

## 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 5 FEBRUARY 2019 at 10.00 am**

**Present**

Councillors John Barnes MBE, Matthew Beaver, Colin Belsey, Nick Bennett, Phil Boorman, Bob Bowdler, Charles Clark, Martin Clarke, Godfrey Daniel, Philip Daniel, Angharad Davies, Chris Dowling, Claire Dowling, Deirdre Earl-Williams, Simon Elford, David Elkin, Nigel Enever, Michael Ensor, Kathryn Field, Gerard Fox, Roy Galley, Keith Glazier, Carolyn Lambert, Tom Liddiard, Laurie Loe, Carl Maynard, Ruth O'Keeffe MBE, Sarah Osborne, Peter Pragnell (Chairman), Pat Rodohan, Phil Scott, Daniel Shing, 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

**46 Minutes of the meeting held on 4 December 2018**

46.1 RESOLVED – to confirm as a correct record the minutes of the County Council meeting held on 4 December as a correct record

**47 Apologies for absence**

47.1 Apologies for absence were received from Councillors Bill Bentley, Tania Charman, Darren Grover and Jim Sheppard.

**48 Chairman's business**

**WELCOME**

48.1 The Chairman welcomed Councillor Earl-Williams to her first County Council meeting.

**NEW YEAR'S HONOURS**

48.2 On behalf of the Council, the Chairman congratulated all those who live or work in East Sussex who were recognised in the New Year's Honours.

**CHAIRMAN'S ACTIVITIES**

48.3 I have attended a number of engagements since the last County Council meeting including: holocaust memorial events at Eastbourne, Hastings and Lewes, the Christmas Pontifical Sung Vespers at Arundel Cathedral, the Christian Police Association Carol Service, an event celebrating Bangladeshi history and a National Literacy Trust event.

48.4 The Vice Chairman has also attended a number of events.

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### CHINESE NEW YEAR

48.5 The Chairman reported that the Chinese New Year began today and wished all a happy Chinese New Year.

### PRAYERS

48.6 The Chairman thanked Paul Mann, Leader and Pastor at King's Church, Hastings for leading the prayers before the meeting

### PETITIONS

48.7 The following petitions were presented by members immediately before the meeting:

- |                      |                                                                                                                                                     |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Councillor Ungar     | - calling on the County Council to make funding available to improve the junction of Victoria Drive, East Dean Road and Summerdown Road, Eastbourne |
| Councillor Ungar     | - calling on the County Council to carry out a safety survey of the highway (road and pavement) of Gore Park Road, Eastbourne                       |
| Councillor Whetstone | - calling on the County Council to consider the Legal Opinion on the interpretation of the 1974 Ashdown Forest Act                                  |

### **49 Questions from members of the public**

49.1 Copies of questions asked by Bob Downing from Seaford, Alice Burchfield from Peacehaven, Patricia Petterson-Vanegas from Forest Row, Ohana Banerjee from Lewes, Emily O'Brien from Newhaven, Zoe Gallagher from Lewes, Philip Rowland from Lewes, John Edson from Bishopstone, Lulah Ellender from Lewes, Arnold Simanowitz from Lewes, Julia Bell from Kingston and Antonia Jewels from Lewes and the answers from Councillor Simmons (Lead Member for Economy), Councillor Standley (Lead Member for Education and Inclusion, Special Educational Needs and Disability), Councillor Stogdon (Chair of the Pension Committee) and Councillor Elkin (Lead Member for Resources) are attached to these minutes. Supplementary questions were asked and responded to.

### **50 Declarations of Interest**

50.1 There were no declarations of interest.

### **51 Reports**

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

Cabinet report – paragraphs 1 (reconciling policy, performance and resources), 3 (annual progress report for looked after children's services) and 6 (scrutiny review of schools coping with change)

People Scrutiny Committee report – paragraph 1 (scrutiny review of schools coping with change)

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### NON-RESERVED PARAGRAPHS

51.2 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:

Cabinet report - paragraph 2 (Council monitoring), paragraph 4 (Treasury Management Policy and Strategy) and paragraph 5 (Conservators of Ashdown Forest Budget)

### **52 To receive notice by the Returning Officer certifying the election of a county councillor for the Bexhill West electoral division**

52.1 The Council agreed to receive the Notice of the Returning Officer certifying the election of a County Councillor for the Bexhill West division at the by-election held on 10 January 2019

### **53 Report of the Cabinet**

Paragraph 1 – Reconciling Policy, Performance and Resources

53.1 Under Standing Order 23, the Council agreed that the speeches of the Leaders of the five groups (or their nominees) on paragraph 1 of the Cabinet's report be extended beyond five minutes.

53.2 Councillor Elkin moved the adoption of paragraph 1 of the Cabinet's report.

53.3 The following amendment was moved by Councillor Webb and seconded:

*Delete paragraph 1.50 of the Cabinet's report and replace with:-*

*(1) approve, in principle, the draft Council Plan at Appendix 4 and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*

*(2) approve the net Revenue Budget estimates totalling £375m for 2019/20 as set out in Appendices 1 (Medium Term Financial Plan) and 2 (Budget Summary) and authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader, to make adjustments to the presentation of the Budget Summary to reflect the final settlement and budget decisions subject to the following amendments for 2019/20 only:*

- 1. Reverse the proposed saving for SLES high standards of £0.124m*
- 2. Reverse the proposed saving for SLES performance £0.725m*
- 3. Reverse the proposed saving for Home to School Transport of £0.042m*
- 4. Reverse the proposed saving for working age adults of £0.247m*

*To be funded by the following:-*

- 5. Reduce contributions to reserves by £1.138m*

*(3) in accordance with the Local Government Finance Act 1992 to agree that:*

- (i) the net budget requirement is £375m and the amount calculated by East Sussex County Council as its council tax requirement (see Appendix 5) for the year 2019/20 is £287.7m;*
- (ii) the amount calculated by East Sussex County Council as the basic amount of its council tax (i.e. for a band D property) for the year 2019/20 is £1,434.78 and represents a 2.99% increase on the previous year;*

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*(4) advise the District and Borough Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 5*

*(5) note the fees and charges set out in Appendix 6 that have been increased above inflation;*

*(6) approve the Capital Strategy and Programme for 2018 – 2023 as set out at Appendix 7;*

*(7) note the Medium Term Financial Plan forecast for the period 2019/20 to 2021/22 as set out in Appendix 1;*

*(8) note the comments of the Chief Finance Officer on budget risks and robustness as set out in Appendix 8; and*

*(9) note the comments from the engagement exercises as set out in Appendix 9.*

53.4 A recorded vote on Councillor Webb's amendment was taken. The amendment was LOST, the votes being cast as follows:

### FOR THE AMENDMENT

Councillors Godfrey Daniel, Scott, Daniel Shing, Stephen Shing and Webb

### AGAINST THE AMENDMENT

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

### ABSTENTIONS

Councillors Philip Daniel, Field, Lambert, Osborne, Rodohan, Shuttleworth, Swansborough, Tutt, Ungar and Wallis

53.5 The following motion was moved by Councillor Elkin to adopt paragraph 1 of the Cabinet report

*(1) approve, in principle, the draft Council Plan at Appendix 4 and authorise the Chief Executive to finalise the Plan in consultation with the relevant Lead Members;*

*(2) approve the net Revenue Budget estimates totalling £375m for 2019/20 as set out in Appendices 1 (Medium Term Financial Plan) and 2 (Budget Summary) and authorise the Chief Operating Officer, in consultation with the Chief Finance Officer, Leader and Deputy Leader, to make adjustments to the presentation of the Budget Summary to reflect the final settlement and budget decisions;*

*(3) in accordance with the Local Government Finance Act 1992 to agree that:*

- (i) the net budget requirement is £375m and the amount calculated by East Sussex County Council as its council tax requirement (see Appendix 5) for the year 2019/20 is £287.7m;*

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- (ii) *the amount calculated by East Sussex County Council as the basic amount of its council tax (i.e. for a band D property) for the year 2019/20 is £1,434.78 and represents a 2.99% increase on the previous year;*

*(4) advise the District and Borough Councils of the relevant amounts payable and council tax in other bands in line with the regulations and to issue precepts accordingly in accordance with an agreed schedule of instalments as set out at Appendix 5*

*(5) note the fees and charges set out in Appendix 6 that have been increased above inflation;*

*(6) approve the Capital Strategy and Programme for 2018 – 2023 as set out at Appendix 7;*

*(7) note the Medium Term Financial Plan forecast for the period 2019/20 to 2021/22 as set out in Appendix 1;*

*(8) note the comments of the Chief Finance Officer on budget risks and robustness as set out in Appendix 8; and*

*(9) note the comments from the engagement exercises as set out in Appendix 9.*

53.6 A recorded vote on Councillor Elkin's motion was taken. The motion was CARRIED with the votes being cast as follows:

### FOR THE MOTION

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

### AGAINST THE MOTION

Councillors Godfrey Daniel, Philip Daniel, Field, Lambert, Osborne, Rodohan, Scott, Daniel Shing, Stephen Shing, Shuttleworth, Swansborough, Tutt, Ungar, Wallis and Webb

### ABSTENTIONS

None

Paragraph 3 (annual progress report for looked after children's services)

53.7 Councillor Glazier moved the reserved paragraph of the Cabinet's report.

53.8 The motion was CARRIED after debate

53.9 The Chairman reminded the Council that he was taking paragraph 6 of the Cabinet report with the report of the People Scrutiny Committee.

## **54 Report of the People Scrutiny Committee**

### SCRUTINY REVIEW OF SCHOOLS COPING WITH CHANGE

54.1 The Chairman reminded the Council that he was taking paragraph 1 of this report with paragraph 6 of the Cabinet's report

54.2 Councillor Davies moved the adoption of paragraph 1 of the Scrutiny Committee report.

54.3 Councillor Glazier moved the adoption of paragraph 6 of the Cabinet's report. The motion, including the recommendations, was CARRIED after debate.

54.4 The motion to adopt paragraph 1 of the Scrutiny Committee's report, including the recommendations, was CARRIED after debate on the basis that implementation would be in accordance with the recommendations of the Cabinet.

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

Questioner	Respondent	Subject
Councillor Shuttleworth	Councillor Standley	Consultation on the English as an Additional Language Service and the future of the Service
Councillor Field	Councillor Bennett	Impact of the introduction of charging for certain items at HWRS and level of income generated
Councillor Lambert	Councillor Maynard	Provision of adult social care services from health hubs in the County
Councillor Webb	Councillor Standley	Consultation regarding the future of the English as an Additional Language Service
Councillor Ensor	Councillor Bennett	Priority road safety infrastructure improvement programme
Councillor Beaver	Councillor Bennett	Update on the progress of work at the eastern end of the Queensway gateway.

55.2 There were no written questions from councillors.

The reports referred to are included in the minute book

## QUESTION FROM MEMBERS OF THE PUBLIC

### 1. Question from Bob Downing, Seaford East Sussex

My question relates to the £23m second stage of the Newhaven Port Access Road (NPAR).

ESCC has always insisted that the NPAR would follow the route given planning approval by ESCC in July 1996 (LW/1751/CC), and repeated in the 2018 Business Case.

In April 2014, in commenting upon a proposed variation of the route submitted via Lewes District Council (LDC) as LW/13/0729, ESCC observed (as note HT401, which erroneously states that the road affected is the A259) that:

*The horizontal and vertical alignment of the proposed road has been checked by the ESCC's consultant to ensure the alignment does not affect any future phasing of the Port Access Road. As the levels are nearly identical at Chainage 600 [only 0.05m difference] the next phase of the Port Access Road can be tied in at the Pargut Roundabout.*

and that:

*Therefore the Highway Authority have no objection to the proposed development ...*

The lack of ESCC objection to the route variation implicit in the application and its subsequent LDC approval resulted in the then developer building the “wrong” roundabout. It very obviously has an extra 4<sup>th</sup> arm, pointing not towards where the final stage of the NPAR would run but directly out across the wildlife sanctuary towards the A259. From the comment made, it is clear that ESCC did not examine the route variation with care and so missed the opportunity to prevent the “wrong” Pargut Roundabout being built.

Since the building of Stage 1 (aka Phase 1a) was completed in Autumn 2015, the “wrong” roundabout has lain unused and obviously wrong to any passer by using the public footpaths across the Wildlife Sanctuary, or even casually looking at it via Google Earth.

Evidently at some stage in 2018 ESCC finally realised it was indeed not the route originally given planning permission in 1996 and would (somewhat bafflingly) *not* “tie in with the next phase” – contradicting its own advice. Nevertheless the Council has maintained in response to every enquiry that the NPAR’s final stage would run *exactly* as per the 1996 plan, despite this being clearly impossible given the ESCC-approved design of Pargut Roundabout.

This was the cause of much querying about why the final stage would start off heading across the SDNP, none of which was sensibly answered. ESCC has only conceded in December that the entire roundabout, including drainage, signs and electrical installations, will be dug up again and the new centre rebuilt some 65m away (which means the new roundabout will be barely 3m away from overlapping the old) in order to make Stage 2 (aka Phase 1b) conform to the 1996 route.

Yet it is clear on the ground that the “wrong” design only needs the spurious spur to be closed off – a matter of simply completing the edge kerb. The existing south-pointing arm could clearly be used as the starting point for the remainder of the NPAR, with a minor adaptation thereafter, the initial variation being a matter of a mere 3m or so.

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Why has ESCC decided to spend a significant amount of public money ripping up and relaying some 165m of road, given the high cost of the groundwork required at such a site, at a time when public finances are so stretched, rather than:

- a) admitting its 2014 mistake in not objecting and simply giving itself planning permission to make a route variation, and:
- b) admitting that it did not itself read its own 2014 judgement that "*the next phase of the Port Access Road can be tied in at the Pargut Roundabout*" and proceeding accordingly,

when such simple solutions would clearly reduce the amount of overspend to a minimum?

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

In responding to the questions put by Mr Downing, I would first like to set out some context to the issue he is concerned with.

As Mr Downing correctly points out, planning permission for the full Port Access Road was originally granted in 1996. The permission was renewed in 2002 and in 2007 planning permission was granted to vary one of the conditions from the 2002 permission. Subsequent to this, Lewes District Council granted planning permission for a mixed use scheme on land to the west of the Port Access Road. This scheme, along with the subsequent planning application referred to by Mr Downing, saw an alteration to the previously ESCC approved scheme, in that a 4-arm roundabout was to be constructed at the southern end of Phase 1 of the Port Access Road. The ESCC approved scheme was for a 3-arm roundabout and the reason why a 4-arm roundabout was proposed, and subsequently delivered, was to allow suitable access to the retail, employment premises and residential development that had been granted planning permission to the west.

The County Council's Transport Development Control team responded to this application and this response is referred to by Mr Downing. The County Council was required to consider this application on its own merits and whilst reference was made to the wider full Port Access Road scheme, an objection to this proposal was not merited on the basis that the subsequent phase of the Port Access Road could differ from the already approved scheme under the consents granted by the County Council. The response correctly highlighted that the level of the proposal (i.e. the vertical alignment) could tie in with the approved Port Access Road. What was not acknowledged in this response was that should the subsequent phase of the Port Access Road tie in with this roundabout, it would have been likely to have required an amendment to the planning permission already granted by the County Council. This was not an oversight, or mistake, as clearly it would have been inappropriate for the Council to pre-determine any subsequent decision it may have had to make on an application that sought such an amendment.

Over the course of the last three years, it has become apparent that elements of the planning permission to the west of the Port Access Road were unlikely to be delivered. In particular, this is the approved retail foodstore that would have been delivered by ASDA.

In light of this, the Council had two options for Phase 2 of the Port Access Road, namely to revert back to the alignment that was originally granted planning consent by the County Council, or to have an alignment that would tie in with the roundabout



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constructed as part of the planning permission granted by Lewes District Council. The County Council opted to utilise the 2007 planning permission. This was primarily due to the fact that to construct phase 2 of the Port Access Road from the recently constructed Pargut roundabout would have resulted in an alignment of the road that would have had a significant landtake in the area that is subject to the National Park designation.

I note your suggestion that Phase 1b of the Newhaven Port Access Road could be continued along its original alignment, with a minor adaption, from the 4<sup>th</sup> (southern) arm of the current Pargut roundabout thereby negating the need to move the roundabout. This was considered by our consultant design engineers and unfortunately, such an alignment - especially for large lorries entering and exiting the roundabout from the south - would not meet the design standards set out the Design Manual for Roads and Bridges, a set of technical documents that highway authorities use for the design, construction and maintenance of highways. Therefore, in order for the remaining section of the Port Access Road to be constructed to meet the necessary design and safety standards, the Pargut roundabout needs to be relocated back to its original position.

Finally, I would also like to point out that there is not an overspend on the delivery of the second phase of the Port Access Road. Current projected expenditure is in accordance with the County Council's own Capital Budget, along with the approved Business Case that was submitted to the Department for Transport.

### **2. Question from Alice Burchfield, Peacehaven, East Sussex**

I have read the report "Schools Coping with Change - The Way Forward", and as a parent of children in Peacehaven, I am very concerned that East Sussex County Council are putting schools under pressure to join Multiple Academy Trusts (MATs). I find this very concerning indeed, given that many people consider that Academies are now a failed model. Please can you reassure me that East Sussex County Council will not be promoting MATs over other type of partnerships for schools?

### **Response by the Lead Member for Education and Special Educational Needs and Disability**

A key priority articulated in the LA's *Excellence for All* strategy for school improvement is creating a sustainable model of system-led school improvement by developing and supporting a range of partnerships which may include multi-academy trusts. As part of this strategy, the LA works with school leaders and governors to support them to find the best solution to their local context.

The ultimate decision about whether a school converts to academy status is the decision of the governing body, unless the school has been directed to convert by the Secretary of State.

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

Renewable energy is already damaging the more exposed parts of the fossil fuel system. The European electricity sector has written off \$150bn of stranded assets since 2008, Peabody filed for bankruptcy in 2016 when coal demand was 4% below its peak, and GE has lost half its capitalisation in the last year' ('Myths of the energy transition: Renewables are too small to matter.', Carbon Tracker, October

2018, [https://www.carbontracker.org/wp-content/uploads/2018/10/CTI\\_Myths\\_Series\\_1\\_Renewables-too-small.pdf](https://www.carbontracker.org/wp-content/uploads/2018/10/CTI_Myths_Series_1_Renewables-too-small.pdf)).

Given that 'it is normal for markets to react at the peak', when do the East Sussex Pension Fund's fund managers believe that peak demand for fossil fuels is likely to take place?

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

The Pension Committee believes that investors with long term time horizons are more exposed to certain risks and requires that its investment managers are aware of and consider these when making investments. It is acknowledged that investment managers carry out detailed research on the prospects for individual companies and industries and have access to company management. The Committee meets with investment managers at its regular quarterly meetings and has the opportunity to discuss relevant developments in detail. To challenge investments strategies and to ensure these are being followed and that all relevant risks have been considered.

When peak demand for fossil fuel may occur is dependent on many varying factors around which many assumptions are made. Therefore there is a divergence of views from the Fund's investment managers at what point peak demand for fossil fuels will occur, along with what impact this will have on individual companies. While some managers believe that demand for fossil fuels will peak in the early 2030s. There is no consensus on 'when is peak?', but estimates vary from the 2020s, with organisations such as Carbon Tracker predicting this will be in 2023, to the energy industry's estimate of 2040. It is believed that pinpointing a precise year gives a misleading sense of accuracy.

### **4. Question from Ohana Banerjee, Lewes, East Sussex**

I have recently read the document Schools coping with change the way forward.

I am very anxious as a parent of two children at school in East Sussex. There seems to be real pressure put on schools to form a "formal partnership" and become academies as a solution to a funding problem. Is anyone thinking about the pressure this is putting on schools? the risks to the schools and their future status and the lack of attention given to the quality of education given to our children right now and in the future?

### **Response by the Lead Member for Education and Special Educational Needs and Disability**

A key priority articulated in the LA's *Excellence for All* strategy for school improvement is creating a sustainable model of system-led school improvement by developing and supporting a range of partnerships which may include multi-academy trusts. As part of this strategy, the LA works with school leaders and governors to support them to find the best solution to their local context.

The ultimate decision about whether a school converts to academy status is the decision of the governing body, unless the school has been directed to convert by the Secretary of State.

**5. Question from Emily O'Brien, Newhaven, East Sussex (on behalf of Community Action Newhaven)**

Community Action Newhaven are deeply concerned about the County Council's failure to engage with the public in relation to the controversial £23 million Newhaven Port Access Road and flyover to Tide Mills Beach.

At the last council meeting you responded to our question on this issue stating that you would be updating your website. Yet this has not happened, and the timeline shows construction as "starting Summer 2018" when it hasn't even begun.

More importantly you stated that there would be public engagement via a new 'community liaison group.' Likewise in response to our complaint of 14th February 2018 - nearly a year ago - you stated that "With regard to future consultation with the local community [...] it is the intention to set up a local community liaison group, or similar, in order to engage with local residents and other stakeholders and ensure progress and plans are shared"

Yet there is still zero sign of this group. Our question is therefore: Is the community liaison group real? if so when will it first meet? And will Community Action Newhaven be offered a place on it, and if not why not?

**Response by the Lead Member for Economy**

The construction phase of the Newhaven Port Access Road commenced on 7 January 2019, and the ESCC web site is being updated accordingly with an updated timeline.

Now that construction has started in earnest, our contractor BAM Nuttall will be making arrangements for a Community Liaison Group to be set up with the intention of meeting up every three months. Terms of Reference for this group are being prepared, and we would welcome attendance by a representative of Community Action Newhaven. Our contractor will contact local stakeholder groups to confirm the arrangements for the first of these meetings.

**6. Question from Zoe Gallagher, Lewes, East Sussex**

Why does ESCC want to encourage schools to enter formal partnerships - MATs or Federations - despite widespread opposition from local parents and teachers?

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

A key priority articulated in the LA's *Excellence for All* strategy for school improvement is creating a sustainable model of system-led school improvement by developing and supporting a range of partnerships which may include multi-academy trusts. As part of this strategy, the LA works with school leaders and governors to support them to find the best solution to their local context.

The ultimate decision about whether a school converts to academy status is the decision of the governing body, unless the school has been directed to convert by the Secretary of State.

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With regards to the proposals by Lewes schools, we understand that they are now exploring a broader range of options for partnership. The LA supports the further development of the strong partnership working already in existence across schools in the town. We believe that a formal partnership of the schools will bring benefits to individual schools, improve outcomes for all pupils and secure the sustainability of high performance for the longer term.

### **7. Question from Philip Rowland, Lewes, East Sussex**

Why is the Council trying to offload its schools by pushing them to pursue federations and academies without evidence that these are successful educational models instead of helping those schools through the difficulties caused by cuts in central and local funding?"

### **Response by the Lead Member for Education and Special Educational Needs and Disability**

A key priority articulated in the LA's *Excellence for All* strategy for school improvement is creating a sustainable model of system-led school improvement by developing and supporting a range of partnerships which may include multi-academy trusts. As part of this strategy, the LA works with school leaders and governors to support them to find the best solution to their local context.

The ultimate decision about whether a school converts to academy status is the decision of the governing body, unless the school has been directed to convert by the Secretary of State.

With regards to the proposals by Lewes schools, we understand that they are now exploring a broader range of options for partnership. The LA supports the further development of the strong partnership working already in existence across schools in the town. We believe that a formal partnership of the schools will bring benefits to individual schools, improve outcomes for all pupils and secure the sustainability of high performance for the longer term.

The LA recognises that the funding climate for schools will remain very challenging. This environment has led an increasing number of schools to work in, or develop, formal partnership structures such as federations or multi-academy trusts. These partnerships will contribute to the future sustainability of local schools, as well as supporting further improvement in outcomes for all pupils. In addition, the LA actively supports the recent campaign led by headteachers in East Sussex schools to lobby central government for a fair funding settlement. The Council's recent campaign for fair funding specifically asked Government for a long-term funding plan that would secure our schools' success. We want all our schools to be well funded and to ensure that all children and young people in the county receive a high quality education.

### **8. Question from John Edson, Bishopstone, East Sussex**

East Sussex County Council is in the embarrassing situation of on the one hand making cuts to vital services including meals on wheels, and yet on the other hand choosing to spend £23 million of public money on a controversial flyover, which doesn't even tackle the traffic problems in Newhaven which so desperately need addressing - and could make them worse.

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Northamptonshire County Council were recently in the news because they've asked, and been granted, permission by Government to re-allocate money earmarked for capital spend towards the day to day running of their services.

This Council could ask to do the same - or could choose to fund desperately needed measures to alleviate congestion on the A259 around Newhaven and Peacehaven, given that the recent partnership bid to do so has failed to secure the funding needed.

Do Councillors agree there are more important things to spend £23 million of our taxpayers money on? - and are you now prepared to take action to re-allocate this funding?

### **Response by the Lead Member for Resources**

The County Council is not in the same position as Northamptonshire County Council, which has been unable to produce a balanced budget and has therefore been given special permission to use capital reserves to support revenue spend temporarily. This is very much a temporary measure, is unsustainable, and Northamptonshire County Council will still need to reduce its spending in line with its income and to make reductions in service expenditure. The budget put forward to Council today, whilst meaning that there will need to be changes and reductions to some services, is balanced. It aims to make the best use of our resources to support all the Council's priorities.

Supporting economic growth in East Sussex is one of County Council's priorities and improvement of the Newhaven Port Access road is part of the work in support of that priority. It will reduce traffic on residential roads in Newhaven, removing HVGs from them. It is also aimed at improving the economy in and around Newhaven, bringing 450 new jobs to the area. The Port Access Road is a good example of effective partnership working with Lewes District Council, the Coast to Capital Local Enterprise Partnership and the Government. The Department for Transport are providing £10m of funding. I appreciate that the A259 does have issues with congestion in parts, and the Council will be working with local communities during the year to try to identify some solutions.

### **9. Question from Lulah Ellender, Lewes, East Sussex**

Please can the Lead Member confirm whether the move to push all Local Authority schools into MATs or Federations (merely a stepping stone to academisation) is driven by evidence-based research on improvements in educational standards and enriching experiences for our children (of which there doesn't seem to be any), or whether it's just a cost-cutting exercise resulting from funding cuts by central government?

### **Response by the Lead Member for Education and Special Educational Needs and Disability**

A key priority articulated in the LA's *Excellence for All* strategy for school improvement is creating a sustainable model of system-led school improvement by developing and supporting a range of partnerships which may include multi-academy trusts. As part of this strategy, the LA works with school leaders and governors to support them to find the best solution to their local context.

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The ultimate decision about whether a school converts to academy status is the decision of the governing body, unless the school has been directed to convert by the Secretary of State.

With regards to the proposals by Lewes schools, we understand that they are now exploring a broader range of options for partnership. The LA supports the further development of the strong partnership working already in existence across schools in the town. We believe that a formal partnership of the schools will bring benefits to individual schools, improve outcomes for all pupils and secure the sustainability of high performance for the longer term.

The LA recognises that the funding climate for schools will remain very challenging. This environment has led an increasing number of schools to work in, or develop, formal partnership structures such as federations or multi-academy trusts. These partnerships will contribute to the future sustainability of local schools, as well as supporting further improvement in outcomes for all pupils. In addition, the LA actively supports the recent campaign led by headteachers in East Sussex schools to lobby central government for a fair funding settlement. The Council's recent campaign for fair funding specifically asked Government for a long-term funding plan that would secure our schools' success. We want all our schools to be well funded and to ensure that all children and young people in the county receive a high quality education.

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

Last month saw the publication of an important scientific paper in the journal Nature Communications, entitled: 'Current fossil fuel infrastructure does not yet commit us to 1.5 °C warming' (<https://www.nature.com/articles/s41467-018-07999-w>).

This found that 'if carbon-intensive infrastructure is phased out at the end of its design lifetime from the end of 2018, there is a 64% chance that peak global mean temperature rise remains below 1.5 °C' but that 'delaying mitigation until 2030 considerably reduces the likelihood that 1.5 °C would be attainable even if the rate of fossil fuel retirement was accelerated.'

According to Christopher Smith, of the University of Leeds, who led the research: "It's good news from a geophysical point of view. But on the other side of the coin, the [immediate fossil fuel phaseout] is really at the limit of what we could possibly do. We are basically saying we can't build anything now that emits fossil fuels."

According to Nicholas Stern, of the London School of Economics, who was not part of the research team: "This study confirms that all new energy infrastructure must be sustainable from now on if we are to avoid locking in commitments to emissions that would lead to the world exceeding the goals of the Paris agreement."

Given these conclusions, and the dire human and financial impacts of scenarios in which we exceed 1.5 °C of global warming, how does the East Sussex Pension Committee justify continuing to invest in fossil fuel companies that continue exploring for new sources of fossil fuels and building new infrastructure to extract them?

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

The Pension Committee believes by increasing pressure on oil and gas companies, through active shareholder engagement, we can get companies to improve their

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corporate behavior. Improvements made by these engagements lead to an increase in the long term value of the Fund's investments.

The Fund's approach to engagement recognises the importance of working in partnership to magnify the voice and maximise the influence of investors as owners. The Fund appreciates that to gain the attention of companies in addressing governance concerns it needs to join with other investors sharing similar concerns. The Committee continues to engage with investment managers, along with its investment into the climate aware fund which provides an incentive to companies to move towards limiting climate change.

### **11. Question from Julia Bell, Kingston, East Sussex**

How can any partnership ensure the individuality/ethos and local input of each individual school ?

### **Response by the Lead Member for Education and Special Educational Needs and Disability**

Formal partnership arrangements include federations where schools remain within LA management and multi-academy trusts where funding and accountability moves to the Regional Schools Commissioner. Formal partnerships facilitate the sharing of leadership, staff and resources more effectively than informal partnership arrangements.

Federations are legal arrangements under the School Governance (Federations) (England) Regulations 2012 and are where two or more schools are governed collectively under a single governing body.

Each school may maintain a headteacher or choose to have a single headteacher or an executive headteacher who works in a more strategic way with Heads of School dealing with the day to day management of their schools. Some schools choose to work initially in a collaboration arrangement, and then in time move to a more formal federation.

Schools within a federation continue to have their own:

- budget
- admissions arrangements and
- uniform

Schools within a federation are recognised and inspected separately by Ofsted. Within this context it is for schools and partnerships in collaboration with their communities to determine matters of ethos and organisation.

### **12. Question from Antonia Jewels, Lewes, East Sussex**

I was interested to read the scrutiny committee review board minutes entitled 'Schools Coping with Change'. I was surprised to read that it was the council's position to encourage schools into Formal Partnerships (also known as Federations or MATs). As you know there has been recent strong opposition to these partnerships in Lewes and ALL schools in Lewes are revisiting any move towards academisation, dissolving the MAT working group. Also, it is no longer Government policy to push schools into becoming MATs.

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Recently during the last full Council meeting a question was asked about the council's policy and whether they were favouring schools forming MATs. The answer was simply that the decision to become a MAT was entirely the responsibility of the school governors and that the council had no official stance on the issue.

Please can you explain why then the council is now providing contrary advice to schools and that in response to currently funding challenges, schools are better off in Formal Partnerships?

Bearing in mind that it is the responsibility of the LEA to manage schools, why are they now 'washing their hands' of schools? Encouraging schools into the flawed Academy system when it is damaging to children, teachers and the wider community.

Please explain what steps are being taken to further lobby central Government for proper and acceptable levels of funding for schools.

The same 'national funding formula' has been applied to neighbouring Brighton & Hove, please explain what mismanagement of funds has been allowed to take place in ESCC?

### **Response by the Lead Member for Education and Special Educational Needs and Disability**

A key priority articulated in the LA's *Excellence for All* strategy for school improvement is creating a sustainable model of system-led school improvement by developing and supporting a range of partnerships which may include multi-academy trusts. As part of this strategy, the LA works with school leaders and governors to support them to find the best solution to their local context.

The ultimate decision about whether a school converts to academy status is the decision of the governing body, unless the school has been directed to convert by the Secretary of State.

With regards to the proposals by Lewes schools, we understand that they are now exploring a broader range of options for partnership. The LA supports the further development of the strong partnership working already in existence across schools in the town. We believe that a formal partnership of the schools will bring benefits to individual schools, improve outcomes for all pupils and secure the sustainability of high performance for the longer term.

The LA recognises that the funding climate for schools will remain very challenging. This environment has led an increasing number of schools to work in, or develop, formal partnership structures such as federations or multi-academy trusts. These partnerships will contribute to the future sustainability of local schools, as well as supporting further improvement in outcomes for all pupils. In addition, the LA actively supports the recent campaign led by headteachers in East Sussex schools to lobby central government for a fair funding settlement. The Council's recent campaign for fair funding specifically asked Government for a long-term funding plan that would secure our schools' success. We want all our schools to be well funded and to ensure that all children and young people in the county receive a high quality education.



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There is broad agreement that the proposed National Funding Formula (NFF) does not address the continuing unfairness of funding allocations and remaining locked in inequalities.

The inconsistencies in funding for individual schools with similar characteristics across the country remain too great as a result of the protection of schools that are better funded. Implementation of the NFF has understandably attempted to ensure stability and the protection of schools against loss, but this undermines the ambition to create a fairer funding system across all local authorities.

East Sussex schools face the additional challenge of a significantly higher proportion of small rural schools that are both more costly to run and place a greater pressure on the total budget for schools.

I continue to work with schools, local politicians and national campaigners to address school funding matters.