.

9.3 The amendment was LOST.

9.4 A vote on the original motion moved by Councillor Glazier was taken, and CARRIED.

10. Appointments 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 8 of the agenda, in accordance with the published list of nominations from political groups.

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 9 of the agenda, in accordance with the political balance provisions and the published list of nominations from political groups.

11.2 The motion was CARRIED.

12. Confirmation to the continuation of other bodies

12.1 Councillor Bennett moved, and it was seconded, that the bodies listed in agenda item 10 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 following amendment was moved by Councillor Field and seconded:

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that the bodies listed in agenda item 10 be continued, that the political balance provisions shall not apply to these Panels and that members be appointed by the Chief Executive, **in consultation with the Leader**, as the need arises.

12.3 The amendment was voted on and CARRIED.

12.4 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 in accordance with the published list of nominations from political groups.

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:

| Committee | Chair | Vice-Chair |
|--|---------------|------------|
| Regulatory | Chris Dowling | |
| Audit Committee | Swansborough | Fox |
| People Scrutiny Committee | Howell | Ungar |
| Place Scrutiny Committee | Beaver | Hilton |
| Health Overview and Scrutiny Committee | Belsey | Robinson |
| Governance Committee | Glazier | |
| Planning Committee | Liddiard | Lunn |
| Pension Committee | Fox | |
| Standards Committee | Belsey | |

15. Questions from members of the public

15.1 There were no questions from members of the public.

16. Report of the Cabinet

Paragraph 1 (Council Monitoring: Quarter 3 2023/24)

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16.1 Councillor Bennett moved the reserved paragraph.

16.2 The paragraph was noted after the debate.

Paragraph 2 (Inspection of East Sussex local authority children's services).

16.3 Councillor Bowdler moved the reserved paragraph.

16.4 The paragraph was noted after the debate.

17. Questions form County Councillors

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

| Questioner | Respondent | Subject |
|---------------------------|---------------------------|--|
| Councillor Murphy | Councillor Standley | Consultation on the merge of the STEP Academy schools. |
| Councillor Wright | Councillor Bennett | Council monitoring. |
| Councillor Lambert | Councillor Claire Dowling | Traffic Orders and delays to the Exceat bridge project. |
| Councillor Daniel | Councillor Claire Dowling | Tree planting in the County. |
| Councillor Daniel | Councillor di Cara | Water outage and stakeholder engagement. |
| Councillor Stephen? Shing | Councillor Claire Dowling | Newly fitted water meters and potential trip hazards caused through poor installation. |
| Councillor Stephen? Shing | Councillor Claire Dowling | Repairs of outstanding potholes. |

17.2 Two written questions were received from Councillors Ungar for the Lead Member for Education, Inclusion, Special Educations Needs and Disability, and Councillor Lambert for the Lead Member for Transport and Environment. The questions and answers are attached to these minutes. The Lead Members responded to the supplementary questions.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 11.38AM

The reports referred to are included in the minute book.

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Delegations approved by the Leader of the Council – 7 May 2024

(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 and Climate Change | Councillor Nick Bennett |
| Economy | Councillor Penny di Cara |
| Transport and Environment | Councillor Claire Dowling |
| Adult Social Care and Health | Councillor Carl Maynard |
| Children and Families (designated statutory Lead Member for Children's Services) | Councillor Bob Bowdler |
| 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 or alternatively hard copies are available at County Hall, Lewes (please contact Georgina Seligmann – 01273 482355) 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">• Chairing and managing the executive and its work • Any executive function including overall strategy and policy for the Council • Principal service area responsibilities: Communications Strategic Economic Planning Policy and Performance Health and Social Care Integration/Health and Wellbeing Board Equalities South East Seven Partnership Transport for South East (SNTB) Member Services all ancillary activities |

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| Resources and Climate Change | <ul style="list-style-type: none">• Any executive function including strategy and policy for all corporate resources matters• Principal service area responsibilities: Financial Management Property asset management Risk management Procurement Internal audit ICT Personnel and Training Legal Orbis Coroner services Council lead on Climate Change all ancillary activities |
| Economy | <ul style="list-style-type: none">• Any executive function including strategy and policy for all economic development and regeneration and all ancillary activities• Principal service area responsibilities Economic Development Culture Skills (shared with Education) all ancillary activities Trading Standards |

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| Transport and Environment | <ul style="list-style-type: none">• Any executive function including strategy and policy for all Transport and Environmental matters • Principal service area responsibilities: Operational services Planning and developmental control Transport strategy Archives and records Customer Services Emergency Planning Gypsies and travellers Libraries Registration Services Road Safety Environmental and waste strategy all ancillary activities |
| Adult Social Care and Health | <ul style="list-style-type: none">• Any executive function including strategy and policy for all Adult Social Care and Public Health matters • Principal service area responsibilities: Services for vulnerable adults including older people, learning disability, physical disability, mental health, public health and all ancillary activities Community Safety Voluntary Sector |

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|--|--|
| <p>Children and Families</p> | <ul style="list-style-type: none"> • Any executive function including overall strategy and policy for all Children’s Services (social care) matters • 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 |
| <p>Education and Inclusion, Special Educational Needs and Disability</p> | <ul style="list-style-type: none"> • Any executive function including strategy and policy for all Children’s Services (education) matters • Principal service area responsibilities: Quality and standards in educational establishments Special educational needs School admissions and transport Early years and childcare School organisation and place planning Skills (shared with Economy) all ancillary activities |

(c) *appointment to the position of Deputy Leader*

Councillor Bennett 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*

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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 Georgina Seligmann – 01273 482355)

Urgent Executive Decisions

There were no executive decisions taken during 2023/24 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.

Councillor Keith Glazier

Leader of the Council

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

1. Question from Councillor John Ungar to the Lead Member for Education and Inclusion, Special Educational Needs and Disability

- A. How many Education, Health and Care (EHC) Plans were due to be reviewed in the last academic year?

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

There were 4,110 active EHCPs at the beginning of the 2022/23 academic year. Over the course of the academic year, some of these children will have moved out of county or had their plan ceased without review (i.e. if the young person turned 25 or left education). Discounting those that moved out of county or ceased without review, 3,796 reviews were due in the 2022/23 academic year.

- B. How many of these reviews were completed within the prescribed timescales?

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

1,686 (44.4%) reviews were completed before or on the due date (i.e. no more than a year after the previous review/after the initial EHCP was issued).

1,735 (45.7%) reviews were completed after the due date (i.e. more than a year after the previous review/after the initial EHCP was issued).

375 (9.9%) reviews were due but had not been completed within the 2022/23 academic year.

- C. What action was taken if the prescribed timescales were not met in each case?

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

The delays in completion of reviews were for a range of reasons; this included those which were not able to be scheduled with all relevant parties before the 12 month window. As the LA cannot attend all annual reviews (due to the number of plans we maintain), we are hugely reliant on schools and colleges to undertake these on our behalf. This adds a level of challenge in ensuring that all are held within the designated 12 months. We have recently undertaken a comprehensive review of our processes around annual reviews to improve our offer. This includes setting up a designated team to oversee all annual reviews in priority year groups with a view to not only improving compliance, but also in ensuring that EHCPs contain current information in relation to

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children's needs that can inform progression to the next stage of education and/or employment.

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

Many residents are changing from petrol and diesel to electric vehicles. Whilst investment by local authorities in placing charging points in public car parks is welcomed it is often difficult, if not impossible, for residents without a driveway to safely charge their cars.

There are now solutions on the market which enable cars to be charged at home whilst avoiding the trip hazard caused by trailing cables. An example is given below:

[Local Authority Pavement Gully | EV Charging | Charge Gully — Charge Gully](#)

Will the County Council support and encourage residents to implement suitable systems to charge their vehicles at their own homes where they do not have access to a driveway?

Answer by the Lead Member for Transport and Environment

It is recognised that as more people are and will choose electric vehicles ahead of the end of new petrol and diesel vehicles being sold in 2035. With that, the ability to charge at or close to home will become increasingly important. This is reflected in our draft Local Transport Plan 2024 - 2050 (LTP4) and our emerging EV Charging Strategy, a supporting document to LTP4 which will be subject to consultation later this year.

In February 2024, the County Council secured £4.441m under tranche 1 of the Government's Local Electric Vehicle Infrastructure (LEVI) Fund, one of the first five authorities in the country to receive our funding. The LEVI funding will help the county council to scale up the delivery of local on street chargepoints, enabling more residents, especially those without off-street parking, to switch to EVs. The funding will also be used to provide chargepoints on the County Hall campus. We are working towards procuring an on-street chargepoint provider over the coming months and starting to deliver on-street chargepoints on the ground later this financial year.

As you have highlighted, the Government has also recently announced separate grant funding that is available to local residents with no off street parking to introduce EV chargepoints on their properties. Amongst the conditions of the grant funding, it is clear that a resident would need the approval of the local highway authority before any pavement cable gully, such as the example you provided, can be installed across the pavement.

Whilst these might look very attractive as a solution to enabling residents to charge their electric vehicles parked on-road from their properties, from a highway perspective, there are a number of implications that we would need to take into consideration including:

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- the licencing the installation of cable gully channels in the pavement,
- who owns the pavement cable gully as an asset on the highway,
- ensuring that the cable gully is safely installed and does not compromise pedestrian safety,
- the liability and maintenance of these gullies,
- how their introduction affects the commercial viability of potential on-street chargepoints delivered using the LEVI funding, and
- managing expectations that residents who are approved to introduce a cable gully would not have the right to park on road directly outside their property.

The government has notified local authorities that it intends to publish guidance to local authorities in the Spring of 2024 regarding the introduction of cross-pavement parking solutions such as cable gullies. Once we receive this guidance, we will then be able to fully evaluate whether and how cross pavement solutions can be safely installed and operated on our highway network to enable residents to charge their electric vehicles parked on-road outside their properties.